

PUBLIC INVOLVEMENT PROGRAM PLAN

**Excelsior Energy Center
Town of Byron,
Genesee County, New York**

Case No.: 19-F-0299



**Excelsior Energy Center, LLC
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Juno Beach, Florida 33408**

June 2019

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List of Acronyms

ACENY	Alliance for Clean Energy New York, Inc.
CES	Clean Energy Standard
DMM	Document and Matter Management
DOE	Department of Energy
DPS	Department of Public Service
FAA	Federal Aviation Administration
GIS	Geographic information system
MW	megawatt
NYPA	New York Power Authority
NYSDEC	New York State Department of Environmental Conservation
NYSERDA	New York State Energy Research and Development Authority
PIP Plan	Public Involvement Program Plan
POC	point of contact
POI	point of interconnection
Project	Excelsior Energy Center
Project Area	locations being evaluated for placement of permanent Project facilities, including the proposed collection substation and interconnection facilities
PSL	Public Service Law
PSS	Preliminary Scoping Statement
SEP	2015 New York State Energy Plan
Siting Board	New York State Board on Electric Generation Siting and the Environment
Study Area	all areas within two (2) miles of the Project Area property boundaries

1. INTRODUCTION

Excelsior Energy Center, LLC, a wholly-owned indirect subsidiary of NextEra Energy Resources, LLC (“NextEra Energy Resources”), plans to submit an application to construct a major electric generating facility (the “Excelsior Energy Center”) under Article 10 of the Public Service Law (PSL). Pursuant to the rules of the New York State Board on Electric Generation Siting and the Environment (Siting Board), applicants proposing to submit an application to construct a major electric generating facility under Article 10 must submit a Public Involvement Program Plan (PIP Plan). The PIP Plan must be submitted to the Department of Public Service (DPS) for review at least 150 days prior to filing a Preliminary Scoping Statement (PSS). This document is the PIP Plan for the Excelsior Energy Center (the “Project”), a solar energy facility with energy storage described in Section 2.

As required by 16 NYCRR § 1000.4, this PIP Plan includes the following elements:

- 1) consultation with the affected agencies and other stakeholders;
- 2) pre-application activities to encourage stakeholders to participate at the earliest opportunity;
- 3) activities designed to educate the public as to the specific proposal and the Article 10 review process, including the availability of funding for municipal and local parties;
- 4) the establishment of a website to disseminate information to the public;
- 5) notifications; and
- 6) activities designed to encourage participation by stakeholders in the certification and compliance process.

2. APPLICANT AND PROJECT DESCRIPTION

2.1 Company Profile

NextEra Energy Resources is the competitive energy subsidiary of NextEra Energy, Inc., a Fortune 200 company and the world's largest generator of renewable energy from the wind and sun. NextEra Energy Resources is primarily a wholesale power generator, operating power plants and selling the output to utilities, retail electricity providers, power cooperatives, municipal electric providers and large industrial companies. Nationally recognized as a leading clean energy provider, NextEra Energy Resources has a portfolio of facilities totaling more than 21,000 megawatts (MW) of generating capacity in the United States and Canada. More than 99 percent of our electricity is derived from clean or renewable sources, including wind, solar, natural gas and nuclear energy.

The Excelsior Energy Center would be compatible with the New York State policies promoting renewable energy goals, including the 2015 New York State Energy Plan (SEP), the Clean Energy Standard (CES) which proposes to achieve 50 percent of the State's electricity to be generated from renewable sources by 2030 (the "50 by 30 goal"), and Governor Cuomo's State of the State address in January 2019 pledging to move New York to 100 percent carbon-free electricity by 2040.

Excelsior Energy Center, LLC intends to construct, own, operate, and maintain all components of the Project, with the exception of the interconnection switchyard. The switchyard facility will be constructed by Excelsior Energy Center, LLC, and then transferred to the New York Power Authority (NYPA), which will own, operate, and maintain the switchyard.

2.2 Project Summary

Excelsior Energy Center is planning the Project to have a maximum generating capability of 280 MW of power and a 20 MW/4-hour duration energy storage system located on land leased from owners of private property located in the Town of Byron, Genesee County, New York (Figure 1). The Project is planned to commence commercial operation in 2022 and will be designed to operate at least 30 years.

Project facilities will include commercial-scale solar arrays, access roads, buried (and possibly overhead) electric collection lines, energy storage, a Project collection substation, and electrical interconnection facilities. Excelsior Energy Center anticipates the interconnection facilities will include a 345 kV switchyard, which, as noted above, will be transferred to NYPA to own and operate. The proposed collection substation and interconnection facilities will be located on land located within the northern portion of the Project Area (defined in Section 2.3 below), adjacent to NYPA's existing Rochester to Moses Niagara 345kV/Rochester to Somerset 345kV transmission line. With the entire Project subject to Article 10, the outreach activities described in this PIP Plan will address both the interconnection facilities and the solar energy/energy storage facility.

The proposed Project will have positive socioeconomic impacts in the Project Area and beyond through employment opportunities, specifically by generating construction employment. Based on similar Project experience elsewhere, Excelsior Energy Center estimates that approximately 300-350 construction jobs (peak) will be created during the approximate 9-12 months of construction. Local construction employment will primarily benefit those in the construction trades, including equipment operators, truck drivers, laborers, and electricians. Excelsior Energy Center encourages local hiring to the greatest extent possible and workers from outside the area who fill specialized job functions will add to the regional economy by staying in area hotels, eating

in the local restaurants and shopping in Genesee County stores. The operation of the facility will require three to four local permanent employment positions.

2.3 Project Area and Study Area

Figures 1-3 show the regional Project location, the Project Area and the preliminary Study Area to be used for analysis. For purposes of this document, Excelsior Energy Center is defining these areas as follows:

- The Project Area is comprised of the locations being evaluated for placement of permanent Project facilities, including the proposed collection substation and interconnection facilities. As shown in Figure 2, the Project Area currently includes approximately 3,418 acres of land, of which approximately 1,500-2,000 acres would be utilized for the proposed solar energy center. Additional land area beyond what is required for the proposed solar energy center is included in the Project Area in order to provide setbacks from neighboring land uses and to minimize impacts to environmental resources to the maximum extent practicable.
- Consistent with 16 NYCRR § 1000.2(ar), the Study Area (as shown in Figure 3) is all areas within two (2) miles of the Project Area boundaries (which includes the planned location of Project generating facility components, interconnections and related facilities), and includes approximately 32,282 acres of land (inclusive of the approximately 3,406-acre Project Area). As a number of studies will be performed in support of the Application, some of the studies may utilize resource-specific study areas greater than the two-mile radius, as will be discussed in the PSS.

The Project Area and Study Area are based on preliminary estimates of where facilities could be located. The PSS and Application will further define these areas.

3. PUBLIC INVOLVEMENT PROGRAM OVERVIEW

3.1 PIP Plan Goals

Excelsior Energy Center developed this PIP Plan so that comments of individuals and groups with a potential interest in the Project are objectively considered in the Project design and review. Specific PIP Plan goals are to:

- Identify groups and individuals with a potential interest in the Project, i.e., “stakeholders;”
- Implement activities to make stakeholders aware of the Project;
- Facilitate stakeholders access to information on the Project and the Article 10 review process in a relatively convenient manner;
- Engage stakeholders to understand their interests related to the Project and seek input as to how to best address their interests and concerns as the Project moves forward;
- Gather specific information from stakeholders that can be used to design objective and useful studies to be defined in the PSS and included in a complete Application for the Project.

3.2 PIP Plan Schedule

Excelsior Energy Center will begin conducting PIP Plan activities during the pre-application phase, and these public involvement activities will continue throughout the Article 10 process until the Project begins commercial operation. Additional outreach to host landowners and municipal officials will take place during decommissioning activities. Specific PIP Plan activities and their schedules are discussed in Section 5.

4. STAKEHOLDERS

4.1 Identification of Stakeholders

Excelsior Energy Center has identified several categories of stakeholders. Overall, Excelsior Energy Center relied on its experience in developing other projects and the knowledge of its local representatives to identify potential stakeholders. The identification of stakeholders was based on DPS guidance, conducting internet research, site visits to the Project Area and Study Area, review of GIS records, tax records, and consultation with environmental/regulatory counsel.

Descriptions of stakeholder categories are located in the following sections below, and Appendix A contains the preliminary Project stakeholder list and the current known contact information for each stakeholder. A mailing list will be developed based on the stakeholders listed below, addresses solicited from public meetings, and those gathered from contacts generated through the Project website. The Applicant anticipates that the mailing list will be updated as necessary based on information received during PIP Plan activities, and these updates will be provided to DPS along with the PIP Plan tracking submissions.

Project outreach materials will contain instructions on how to be added to the stakeholder list. Individuals or organizations will be able to be added to the stakeholder list by calling a Project representative, mailing a letter to a Project representative, by sending an email to Excelsior Energy Center through the Project website or requesting to be added to the Stakeholder List at an open house event.

4.2 Host Community

For the purposes of this PIP Plan, host community refers to the municipality that includes the Project Area and is anticipated to include Project components. The Town Board and Planning Board representing the host community within the Project Area were identified by review of town and county boundary maps and are considered stakeholders. Points of contact (POC) will be the Town Supervisor. Notices will be addressed to each member of the Town Board and Planning Board at the address for the Town Hall.

4.3 County Agencies

County agencies, with areas of responsibility potentially affected by the Project, were identified by review of the county websites and/or county GIS data. Note that the County Emergency Services Coordinator and Sheriff are identified as stakeholders and are listed under the category of “Emergency Responders.”

4.4 State Agencies

Departments of New York State governments were identified using Excelsior Energy Center’s experience in developing utility projects in the region, as well as those agencies specifically identified in 16 NYCRR § 1000.5 and 1000.6.

4.5 Federal Agencies

Agencies of the U.S. government were identified using Excelsior Energy Center's experience in developing projects in the United States, review of previous PIP Plan submittals, and DPS guidance.

4.6 Legislative Representatives

Offices of the New York State Legislature, the U.S. Senate, U.S. Congress, and Genesee County Legislators representing the Study Area were identified by review of on-line district maps.

4.7 Highway Departments

County and town departments responsible for managing roads in the Study Area were identified by review of town and county boundary maps, and online research.

4.8 Schools

School districts serving parcels in the Study Area and school districts adjacent to these districts were identified by review of county tax maps and online research.

4.9 Emergency Responders

Fire departments, emergency responders and police or sheriff departments serving parcels in the Study Area were identified by review of county tax maps and online research.

4.10 Adjacent Municipalities

Towns, villages, or other municipalities that are not host communities but are in the Study Area were identified by review of municipal boundary maps and GIS mapping.

4.11 Utilities

Companies that own gas, electric, or communications infrastructure in the Project Area were identified by available local and state geographic information databases (e.g., Ventyx), online research, and previous PIP Plan submittals. Utility companies will be contacted concerning

location of facilities, design and safety standards for construction near existing infrastructure.

4.12 Public Interest Groups

Organizations that serve interests of the public in the Study Area were identified from the 2019 list of county officials that includes county and town historians, and online research. This category includes business organizations, county and town historians, conservation, outdoor recreation or environmental organizations.

4.13 Airports and Heliports

The Federal Aviation Administration (FAA) evaluates potential impacts on air navigation for proposed structures that exceed certain criteria, such as heights greater than 200 feet above ground level and in close proximity to public use and military airports (14 CFR §77.9(a-e)). The proposed facility will not trigger notification to the FAA.

4.14 Participating Landowners

The property owners that have entered into lease, easement, purchase option, or setback agreements with Excelsior Energy Center and will allow construction of Project facilities on their property are considered “participating landowners”.

Excelsior Energy Center’s private contracts with landowners contain provisions for Excelsior Energy Center and landowners to work together on Project plans. These consultations are confidential discussions outside the scope of this PIP Plan. In addition to confidential communications with Excelsior Energy Center, participating landowners living in the Project Area will be notified of Project milestones and events in the same manner as all residents of the Study Area. Participating landowners will be included in mailings, outreach activities and notifications that are provided to the stakeholders identified in this PIP Plan and as the Project progresses. However, for privacy purposes, the stakeholder list may include addresses or parcel numbers rather than landowner identification. The current Town Clerk is a participating landowner.

4.15 Adjacent Landowners

Owners of properties that abut Project facilities, but who are not participating landowners, are considered “adjacent landowners.” Specifically, “adjacent landowners” are those landowners

within 2,500 feet of the Project Area property boundaries. As the Project layout evolves, some stakeholders identified as adjacent landowners may recede while others may be added in response to changes in land acquisition and facilities siting. While all Study Area residents will be initially notified and have the opportunity to join the stakeholders list (see 4.16 below) once a Project layout is developed, Excelsior Energy Center will identify these adjacent landowners by review of tax records and will add the adjacent owners individually to the stakeholder list. These owners will receive mailings or emails notifying them of Project milestones and events. Adjacent landowners will be included in mailings, outreach activities and notifications that are provided to the stakeholders identified in this PIP Plan and as the Project progresses. However, for privacy purposes, the stakeholder list may include addresses or parcel numbers rather than landowner identification.

4.16 Area Residents

Residents of the Study Area who are not participating landowners or adjacent owners are included in the stakeholder list as one group. Excelsior Energy Center plans to notify these residents of the Project individually by mailing an informational flyer announcing the open houses and providing general Project information to all unique addresses in the tax assessment rolls for the Study Area. At the open house, attendees will be encouraged to join the stakeholder list if they wish to continue to receive notice of future Project milestones (i.e., availability of the PSS, public statement hearings, filing of the Application.). Besides the open house notifications, Excelsior Energy Center does not plan additional broad mailings to area residents that do not register as stakeholders. However, these residents would still likely hear more of the Project through public outreach activities, notices in area newspapers, and updates on the Project website.

5. PUBLIC INVOLVEMENT PROGRAM ELEMENTS

The overall objective of the PIP Plan, which is inherent in each of the following elements, is to engage with all stakeholders in order to understand their varied interests and concerns as they relate to the Project, to seek their input and to gather specific, objective information that can be utilized to inform the detailed study plans that will make up the PSS, and to explain methods Excelsior Energy Center will use to keep stakeholders informed throughout the entire Article 10 process. To that end, the PIP Plan will involve the program elements outlined in the sections below.

5.1 PIP Plan Activities, Schedule, and Goals

Appendix B lists the PIP Plan activities Excelsior Energy Center plans to conduct, and the schedule and goals for each activity. Public involvement activities will be conducted throughout the Article 10 process. Materials to encourage public involvement throughout the Article 10 process, such as fact sheets covering topics listed in Section 5.5 below, and open house events are currently being prepared, and will be available on the Project website.

5.2 Consultation with Affected Agencies and other Stakeholders

At any stakeholder meetings or conference calls, Excelsior Energy Center will be represented by one or more of the representatives identified in Section 5.4.1.

Each consultation meeting will include an overview of the proposed Project and the Article 10 review process. Additional topics covered during stakeholder consultations will vary depending on the stakeholder's role and potential impact. Examples of possible topics are the availability of funding for municipal and local parties, local laws, emergency response requirements, and potential environmental impacts. Stakeholder consultation meetings will be documented and summarized in the PIP Plan Tracking Report (as discussed in Section 5.8.1 below). The Tracking Report will also identify, as applicable and appropriate, concerns or questions raised by the public, as well as the Applicant's response.

As appropriate, Excelsior Energy Center will conduct subsequent meetings to answer specific questions, and to discuss studies, mitigation, or other strategies that could address stakeholder

concerns. A key to these interactions, and a core of the PIP Plan, is receiving information from the stakeholders.

A schedule of initial consultations is provided in Appendix B.

5.2.1 Stakeholder Notifications

The Siting Board's rules establish the notification requirements for serving documents. In accordance with 16 NYCRR § 1000.7, Excelsior Energy Center will publish all required notices in the Daily News, Democrat & Chronicle, the Batavian and the Genesee Valley Pennysaver (see Section 5.7). The notices will not be placed in the "legal notice" section of the newspapers but rather a prominent location in the newspaper will be sought to the extent reasonable and available.

As noted in Section 4.16, Excelsior Energy Center plans to notify residents of the Study Area of the Project individually by mailing an informational flyer announcing the open houses and providing general Project information to all unique addresses in the tax assessment rolls for the Study Area. Additional information on this notification can be found in Section 5.7.

No less than three days before filing of the PSS and the Application, Excelsior Energy Center will publish a notice of the PSS and the Application in the newspapers listed above; serve each member of the State Legislature in whose district any portion of the proposed Project is to be located; will provide written notice to those persons who have filed a statement with the Secretary within the past twelve months that wish to receive such notices; and provide mail and email (if available) notification to all parties on the stakeholder List. In addition, notifications will be posted on the Project website, which is discussed in Section 5.6.

The Applicant will publish any other notices required by the Presiding Examiner or other section of Article 10 in the manner prescribed by the Presiding Examiner or under the procedures contained in Article 10.

5.2.2 Collection of Stakeholder Input

For stakeholder groups, Excelsior Energy Center will identify and contact the group's POC to introduce the Project and offer to meet with the stakeholder group or POC. At stakeholder meetings Excelsior Energy Center will introduce NextEra Energy Resources, the Project, and the Article 10 review process, and Excelsior Energy Center will solicit specific feedback on issues that stakeholders want considered in the Project design or review. This feedback will be tracked in a comment log as discussed in Section 5.8.1 below.

Depending on the number of individual stakeholders, it may not be practical to contact each individually. Regardless, individual stakeholders will be notified of several opportunities to learn about the Project and submit input, including on the Project website.

5.2.3 Distribution of PSS and Application Documents to Stakeholders

Stakeholders will be made aware (via mail and email) of PSS and Application availability on the Project website, the DPS website and at various public document repositories. Excelsior Energy Center does not intend to provide individual hard copies of these documents to stakeholders, except as required under 16 NYCRR § 1000.5 and 1000.6.

5.3 Pre-Application Activities to Encourage Stakeholders to Participate at the Earliest Opportunity

5.3.1 Town Board Meetings

Excelsior Energy Center will offer to present at a scheduled Town Board meeting of the Town of Byron during the pre-Application phase. As part of the presentation, Excelsior Energy Center representatives will discuss the Project, the Article 10 process, and respond to questions and receive input from the Town Board. The above meetings and any future attendance at Town Board meetings will be documented in the PIP Plan tracking report.

5.3.2 Open House Events

Excelsior Energy Center will hold two open house style public meetings prior to filing the PSS, and two after the filing of the PSS, at a location that will strive to maximize coverage for the largest number of residents, likely to be held at two different times on the same day (such as one in the early afternoon and another in the evening) to help offer the best opportunities for interested persons to attend. At least three representatives of Excelsior Energy Center's development team will be present at the meeting and Excelsior Energy Center will provide notice by email to DPS Staff of the pending public meetings. The meetings will include poster displays on the Project, solar energy, energy storage and the Article 10 review process (including intervenor funding availability and application process). One-on-one and small group informational discussions may take place throughout the duration of the open houses, providing opportunities for attendees to gain information on the Project, have their questions addressed, and provide input to Excelsior Energy Center representatives. As part of the open house discussions, Excelsior Energy Center representatives will emphasize the role of stakeholders and encourage interested area residents to join the stakeholder list.

5.4 Project Contact Information

5.4.1 Local Access to Project Representatives

The Project representative at this time is:

Mr. Keddy Chandran
Address: 700 Universe Blvd, FEW/JB
Juno Beach, FL 33408
Telephone: (561) 691-7274
Email: Keddy.Chandran@nexteraenergy.com

Contact information for the representative(s) (including name, address and email) will be posted in outreach materials and on the Project specific website (described below in Section 5.6). Additionally, this information will be made available at stakeholder consultations and at the open house. At this stage in development, there will not be a local office.

5.4.2 Toll Free Telephone Number

Excelsior Energy Center will maintain a toll free telephone number that includes a connection to an automated voicemail. The phone number will be advertised on the Project website and in outreach materials, and will be monitored for questions on the Project. Excelsior Energy Center will endeavor to respond to questions within two (2) business days of receipt.

The toll free phone number is: (800) 674-8613

5.5 Activities Designed to Educate the Public on the Proposal, the Article 10 Review Process, and Funding

Town Board meetings and the open house (as described above) provide multiple opportunities for Excelsior Energy Center to disseminate information to the public concerning Project specifics, the Article 10 process, the availability of funding for municipal and local parties, as well as receive information from the public. Educational materials will be available at all meetings including handouts on Project specifics and the public's role in the Article 10 process, including the intervenor fund, Project contact information, an invitation to join the stakeholder list and the location of document repositories. All public meetings and written educational materials will also encourage interested parties to visit the Project website (described below) for information and updates. Materials and

presentations will be posted on the Project website as they become available.

At the open house, Excelsior Energy Center plans to have poster board displays covering topics such as:

- How photovoltaic solar energy and energy storage works;
- Overview of proposed Excelsior Energy Center;
- Environmental and emission offset benefits of solar energy and energy storage;
- Typical construction process for a solar energy center;
- Project schedule;
- Intervenor funding and Article 10 process (including Pre-Application stakeholder involvement and scoping process);
- Frequently asked questions (FAQ's);
- Information about NextEra Energy Resources, LLC;
- Studies expected to be required for permitting of the Project;
- Viewsheds;
- Project security features; and
- Economic benefits of the Project to the local economy.

Excelsior Energy Center will develop materials on the above topics using information from its knowledge of the Article 10 process, and industry sources such as New York State Energy Research and Development Authority's (NYSERDA) NY-Sun Program, the Alliance for Clean Energy New York, Inc. (ACENY), and the Department of Energy (DOE). Versions of these materials will be available on the Project website.

5.6 Website

In order to disseminate information, Excelsior Energy Center has established a user-friendly website dedicated to the Project written in plain English. Excelsior Energy Center will update the website as the Project develops and more information becomes available.

Project Website: www.excelsiorenergycenter.com

The following items are posted (or will be posted once additional information is available) on the website:

- Project description and location;
- Estimated project timeline;
- Project benefits and need;
- Preliminary Project maps;

- Project contact information, including an email address and a telephone number;
- Summary of the Article 10 process;
- Summary of the intervenor funding process with instructions on how to apply;
- Addresses of local public document repositories;
- Links to the Article 10 Siting Board webpage and to case-specific documents filed for the Project;
- Notices for public outreach events, opportunities for public participation, filings, and public statement hearings;
- PIP Plan tracking report; and
- Instructions on how to join the stakeholder list.

Email inquiries through the website will receive an automated response acknowledging receipt of the question or comment, and a response from the Applicant will be provided within 2-3 days, as feasible and appropriate. If the request involves obtaining written documents the response will include an estimated mailing date of the materials.

5.7 Notifications

As noted previously, Excelsior Energy Center plans to individually notify residents of the proposed Project by mailing informational flyers (via First-Class US Postal Service) announcing the open houses and general project information to all unique addresses in the tax assessment rolls for the Study Area. In addition, the open house will be properly advertised by mailings or emails to stakeholders (including to all Study Area residents as described above), on the Project website, and in the newspapers listed below. It is anticipated that the open houses will be advertised at least two weeks prior to the event.

As part of its mailing to stakeholders on the open house, Excelsior Energy Center will include instructions on how to contact Excelsior Energy Center.

Excelsior Energy Center will publish notices as required by the Article 10 regulations. Notices of PSS and Application filings will be published on the Project website and in the following papers:

- The Daily News, a paid-subscription, daily newspaper for Genesee, Wyoming and Orleans Counties that also is utilized by the Host Municipality for public notices.
<http://www.thedailynewsonline.com/>
- The Democrat & Chronicle, a paid-subscription, daily newspaper serving the greater Rochester area. <https://www.democratandchronicle.com/>
- The Batavian, a free online-only news source for Batavia and Genesee County.
<https://www.thebatavian.com/>
- The Genesee Valley Pennysaver, a free weekly print and online newspaper.
<https://www.gvpennysaver.com/>

In addition to the newspaper notices, the stakeholder list will be notified via email or mail (depending on their stated preference) when the PSS and Application filings will be available for review. The Applicant will include an updated stakeholder list with these filings, including host and adjacent landowners and other parties identified through the Applicant's outreach efforts, as well as proof that a mailing has occurred. Copies of the PSS and Application will be distributed to the local repositories in addition to being posted on the Project website.

5.8 Activities Designed to Encourage Stakeholder Participation

All of the activities described above, including the open house and various forms of stakeholder outreach, have been designed to provide opportunities for stakeholders to participate in the Article 10 certification and compliance process. Consultations will be considered successful if information about the Project and the Article 10 process (including PSS and Application submittal milestones and document availability) was provided to stakeholders in an appropriate and timely manner (as described above), any relevant information provided to the Applicant was utilized to help advance the PIP Plan process and the preparation, submittal and review of the Application, and if follow-up meetings or consultations were scheduled or undertaken, if necessary.

5.8.1 Document Repositories

While all information pertaining to the Project will be updated via the Project website as appropriate, Excelsior Energy Center will maintain hard copies of the PIP Plan, the PSS, and the Article 10 Application (and any updated subsequent versions of these documents) at the following locations for those stakeholders who may not have access to the website, or prefer to review hard copies:

- Town of Byron Town Hall, 7028 Byron Holley Road, Byron, NY 14422
- Byron-Bergen Public Library, 13 South Lake Avenue, Bergen, NY 14416

Stakeholder participation will be documented by Excelsior Energy Center through the following activity:

- PIP Plan Tracking Report: The log will document the event date, location, attendees (or category thereof), summary of topics discussed, and any follow-up steps. Excelsior Energy Center will file the PIP Plan tracking report with the Secretary to the Board and post it on the Project website on a quarterly basis.

6. ENVIRONMENTAL JUSTICE AREAS

The New York State Department of Environmental Conservation (NYSDEC) provides map files of Potential Environmental Justice Areas it identifies as census block groups with populations that meet one or more of the following thresholds:

- 51.1% or more of the population in an urban area reported themselves to be members of minority groups; or
- 33.8% or more of the population in a rural area reported themselves to be members of minority groups; or
- 23.59% or more of the population in an urban or rural area had household incomes below the federal poverty level.

According to a review of NYSDEC's website <https://www.dec.ny.gov/public/911.html> (accessed April 2019) which utilizes the 2000 Census as its most up to date data source, there are no Potential Environmental Justice Areas within the Study Area. The Project Area, including a half-mile buffer, is wholly contained within Census Block Groups 4, 5 and 6 of Census Tract 9501, Census Block Group 1 of Census Tract 9502 and Census Block Group 4 of Census Tract 9511 in Genesee County, New York. According to the most current data from the 2017 U.S. Census Bureau's American Community Survey,¹ Census Block Groups 4, 5 and 6 of Tract 9501 have low-income populations of 10, 3 and 11 percent and minority (non-white, non-Hispanic) populations of 1, 1, and 2 percent, respectively. Census Block Group 1 of Tract 9502 has a low-income population of 11 percent and a minority (non-white, non-Hispanic) population of 19 percent, respectively. Census Block Group 4 of Tract 9511 has a low-income population of 4 percent and a minority (non-white, non-Hispanic) population of 3 percent, respectively. Based on the review of the minority and low-income population of these Census Block Groups, the proposed location is not in a Potential Environmental Justice Area, as defined by the State of New York. Accordingly, the Project will not negatively impact any potential environmental justice areas.

¹ Source: U.S. Census Bureau, 2017 American Community Survey 5-Year Estimates

NYSDEC mapping indicates there is one Potential Environmental Justice Areas within Genesee County. This Potential Environmental Justice Area is associated with the Tonawanda Seneca Nation Reservation and is located approximately 15 miles west of the Project Area. The Potential Environmental Justice Area closest to the Project Area is located in Wyoming County (Town of Attica) approximately 14 miles southwest of Project Area.

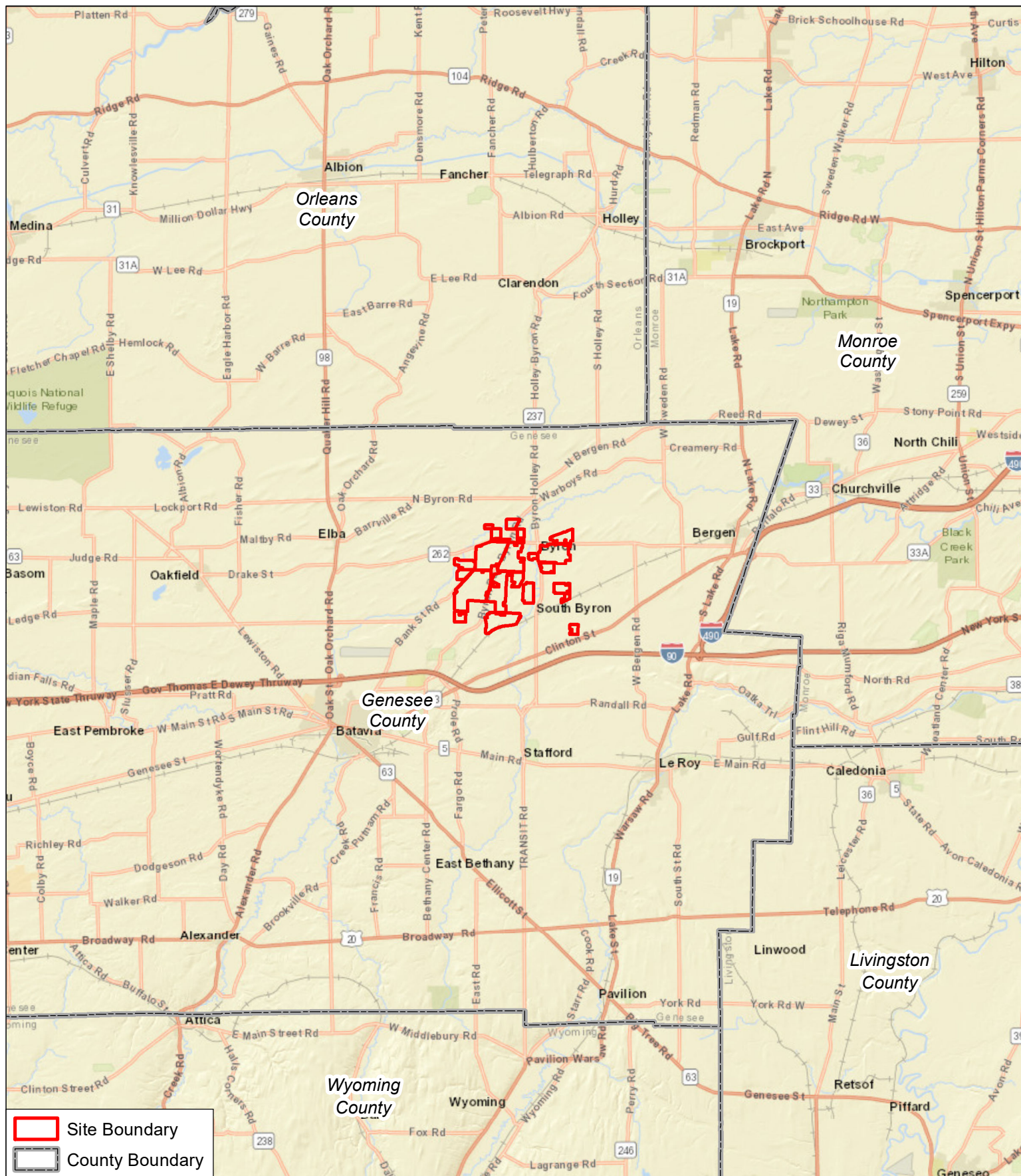
7. LANGUAGE ACCESS

Article 10 regulations require the PIP Plan to identify any language other than English spoken (1) by 5,000 or more persons, according to United States Census data, residing in any five-digit zip code postal zone in which any portion of such zone is located within the Study Area; and (2) by a significant population of persons residing in close proximity to the proposed facility, alternative locations, or interconnections. Table 1 lists the five-digit zip codes extending into the Study Area and the most prevalent non-English languages spoken.

Table 1. Number of Residents of Study Area Zip Codes who speak a Language Other than English						
Zip Code	Post Office	Total Population	Speak Only English	Percentage of Population that speaks only English	Most Prevalent Non-English Language Spoken	
					Language	Number
14020	Batavia	21,531	20,588	95.6%	Spanish	440
14058	Elba	1,805	1,634	90.5%	Spanish	132
14143	Stafford	1,109	1,085	97.8%	Other Asian and Pacific Island Languages	10
14416	Bergen	3,375	3,250	96.3%	Spanish	62
14422	Byron	2,351	2,322	98.8%	Spanish	21
Source: 2013-2017 American Community Survey (ACS) 5-Year Estimate, Table ID C16001: Language Spoken at Home for the Population 5 Years and Over						

As shown above in Table 1, no language other than English is spoken by more than 5,000 people residing in any zip code within the Study Area.

8. FIGURES



Regional Project Location Excelsior Energy Center Town of Byron, Genesee County, New York

0 2 4 Miles



FIGURE 1 JUNE 2019



Appendix A
Stakeholders/Notification
List

<u>HOST COMMUNITY</u>	
Roger V.V. Rouse, Supervisor Town of Byron 7028 Byron Holley Rd. Byron, NY 14422	Debra Buck-Leaton, Town Clerk Town of Byron 7028 Byron Holley Rd. Byron, NY 14422
Mike Morris, Zoning Enforcement Officer Town of Byron 7028 Byron Holley Rd. Byron, NY 14422	Jim Cudney, Councilman Town of Byron Town Board 7028 Byron Holley Rd. Byron, NY 14422
Fred Klycek, Councilman Town of Byron Town Board 7028 Byron Holley Rd. Byron, NY 14422	Suzanne Fuller, Councilwoman Town of Byron Town Board 7028 Byron Holley Rd. Byron, NY 14422
Jeff Thompson, Councilman Town of Byron Town Board 7028 Byron Holley Rd. Byron, NY 14422	Aaron Sharp, Chairman Town of Byron Planning Board 7028 Byron Holley Rd. Byron, NY 14422
George Squires Town of Byron Planning Board 7028 Byron Holley Rd. Byron, NY 14422	Ben Raccuia Town of Byron Planning Board 7028 Byron Holley Rd. Byron, NY 14422
Jim Lamkin Town of Byron Planning Board 7028 Byron Holley Rd. Byron, NY 14422	Josh Kent Town of Byron Planning Board 7028 Byron Holley Rd. Byron, NY 14422
Chris Hilbert Town of Byron Planning Board 7028 Byron Holley Rd. Byron, NY 14422	Sara Stockwell, Secretary Town of Byron Planning Board 7028 Byron Holley Rd. Byron, NY 14422
<u>COUNTY AGENCIES</u>	
Jay A. Gsell, County Manager Genesee County Old Courthouse 7 Main Street Batavia, NY 14020	Michael T. Cianfrini, County Clerk Genesee County County Building I 15 Main Street Batavia, NY 14020
Felipe A. Oltramari, AICP, CNUA, Director Genesee County Department of Planning County Building 2 3837 West Main Street Road Batavia, NY 14020	Brad Mudzynski, District Manager Genesee County Soil & Water Conservation District 29 Liberty Street, Suite #3 Batavia, NY 14020

John R. Hilchey District No. 1 Genesee County Legislature 6447 Albion Road Oakfield, NY 14125	Robert J. Bausch, Chairman District No. 2 Genesee County Legislature 39 Rochester Street PO Box 81 Bergen, NY 14416-0081
Gordon Dibble District No. 3 Genesee County Legislature 1051 Gabbey Road Corfu, NY 14036	Andrew Young District No. 4 Genesee County Legislature 3589 Pike Road Batavia, NY 14020
Rochelle M. Stein District No. 5 Genesee County Legislature 8259 Gully Road LeRoy, NY 14482	Gregg H. Torrey District No. 6 Genesee County Legislature 6005 Torrey Road Stafford, NY 14143
John Deleo District No. 7 Genesee County Legislature 205 Elm Street Batavia, NY 14020	Marianne Clattenburg District No. 8 Genesee County Legislature 248 Ross Street Batavia, NY 14020
Gary T. Maha District No. 9 Genesee County Legislature 22 Vernon Avenue Batavia, NY 14020	Genesee County Agricultural and Farmland Protection Board County Building 2 3837 West Main Street Road Batavia, NY 14020
<u>STATE AGENCIES</u>	
Hon. Kathleen Burgess, Secretary, New York State Board on Electric Generation Siting and the Environment Empire State Plaza Agency Building 3 Albany, NY 12223	James Denn, Public Information Officer New York State Department of Public Service Empire State Plaza Agency Building 3 Albany, NY 12223-1350
Lorna Gillings, Outreach Contact New York State Department of Public Service Empire State Plaza Agency Building 3 Albany, NY 12223-1350	Andrea Cerbin Assistant Counsel Office of General Counsel New York State Department of Public Service 3 Empire State Plaza Albany, NY 12223
Basil Seggos, Commissioner NYS Department of Environmental Conservation 625 Broadway Albany, NY 12233	Paul D'Amato, Regional Director NYS Department of Environmental Conservation, Region 8 6274 E. Avon-Lima Road Avon, NY 14414-9519

Erik Kulleseid, Acting Commissioner NYS Office of Parks, Recreation & Historic Preservation Peebles Island State Park P.O. Box 189 Waterford, NY 12188-0189	Peter G. Humphrey, Chair OPRHP Genesee Regional Commission 1 Letchworth State Park Castile, NY 14427
Paul A. Karas, Acting Commissioner NYS Department of Transportation 50 Wolf Road Albany, NY 12232	Kevin Bush, Regional Director NYS Department of Transportation, Region 4 1530 Jefferson Road Rochester, NY 14623
Matthew J. Driscoll, Acting Exec. Dir. New York State Thruway Authority Board of Directors 200 Southern Blvd. P.O. Box 189 Albany, NY 12201-0189	Richard Ball, Commissioner NYS Department of Agriculture and Markets 10B Airline Drive Albany, NY 12235
Richard L. Kaufmann, Board Chairman NYS Energy Research and Development Authority 17 Columbia Circle Albany, NY 12203-6399	Alicia Barton, President and Chief Executive Officer NYS Energy Research and Development Auth. 17 Columbia Circle Albany, NY 12203-6399
Howard Zemsky, President and CEO Empire State Development Corporation 633 Third Avenue – Floor 37 New York, NY 10017	Vinnie Esposito, Regional Director Finger Lakes Region Empire State Development Corporation 400 Andrews Street, Suite 300 Rochester, NY 14604
Rossana Rosado, Secretary of State NYS Department of State One Commerce Plaza 99 Washington Avenue Albany, NY 12231-0001	Hon. Leticia James NYS Attorney General State Capitol Building Albany, NY 12224-0341
Howard A. Zucker, Commissioner of Health NYS Department of Health Corning Tower Empire State Plaza Albany, NY 12237	RoAnn Destito, Commissioner NYS Office of General Services 41st Floor, Corning Tower Empire State Plaza Albany, NY 12242
John B. Rhodes, Chair and CEO New York State Department of Public Service Empire State Plaza Agency Building 3 Albany, NY 12223-1350	James Austin, Chief of Office of Electric, Gas & Water New York State Department of Public Service Empire State Plaza Agency Building 3 Albany, NY 12223-1350
Michael Saviola New York State Department of Agriculture and Markets 1530 Jefferson Road Rochester, NY 14623	Cassandra Partyka, Assistant Counsel New York State Department of Public Service Empire State Plaza Agency Building 3 Albany, NY 12223-1350

<u>FEDERAL AGENCIES</u>	
Steve Metivier, Chief, NY Evaluation Section U.S. Army Corps of Engineers Buffalo District ATTN: Regulatory Branch 1776 Niagara Street Buffalo, NY 14207-3199	David Stilwell, Field Supervisor US Fish and Wildlife Service 3817 Luker Road Cortland, NY 13045
Paige Atkins, Associate Administrator National Telecommunications and Information Administration Herbert C. Hoover Building (HCHB) 1401 Constitution Avenue, N.W. Washington, D.C. 20230	Steven J. Sample Mission Evaluation Branch US Department of Defense Siting Clearinghouse 3400 Defense Pentagon, Room 5C646 Washington, DC 10301
Jennifer Solomon Eastern Region Regional Administrator Federal Aviation Administration 1 Aviation Plaza Jamaica, NY 11434-4809	
<u>LEGISLATIVE REPRESENTATIVES</u>	
Charles E. Schumer Senator, State of New York US Senate Leo O'Brien Building 11A Clinton Avenue, Room 420 Albany, NY 12207	Kirsten E. Gillibrand Senator, State of New York US Senate Leo W. O'Brien Building 11A Clinton Avenue, Room 821 Albany, NY 12207
Chris Collins US Congressman, 27 th District 2813 Wehrle Drive Suite 13 Williamsville, NY 14221	Michael Ranzenhofer NY State Senator, 61 st District 8203 Main Street Suite 4 Williamsville, NY 14221
Stephen Hawley NY State Assemblyman, 139 th District 121 N. Main Street Suite 100 Albion, NY 14411	
<u>HIGHWAY DEPARTMENTS</u>	
Brian Forsyth, Highway Superintendent Town of Byron Highway Department 7028 Bryon Holley Road Byron, NY 14422	Timothy J. Hens, P.E., Superintendent Genesee County Highway Department 153 Cedar Street Batavia, NY 14020

<u>SCHOOL DISTRICTS</u>	
Mickey Edwards, Superintendent Byron-Bergen Central School District 6917 West Bergen Road Bergen, NY 14416	Ned Dale, Superintendent Elba Central School District 57 South Main Street Elba, NY 14058
Merritt Holly, Superintendent LeRoy Central School District 2-6 Trigon Park LeRoy, NY 14482	
<u>EMERGENCY RESPONDERS</u>	
William A. Sheron, Jr., Sheriff Genesee County Sheriff's Office 165 Park Road Batavia, NY 14020-1283	Bob Mruzcek, Chief Byron Fire Department 6357 East Main Street Byron, NY 14422
Brad Nickerson, Captain Byron Rescue Squad 6357 East Main Street Byron, NY 14422	Scott Blossom, Chief South Byron Volunteer Fire Department 7389 Rte. 237 South Byron, NY 14557
Timothy J. Yaeger, Coordinator Genesee County Emergency Services 7690 State Street Road Batavia, NY 14020-1020	New York State Police, Troop A Troop Headquarters 4525 West Saile Drive Batavia, NY 14020-1095
John P. Melville, Commissioner NYS Division of Homeland Security and Emergency Services 1220 Washington Avenue, State Office Campus Building 7A Suite 710 Albany, NY 12242	
<u>ADJACENT MUNICIPALITIES</u>	
Ernie Haywood, Supervisor Town of Bergen 10 Hunter Street Bergen, NY 14416	Gregory Post, Supervisor Town of Batavia 3833 West Main Street Road Batavia, NY 14020
Donna Hynes, Supervisor Town of Elba 7 Maple Avenue Elba, NY 14058	Robert Clement, Supervisor Town of Stafford 8903 Route 237 Stafford, NY 14143
Stephen Barbeau, Supervisor Town of LeRoy 48 Main Street LeRoy, NY 14482	Michele Smith, Town Clerk Town of Bergen 10 Hunter Street Bergen, NY 14416

Trisha Werth, Town Clerk Town of Elba 7 Maple Avenue Elba, NY 14058	Teressa Morasco Town of Batavia 3833 West Main Street Road Batavia, NY 14020
Julie Scheuerlein, Town Clerk Town of Stafford 8903 Route 237 Stafford, NY 14143	Patricia Canfield, Town Clerk Town of Le Roy 48 Main Street Le Roy, NY 14482
Sean Pogue, Supervisor Town of Barre 14317 West Barre Road Albion, NY 14411	Maureen Beach, Town Clerk Town of Barre 14317 West Barre Road Albion, NY 14411
Richard Moy, Supervisor Town of Clarendon 16385 Church Street Clarendon, NY 14429	Susan Colby, Town Clerk Town of Clarendon 16385 Church Street Clarendon, NY 14429
<u>UTILITIES</u>	
Ave Bie, Board Chair New York Independent System Operator 10 Krey Boulevard Rensselaer, NY 12144	Marcy Reed, President National Grid 300 Erie Boulevard West Syracuse, NY 13202-4250
Gil C. Quiniones, President and CEO New York Power Authority 123 Main Street Corporate Communications Mail Stop 10 B White Plains, NY 10601-3170	Carl A. Taylor, President & CEO Rochester Gas & Electric 89 East Avenue Rochester, NY 14604

<u>PUBLIC INTEREST GROUPS / ADDITIONAL STAKEHOLDERS</u>	
Tom Turnbull, President Genesee County Chamber of Commerce 8276 Park Road Batavia, NY 14020	Christopher Crawford, Executive Director Cornell Cooperative Extension, Genesee County 420 East Main Street Batavia, NY 14020
Julia Foster, Executive Director Genesee County USDA Farm Service Agency 29 Liberty Street Batavia, NY 14020-3294	Heath Eisele, District Conservationist USDA Natural Resources Conservation Service West Area 29 Liberty Street Suite 3 Batavia, NY 14020-3294
Steven G. Hyde, MBA, President and CEO Genesee County Economic Development Center 99 MedTech Drive Suite 106 Batavia, NY 14020	Michael J. Eula, County Historian Genesee County History Department County Building 2 3837 West Main Street Road Batavia, NY 14020
Bob & Beth Wilson, Co-Historians Byron Town Historian 6451 Mill Pond Road Byron, NY 14422	Ken Radley, President Sleds of Stafford Snowmobile Club PO Box 709 Stafford, NY 14143-0709
Bergen Swamp Preservation Society P.O. Box 460 Bergen, NY 14416-0460	Dayle Chapman, President Kiwanis Club of Byron 5906 Merrill Road Byron, NY 14422-9523
Roger Hill Tonawanda Seneca Nation Reservation 7027 Meadville Road Basom, NY 14013	
<u>AIRPORTS/HELIPORTS</u>	
Jason Long, Manager Genesee County Airport 4701 East Saile Drive Batavia, NY 14020	John Sackett, Manager Sackett Farm Airstrip 6548 Route 262 Byron, NY 14422
Dennis Gray, Manager Stafford Airport 7878 Griswold Road Le Roy, NY 14482	NYS Trooper Heliport New York State Police, Troop A Troop Headquarters 4525 West Saile Drive Batavia, NY 14020-1095

Vito Gautieri, Manager Gautieri Heliport 45 Liberty Street Batavia, NY 14020	Frederick Ely, Manager Ely Air Park 7062 South Lake Road Bergen, NY 14416
LeRoy Aviation Services, Inc LeRoy Airport 8267 East Main Road Le Roy, NY 14482	
<u>HOST AND ADJACENT LANDOWNERS</u>	
[to be listed later]	
<u>AREA RESIDENTS AND DOCUMENT REPOSITORIES</u>	
Town of Byron Town Hall 7028 Byron Holley Road Byron, NY 14422	Byron-Bergen Public Library 13 South Lake Avenue Bergen, NY 14416

Appendix B
Stakeholder Consultation Goals and Schedule

Name	Goals of Consultation	Schedule
Federal Agencies / Representatives		
US Fish and Wildlife Service	Identify any concerns related to Endangered Species Act, Migratory Bird Treaty Act and Bald and Golden Eagle Protection Act	Consultation letter prior to submittal of the PSS and ongoing throughout Article 10 process
US Army Corps of Engineers	Clarify jurisdiction and requirements under Section 404 and Clean Water Act	Initiate prior to submittal of Article 10 application and ongoing throughout Article 10 process
US Department of Defense	Discuss any navigational issues of concern to military aircraft	Consultation letter prior to submittal of Article 10 application and ongoing throughout Article 10 process (as necessary)
Federal Aviation Administration	Discuss any navigational issues of concern to glint/glare	Consultation letter prior to submittal of Article 10 application and ongoing throughout Article 10 process (as necessary)
US Senator Charles E. Schumer	Notification as required by Article 10	Prior to submittal of Article 10 application and ongoing throughout Article 10 process (as necessary)
US Senator Kristen E. Gillibrand	Notification as required by Article 10	Prior to submittal of Article 10 application and ongoing throughout Article 10 process (as necessary)
US Congressman Chris Collins (District 27)	Notification as required by Article 10	Prior to submittal of Article 10 application and ongoing throughout Article 10 process (as necessary)

Name	Goals of Consultation	Schedule
New York State Agencies / Representatives		
Members of NYS Assembly (Stephen Hawley – 139 th District) and NYS Senate (Michael Ranzenhofer – 61 st District)	Introduce Project, Article 10 process, and provide contact information	Introductory letter to be sent prior to PSS
	Notification as required by Article 10	Prior to submittal of the PSS
	Respond to specific inquiries or comments	As requested by the Stakeholder
NYS Department of Public Service	Introduce the Project and coordinate Article 10 process	Introductory meeting to be held prior to submittal of PSS, to be followed by others as needed. Correspondence anticipated to occur throughout Article 10 process
NYS Department of Environmental Conservation (NYSDEC), Main Headquarter and Region 8 Staffs.	Introduce Project and provide contact information; identify agency concerns related to RTE species, wetlands, and streams	Introductory meeting to be requested prior to submittal of PSS, to be followed by others as needed. Correspondence anticipated to occur throughout Article 10 process
	Additional input of survey plans; feedback on study results	
NYS Office of Parks, Recreation and Historic Preservation	Coordinate consultation in accordance with Section 14.09 of the New York State Parks, Historic Preservation Law, and/or Section 106 of the Historic Preservation Act, as required	Correspondence and meetings to be requested prior to the Article 10 Application submittal to inform of work plans and contents of cultural studies; ongoing interaction to review findings as necessary throughout Article 10 process

Name	Goals of Consultation	Schedule
OPRHP, Genesee Regional Commission	Coordinate consultation in accordance with Section 14.09 of the New York State Parks, Historic Preservation Law, and/or Section 106 of the Historic Preservation Act, as required	Correspondence and meetings to be requested prior to the submittal of the Article 10 Application to inform work plans and contents of cultural studies; ongoing interaction to review findings as necessary throughout Article 10 process
NYS Department of Health	Notification as required by Article 10	Prior to submittal of the Article 10 Application and ongoing throughout Article 10 process (as necessary)
NYS Department of Transportation	Notification as required by Article 10	Prior to submittal of the Article 10 application and ongoing throughout Article 10 process (as necessary)
NYS Energy Research and Development Authority	Notification as required by Article 10	Prior to submittal of the Article 10 Application and ongoing throughout Article 10 process (as necessary)
NYS Division of Homeland Security and Emergency Services	Notification as required by Article 10	Prior to submittal of the Article 10 application and ongoing throughout Article 10 process (as necessary)

Name	Goals of Consultation	Schedule
NYS Department of State	Notification as required by Article 10	Prior to submittal of the Article 10 Application and ongoing throughout Article 10 process (as necessary)
NYS Department of Ag & Markets	Notification as required by Article 10; Introduce Project including contact information; discuss areas of interest and identify agency concerns	Introductory meeting to be requested prior to submittal of PSS; consultation anticipated to occur throughout Article 10 process (as necessary)
Empire State Development Corporation	Notification as required by Article 10	Consultation letter anticipated prior to submittal of the Article 10 Application
NYS Attorney General	Notification as required by Article 10	Prior to submittal of the Article 10 Application
New York Independent System Operator	Participation in interconnection process	Interconnection filings to be submitted prior to submittal of the Article 10 Application.
New York State Thruway Authority	Notification as required by Article 10	Prior to submittal of the Article 10 application

Name	Goals of Consultation	Schedule
Host County		
Genesee County Manager (Jay A. Gsell)	Notification to introduce Project, Article 10 process, intervenor funding and provide contact information. Follow-up to discuss Project related areas of interest or concern if requested	Notification prior to submittal of the PSS; additional consultation anticipated to occur throughout the Article 10 process (as necessary)
Genesee County Legislature (Chairman Robert Bausch)	Notification to introduce Project, Article 10 process, intervenor funding and provide contact information. Follow-up to discuss Project related areas of interest or concern if requested	Notification prior to submittal of the PSS; additional consultation anticipated to occur throughout the Article 10 process (as necessary)
Genesee County Legislators (John Hilchey, Gordon Dibble, Andrew Young, Rochelle Stein, Gregg Torrey, John Deleo, Marianne Clattenburg, Gary Maha)	Notification to introduce Project, Article 10 process, intervenor funding and provide contact information. Follow-up to discuss Project related areas of interest or concern if requested	Notification prior to submittal of the PSS; additional consultation anticipated to occur throughout the Article 10 process (as necessary)
Brad Mudrzynski District Manager Genesee County Soil & Water Conservation District	Notification to introduce Project, Article 10 process, intervenor funding and provide contact information. Follow-up to discuss Project related areas of interest or concern if requested	Notification prior to submittal of the PSS; additional consultation anticipated to occur throughout the Article 10 process (as necessary)
Genesee County Dept. of Planning (Felipe A. Oltramari, AICP, CNUa, Director)	Notification to introduce Project, Article 10 process, intervenor funding and provide contact information. Follow-up to discuss Project related areas of interest or concern if requested	Notification prior to submittal of the PSS; additional consultation anticipated to occur throughout the Article 10 process (as necessary)

Name	Goals of Consultation	Schedule
Genesee County Highway Department (Timothy J. Hens, P.E., Superintendent)	Notification to introduce Project, Article 10 process, intervenor funding and provide contact information. Follow-up to discuss Project related areas of interest or concern if requested	Notification prior to submittal of the PSS; additional consultation anticipated to occur throughout the Article 10 process (as necessary)
Host Municipality		
Town of Byron		
Town Supervisor (Roger V.V. Rouse)	Introduce Excelsior Energy Center and the Project, Article 10 process, intervenor funding and provide contact information; Discuss Project related areas of interest or concern if requested	Introductory meeting to be requested prior to submittal of PSS and throughout the Article 10 process (as necessary)
Town Clerk (Debra Buck-Leaton)	Notification to introduce Project, Article 10 process, intervenor funding and provide contact information if requested	Notification prior to submittal of the PSS and ongoing throughout Article 10 process (as necessary)
Town Zoning Enforcement Officer (Mike Morris)	Notification to introduce Project, Article 10 process, intervenor funding and provide contact information. Follow-up to discuss Project related areas of interest or concern if requested	Notification prior to submittal of the PSS and ongoing throughout Article 10 process (as necessary)

Name	Goals of Consultation	Schedule
Town Highway Department Superintendent (Brian Forsyth)	Notification to introduce Project, Article 10 process, intervenor funding and provide contact information. Follow-up to discuss Project related areas of interest or concern if requested	Notification prior to submittal of the PSS and ongoing throughout Article 10 process (as necessary)
Airports		
Genesee County Airport , Sackett Farm Airstrip, Stafford Airport, NYS Trooper Heliport, Ely Air Park, Gautieri Heliport, LeRoy Airport	Notification to introduce Project, Article 10 process, intervenor funding and provide contact information. Follow-up to discuss Project related areas of interest or concern if requested	Notification prior to submittal of the PSS and ongoing throughout Article 10 process (as necessary)
School Districts		
Byron-Bergen Central School District Mickey Edwards, Superintendent	Notification to introduce Project, Article 10 process, intervenor funding and provide contact information. Follow-up to discuss Project related areas of interest or concern if requested	Notification prior to submittal of the PSS and ongoing throughout Article 10 process (as necessary)
Elba Central School District	Notification to introduce Project, Article 10 process, intervenor funding and provide contact information. Follow-up to discuss Project related areas of interest or concern if requested	Notification prior to submittal of the PSS and ongoing throughout Article 10 process (as necessary)
LeRoy Central School District	Notification to introduce Project, Article 10 process, intervenor funding and provide contact information. Follow-up to discuss Project related areas of interest or concern if requested	Notification prior to submittal of the PSS and ongoing throughout Article 10 process (as necessary)

Name	Goals of Consultation	Schedule
Chambers of Commerce		
Genesee County Chamber of Commerce (Tom Turnbull, President)	Notification to introduce Project, Article 10 process, intervenor funding and provide contact information. Follow-up to discuss Project related areas of interest or concern	Notification prior to submittal of the PSS and ongoing throughout Article 10 process (as necessary)
Emergency Responders		
Genesee County Sherriff's Office	Notification to introduce Project, Article 10 process, intervenor funding and provide contact information. Follow-up to discuss Project related areas of interest or concern, if requested	Notification prior to submittal of the PSS and ongoing throughout Article 10 process (as necessary)
Byron Fire Department	Notification to introduce Project, Article 10 process, intervenor funding and provide contact information. Follow-up to discuss Project related areas of interest or concern	Notification prior to submittal of the PSS and ongoing throughout Article 10 process (as necessary)
Byron Rescue Squad	Notification to introduce Project, Article 10 process, intervenor funding and provide contact information. Follow-up to discuss Project related areas of interest or concern, if requested	Notification prior to submittal of the PSS and ongoing throughout Article 10 process (as necessary)
South Byron Volunteer Fire Department	Notification to introduce Project, Article 10 process, intervenor funding and provide contact information. Follow-up to discuss Project related areas of interest or concern	Notification prior to submittal of the PSS and ongoing throughout Article 10 process (as necessary)

Name	Goals of Consultation	Schedule
Genesee County Emergency Services	Notification to introduce Project, Article 10 process, intervenor funding and provide contact information. Follow-up to discuss Project related areas of interest or concern	Notification prior to submittal of the PSS and ongoing throughout Article 10 process (as necessary)
New York State Police, Troop A	Notification to introduce Project, Article 10 process, intervenor funding and provide contact information. Follow-up to discuss Project related areas of interest or concern if requested	Notification prior to submittal of the PSS and ongoing throughout Article 10 process (as necessary)
NYS Division of Homeland Security and Emergency Services	Notification to introduce Project, Article 10 process, intervenor funding and provide contact information. Follow-up to discuss Project related areas of interest or concern if requested	Notification prior to submittal of the PSS and ongoing throughout Article 10 process (as necessary)
Adjacent Municipalities		
Town of Bergen	Notification to introduce Project, Article 10 process, intervenor funding and provide contact information. Follow-up to discuss Project related areas of interest or concern if requested	Notification prior to submittal of the PSS and ongoing throughout Article 10 process (as necessary)
Town of Batavia	Notification to introduce Project, Article 10 process, intervenor funding and provide contact information. Follow-up to discuss Project related areas of interest or concern if requested	Notification prior to submittal of the PSS and ongoing throughout Article 10 process (as necessary)

Name	Goals of Consultation	Schedule
Town of Elba	Notification to introduce Project, Article 10 process, intervenor funding and provide contact information. Follow-up to discuss Project related areas of interest or concern if requested	Notification prior to submittal of the PSS and ongoing throughout Article 10 process (as necessary)
Town of LeRoy	Notification to introduce Project, Article 10 process, intervenor funding and provide contact information. Follow-up to discuss Project related areas of interest or concern if requested	Notification prior to submittal of the PSS and ongoing throughout Article 10 process (as necessary)
Town of Stafford	Notification to introduce Project, Article 10 process, intervenor funding and provide contact information. Follow-up to discuss Project related areas of interest or concern if requested	Notification prior to submittal of the PSS and ongoing throughout Article 10 process (as necessary)
Town of Barre	Notification to introduce Project, Article 10 process, intervenor funding and provide contact information. Follow-up to discuss Project related areas of interest or concern if requested	Notification prior to submittal of the PSS and ongoing throughout Article 10 process (as necessary)
Town of Clarendon	Notification to introduce Project, Article 10 process, intervenor funding and provide contact information. Follow-up to discuss Project related areas of interest or concern if requested	Notification prior to submittal of the PSS and ongoing throughout Article 10 process (as necessary)

Name	Goals of Consultation	Schedule
Additional Stakeholders		
Participating Landowners	Landowner agreements	Correspondence by phone, mail or in-person meeting per Article 10 regulations and as needed
Adjacent Landowners	Notification to introduce Project, Article 10 process, intervenor funding and provide contact information. Follow-up to discuss Project related areas of interest or concern if requested	Notification prior to submittal of the PSS and ongoing throughout Article 10 process (as necessary)
Area Residents	Notification to introduce Project, Article 10 process, intervenor funding and provide contact information. Follow-up to discuss Project related areas of interest or concern if requested	Notification prior to PSS submittal of the PSS and ongoing throughout Article 10 process (as necessary)
Town of Byron Historian	Notification to introduce Project, Article 10 process, intervenor funding and provide contact information. Follow-up to discuss Project related areas of interest or concern if requested	Notification prior to submittal of the PSS and ongoing throughout Article 10 process (as necessary)
USDA Farm Service Agency	Notification to introduce Project, Article 10 process, intervenor funding and provide contact information. Follow-up to discuss Project related areas of interest or concern if requested	Notification prior to submittal of the PSS and ongoing throughout Article 10 process (as necessary)
USDA Natural Resources Conservation Service	Notification to introduce Project, Article 10 process, intervenor funding and provide contact information. Follow-up to discuss Project related areas of interest or concern if requested	Notification prior to submittal of the PSS and ongoing throughout Article 10 process (as necessary)

Name	Goals of Consultation	Schedule
Genesee County USDA Farm Service Agency	Notification to introduce Project, Article 10 process, intervenor funding and provide contact information. Follow-up to discuss Project related areas of interest or concern if requested	Notification prior to submittal of the PSS and ongoing throughout Article 10 process (as necessary)
Cornell Cooperative Extension, Genesee County	Notification to introduce Project, Article 10 process, intervenor funding and provide contact information. Follow-up to discuss Project related areas of interest or concern if requested	Notification prior to submittal of the PSS and ongoing throughout Article 10 process (as necessary)
USDA Natural Resources Conservation Service	Notification to introduce Project, Article 10 process, intervenor funding and provide contact information. Follow-up to discuss Project related areas of interest or concern if requested	Notification prior to submittal of the PSS and ongoing throughout Article 10 process (as necessary)
Genesee County Economic Development Center	Notification to introduce Project, Article 10 process, intervenor funding and provide contact information. Follow-up to discuss Project related areas of interest or concern if requested	Notification prior to submittal of the PSS and ongoing throughout Article 10 process (as necessary)
Genesee County History Department	Notification to introduce Project, Article 10 process, intervenor funding and provide contact information. Follow-up to discuss Project related areas of interest or concern if requested	Notification prior to submittal of the PSS and ongoing throughout Article 10 process (as necessary)

Name	Goals of Consultation	Schedule
National Grid	Notification to introduce Project, Article 10 process, intervenor funding and provide contact information. Follow-up to discuss Project related areas of interest or concern if requested	Notification prior to submittal of the PSS and ongoing throughout Article 10 process (as necessary)
New York Power Authority	Notification to introduce Project, Article 10 process, intervenor funding and provide contact information. Follow-up to discuss Project related areas of interest or concern if requested	Notification prior to submittal of the PSS and ongoing throughout NYISO interconnection process.
Bergen Swamp Preservation Society	Notification to introduce Project, Article 10 process, intervenor funding and provide contact information. Follow-up to discuss Project related areas of interest or concern if requested	Notification prior to submittal of the PSS and ongoing throughout Article 10 process (as necessary)
Kiwanis Club of Byron	Notification to introduce Project, Article 10 process, intervenor funding and provide contact information. Follow-up to discuss Project related areas of interest or concern if requested	Notification prior to submittal of the PSS and ongoing throughout Article 10 process (as necessary)
Tonawanda Seneca Nation Reservation	Notification to introduce Project, Article 10 process, intervenor funding and provide contact information. Follow-up to discuss Project related areas of interest or concern if requested	Notification prior to submittal of the PSS and ongoing throughout Article 10 process (as necessary)

Appendix C
Excelsior Energy Center PIP Plan
Meeting Log

Date	Location of Meeting/Method of Communication	Meeting Attendees/Communication Participants	Purpose of Meeting/Communication and Comments	Follow Up Action Items
8/14/2018	Phone Call	<u>Town of Byron</u> Roger Rouse, Town Supervisor <u>NextEra</u> Keddy Chandran, Project Developer Mike Nozzolio (Harris Beach PLLC), Counsel to NextEra	Introduced and discussed project.	
8/14/2018	Phone Call	<u>Genesee County Economic Development Center</u> Steve Hyde, CEO and President <u>NextEra</u> Keddy Chandran, Project Developer Mike Nozzolio (Harris Beach PLLC), Counsel to NextEra	Introduced and discussed project.	
1/21/2019	Phone Call	<u>NYS Assembly</u> Assemblyman Steve Hawley <u>NextEra</u> Bill Flynn (Harris Beach PLLC), Counsel to NextEra	Introduced and discussed project.	Asked that NextEra work with his District Office COS, Eileen Banker, to set up meeting

Date	Location of Meeting/Method of Communication	Meeting Attendees/Communication Participants	Purpose of Meeting/Communication and Comments	Follow Up Action Items
1/22/2019	Town of Byron	<u>Town of Byron</u> Roger Rouse, Town Supervisor <u>NextEra</u> Keddy Chandran, Project Developer	Discussed benefits of the project and consistency with the Town's Comprehensive Plan.	
2/5/2019	Phone Call	<u>Town of Byron</u> George Squires, PB member Aaron Sharp, PB Chairman <u>NextEra</u> Keddy Chandran, Project Developer	Introduced and discussed project.	
2/8/2019	Phone Call/Voicemail	<u>Genesee County Legislature</u> Calls to each member separately <u>NextEra</u> Keddy Chandran, Project Developer	Introduced and discussed project.	
2/8/2019	Phone Call	<u>Genesee County</u> Jay Gsell, County Manager <u>NextEra</u> Keddy Chandran, Project Developer	Introduced and discussed project.	
2/8/2019	Phone Call	<u>Genesee County Economic Development Center</u> Paul Battaglia, Chairman of Board Todd Bender, member of Board <u>NextEra</u> Keddy Chandran, Project Developer	Introduced and discussed project.	
2/11/2019	Genesee County Economic	<u>Genesee County Legislature</u> Andrew Young (District 4)	Introduced the project and answered initial questions.	

Date	Location of Meeting/Method of Communication	Meeting Attendees/Communication Participants	Purpose of Meeting/Communication and Comments	Follow Up Action Items
	Development Center	Gary Maha (District 9, Wards 4 & 5) Gordon Dibble (District 3) <u>Genesee County</u> Jay Gsell, County Manager <u>Genesee County Economic Development Center</u> Steve Hyde, CEO and President <u>NextEra</u> Keddy Chandran, Project Developer Bill Boer, Project Manager (Environmental)		
2/11/2019	Town of Byron	Participating Landowners <u>NextEra</u> Keddy Chandran, Project Developer Bill Boer, Project Manager (Environmental)	Discussed project.	
2/12/19	Genesee County	<u>Genesee County</u> Jay Gsell, County Manager Kevin Earl, County Attorney Matt Landers, Assistant County Manager <u>NextEra</u> Keddy Chandran , Project Developer Bill Boer, Project Manager (Environmental)	Introduced the project and answered initial questions.	

Date	Location of Meeting/Method of Communication	Meeting Attendees/Communication Participants	Purpose of Meeting/Communication and Comments	Follow Up Action Items
2/12/2019	Town of Byron	<u>Town of Byron</u> Roger Rouse, Town Supervisor <u>NextEra</u> Keddy Chandran, Project Developer Bill Boer, Project Manager (Environmental)	Discussed upcoming Town Board Meeting and possible presentation to Town Board.	
2/12/2019	Town of Byron	Participating Landowners <u>NextEra</u> Keddy Chandran, Project Developer Bill Boer, Project Manager (Environmental)	Discussed project.	
2/12/2019	Genesee County	<u>Genesee County Legislators</u> Robert Bausch, Chairman (District 2) Marianne Clattenberg, Vice Chairwoman (District 8) <u>Genesee County Economic Development Center</u> Steve Hyde, CEO & President <u>NextEra</u> Keddy Chandran, Project Developer Bill Boer, Project Manager (Environmental)	Introduced the project and answered initial questions.	
2/13/2019	Town of Byron	Town Board Meeting <u>NextEra Team</u> Keddy Chandran, Project Developer	Cancelled due to weather.	

Date	Location of Meeting/Method of Communication	Meeting Attendees/Communication Participants	Purpose of Meeting/Communication and Comments	Follow Up Action Items
2/19/2019	Phone Call	<u>Town of Byron</u> Roger Rouse, Town Supervisor <u>NextEra</u> Mike Nozzolio (Harris Beach PLLC), Counsel to NextEra	Discussed status of project.	
2/19/2019	Phone Call	<u>Genesee County Economic Development Center</u> Steve Hyde, CEO & President <u>NextEra</u> Mike Nozzolio (Harris Beach PLLC), Counsel to NextEra	Discussed status of project.	
2/22/2019	Phone Call	<u>Town of Byron</u> Roger Rouse, Town Supervisor <u>NextEra</u> Mike Nozzolio (Harris Beach PLLC), Counsel to NextEra	Discussed recent Town Board meeting and status of project.	
3/8/2019	Phone Call	<u>Town of Byron</u> Roger Rouse, Town Supervisor <u>NextEra</u> Keddy Chandran, Project Developer	Discussed presenting details of the project at upcoming Town Board meeting.	
3/13/2019	Town of Byron	Town Board Meeting <u>Town of Byron</u> Town Board	Presentation by GCEDC describing PILOT process.	

Date	Location of Meeting/Method of Communication	Meeting Attendees/Communication Participants	Purpose of Meeting/Communication and Comments	Follow Up Action Items
		<u>Genesee County Economic Development Center</u> Steve Hyde, CEO & President Jim Krencik, Director of Marketing and Communications <u>NextEra</u> Keddy Chandran, Project Developer Bill Boer, Project Manager (Environmental) Lisa Paul, Communications Members of Public		
3/20/2019	Town of Byron	<u>Genesee County Economic Development Center</u> Todd Bender, member of Board <u>NextEra</u> Keddy Chandran, Project Developer	Discussed NextEra, Article 10 process, and the project.	
3/20/2019	Town of Byron	Area residents <u>NextEra</u> Keddy Chandran, Project Developer Bill Boer, Project Manager (Environmental) Lisa Paul, Communications	Discussed status of project.	
3/20/2019	Genesee County Economic	<u>Genesee County Economic Development Center</u> Steve Hyde, CEO & President	Discussed status of project.	

Date	Location of Meeting/Method of Communication	Meeting Attendees/Communication Participants	Purpose of Meeting/Communication and Comments	Follow Up Action Items
	Development Center	<u>NextEra</u> Keddy Chandran, Project Developer Bill Boer, Project Manager (Environmental) Lisa Paul, Communications		
3/21/2019	Local dinner venue	Participating Landowners <u>NextEra</u> Keddy Chandran, Project Developer Bill Boer, Project Manager Lisa Paul, Communications Desiree Estabrook, Associate Project Manager <u>Canacre</u> John Ahearn, Field Manager Ed Coleman, Field Specialist	Discussed status of project and timeline for planned field studies. Q&A.	
4/16/2019	Byron-Bergen District Office	<u>Byron-Bergen Central School District</u> Mickey Edwards, Superintendent Lori Prinz, Business Administrator <u>NextEra</u> Keddy Chandran, Project Developer Bill Boer, Project Manager (Environmental)	Discussed and introduced project.	
4/16/2019	Byron Town Hall	<u>Town of Byron</u> Roger Rouse, Town Supervisor Jim Cudney, Town Board member	Discussed status of project.	

Date	Location of Meeting/Method of Communication	Meeting Attendees/Communication Participants	Purpose of Meeting/Communication and Comments	Follow Up Action Items
		<u>NextEra</u> Keddy Chandran, Project Developer Bill Boer, Project Manager (Environmental)		
4/18/2019	DPS Offices	<u>DPS</u> James Austin Brian Ossias Andrew Davis Leka Gjonaj <u>NextEra</u> Keddy Chandran, Project Developer Bill Flynn (Harris Beach PLLC), Counsel to NextEra Michelle Piasecki (Harris Beach PLLC), Counsel to NextEra	Discussed and introduced project.	
4/22/2019	Phone Call/Email	<u>DPS</u> James Austin James Denn Lorna Gillings <u>NextEra</u> Bill Flynn (Harris Beach PLLC), Counsel to NextEra	Provided update on planned submission of PIP Plan.	
4/22/2019	Phone Call	<u>NYSERDA</u> Doreen Harris <u>NextEra</u>	Provided update on planned submission of PIP Plan.	

Date	Location of Meeting/Method of Communication	Meeting Attendees/Communication Participants	Purpose of Meeting/Communication and Comments	Follow Up Action Items
		Bill Flynn (Harris Beach PLLC), Counsel to NextEra		
4/22/2019	Phone Call	<u>NYS Assembly</u> Assemblyman Steve Hawley <u>NextEra</u> Bill Flynn (Harris Beach PLLC), Counsel to NextEra	Provided update on planned submission of PIP Plan.	
4/22/2019	Phone Call	<u>NYS Senate</u> Senator Michael Ranzenhofer <u>NextEra</u> Bill Flynn (Harris Beach PLLC), Counsel to NextEra	Provided update on planned submission of PIP Plan.	
4/23/2019	Phone Call	<u>Genesee County Legislators</u> Robert Bausch, Chairman (District 2) <u>NextEra</u> Keddy Chandran, Project Developer	Provided update on planned submission of PIP Plan.	
4/23/2019	Phone Call	<u>Genesee County Economic Development Center</u> Steve Hyde, CEO & President <u>NextEra</u> Keddy Chandran, Project Developer	Provided update on planned submission of PIP Plan.	
4/23/2019	Phone Call/Email	<u>Genesee County</u> Jay Gsell, County Manager <u>NextEra</u> Keddy Chandran, Project Developer	Provided update on planned submission of PIP Plan.	

Date	Location of Meeting/Method of Communication	Meeting Attendees/Communication Participants	Purpose of Meeting/Communication and Comments	Follow Up Action Items
4/24/2019	Phone Call	<u>Town of Byron</u> Roger Rouse, Town Supervisor <u>NextEra</u> Keddy Chandran, Project Developer	Provided update on planned submission of PIP Plan.	
4/30/2019	Byron Town Hall	<u>Town of Byron</u> George Squires, PB member Aaron Sharp, PB Chairman <u>NextEra</u> Keddy Chandran, Project Developer Bill Boer, Project Manager (Environmental)	Discussed status of project.	

Appendix D
Excelsior Energy Center
Preliminary Project Schedule

**Please note – all dates are estimated and subject to change; notification of major project milestones and public participation opportunities will be provided as information is available*

April 2019 – File Preliminary Public Involvement Program Plan with NYSDPS

June 2019 – File Final Public Involvement Program Plan with NYSDPS

Summer 2019 – Public Open House Informational Meeting (two meeting times same day); Public to be notified of specific date/location prior to meeting

Summer/Fall 2019 – File Preliminary Scoping Statement

Winter/Spring 2020 – Public Open House Informational Meeting (two meeting times same day); Public to be notified of specific date/location prior to meeting

Spring 2020 – File Article 10 Application

Fall 2021 – Siting Board Decision on Issuance of Article 10 Certificate

Winter 2022 – Commercial Operation Date