Montante Solar

Email & US Postal Delivery

August 11, 2025

Town of Webster
Josh Artuso
Director of Community Development
1000 Ridge Rd.,
Webster, NY 14580

Re: **Letter of Intent for Webster Solar Garden LLC: 6.63 MW Solar Project, Inclusive Community Solar Project, hosted by Xerox**- Sketch Plan Review with Town Planning Board

Dear Mr. Artuso and Members of the Town Planning Board,

TM Montante Solar Developments LLC ("**Montante Solar**") is proposing the development, construction, and operation of a 6.63 MW solar generation facility, Webster Solar Garden LLC (the "**Project**") at Caracas Drive in the Town of Webster (the "**Site**"). The Project involves the development, construction, and operation of an approximate 20-acre project site on a parcel owned by Xerox Corporation, SBL: 065.02-1-40.11 and requires the issuance of Industrial Use and Special Use Permits through the Town Board.

Project Details:	**Webster Solar Garden LLC**
Developer:	Montante Solar
Developer Address:	2760 Kenmore Avenue, Tonawanda, New York 14150
Project Location:	SBL: 065.02-1-40.11, Town of Webster, New York
Property Owner:	Xerox Corporation
Zoning District:	Industrial

Project Narrative

The Applicant is proposing a 6.63 MW Solar Generation Facility across approximately 20-acres of a +120-acre parcel owned by Xerox Corporation. The Project will directly benefit Xerox Corporation and the larger community through an Inclusive Community Solar Project. Xerox Corporation will be hosting the solar array at its campus and will be utilizing 60% of the power produced by the solar project through a Power Purchase Agreement. The project will also allocate 40% of the energy to go to the eligible subscribers in the community through a Community Solar Program. ("Eligible subscribers" are those in the Low-to-Medium income or those in a disadvantaged community.) In addition to providing Xerox and the community with reliable, safe, renewable power at a reduced rate, the project will also help meet Corporate Xerox Environmental Social Governance ("ESG") goals.

Montante Solar

The Project site will be located near the dead-end north of Caracass Drive on the Xerox Campus. The project is surrounded by other industrial land owned by Xerox and Tessy. The next neighboring parcel property lines are +250 feet from the edge of the nearest solar panel. The closest dwelling is +750 feet from the edge of the nearest solar panel. There are no site lines by any residential neighbors into the Project Site, as there are natural vegetative buffers and wetlands that surround it. The Project as currently designed complies with all Town code requirements.

The Project is being constructed on vacant land that is home to two (2) capped landfills, small building used as a warehouse/extra storage, and numerous long-term environmental monitoring wells. Existing vegetation is dominated by woody stem brush & trees. The natural topography allows for extremely minimal site work.

The project will be constructed utilizing an above-ground ballasted racking system. The racking system is "geo-ballasted," utilizing rock to weight baskets down-allowing for zero penetrations to the ground. Sitting atop racking will be approximately 10,872 solar panels. Solar panels will be strung and connected to 18 inverters. Construction of this project will take approximately 12 months to complete. A data sheet of the geo-ballasted system can be found attached as **Exhibit E.**

Xerox has identified this solar project occupying this space for 25 years as being the highest and best use for this land based on the environmental restrictions and on-going environmental monitoring requirements.

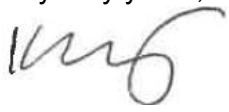
Conclusion

On behalf of the Montante Solar, we respectfully request the Town Board refer this project to Planning Board for public Sketch Plan Review. To support our application, please find the enclosed documentation:

Exhibit A: Civil Plans Set for Sketch Plan Review	(10 Copies)
Exhibit B: Short EAF	(10 Copies)
Exhibit C: Decommissioning Plan	(10 Copies)
Exhibit D: Operations & Maintenance Plan	(10 Copies)
Exhibit E: Major Equipment Data Sheets	(10 Copies)
Exhibit F: Negative Declaration Wetlands: DEC & USACE	(10 Copies)
Exhibit G: Landowner's Affidavit	(1 Copy)
Exhibit H: Tax Incentive Disclosure Form	(1 Copy)
Exhibit I: Non-Collusion Form	(1 Copy)

A check enclosed, made out to Town of Webster covers the application fees, totaling $270: Planning Board Sketch Plan Review: $220 & EAF Review: $50

If you have any questions, please do not hesitate to contact me.
Very truly yours,



Katie Soscia, Director of Project Development

Exhibit A:
Civil Plan Set

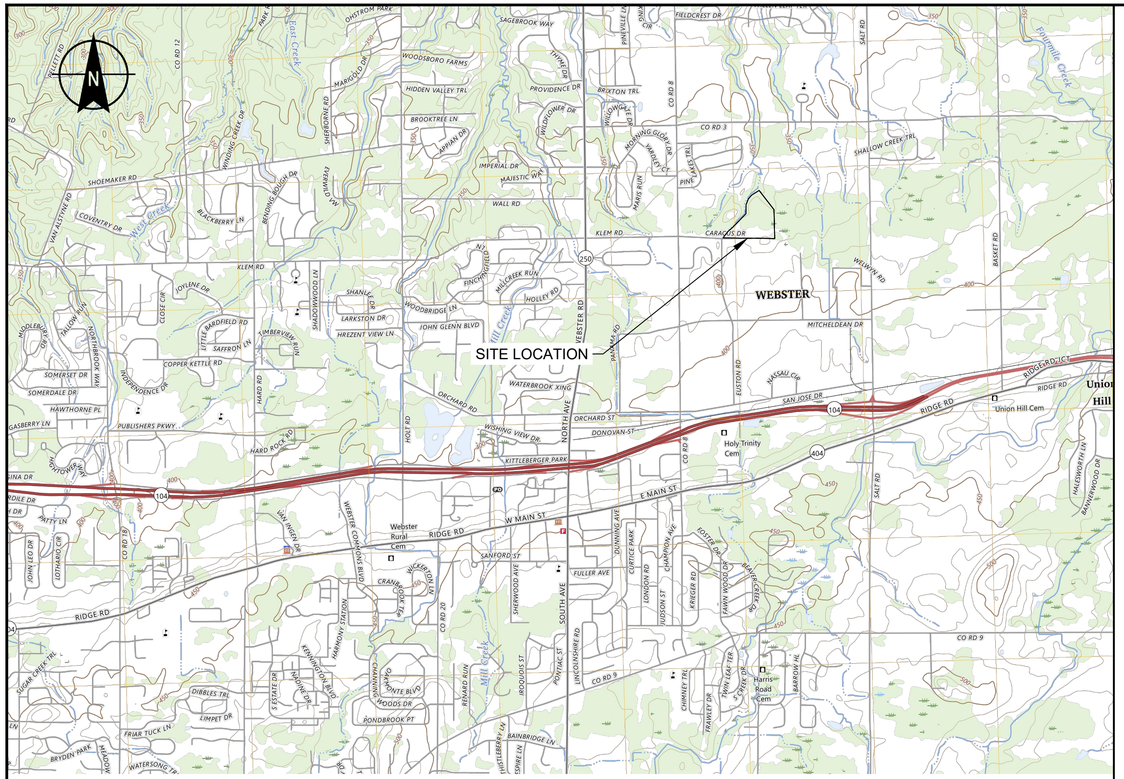
2760 Kenmore Avenue
Buffalo, NY 14150
(716) 876-8899
www.Montante.com
www.MontanteSolar.com

Montante Solar

WORK IN PROGRESS - V.1

MONTANTE XEROX SOLAR DEVELOPMENT

139 CARACAS DRIVE
WEBSTER, NY



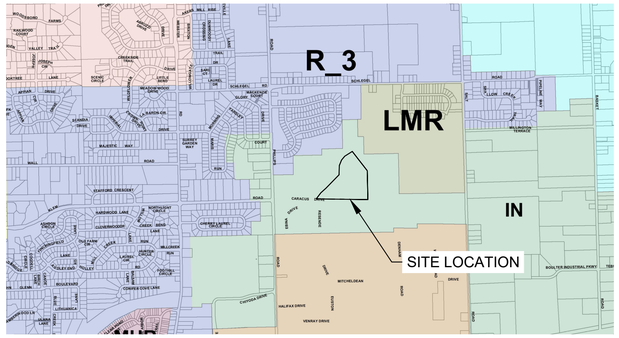
SITE LOCUS
TOPO SOURCE: USGS TOPOGRAPHIC MAP, WEBSTER, NEW YORK QUADRANGLE (2023).

0 2000 4000
SCALE IN FEET

SITE AERIAL
MAP SOURCE: 2023 MICROSOFT CORPORATION © 2023 MAXAR © CNES (2023) DISTRIBUTION AIRBUS DS

0 1000 2000
SCALE IN FEET

R-1	Single Family Residential District
R-2	Single Family Residential District
R-3	Single Family Residential District
LL	Large Lot Single Family Residential District
WD	Waterfront Development District
MHR	Medium High Residential District
LMR	Low Medium Residential District
LC-1	Class 1 Neighborhood Commercial District
LC-2	Class 2 Low Intensity Commercial District
MC	Medium Intensity Commercial District
HC	High Intensity Commercial District
CO	Commercial Outdoor Storage District
IN	Industrial District
OP	Office Park



ZONING MAP
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PREPARED FOR:

TM MONTANTE SOLAR DEVELOPMENT, LLC

2760 KENMORE AVE #101
TONAWANDA, NY14150

THIS IS A COLOR DRAWING. INFORMATION WILL BE LOST IF REPRODUCED IN BLACK AND WHITE.

DRAFT

Project No.:	0205399
Scale:	SHOWN
Date:	AUGUST 2025
Drawn By:	SRG, JC
Designed By:	SRG, JC
Checked By:	SRG, ND
Approved By:	ND
Stamp:	

Rev.	Description	By	Date
A	FOR REVIEW	H&A	08/11/25

MONTANTE XEROX SOLAR DEVELOPMENT

139 CARACAS DRIVE
WEBSTER, NY

TITLE SHEET

T-100

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WORK IN PROGRESS - V.1

GENERAL NOTES

1. THESE DRAWINGS HAVE BEEN PREPARED FOR CONSTRUCTION OF A SOLAR ARRAY WITHIN PORTIONS OF THE XEROX CORPORATION CAMPUS IN WEBSTER, NEW YORK.

2. THE PROJECT IS LOCATED WITHIN THE LARGER XEROX WEBSTER CAMPUS, WHICH IS A NYSDEC RCRA FACILITY (SITE CODE 828178) FOR IDENTIFIED GROUNDWATER AND SOIL CONTAMINATION CURRENTLY MANAGED UNDER A RCRA PART 373 HAZARDOUS WASTE MANAGEMENT PERMIT (NO. 8-2654-00064/00040).

3. WATERCOURSES AND WETLANDS FIELD DELINEATED BY HALEY & ALDRICH OF NEW YORK ENGINEERING AND GEOLOGY, LLP (HALEY & ALDRICH OF NEW YORK) MAY 10, 2024.

4. EXISTING TOPOGRAPHIC CONTOURS FROM SURVEY REPORT BY TERRATEK GPS MODELING WHICH WAS PROVIDED TO HALEY & ALDRICH BY MONTANTE SOLAR DEVELOPMENT, LLC JULY 21, 2025.

5. TAX PARCEL BOUNDARIES FROM MONROE COUNTY REAL PROPERTY DATABASE, COURTESY OF MONROE COUNTY OFFICE OF REAL PROPERTY.

6. EXISTING CONDITIONS ARE A COMBINATION OF CAD DRAWINGS PROVIDED BY XEROX, GIS FILES FROM H&A STREAM AND WETLAND DELINEATIONS, AND AERIAL IMAGERY.

7. EXISTING CONDITIONS ARE APPROXIMATE.

8. PROPOSED CONDITIONS TAKEN FROM CAD DRAWINGS PROVIDED BY MONTANTE SOLAR DEVELOPMENT, LLC JULY 21, 2025.

CONSTRUCTION SEQUENCE FOR GRADING AND EROSION CONTROL

1. VERIFY THAT ALL APPLICABLE PERMITS AND PERMISSIONS HAVE BEEN OBTAINED.

2. OWNER TO HOLD A PRE-CONSTRUCTION MEETING PRIOR TO START OF CONSTRUCTION.

3. LOCATE AND DELINEATE EXISTING UTILITIES.

4. CONSTRUCT SITE ACCESS AND INSTALL ASSOCIATED EROSION AND SEDIMENT CONTROLS.

5. IF APPLICABLE, INSTALL CONSTRUCTION SAFETY FENCING AROUND THE STAGING AREA(S) AND AS DIRECTED BY THE OWNER.

6. INSTALL STABILIZED CONSTRUCTION ENTRANCE AS DIRECTED BY THE OWNER. EXISTING ENTRANCES WHICH MEET THE REQUIREMENTS OF A STABILIZED CONSTRUCTION ENTRANCE MAY MAY BE UTILIZED AS AVAILABLE. EXISTING ENTRANCES TO BE UPGRADED WITH ADDITIONAL GRAVEL AS NEEDED. UTILIZE ENTRANCE FOR ALL CONSTRUCTION VEHICLES ENTERING/EXITING SITE FOR THE DURATION OF THE CONSTRUCTION.

7. INSTALL PERIMETER EROSION AND SEDIMENT CONTROLS.

8. ALL EROSION CONTROLS WITHIN THE CURRENT ACTIVE CONSTRUCTION AREAS ARE TO BE INSPECTED FOR DEFICIENCIES BY THE CONTRACTOR ON A DAILY BASIS FROM INSTALLATION THROUGH THE DURATION OF THE PROJECT. THE EROSION CONTROLS ARE TO BE FUNCTIONING AS INTENDED OR REPAIRED/REPLACED AS NECESSARY. ADDITIONAL REQUESTS FOR REPAIR/REPLACEMENT MAY COME FROM THE ENVIRONMENTAL INSPECTOR OR THE OWNER.

9. PROTECT TREES AND VEGETATION TO REMAIN.

10. CONDUCT TREE CLEARING WITHIN THE LIMITS OF DISTURBANCE AND AS DIRECTED BY THE OWNER. FELLED TREES ARE TO BE REMOVED FROM THE SITE AS DIRECTED BY THE OWNER.

11. TREES ARE TO BE CUT TO GRADE WITH HAND FELLING.

12. CONTINUE TO MAINTAIN AND MONITOR ALL SITE EROSION AND SEDIMENT CONTROLS DAILY.

13. CONDUCT EARTHWORK ACTIVITIES FOR INSTALLATION OF EQUIPMENT PAD AND POWER POLES. EARTHWORK TO REMAIN WITHIN THE APPROVED BOUNDARIES OF THE PROJECT (LIMITS OF DISTURBANCE).

14. SOILS FROM STABILIZED ENTRANCE CONSTRUCTION, EQUIPMENT PAD INSTALLATION, AND POWER POLE INSTALLATION ARE TO BE STOCKPILED, COVERED, SAMPLED, AND STABILIZED ACCORDING TO XEROX SITE MANAGEMENT PLAN REQUIREMENTS AND THE OWNER'S DIRECTION.

15. COMPLETE FINAL GRADING, PERMANENT SEEDING, TOPSOILING AND MULCHING OF ALL DISTURBED AREAS.

16. UPON COMPLETE STABILIZATION OF DISTURBED SITE (VEGETATIVE COVER = 80%), ALL TEMPORARY EROSION AND SEDIMENT CONTROLS ARE TO BE REMOVED AND DISTURBANCE RESTORED.

SOIL RESTORATION

1. SOIL RESTORATION IS TO OCCUR IN LAYDOWN AREAS AND AREAS RECEIVING HIGH VOLUMES OF CONSTRUCTION TRAFFIC.

2. SOIL RESTORATION IS TO BE CONDUCTED DURING FINAL SITE STABILIZATION.

3. DURING PERIODS OF LOW TO MODERATE SUBSOIL MOISTURE, THE DISTURBED SUBSOILS ARE RETURNED TO ROUGH GRADE AND THE FOLLOWING SOIL RESTORATION STEPS APPLIED:

   3.1. APPLY 3 INCHES OF COMPOST OVER SUBSOIL. COMPOST SHALL BE WELL DECOMPOSED (MATURED AT LEAST 3 MONTHS), WEED-FREE, ORGANIC MATTER. IT SHALL BE AEROBICALLY COMPOSTED, POSSESS NO OBJECTIONABLE ODORS, AND CONTAIN LESS THAN 1%, BY DRY WEIGHT, OF MAN-MADE, FOREIGN MATTER. THEY PHYSICAL PARAMETERS OF THE COMPOST SHALL MEET THE STANDARDS SET FORTH IN THE NOVEMBER 2016 NEW YORK STATE STANDARDS AND SPECIFICATIONS FOR EROSION AND SEDIMENT CONTROL.

   3.2. TILL COMPOST INTO SUBSOIL TO A DEPTH OF AT LEAST 12 INCHES USING A CAT-MOUNTED RIPPER, TRACTOR MOUNTED DISC, OR TILLER, TO MIX AND CIRCULATE AIR AND COMPOST INTO THE SUBSOIL.

   3.3. ROCK-PICK UNTIL UPLIFTED STONE/ROCK MATERIALS OF FOUR INCHES OR LARGER SIZE ARE CLEANED OFF THE RESTORATION AREAS.

   3.4. APPLY TOPSOIL TO A DEPTH OF 6 INCHES.

   3.5. VEGETATE AS REQUIRED BY THE SEEDING PLAN.

   3.6. TOPSOIL MAY BE MANUFACTURED AS A MIXTURE OR A MINERAL COMPONENT AND ORGANIC MATERIAL SUCH AS COMPOST. AT THE END OF THE PROJECT AN INSPECTOR SHOULD BE ABLE TO PUSH A 3/8 INCH METAL BAR 12 INCHES INTO THE SOIL JUST WITH BODY WEIGHT. THIS SHOULD NOT BE PERFORMED WITHIN THE DRIP LINE OF ANY EXISTING TREES OR OVER UTILITY INSTALLATIONS THAT ARE WITHIN 24 INCHES OF THE SURFACE.

SITE STABILIZATION

1. INITIATE SITE STABILIZATION IMMEDIATELY (NO LATER THAN 1 BUSINESS DAY) IN ANY AREAS OF EXPOSED SOIL WHERE CONSTRUCTION ACTIVITIES HAVE PERMANENTLY CEASED OR WILL BE TEMPORARILY INACTIVE FOR MORE THAN 14 CALENDAR DAYS.

2. COMPLETE SITE STABILIZATION. FINALIZE THE INSTALLATION OF STABILIZATION MEASURES AS SOON AS PRACTICABLE, BUT NO LATER THAN 14 DAYS AFTER CONSTRUCTION ACTIVITIES HAVE PERMANENTLY CEASED (STABILIZATION INITIATED) (SEE ABOVE), REGARDLESS OF AREA DISTURBED.

MULCHING

1. IMMEDIATELY FOLLOWING TEMPORARY/PERMANENT SEED PLACEMENT, STRAW MULCH IS TO BE APPLIED AT A RATE OF 3 TONS PER ACRE OVER DISTURBED AREAS. STRAW MULCH COVERAGE RATES ARE EXPECTED TO PROVIDE A THICKNESS OF 1/4" - 1/2". EXCESSIVE MULCH DEPTH WILL IMPEDE VEGETATIVE GROWTH AND MAY REQUIRED THE REMOVAL OF EXCESS MULCH AS DETERMINED BY THE OWNER AND ENVIRONMENTAL INSPECTOR. MULCHING IS TO BE USED WITH SEEDING AS A COMPONENT OF SITE STABILIZATION. ADDITIONAL MULCH WILL BE REQUIRED IF PROPER COVERAGE (BARE SPOTS) HAS NOT BEEN ACHIEVED.

2. MULCH APPLIED FOR WINTER SEEDING (OCTOBER 15 THROUGH MARCH 31) SHALL BE INCREASED TO 4 TONS PER ACRE.

3. AS AN ALTERNATIVE TO STRAW MULCHING, WOOD FIBER HYDROMULCH MAY BE APPLIED AS SPECIFIED BY MANUFACTURER'S RECOMMENDATIONS OR AT A MINIMUM RATE OF 2000 LBS. PER ACRE (45 LBS. PER 1,000 S.F.) WITH A GUAR TACKIFIER (OR EQUIVALENT) AT 60 LBS. ACRE. SOIL AMENDMENTS MAY BE APPLIED WITH MULCH AT THE SPECIFIED APPLICATION RATES. WATER VOLUME IS TO BE DETERMINED BY THE MANUFACTURER. HYDROMULCH IS NOT TO BE APPLIED DURING RAIN. HYDROMULCH APPLICATION IS NOT TO BE APPLIED IF RAIN IS FORECAST WITHIN THE NEXT 2 DAYS. A CURING PERIOD OF 24 HOURS AND A MINIMUM SOIL TEMPERATURE OF 45 DEGREES ARE REQUIRED.

SPECIFICATION NOTES FOR TOPSOILING:

SITE PREPARATION

1. COMPLETE GRADING TO SUBBASE AND ALLOW FOR FULL DEPTH OF TOPSOIL TO BE ADDED TO ACHIEVE FINAL GRADE.

2. SCARIFY ALL COMPACTED SUBSOIL AREAS.

APPLICATION AND GRADING

1. TOPSOIL SHALL BE DISTRIBUTED EVENLY TO THE UNIFORM DEPTH THAT WAS REMOVED FOR STOCKPILING OR 6" MINIMUM, OVER THE RESTORATION AREA. THE TOPSOIL SHALL NOT BE PLACED WHEN IT IS PARTLY FROZEN, MUDDY, OR ON FROZEN SLOPES OR OVER ICE, SNOW, OR STANDING WATER PUDDLES.

2. TOPSOIL PLACED AND GRADED ON SLOPES STEEPER THAN 3H:1V SHALL BE STABILIZED IMMEDIATELY: FERTILIZED, SEEDED, MULCHED AND TRACKED WITH METAL CLEATED EQUIPMENT TO KEY IN MULCH AND ENCOURAGE COLLECTING SMALL POCKETS OF WATER ALONG THE SLOPE FOR SEED GROWTH. TRACKING SHALL BE PARALLEL TO GRADE (UP & DOWN SLOPES). SLOPES FLATTER THAN 3H:1V SHALL BE STABILIZED AS SOON AS POSSIBLE BUT NO LATER THAN 14 DAYS.

EROSION AND SEDIMENT CONTROL NOTES

1. ALL EROSION AND SEDIMENT CONTROL MEASURES SHALL BE IN ACCORDANCE WITH THE APPROVED PERMIT DOCUMENTS.

2. ALL SITE ACTIVITIES SHALL TAKE PLACE WITHIN THE LIMITS OF DISTURBANCE AS SHOWN ON THE DESIGN PLANS.

3. THE CONTRACTOR SHALL INSPECT, MAINTAIN AND REPAIR/REPLACE EROSION AND SEDIMENT CONTROLS DAILY AND CONTINUOUSLY THROUGHOUT THE DURATION OF THIS PROJECT.

4. THE PROPOSED EROSION AND SEDIMENT CONTROLS AS INDICATED ON THE DESIGN PLANS SHALL BE CONSTRUED AS THE MINIMUM REQUIRED STANDARDS. ADDITIONAL CONTROLS ARE TO BE PROVIDED AS NECESSARY TO PREVENT SEDIMENT LADEN DISCHARGES FROM LEAVING THE SITE.

5. THE CONTRACTOR SHALL CONTINUOUSLY MONITOR THE INSTALLED CONTROLS FOR FUNCTIONALITY AND PROVIDE ADDITIONAL MEASURES AS DIRECTED BY THE OWNER OR ENVIRONMENTAL INSPECTOR. THE CONTRACTOR SHALL MAINTAIN AND REPAIR/REPLACE ALL EROSION AND SEDIMENT CONTROLS UPON DAMAGE OR FAILURE TO FUNCTION AS INTENDED AND UNTIL SITE CONSTRUCTION HAS BEEN COMPLETED.

6. ALL STOCKPILED SOILS ON SITE SHALL RECEIVE SEDIMENT FILTER SOCK ALONG THE DOWNGRADE AREAS.

7. ALL SOIL STOCKPILES SHALL BE STABILIZED OR REMOVED FROM THE SITE AS DIRECTED BY THE OWNER.

8. ALL EXISTING INLETS ADJACENT TO OR ON SITE SHALL BE PROTECTED FROM SEDIMENT WITH INLET PROTECTION MEASURES.

9. THE CONTRACTOR SHALL ENSURE THAT STABILIZED CONSTRUCTION ENTRANCE IS BEING UTILIZED. THE CONTRACTOR SHALL BE RESPONSIBLE TO PREVENT SEDIMENT AND TRACKED MUD/DIRT ONTO THE PUBLIC RIGHT OF WAY, ROAD OR ACROSS PRIVATE DRIVEWAYS.

10. CONTRACTOR SHALL INSPECT DAILY, SWEEP AND CLEAN STREETS / DRIVES AS NECESSARY TO MAINTAIN CLEAN AND CLEAR SURFACES. LARGE STONES, ACCUMULATED GRAVEL AND/OR MUD THAT MAY IMPACT PASSING VEHICLES SHALL BE CLEANED IMMEDIATELY.

11. ALL ACCUMULATED SEDIMENT SHALL BE REMOVED FROM SEDIMENT FILTER SOCKS AND EROSION CONTROLS WHEN 50% OF AVAILABLE STORAGE AREA HAS BEEN ACHIEVED OR WHEN THE THE DEVICE NO LONGER FUNCTIONS AS INTENDED OR SEDIMENT LADEN WATER IS PASSING THROUGH OR AROUND THE CONTROL. SILT FENCE THAT IS TORN, HAS BROKEN STAKES OR IS BOWING OUT DUE TO ACCUMULATED SOILS SHALL BE REPAIRED, REPLACED OR CLEANED AND RESET.

12. ALL EROSION CONTROLS SHALL BE INSPECTED AND CLEANED OF SEDIMENT AS NECESSARY TO ENSURE NO DISCHARGE OF SEDIMENT OFF THE PROPERTY OR OUTSIDE OF LIMITS OF DISTURBANCE IS TAKING PLACE.

13. DUST CONTROL SHALL BE EMPLOYED THROUGH WATER SPRAYING AS NECESSARY TO MINIMIZE AIRBORNE DUST AND WIND EROSION.

14. ALL EXCESS EXCAVATED MATERIAL, BRUSH / TIMBER, AND CONSTRUCTION DEBRIS SHALL BE DISPOSED OF AS PER THE OWNER'S PREFERENCE. CONSTRUCTION DEBRIS SHALL BE ADDRESSED AS PER THE OWNER'S DIRECTION OR HAULED OFFSITE TO A LICENSED LANDFILL, AS NECESSARY.

15. SOIL STOCKPILES TO BE LOCATED ON SITE WITHIN THE LIMITS OF DISTURBANCE UNLESS DIRECTED OTHERWISE BY THE OWNER OR NOTED ELSEWHERE ON THE CONSTRUCTION DRAWINGS.

16. UNDER NO CIRCUMSTANCES SHALL SILT LADEN WATER BE DISCHARGED FROM TRENCHES / EXCAVATIONS OR RELEASED FROM HYDROSTATIC TESTING DIRECTLY TO ANY WETLAND OR WATER BODY. ANY GROUNDWATER THAT IS ENCOUNTERED WILL NEED TO BE HANDLED AS PER XEROX SITE MANAGEMENT PLAN REQUIREMENTS.

CONSTRUCTION NOTES

1. MINIMIZE CUT/FILL FOR ACCESS TO SITE TO THE GREATEST EXTENT PRACTICABLE.

2. NO SOIL EXCAVATION, GRADING, OR GROUND PENETRATIONS ARE PERMISSIBLE IN THE TWO LANDFILL AREAS DENOTED ON THE SITE PLANS. THE PERIMETER OF THE C&D LANDFILL IS APPROXIMATE AND NEARBY/ADJACENT AREAS SHALL BE TREATED THE SAME.

3. PORTIONS OF THE EXISTING FENCE ALONG THE PERIMETER OF THE ASPHALT-CAPPED LANDFILL WILL BE REMOVED, AND FENCE POLES WILL BE CUT FLUSH TO ALLOW FOR INSTALLATION OF THE SYSTEM.

4. EXCEPT FOR PORTIONS OF THE EXISTING ASPHALT-CAPPED LANDFILL SECURITY FENCE, EXISTING REMEDIATION INFRASTRUCTURE WITHIN THE DEVELOPMENT AREAS, INCLUDING THE TWO LANDFILL CAPS, MONITORING WELLS,GROUNDWATER PUMPING WELLS, AND ASSOCIATED INFRASTRUCTURE AND UTILITIES, WILL REMAIN IN PLACE AND PROTECTED FROM CONSTRUCTION ACTIVITIES. ACCESS WILL BE MAINTAINED AT THESE AREAS FOR OPERATION AND MAINTENANCE ACTIVITIES REQUIRED BY THE PART 373 PERMIT.

5. THE MANAGEMENT OF EXCAVATED SOIL WILL BE DETERMINED BY THE PROCESSES IDENTIFIED IN XEROX'S SOIL MANAGEMENT PLAN, UNDER ITS SITE MANAGEMENT PLAN AND AS PART OF THE PART 373 RCRA PERMIT.

6. THE XEROX SOIL MANAGEMENT PLAN IS CURRENTLY UNDER REVIEW AND REVISION. ANY MODIFICATIONS TO SOIL MANAGEMENT REQUIREMENTS REQUESTED BY NYSDEC WILL BE COORDINATED WITH XEROX AND INTEGRATED INTO THE CONSTRUCTION ACTIVITIES.

7. IN THE EVENT GROUNDWATER IS ENCOUNTERED IN ANY EXCAVATIONS, IT WILL BE MANAGED IN ACCORDANCE WITH THE GROUNDWATER MANAGEMENT PLAN FOR THE XEROX SITE.

8. EXCAVATED SOIL WILL BE STOCKPILED IN AN ADJACENT AREA AND WILL BE SAMPLED PER PROCEDURES IN XEROX'S SITE MANAGEMENT PLAN. PENDING THE RESULTS FROM SOIL ANALYTICAL TESTING, THE APPROPRIATE SOIL CLASSIFICATION, MANAGEMENT, AND DISPOSITION REQUIREMENTS WILL BE DETERMINED PER THE XEROX SOIL MANAGEMENT PLAN. STOCKPILES SHALL BE COVERED WITH AN IMPERVIOUS TARP OR BARRIER AND PLACED ON IMPERVIOUS PLASTIC, PENDING THE RESULTS OF THE ANALYSIS.

HALEY ALDRICH

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PREPARED FOR:

TM MONTANTE SOLAR DEVELOPMENT, LLC

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MONTANTE XEROX SOLAR DEVELOPMENT
DESIGN SUBMITTAL

139 CARACAS DRIVE
WEBSTER, NY

NOTES

G-100

Sheet: 02 of 10

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9. IN THE UNLIKELY EVENT OF A DISCOVERY OF AN UNKNOWN CONDITION DURING EXCAVATION IN ANY AREA OF THE SITE, REGARDLESS OF CLASSIFICATION NOTED IN THE XEROX SITE MANAGEMENT PLAN, INCLUDING THE DISCOVERY OF AN UNDERGROUND STORAGE TANK (UST), DRUMS, UNIDENTIFIED CONTAINMENT SOURCE, PRODUCT, ETC. INVASIVE WORK SHALL BE SUSPENDED AND THE XEROX CORPORATION ENVIRONMENTAL OPERATIONS ENGINEER SHALL BE CONTACTED IMMEDIATELY.

10. IDENTIFICATION OF UNKNOWN OR UNEXPECTED CONTAMINATED MEDIA IDENTIFIED BY SCREENING DURING INVASIVE SITE WORK WILL BE PROMPTLY COMMUNICATED BY PHONE TO THE XEROX CORPORATION ENVIRONMENTAL OPERATIONS ENGINEER FOR REPORTING TO NYSDEC'S PROJECT MANAGER. REPORTABLE QUANTITIES OF PETROLEUM PRODUCT WILL ALSO BE REPORTED TO THE NYSDEC SPILLS HOTLINE.

11. COVER MATERIAL (GRASS, TOPSOIL, ASPHALT, CONCRETE OR GRAVEL) WILL BE SEGREGATED FROM THE UNDERLYING SOIL. THE COVER MATERIAL CAN BE DISPOSED OF OR REUSED ON SITE AS DETERMINED BY THE FACILITY AND IS NOT SUBJECT TO THE MANAGEMENT PRACTICES DESCRIBED IN THE XEROX SITE MANAGEMENT PLAN, UNLESS THE EXCAVATION AREA IS ASSOCIATED WITH A SURFACE SPILL.

12. EXCAVATION EQUIPMENT AND TOOLS THAT CONTACT CONTAMINATED SOIL WILL BE DECONTAMINATED UPON COMPLETION OF EXCAVATION ACTIVITIES. DECONTAMINATION WILL BE ACCOMPLISHED WITH A PRESSURE WASHER, HOSE, HAND-WASHING WITH SOAP AND WATER, OR OTHER APPROPRIATE METHOD. DECONTAMINATION WATER/RINSATE WILL BE CONTAINERIZED AND DISCHARGED IN COMPLIANCE WITH THE EXISTING PROCEDURES, PERMITS AND APPROVALS.

13. EXCAVATED SOIL THAT REQUIRES OFF-SITE DISPOSAL WILL BE CHARACTERIZED FOR MANAGEMENT PURPOSES THROUGH THE COLLECTION OF REPRESENTATIVE SAMPLES FOR LABORATORY ANALYSIS OF SITE CONTAMINANTS DEPENDING ON THE NATURE OF THE CONTAMINANTS LIKELY TO BE PRESENT AND LANDFILL REQUIREMENTS.

14. SOILS STAGED AFTER WORKING HOURS MUST BE SECURED AGAINST UNINTENDED INTRUSION AND MUST BE KEPT UNDER A COVER IN ORDER TO MINIMIZE SOIL RUN-OFF DURING PRECIPITATION EVENTS. THE EXCAVATED SOIL WILL ALSO BE STAGED ON AN IMPERMEABLE MATERIAL SUCH AS PLASTIC SHEETING OR TARPS TO MINIMIZE CONTAMINATION OF THE STAGING AREA. SOILS THAT ARE NOT USED TO BACKFILL THE EXCAVATION WILL REMAIN STAGED PENDING THE RECEIPT OF LABORATORY ANALYTICAL RESULTS CHARACTERIZING THE SOIL.

15. ALL MATERIALS PROPOSED FOR IMPORT ONTO THE SITE WILL BE TESTED AND APPROVED BY XEROX AND WILL BE FOLLOWING PROVISIONS IN THIS SOIL MANAGEMENT PLAN PRIOR TO RECEIPT AT THE SITE.

16. IMPORTED SOIL MATERIAL WILL MEET THE BACKFILL AND COVER SOIL TESTING AND QUALITY STANDARDS PRESENTED IN DER-10 APPENDIX 5 ALLOWABLE CONSTITUENT LEVELS FOR IMPORTED FILL OR SOIL FOR COMMERCIAL/INDUSTRIAL USE AND THE NYSDEC SAMPLING, ANALYSIS, AND ASSESSMENT OF PER- AND POLYFLUOROALKYL (PFAS) DOCUMENT DATED APRIL 2023.

17. TRUCKS ENTERING THE SITE WITH IMPORTED SOILS WILL BE SECURELY COVERED WITH TIGHT FITTING COVERS. IMPORTED SOILS WILL BE STOCKPILED SEPARATELY FROM EXCAVATED MATERIALS AND COVERED TO PREVENT DUST RELEASES.

18. THE FOLLOWING MATERIALS CAN BE IMPORTED AND MAY BE USED ON-SITE WITHOUT TESTING; (COMMERCIALLY PURCHASED BAGGED TOPSOIL USED FOR LANDSCAPING PURPOSES, GRAVEL, ROCK, OR STONE (NON-SOIL) CONSISTING OF VIRGIN MATERIAL FROM A PERMITTED MINE OR QUARRY.

19. ALL OTHER MATERIALS, INCLUDING SOIL OR SAND IMPORTED FROM A VIRGIN MINE OR PIT AND MATERIAL (INCLUDING GRAVEL, ROCK, STONE, SAND, SOIL, ETC.) FROM SOURCES OTHER THAN A VIRGIN MINE OR PIT CAN ONLY BE USED ON-SITE PENDING ANALYTICAL TESTING. ALL IMPORTED SOILS THAT REQUIRE TESTING WILL MEET THE BACKFILL SOIL QUALITY STANDARDS ESTABLISHED IN 6NYCRR 375-6.7(D).

20. SOLID WASTE OR IMPORTED MATERIALS FROM OTHER INDUSTRIAL SITES, SPILL SITES, OR OTHER REMEDIATION OR CONTAMINATED SITES IS PROHIBITED FROM BEING USED ON-SITE.

SPECIFICATION NOTES FOR PERMANENT SEEDING

SOIL AMENDMENTS

1. SOIL AMENDMENTS SHOULD BE INCORPORATED INTO THE UPPER 2-4 INCHES OF SOIL WHEN FEASIBLE.

2. CONTRACTOR SHALL CONDUCT SOIL TESTING FOR pH AND CONSULT WITH WITH ENTITIES SUCH AS THE CORNELL COOPERATIVE EXTENSION, OR OTHERS, FOR RECOMMENDATIONS FOR SOIL AMENDMENTS.

TIME OF PLANTING

1. PERMANENT SEEDING TO BE DONE BETWEEN APRIL 1 AND OCTOBER 14. ANY SEEDING FROM OCTOBER 15 TO MARCH 31 WILL BE TEMPORARY SEEDING (AROOSTOOK-WINTER RYE) AND WILL REQUIRE PERMANENT SEEDING TO TAKE PLACE THE FOLLOWING SEASON. FALL SEEDING IS THE PREFERRED SEEDING TIME.

SITE RESTORATION

1. PROVIDE EROSION CONTROL MEASURES, BRING THE TOPSOILED AREA TO DESIRED GRADE AND PREPARE FOR SEEDING. RESTORE DISTURBED SOIL AREAS TO EXISTING GRADE AND PROVIDE TOPSOIL, SEED, MULCH, AND ADD SOIL AMENDMENTS AS NECESSARY.

2. PREPARE SEEDBED, LOOSENING SOIL TO A DEPTH OF 3-4 INCHES.

3. REMOVE ALL STONES OVER THREE INCH (3") IN DIAMETER, STICKS AND FOREIGN MATTER FROM THE SURFACE.

4. APPLY FERTILIZER PER RECOMMENDATIONS RESULTING FROM SOIL pH TESTING.

5. SEED PREPARED AREAS WITH SEED MIX AT APPLICATION RATE SPECIFIED BY THE MANUFACTURER.

6. SMOOTH AND FIRM SEEDBED.

7. APPLY MULCH AT SPECIFIED APPLICATION RATE (MULCHING SECTION OF THESE NOTES).

PERMANENT SEEDING MIXTURES

1. PERMANENT GRASS SEED TYPE TO BE AS DIRECTED BY MONTANTE.

2. FOR AREAS DESIGNATED AS POLLINATOR PLANTING IN THESE PLANS THE CONTRACTOR SHALL FURNISH POLLINATOR FRIENDLY, NATIVE PLANT SEED MIX TO THE OWNER FOR REVIEW AND APPROVAL. THE POLLINATOR SEED MIX SHALL CONTAIN ONE OR SEVERAL OF THE FOLLOWING:

   COMMON MILKWEED (ASCLEPIEAS SYRIACA) - UPLAND AREAS
   BUTTERFLY MILKWEED (ASCLEPIEAS TUBEROSA, PA ECOTYPE - UPLAND AREAS
   SWAMP MILKWEED (A. INCARNATA) - WETLAND AREAS

3. FOR DISTURBED AREAS NOT DESIGNATED AS POLLINATOR PLANTING IN THESE PLANS THE CONTRACTOR SHALL FURNISH A NORTHEAST ROADSIDE MIX, SUCH AS PARTIALLY SHADED AREA ROADSIDE MIX (ERNMX-140), TO THE OWNER FOR REVIEW AND APPROVAL.

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PREPARED FOR:

TM MONTANTE SOLAR DEVELOPMENT, LLC

2760 KENMORE AVE #101
TONAWANDA, NY14150

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Stamp:	

Rev.	Description	By	Date
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MONTANTE XEROX SOLAR DEVELOPMENT
DESIGN SUBMITTAL

139 CARACAS DRIVE
WEBSTER, NY

NOTES

G-101

Sheet: 03 of 10

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WORK IN PROGRESS - V.1

NOW OR FORMALLY
THE MEADOWS OF WEBSTER
5B 360/68-70
16.11 ACRES

NOW OR FORMALLY
REMAINING LAND
LABELLA TERRA
5B 360/68-70
151.67 ACRES

NOW OR FORMALLY
XEROX-ALDER SUB
365/34
165.72 ACRES

B-17A
B-24B
B-24
B-24A
B-20
B-20A
B-20B
B-21A
B-21IR
B-21DR
W-5
W-4
RW-2
RW-1
B-1
B-22A
B-13
B-18A
B-37-1

EXISTING LANDFILL VENTS TO BE PROTECTED

EXISTING DRAINAGE DITCH

EXISTING BEDROCK TRENCH

EXISTING UNPAVED DRIVE

EXISTING DRAINAGE DITCH

EXISTING UNPAVED SITE ACCESS DRIVE

EXISTING UNPAVED DRIVE

GRAVEL

CARACAS DRIVE

RESENDE ROAD

LEGEND

- SOLAR STUDY AREA
- PARCEL BOUNDARY
- EXISTING BUILDING
- EXISTING TREELINE
- DELINEATED WETLAND
- EXISTING DELINEATED STREAM
- EXISTING DRAINAGE DITCH
- EXISTING CULVERT
- EXISTING BEDROCK TRENCH
- EXISTING CHAIN LINK FENCE
- EXISTING OVERHEAD ELECTRIC LINE
- APPROX. EXTENTS OF C&D LANDFILL
- APPROX. EXTENTS OF ASPHALT CAPPED HAZ. WASTE LANDFILL
- EXISTING C&D LANDFILL VENT
- B-21A EXISTING MONITORING WELL

NOTES

1. LANDFILL VENTS ARE TO BE PROTECTED DURING CONSTRUCTION.
2. EXISTING TREELINE SHOWN IS DRAWN USING AERIAL IMAGERY AND SHOULD BE CONSIDERED APPROXIMATE.

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SCALE IN FEET

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PREPARED FOR:

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MONTANTE XEROX SOLAR DEVELOPMENT
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139 CARACAS DRIVE
WEBSTER, NY

EXISTING CONDITIONS

C-100

Sheet: 04 of 10

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ALLY
WEBSTER
0
S

NOW OR FORMALLY
REMAINING LAND
LABELLA TERRA
5B 360/68-70
151.67 ACRES

NOW OR FORMALLY
XEROX-ALDER SUB
365/34
165.72 ACRES

LIMITS OF DISTURBANCE (17.5 ACRES)

PERIMETER FENCE — 3 / C-301

PROPOSED ACCESS GATE — 2 / C-301

PROPOSED BALLASTED SOLAR ARRAYS — 3 / C-300

OW-320N

B-24B
B-24
B-24A
B-20
B-20A
B-20B
B-21A
B-21IR
B-21DR
B-1
B-13
B-7
B-18
B-18A
B-18SR
RW-1
RW-2
W-4
W-5

NO SOIL DISTURBANCE ALLOWED WITHIN FOOTPRINT OF C&D LANDFILL (SEE NOTE 3)

AREA TO RECEIVE POLLINATOR SEED MIX (TYP). SEE SHEET G-101 FOR SEEDING NOTES.

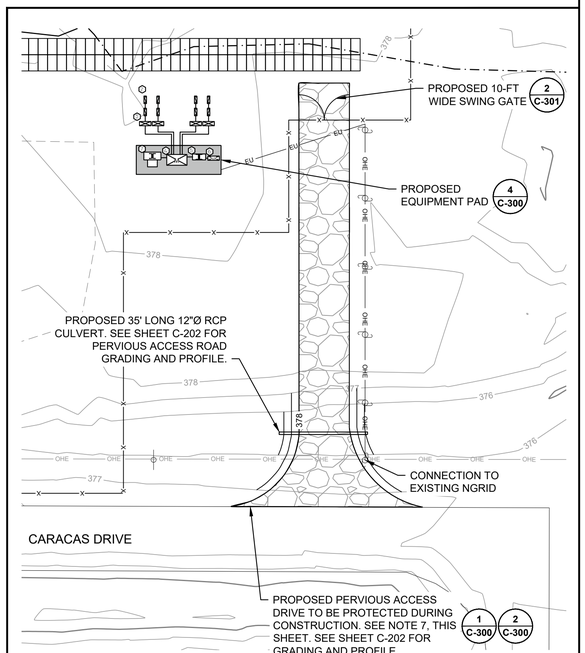
REMOVE SECTION OF EXISTING CHAIN LINK FENCE (SEE NOTE 4)

NO DISTURBANCE ALLOWED WITHIN FOOTPRINT OF ASPHALT CAPPED HAZ. WASTE LANDFILL (SEE NOTE 3)

SEE PROPOSED SITE ENTRANCE INSET

CARACAS DRIVE

GRAVEL



PROPOSED SITE ENTRANCE INSET

SCALE: 1"=30'

LEGEND

- SOLAR STUDY AREA
- PARCEL BOUNDARY
- EXISTING BUILDING
- DELINEATED WETLAND
- EXISTING DELINEATED STREAM
- EXISTING BEDROCK TRENCH
- B-21A — EXISTING MONITORING WELL
- APPROX. EXTENTS OF C&D LANDFILL
- APPROX. EXTENTS OF ASPHALT CAPPED HAZ. WASTE LANDFILL
- EXISTING C&D LANDFILL VENT
- PROPOSED LIMITS OF DISTURBANCE / LIMITS OF TREE CLEARING
- PROPOSED CHAIN LINK FENCE
- PROPOSED OVERHEAD ELECTRIC
- PROPOSED UNDERGROUND ELECTRIC
- PROPOSED UTILITY POLE
- PROPOSED SITE ACCESS DRIVE
- EXISTING FENCE TO BE REMOVED
- PROPOSED AREAS TO RECEIVE POLLINATOR SEED MIX

NOTES

1. LANDFILL VENTS ARE TO BE PROTECTED DURING CONSTRUCTION.
2. A MINIMUM SETBACK OF 30 FEET TO BE ESTABLISHED AROUND ALL MONITORING WELLS WITHIN THE PROPOSED WORK AREA.
3. PROPOSED PERVIOUS ACCESS DRIVE TO BE PROTECTED DURING CONSTRUCTION. CONSTRUCTION TRAFFIC TO USE TEMPORARY CONSTRUCTION ACCESSES SHOWN ON SHEET C-201.
4. REFER TO NOTES ON G-100 REGARDING CONSTRUCTION SEQUENCE FOR GRADING AND EROSION AND SEDIMENT CONTROLS.
5. ALL SITE TRAFFIC AND EQUIPMENT IS NOT PERMITTED TO ENTER THE ASPHALT CAPPED HAZ. WASTE LANDFILL AREA OR USE FOR SITE ACCESS IN ANY CAPACITY. CONTRACTOR IS RESPONSIBLE FOR MAINTAINING THE INTEGRITY OF THE EXISTING LANDFILL COVERS.
6. DECOMPACTION OF ALL TEMPORARY CONSTRUCTION ACCESS DRIVES MAY BE REQUIRED IN ACCORDANCE WITH 2024 NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION'S (NYSDEC) CONSTRUCTION GENERAL PERMIT (CGP) REQUIREMENTS.
7. POST-CONSTRUCTION STORMWATER CONTROL DESIGN IS CURRENTLY UNDERWAY AND WILL BE INCORPORATED IN LATER REVISIONS.

N

0 80 160 240 320
SCALE IN FEET

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MONTANTE XEROX SOLAR DEVELOPMENT
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139 CARACAS DRIVE
WEBSTER, NY

PROPOSED CONDITIONS

C-200

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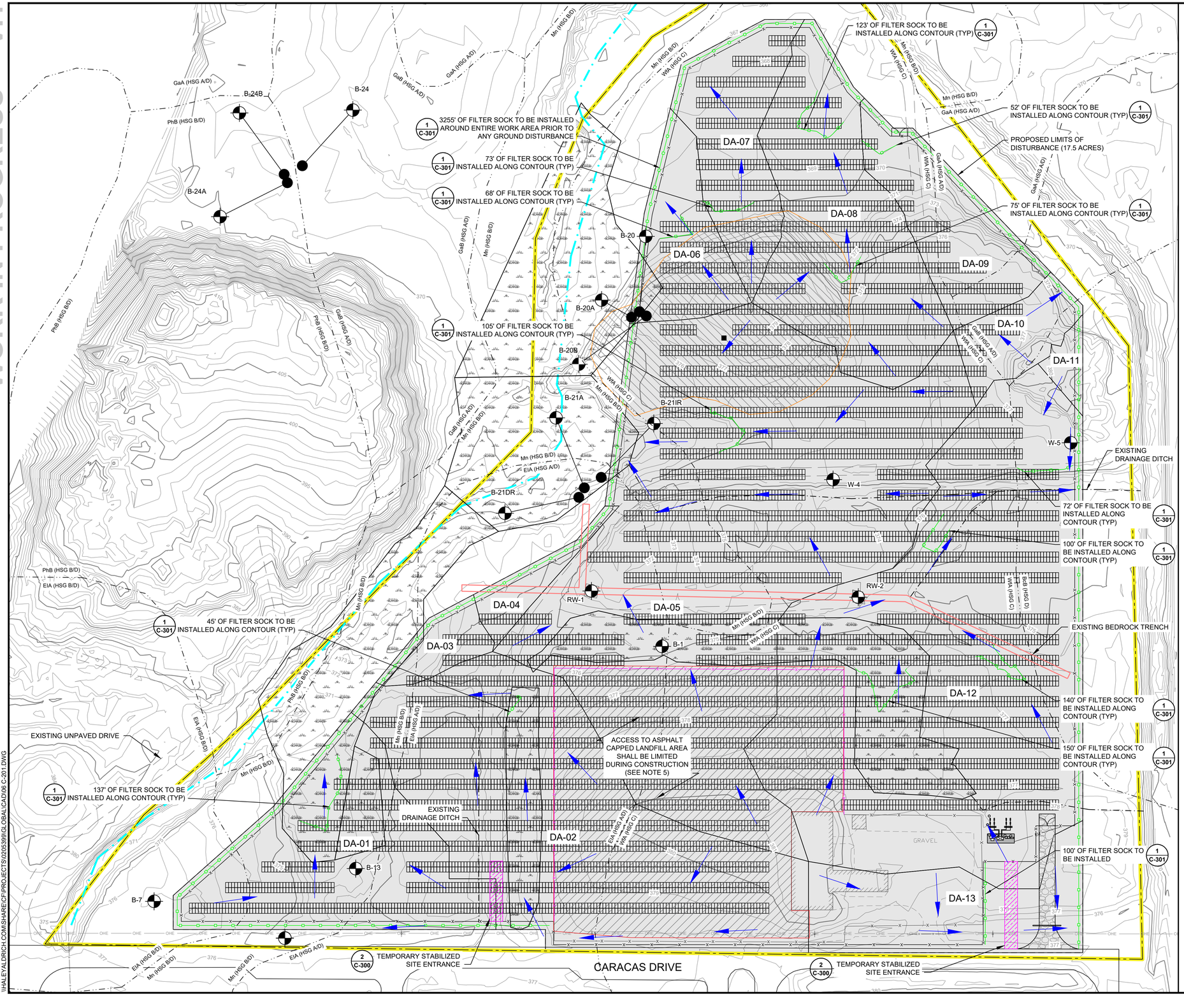

LEGEND

- SOLAR STUDY AREA
- PARCEL BOUNDARY
- EXISTING BUILDING
- DELINEATED WETLAND
- DELINEATED STREAM
- EXISTING BEDROCK TRENCH
- EXISTING DRAINAGE DITCH
- EXISTING CULVERT
- EXISTING CHAIN LINK FENCE
- EXISTING OVERHEAD ELECTRIC LINE
- EXISTING DELINEATED STREAM
- APPROX. EXTENTS OF C&D LANDFILL
- APPROX. EXTENTS OF ASPHALT CAPPED HAZ. WASTE LANDFILL
- EXISTING C&D LANDFILL VENT
- B-21A EXISTING MONITORING WELL
- PROPOSED LIMITS OF DISTURBANCE / LIMITS OF TREE CLEARING
- PROPOSED LIMITS OF FILTER SOCK
- SOIL BOUNDARY
- DELINEATED DRAINAGE AREAS
- FLOW ARROW
- EXISTING FENCE TO BE REMOVED

NOTES

1. LANDFILL VENTS ARE TO BE PROTECTED DURING CONSTRUCTION.
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4. REFER TO NOTES ON G-100 REGARDING CONSTRUCTION SEQUENCE FOR GRADING AND EROSION AND SEDIMENT CONTROLS.
5. ALL SITE TRAFFIC AND EQUIPMENT IS NOT PERMITTED TO ENTER THE ASPHALT CAPPED HAZ. WASTE LANDFILL AREA OR C&D LANDFILL. LOADS SHALL BE MAINTAINED TO LESS THAN 10 PSI. CONTRACTOR IS RESPONSIBLE FOR MAINTAINING THE INTEGRITY OF THE EXISTING LANDFILL COVERS.
6. DECOMPACTION OF ALL TEMPORARY CONSTRUCTION ACCESS DRIVES MAY BE REQUIRED IN ACCORDANCE WITH 2024 NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION'S (NYSDEC) CONSTRUCTION GENERAL PERMIT (CGP) REQUIREMENTS.
7. FILTER SOCKS INTERIOR TO THE LOD ARE TO BE INSTALLED DOWNSTREAM OF ACTIVE TREE CLEARING AND MAINTAINED UNTIL FINAL STABILIZATION. FILTER SOCKS INTERIOR TO THE LOD MAY BE MOVED TO LOCATIONS APPROXIMATE TO THOSE SHOWN ON THE PLANS TO ALLOW FOR SOLAR ARRAY INSTALLATION.
7. POST-CONSTRUCTION STORMWATER CONTROL DESIGN IS CURRENTLY UNDERWAY AND WILL BE INCORPORATED IN LATER REVISIONS.

0 60 120 180 240
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MONTANTE XEROX SOLAR DEVELOPMENT
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139 CARACAS DRIVE
WEBSTER, NY

EROSION AND SEDIMENT CONTROLS PLAN

C-201

Sheet: 06 of 10

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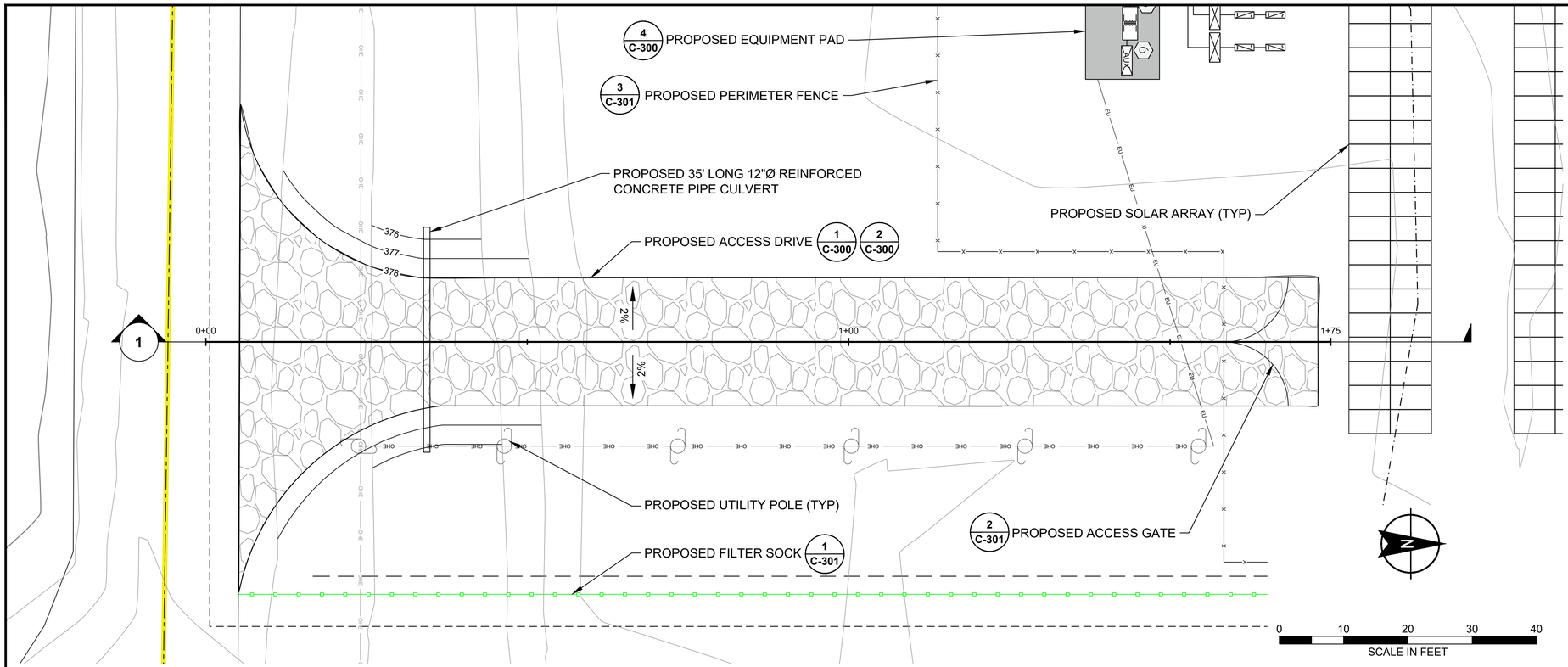

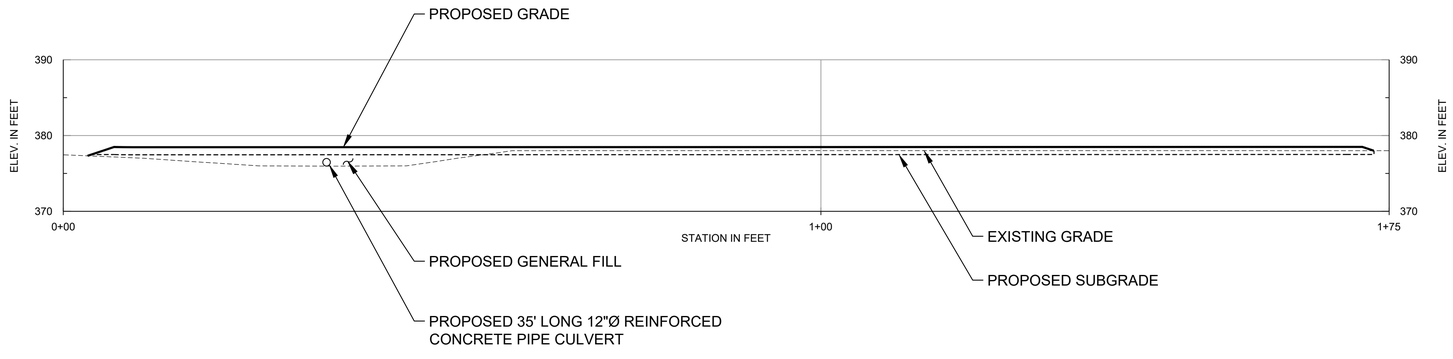

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SCALE IN FEET

1 PROPOSED ACCESS ROAD PROFILE
SCALE: AS SHOWN

LEGEND

- SOLAR STUDY AREA
- PARCEL BOUNDARY
- 100 FT STREAM SETBACK
- OHE — EXISTING OVERHEAD ELECTRIC
- PROPOSED LIMITS OF DISTURBANCE / LIMITS OF TREE CLEARING
- PROPOSED FILTER SOCK
- OHE — PROPOSED OVERHEAD ELECTRIC
- EU — PROPOSED UNDERGROUND ELECTRIC
- x — PROPOSED PERIMETER FENCE

NOTES

1. PROPOSED PERVIOUS ACCESS DRIVE TO BE PROTECTED DURING CONSTRUCTION. CONSTRUCTION TRAFFIC TO USE TEMPORARY CONSTRUCTION ACCESSES SHOWN ON SHEET C-201.
2. REFER TO NOTES ON G-100 REGARDING CONSTRUCTION SEQUENCE FOR GRADING AND EROSION AND SEDIMENT CONTROLS.
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139 CARACAS DRIVE
WEBSTER, NY

PROPOSED ACCESS ROAD GRADING PLAN

C-202

Sheet: 07 of 10

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LLY
EBSTER

NOW OR FORMALLY
REMAINING LAND
LABELLA TERRA
5B 360/68-70
151.67 ACRES

NOW OR FORMALLY
XEROX-ALDER SUB
365/34
165.72 ACRES

OW-320N

LIMITS OF DISTURBANCE (17.5 ACRES)

PROPOSED PERIMETER FENCE (3 / C-301)

PROPOSED ACCESS GATE (2 / C-301)

PROPOSED BALLASTED SOLAR ARRAYS (3 / C-300)

FILTER SOCK TO BE INSTALLED AROUND ENTIRE WORK AREA PRIOR TO ANY GROUND DISTURBANCE (1 / C-301)

100-FT SETBACK FROM STREAM

NO SOIL DISTURBANCE ALLOWED WITHIN FOOTPRINT OF C&D LANDFILL (SEE NOTE 3)

B-24B, B-24, B-24A, B-20, B-20A, B-20B, B-21A, B-21IR, B-21DR, W-5, W-4, RW-1, RW-2, B-1, B-13, B-7, B-18A, B-18, B-18SR

PROPOSED LAYDOWN AREA. SHEET G-100 FOR SOIL RESTORATION NOTES.

PROPOSED LAYDOWN AREA. SHEET G-100 FOR SOIL RESTORATION NOTES.

REMOVE SECTION OF EXISTING CHAIN LINK FENCE (SEE NOTE 4)

GRAVEL

CARACAS DRIVE

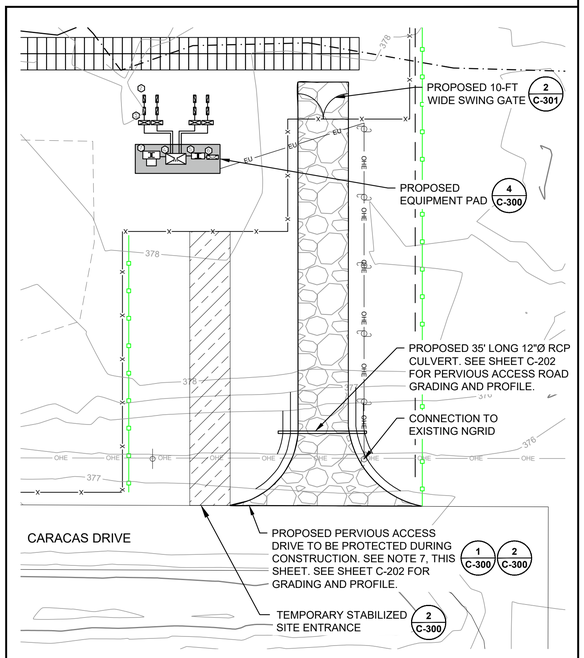
TEMPORARY STABILIZED SITE ENTRANCE (2 / C-300)

NO DISTURBANCE ALLOWED WITHIN FOOTPRINT OF ASPHALT CAPPED HAZ. WASTE LANDFILL (SEE NOTE 3)

TEMPORARY STABILIZED SITE ENTRANCE (2 / C-300)

SEE PROPOSED SITE ENTRANCE INSET

CONSTRUCTION PHASING		
INSTALL EROSION AND SEDIMENT CONTORLS	INSTALL PERIMETER EROSION AND SEDIMENT CONTROLS	Schedule TBD
	INSTALL STABILIZED CONSTRUCTION ENTRANCES	Schedule TBD
TREE CLEARING	CONDUCT TREE CLEARING	Schedule TBD
GRADING AND UTILITY INSTALLATION	INSTALL EQUIPMENT PAD	Schedule TBD
	INSTALL UTILITY POLES	Schedule TBD
	INSTALL ELECTRIC LINES	Schedule TBD
SOLAR ARRAY INSTALLATION	INSTALL SOLAR ARRAYS	Schedule TBD
FINAL SITE STABILIZATION	INSTALL PERVIOUS SITE ENTRANCE	Schedule TBD
	CONDUCT FINAL STABILIZATION	Schedule TBD
	CONDUCT FINAL SITE INSPECTION	Schedule TBD
	REMOVE EROSION AND SEDIMENT CONTROLS	Schedule TBD



PROPOSED SITE ENTRANCE INSET
SCALE: 1"=30'

LEGEND

- SOLAR STUDY AREA
- PARCEL BOUNDARY
- EXISTING BUILDING
- DELINEATED WETLAND
- DELINEATED STREAM
- EXISTING BEDROCK TRENCH
- B-21A — EXISTING MONITORING WELL
- APPROX. EXTENTS OF C&D LANDFILL
- APPROX. EXTENTS OF ASPHALT CAPPED HAZ. WASTE LANDFILL
- EXISTING C&D LANDFILL VENT
- PROPOSED LIMITS OF DISTURBANCE / LIMITS OF TREE CLEARING
- PROPOSED CHAIN LINK FENCE
- PROPOSED OVERHEAD ELECTRIC
- PROPOSED UNDERGROUND ELECTRIC
- PROPOSED UTILITY POLE
- PROPOSED SITE ACCESS DRIVE
- PROPOSED LIMITS OF FILTER SOCK
- EXISTING FENCE TO BE REMOVED
- PROPOSED STAGING AREAS

NOTES

1. LANDFILL VENTS ARE TO BE PROTECTED DURING CONSTRUCTION.
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5. ALL SITE TRAFFIC AND EQUIPMENT IS NOT PERMITTED TO ENTER THE ASPHALT CAPPED HAZ. WASTE LANDFILL AREA OR USE FOR SITE ACCESS IN ANY CAPACITY. CONTRACTOR IS RESPONSIBLE FOR MAINTAINING THE INTEGRITY OF THE EXISTING LANDFILL COVERS.
6. DECOMPACTION OF ALL TEMPORARY CONSTRUCTION ACCESS DRIVES MAY BE REQUIRED IN ACCORDANCE WITH 2024 NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION'S (NYSDEC) CONSTRUCTION GENERAL PERMIT (CGP) REQUIREMENTS.
7. POST-CONSTRUCTION STORMWATER CONTROL DESIGN IS CURRENTLY UNDERWAY AND WILL BE INCORPORATED IN LATER REVISIONS.

N

0 80 160 240 320
SCALE IN FEET

HALEY ALDRICH

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260 E. Main Street, Suite 2100
Rochester, NY 14604
Tel: 585.359.9000
www.haleyaldrich.com

PREPARED FOR:

TM MONTANTE SOLAR DEVELOPMENT, LLC

2760 KENMORE AVE #101
TONAWANDA, NY14150

THIS IS A COLOR DRAWING. INFORMATION WILL BE LOST IF REPRODUCED IN BLACK AND WHITE.

DRAFT

Project No.:	0205399
Scale:	SHOWN
Date:	AUGUST 2025
Drawn By:	SRG, JC
Designed By:	SRG, JC
Checked By:	SRG, ND
Approved By:	ND
Stamp:	

Rev.	Description	By	Date
A	FOR REVIEW	H&A	08/11/25

MONTANTE XEROX SOLAR DEVELOPMENT
DESIGN SUBMITTAL

139 CARACAS DRIVE
WEBSTER, NY

PHASING PLAN

C-203

Sheet: 08 of 10

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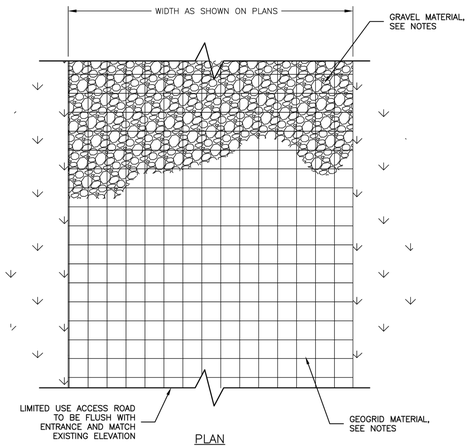
GENERAL NOTES:

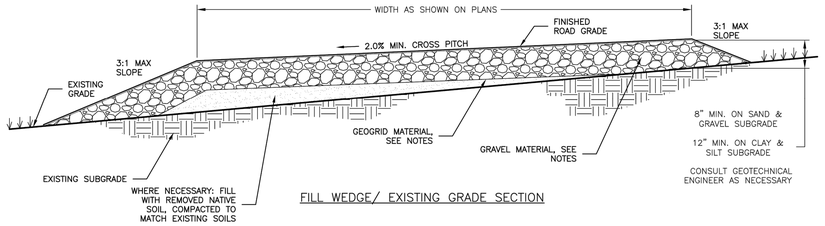
1. USE OF THIS DETAIL/CRITERION IS LIMITED TO ACCESS ROAD USED ON AN OCCASIONAL BASIS ONLY (I.E. PROVIDE ACCESS FOR MOWING, EQUIPMENT REPAIR OR MAINTENANCE, ETC.).
2. LIMITED USE PERVIOUS ACCESS ROAD IS LIMITED TO LOW IMPACT IRREGULAR MAINTENANCE ACCESS ASSOCIATED WITH RENEWABLE ENERGY PROJECTS IN NEW YORK STATE
3. REMOVE STUMPS, ROCKS AND DEBRIS AS NECESSARY. FILL VOIDS TO MATCH EXISTING NATIVE SOILS AND COMPACTION LEVEL.
4. THE LIMITED USE PERVIOUS ACCESS ROAD CROSS SLOPE SHALL BE 2% IN MOST CASES AND SHOULD NOT EXCEED 6%. THE LONGITUDINAL SLOPE OF THE ACCESS DRIVE SHOULD NOT EXCEED 15%
5. TO ENSURE THAT SOIL IS NOT TRACKED ONTO THE LIMITED USE PERVIOUS ACCESS ROAD, IT SHALL NOT BE USED BY CONSTRUCTION VEHICLES TRANSPORTING SOIL, FILL MATERIAL, ETC. IF THE LIMITED USE PERVIOUS ACCESS IS COMPLETED DURING THE INITIAL PHASES OF CONSTRUCTION, A STANDARD NEW YORK STATE STABILIZED CONSTRUCTION ACCESS SHALL BE CONSTRUCTED AND UTILIZED TO REMOVE SEDIMENT FROM CONSTRUCTION VEHICLES AND EQUIPMENT PRIOR TO ENTERING THE LIMITED USE PERVIOUS ACCESS ROAD FROM ANY LOCATION ON, OR OFF SITE. MAINTENANCE OF THE PERVIOUS ACCESS ROAD WILL BE REQUIRED IF SEDIMENT IS OBSERVED WITHIN THE CLEAN STONE.
6. THE LIMITED USE PERVIOUS ACCESS ROAD SHALL NOT BE CONSTRUCTED OR USED UNTIL ALL AREAS SUBJECT TO RUNOFF ONTO THE PERVIOUS ACCESS HAVE ACHIEVED FINAL STABILIZATION.

GEOGRID MATERIAL NOTES:

1. GRAVEL FILL MATERIAL SHALL CONSIST OF 1–4" CLEAN, DURABLE, SHARP–ANGLED CRUSHED STONE OF UNIFORM QUALITY, MEETING THE SPECIFICATIONS OF NYSDOT ITEM 703–02, SIZE DESIGNATION 3–5 OF TABLE 703–4. STONE MAY BE PLACED IN FRONT OF, AND SPREAD WITH, A TRACKED VEHICLE. GRAVEL SHALL NOT BE COMPACTED.
2. GEOGRID SHALL BE MIRAFI BXG110 OR APPROVED EQUAL. GEOGRID SHALL BE DESIGNED BASED ON EXISTING SOIL CONDITIONS AND PROPOSED HAUL ROAD SLOPES.
3. IF MORE THAN ONE ROLL WIDTH IS REQUIRED, ROLLS SHOULD OVERLAP A MINIMUM OF SIX INCHES.
4. REFER TO MANUFACTURER'S SPECIFICATION FOR PROPER TYING AND CONNECTIONS
5. LIMITED USE PERVIOUS ACCESS ROAD SHALL BE TOP DRESSED AS REQUIRED WITH ONLY 1–4" CRUSHED STONE MEETING NYSDOT ITEM 703–02 SPECIFICATIONS.
6. STANDARD PENETROMETER TESTING IS REQUIRED EVERY 100 FEET ALONG PROPOSED ROADWAY PRIOR TO INSTALLATION OF TEMPORARY ROAD.



PLAN



FILL WEDGE/ EXISTING GRADE SECTION

1 PERVIOUS ACCESS ROAD

SCALE: NOT TO SCALE

NOTE

1. PERVIOUS ACCESS ROAD DETAIL PROVIDED BY MONTANTE SOLAR DEVELOPMENT, LLC.

APA SOLAR RACKING

APASOLAR.COM
WHERE INNOVATION MEETS AUTOMATION

NO MORE CONCRETE

By utilizing locally sourced quarry rock, simply drop the weight in and you're done. No more waiting on concrete trucks, renting concrete pumps, or washing out trucks onsite. No more labor hours for setting up temporary concrete molds. No more waiting 24 hours for concrete to cure. The flow and speed of your job is 100% in your control.

RAPID SETUP

The galvanized steel wire box is delivered to the site over 70% pre-assembled. Simply unfold the box, install the spiral wires and connect the anchor tubes. The Geoballast foundation is then fully assembled and can be moved to the proper position in the row and filled with quarry rock. It's easy to assemble, stage, and stringline.

GEOBALLAST FOUNDATION

The **Geoballast Foundation** was developed after years of installing ballasted solar projects. Concrete, whether pre-cast or pour in place, proved to be an expensive and time-consuming method. Our innovative engineering and R&D teams developed a revolutionary process for ballasted projects. The goal was to remove all concrete and take the idea of a standard gabion basket and engineer it to excel as a ballast solution. Our highly engineered Geoballast box has the fastest installation time available, and is one of the most cost effective products on the market.

In business since 2008, APA offers a versatile line of racking and foundation solutions for projects in even the most challenging environments. With projects nationwide, APA is a trusted racking partner.

20-345 COUNTY ROAD X \\ PO. BOX 224 \\ RIDGEVILLE CORNERS, OH 43555

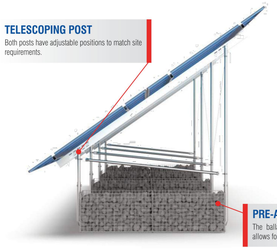
419.267.5280 // SALES@APASOLAR.COM

3 GEOBALLAST DATA SHEET

SCALE: NOT TO SCALE

WHY USE A GEOBALLAST FOUNDATION?

TELESCOPING POST
Both posts have adjustable positions to match site requirements.

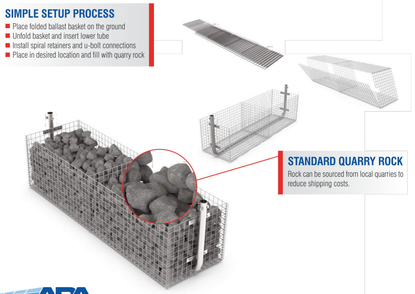


STANDARD SPECIFICATIONS

Engineering: APA Drawings can be PE stamped for all 50 States and territories
Tilt Angles: 5°-35° Tilt Options
Wind Loading: Up to 130mph
Snow Loading: Up to 100psf
Mounting Orientation: 2-High in Portrait
Weight Requirement: 2,250 lbs per basket
Foundation Coating: Galvanized with PVC coating for added protection

PRE-ASSEMBLED BASKET
The ballast is shipped 70% assembled, which allows for lower labor cost and quick deployment.

SIMPLE SETUP PROCESS
- Place folded ballast basket on the ground
- Unfold basket and insert lower tube
- Install spiral retainers and u-bolt connections
- Place in desired location and fill with quarry rock



STANDARD QUARRY ROCK
Rock can be sourced from local quarries to reduce shipping costs.

APA SOLAR RACKING

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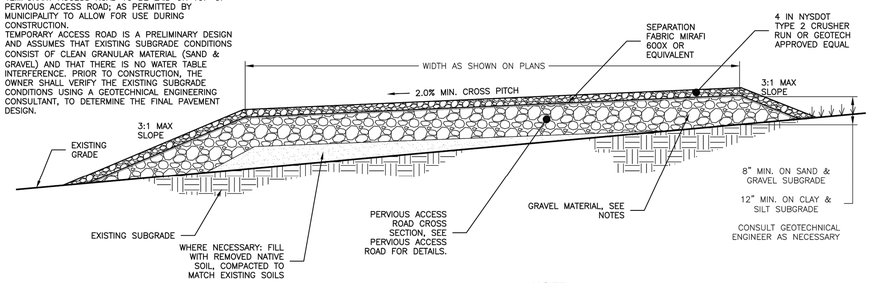
NOTE

1. GEOBALLAST DATA SHEET PROVIDED BY MONTANTE SOLAR DEVELOPMENT, LLC.

NOTES:

1. TEMPORARY ACCESS ROAD TO BE LAID ON TOP OF PERVIOUS ACCESS ROAD; AS PERMITTED BY MUNICIPALITY TO ALLOW FOR USE DURING CONSTRUCTION.
2. TEMPORARY ACCESS ROAD IS A PRELIMINARY DESIGN AND ASSUMES THAT EXISTING SUBGRADE CONDITIONS CONSIST OF CLEAN GRANULAR MATERIAL (SAND & GRAVEL) AND THAT THERE IS NO WATER TABLE INTERFERENCE. PRIOR TO CONSTRUCTION, THE OWNER SHALL VERIFY THE EXISTING SUBGRADE CONDITIONS USING A GEOTECHNICAL ENGINEERING CONSULTANT, TO DETERMINE THE FINAL PAVEMENT DESIGN.



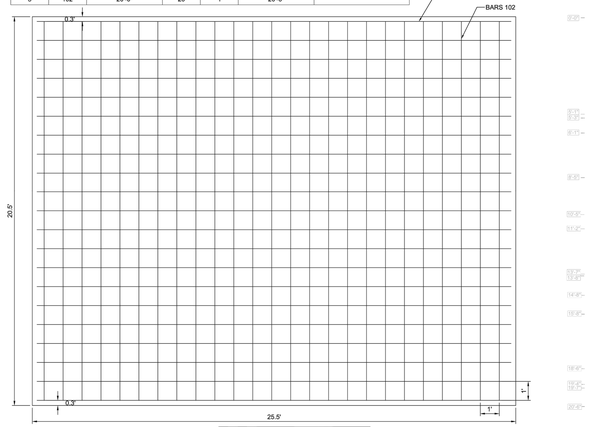
2 TEMPORARY ACCESS ROAD DETAIL

SCALE: NOT TO SCALE

NOTE

1. TEMPORARY ACCESS ROAD DETAIL PROVIDED BY MONTANTE SOLAR DEVELOPMENT, LLC.

MARK		LENGTH		NO	TYP	B		BAR LIST
SIZE	DES	FT	IN	BARS	BAR	FT	IN	
ELECTRICAL PAD								
5	101		25'-0"	25	1		25'-0"	
5	102		20'-0"	20	1		20'-0"	



4 EQIPMENT PAD DETAIL

SCALE: NOT TO SCALE

NOTE

1. EQUIPMENT PAD DETAIL PROVIDED BY MONTANTE SOLAR DEVELOPMENT, LLC.

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Tel: 585.359.9000
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PREPARED FOR:

TM MONTANTE SOLAR DEVELOPMENT, LLC

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TONAWANDA, NY14150

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DRAFT

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Approved By:	ND
Stamp:	

Rev.	Description	By	Date
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MONTANTE XEROX SOLAR DEVELOPMENT
DESIGN SUBMITTAL

139 CARACAS DRIVE
WEBSTER, NY

DETAILS

C-300

Sheet: 09 of 10

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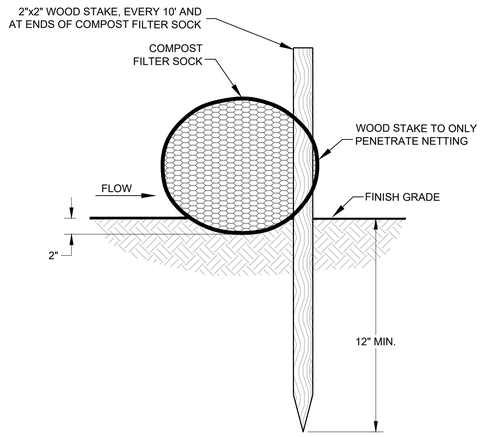
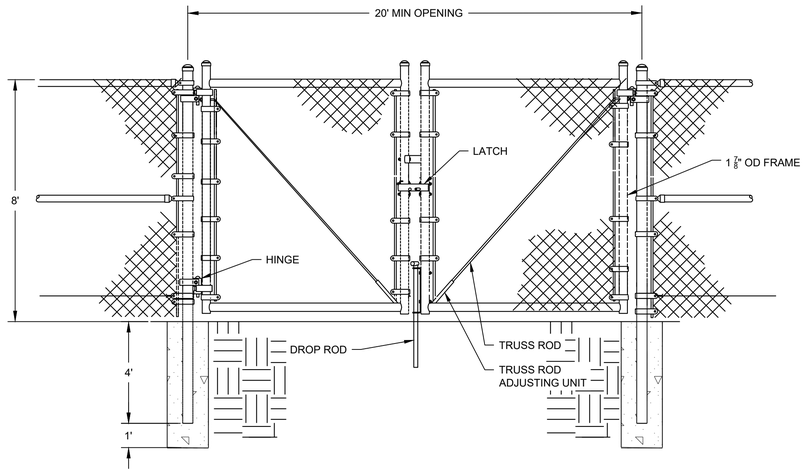


NOTES:

1. COMPOST FILTER SOCKS SHALL CONFORM TO THE NEW YORK STATES STANDARDS AND SPECIFICATIONS FOR EROSION AND SEDIMENT CONTROLS, 2016.
2. COMPOST FILTER SOCKS SHALL BE A MINIMUM 12" DIAMETER.
3. COMPOST FILTER SOCKS SHALL BE INSTALLED ALONG A LEVEL GRADE WITH ENDS OVERLAPPING.
4. COMPOST FILTER SOCKS TO BE WESTERN GREEN STRAW WATTLE OR APPROVED EQUAL.
5. COMPOST FILTER SOCKS ARE NOT TO BE USED IN CONCENTRATED FLOW SITUATIONS.
6. ROUTINELY INSPECT COMPOST FILTER SOCKS AFTER EACH SIGNIFICANT RAIN, MAINTAINING WATTLES IN A FUNCTIONAL CONDITION AT ALL TIMES.
7. REMOVE SEDIMENTS COLLECTED AT THE BASE OF THE COMPOST FILTER SOCKS WHEN THEY REACH 1/3 OF THE EXPOSED HEIGHT OF THE PRACTICE.
8. WHERE THE COMPOST FILTER SOCK DETERIORATES OR FAILS, IT WILL BE REPAIRED OR REPLACED WITH A MORE EFFECTIVE ALTERNATIVE.
9. TRAFFIC SHALL NOT BE PERMITTED TO CROSS FILTER SOCKS.
10. REMOVAL - COMPOST FILTER SOCKS WILL BE DISPERSED ON SITE WHEN NO LONGER REQUIRED IN SUCH AS WAY AS TO FACILITATE AND NOT OBSTRUCT SEEDINGS.

1 COMPOST FILTER SOCK

SCALE: NOT TO SCALE

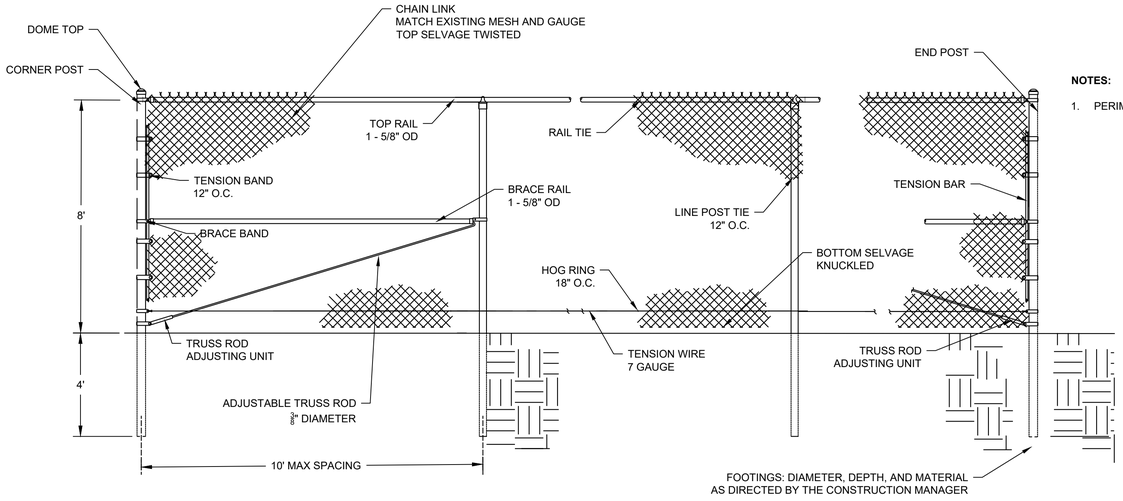


NOTES:

1. ACCESS GATE POSTS ARE TO UTILIZE CONCRETE FOOTINGS.

2 DOUBLE SWING ACCESS GATE DETAIL

SCALE: NOT TO SCALE



NOTES:

1. PERIMETER FENCE POSTS TO BE DRIVEN.

3 CHAIN LINK FENCE DETAIL

SCALE: NOT TO SCALE

HALEY ALDRICH

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Rochester, NY 14604
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PREPARED FOR:

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MONTANTE XEROX SOLAR DEVELOPMENT
DESIGN SUBMITTAL

139 CARACAS DRIVE
WEBSTER, NY

DETAILS

C-301

Sheet: 10 of 10

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Exhibit B:
Short EAF

2760 Kenmore Avenue
Buffalo, NY 14150
(716) 876-8899
www.Montante.com
www.MontanteSolar.com

Montante Solar

Short Environmental Assessment Form
Part 1 - Project Information

Instructions for Completing

Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 – Project and Sponsor Information

Name of Action or Project:

Proposed Solar Project - 139 Caracas Drive

Project Location (describe, and attach a location map):

139 Caracas Drive, Webster, New York

Brief Description of Proposed Action:

TM Montante Solar Development LLC (Montante) is proposing the development of a commercial-scale photovoltaic (PV) generation facility (Project) within portions of tax parcel (065.02-1-40.111) owned by Xerox Corporation (Xerox). The Project would be located within northern unoccupied portions of Xerox Corporation's Webster campus. The Project would encompass an area approximately 20 acres and currently includes undeveloped forest and herbaceous land, as well as a previously capped inactive landfill and associated monitoring and remedial infrastructure located north of Caracas Drive. The site will be leased by Montante for the purposes of the construction and operation of the Project.

Name of Applicant or Sponsor:	Telephone: 716-876-8899
TM Montante Solar Development LLC - Katie Soscia	E-Mail: ksoscia@montante.com

Address:

2760 Kenmore Ave

City/PO:	State:	Zip Code:
Buffalo	NY	14150

	NO	YES
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.	☑	☐
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval: USFWS no effect or not likely to adversely effect concurrence; NYSHPO no effect concurrence; NY SPDES permit; NYSDEC wetland parcel jurisdictional determination; NYSDEC part 373 change in use; town board/planning board approval; town special use permit; town building permit	☐	☐

3. a. Total acreage of the site of the proposed action? 20 acres
   b. Total acreage to be physically disturbed? 1.9 acres
   c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 0 acres **owned by Xerox Corporation**

4. Check all land uses that occur on, are adjoining or near the proposed action:

5. ☐ Urban ☐ Rural (non-agriculture) ☑ Industrial ☑ Commercial ☑ Residential (suburban)
   ☑ Forest ☑ Agriculture ☑ Aquatic ☐ Other(Specify):
   ☐ Parkland

	NO	YES	N/A
5. Is the proposed action,			
a. A permitted use under the zoning regulations? **with a special use permit**	☐	☐	☐
b. Consistent with the adopted comprehensive plan?	☐	☐	☐

	NO	YES
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	☐	☐

	NO	YES
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?		
If Yes, identify: _____	☑	☐

	NO	YES
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	☑	☐
b. Are public transportation services available at or near the site of the proposed action?	☑	☐
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	☑	☐

	NO	YES
9. Does the proposed action meet or exceed the state energy code requirements?		
If the proposed action will exceed requirements, describe design features and technologies: _____ _____	☐	☐

	NO	YES
10. Will the proposed action connect to an existing public/private water supply?		
If No, describe method for providing potable water: _____ No potable water is need for operation of the proposed facility. Portable restrooms will be utilized as needed during project construction.	☑	☐

	NO	YES
11. Will the proposed action connect to existing wastewater utilities?		
If No, describe method for providing wastewater treatment: _____ No wastewater will be generated as a result of project construction.	☑	☐

	NO	YES
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?	☑	☐
b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	☑	☐

	NO	YES
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	☐	☑
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	☐	☐
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ Construction activities will result in the placement of approximately 1,350 square feet (0.03 acre) of "permanent fill" in wetland areas from the use of geoballast foundations for the solar arrays. Installation of perimeter fence in wetland areas, approximately 470 linear feet (or 47 poles in total) driven in poles (non-jurisdictional wetland impact)		

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:

☐ Shoreline ☑ Forest ☐ Agricultural/grasslands ☑ Early mid-successional

☑ Wetland ☐ Urban ☐ Suburban

	NO	YES
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered? None listed currently. USFWS IPaC indicates the proposed threatened monarch butterfly may be potentially present	☑	☐
16. Is the project site located in the 100-year flood plan?	☑	☐
17. Will the proposed action create storm water discharge, either from point or non-point sources?	☐	☐
If Yes,		
a. Will storm water discharges flow to adjacent properties?	☑	☐
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?	☐	☐
If Yes, briefly describe: Stormwater will be allowed to runoff from the project locations to adjacent ditches/roadways and existing stormwater management. Some limited stormwater may runoff to nearby streams or wetlands but the project will utilize a SWPPP and stormwater controls to mitigate sedimentation and erosion.		
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment:	☑	☐
~~19~~. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: A portion of the project is located on a closed inactive, asphalt capped landfill, with closure completed under NYSDEC approved plans. The project is also located adjacent to Xerox Building 343 which is a former hazardous waste storage area for the Webster complex that was closed in June 2021 in compliance with a closure plan approved by the NYSDEC.	☐	☐
~~20.Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed)~~ for hazardous waste? ~~If~~ Yes, describe: The Project would be located within the larger Xerox Webster campus, which is a NYSDEC RCRA Facility (Site Code 828178) for identified groundwater and soil contamination currently managed under a RCRA Part 373 Hazardous Waste Management Permit (No. 8-2654-00064/00040). As such, the Solar Project has been designed to minimize potential ground disturbances to the greatest extent feasible.	☐	☑

I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE

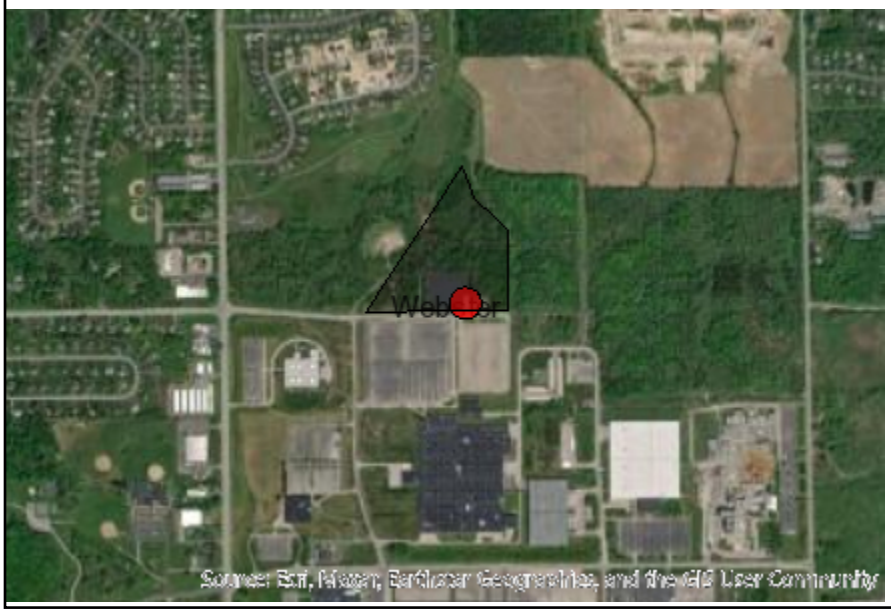
Applicant/sponsor/name: TM Montante Solar Developments LLC d/b/a/ Montante Solar Date: 3/26/25

Signature: _____ Title: Director of Project Development

PRINT FORM

EAF Mapper Summary Report

Wednesday, March 12, 2025 2:13 PM



Disclaimer: The EAF Mapper is a screening tool intended to assist project sponsors and reviewing agencies in preparing an environmental assessment form (EAF). Not all questions asked in the EAF are answered by the EAF Mapper. Additional information on any EAF question can be obtained by consulting the EAF Workbooks. Although the EAF Mapper provides the most up-to-date digital data available to DEC, you may also need to contact local or other data sources in order to obtain data not provided by the Mapper. Digital data is not a substitute for agency determinations.

Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites]	No
Part 1 / Question 12b [Archeological Sites]	No
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
Part 1 / Question 15 [Threatened or Endangered Animal]	No
Part 1 / Question 16 [100 Year Flood Plain]	No
Part 1 / Question 20 [Remediation Site]	Yes

Exhibit C:
Decommissioning Plan

2760 Kenmore Avenue
Buffalo, NY 14150
(716) 876-8899
www.Montante.com
www.MontanteSolar.com

Montante Solar

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1. Introduction	2
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5. Decommissioning Bond	7
Abandonment	8
Exhibit A: Project Site Plan	Exhibit A
Exhibit B: Decommissioning Bond	Exhibit B
Exhibit C: Equipment Warranties	Exhibit C

7MW-DC Solar Park 2, Grand Island, New York

1. Introduction

Webster Solar Garden LLC proposes to build a photovoltaic (PV) solar facility in the Town of Webster under New York State's distributed generation remote net crediting program. The Solar Facility is planned to have a nameplate capacity of approximately 5.0 megawatts (MW) alternating current (AC) and be built on approximately 19 acres, (of a larger 128-acre parcel), of private land owned by Xerox Corporation (the "**Site**").

This Decommissioning Plan ("**Plan**") provides an overview of activities that will occur during the decommissioning phase of a Solar Facility, including activities related to the restoration of land, the management of materials and waste, projected costs, and a decommissioning fund agreement overview.

The Solar Facility will have a maturity date of twenty-five (25) years, with the possibility of two five (5) year extensions, ("Project Maturity Date"). The Solar Facility has an estimated useful lifetime of 35 years. This Plan assumes that a Solar Facility will be dismantled and the Site restored to a state similar to its pre-construction condition at the Project Maturity Date. The Plan also covers the case of the abandonment of a Solar Facility, for any reason, prior to the Project Maturity Date.

Decommissioning of the Solar Facility will include the disconnection of the Solar Facility from the electrical grid and the removal of all Solar Facility components, including:

- Photovoltaic (PV) modules, panel racking and supports
- Inverter units, medium voltage equipment, and other electrical equipment related to the Project
- Conduit, wiring cables, communications equipment, Project-owned utility poles
- Concrete foundations

This decommissioning plan is based on current best management practices and procedures and may be subject to revision based on new standards and emergent best management practices at the time of decommissioning. Permits will be obtained as required and notification will be given to stakeholders prior to decommissioning.

2. Project Information: Webster Solar Garden LLC

Address:	750 Phillips Road, Webster NY
Tax ID:	065.02-1-40.11
Project Size:	6.0 MW-dc/ 5.0 MW-ac
Project Site Plan:	*Attached*- Exhibit A
Landowner:	Xerox
Lease:	25-Year Lease, two optional 5-Year extensions
Initial Project Maturity Date:	2051(25-Years after initial operation)

Project Company:	Webster Solar Garden LLC
Contact:	Daniel Montante, Owner
Address:	2760 Kenmore Ave., Buffalo NY 14150
Telephone:	716-876-8899 X121
Email:	dmontante@montante.com

Legal inquiries should be directed to:
Blaine S. Schwartz, Partner
Lippes Matthias
50 Fountain Plaza, Suite 1700
Buffalo NY 14202-2216
Phone: 716-853-5100 x1374
Email: bschwartz@lippes.com

3. General Decommissioning and Notification Process

Prior to decommissioning, a Change in Use Notification will need to be filed with the New York State Department of Environmental Conservation (NYSDEC), as this site has ongoing monitoring and oversight by the Department. Any considerations, means and/or methods recommended by NYSDEC at the time of decommissioning will be incorporated into the Decommissioning Plan.

After the Change in Use Notification is reviewed and accepted by NYSDEC, all necessary permits for the dismantling of the System will be procured including building permits through the Town of Webster.

At the time of decommissioning the installed components will be removed, reused, disposed of, and recycled, where possible. The Facility Site will be restored to a state similar to its pre-construction condition. All removal of equipment will be done in accordance with any applicable regulations and manufacturer recommendations.

3.1 Equipment Dismantling and Removal- Order of Operations:

Generally, the decommissioning of a Solar Facility proceeds in the reverse order of the installation:

1. The Solar Facility shall be disconnected from the utility power grid.
2. PV modules shall be disconnected, collected, and disposed of at an approved solar module recycler or reused, where possible.
3. All aboveground and underground electrical interconnection and distribution cables shall be removed and disposed of off-site by an approved facility.
4. Galvanized steel PV module support and racking system support posts shall be removed and recycled by an approved facility.
5. Electrical and electronic devices, including transformers and inverters shall be removed and disposed of off-site by an approved facility.
6. Concrete foundations shall be broken up, removed and disposed of off-site.
7. Fencing is a requirement of the NYSDEC Site Closure Plan for this landfill cap located on this parcel. Array fencing will either remain intact, or be dismantled and disposed of. Should it be dismantled, in its place new fencing shall be installed directly around the capped landfill and per required by NYSDEC.

3.2 Environmental Effects

Decommissioning activities, particularly the removal of project components could result in environmental effects like those of the construction phase. For example, there is the potential for disturbance (erosion/sedimentation/fuel spills) to adjacent watercourses or significant natural features. Mitigation measures like those employed during the construction phase of the Solar Facility will be implemented, with a SWPPP or Sediment and Erosion Control Plan submitted to the Town Engineer for review and approval.

Such mitigation measures will remain in place until the site is stabilized to ensure any potential erosion, silt/sediment runoff, or other impacts to the Facility Site, or the significant natural resources located adjacent.

Due to the environmental legacy of this site, any exposed soils during System Decommissioning will be tested by an environmental monitor. Soils will remain on site, where possible, or spoils will be appropriately recorded, removed, and disposed of.

Road traffic will temporarily increase due to the movement of decommissioning crews and equipment along with an increase in particle matter (dust) in adjacent areas during the decommissioning phase. Decommissioning activities may lead to temporary elevated noise levels from heavy machinery and an increase in trips to

the project location. Work will be undertaken during daylight hours and conform to any applicable noise and work restrictions.

3.3 Site Restoration

Through the decommissioning phase, the Facility Site will be restored to a state similar to its pre-construction condition.

All project components (*see* **Table 1**) will be removed. Rehabilitated lands may be seeded with a low-growing species such as clover to help stabilize soil conditions, enhance soil structure, and increase soil fertility.

Table 1: Management of Excess Materials & Waste

PV panels	If there is no possibility for reuse, the panels will be transported off-site to be sent back to the manufacturer, recycled, reused, or safely disposed off-site in accordance with current standards and best practices.
Metal array mounting racks and steel supports	These materials will be recycled off-site at an approved facility; most metals have salvage value
Transformers and substation components	The small amount of oil from the transformers will be removed on-site to reduce the potential for spills and will be transported to an approved facility for disposal. The substation transformer and step-up transformers in the inverter units will be transported off-site to be sent back to the manufacturer, recycled, reused, or safely disposed off-site in accordance with current standards and best practices.
Inverters, fans, fixtures	The metal components of the inverters, fans and fixtures will be disposed of or recycled, where possible. Remaining components will be disposed of in accordance with the standards of the day.
Gravel (or other granular)	The material will be removed from the project location by truck to a location where the aggregate can be processed for salvage. It will then be reused as fill for construction. It is not expected that any such material will be contaminated, however all gravel sampling will occur prior to removal to ensure. Should contamination be found, gravel will be removed and disposed of off-site at an approved facility.
Concrete inverter/transformer Foundations	Concrete foundations will be broken down and transported by certified and licensed contractors to a recycling or approved disposal facility. It will then be reused as fill for construction.
Cables and wiring	The electrical line that connects the substation to the point of common coupling will be disconnected and

	disposed of at an approved facility. Support poles, if made of untreated wood, will be chipped for reuse. Associated electronic equipment (isolation switches, fuses, metering) will be transported off-site to be sent back to the manufacturer, recycled, reused, or safely disposed off-site in accordance with current standards and best practices.
Debris	Any remaining debris on the site will be separated into recyclables/residual wastes and will be transported from the site and managed as appropriate.

3.4 Managing Materials and Waste

During the decommissioning phase a variety of excess materials and waste (listed in **Table 1**) will be generated. Most of the materials used in a Solar Facility are reusable or recyclable. Any remaining materials will be removed and disposed of off-site at an appropriate facility. Contractor will prioritizing local manufacturers, subcontractors, waste firms, and recycling facilities to segregate material to be disposed of, recycled, or reused.

Webster Solar Garden LLC will be responsible for the logistics of collecting and recycling the PV modules and minimizing the potential for modules to be discarded in municipal waste stream. Due to a recent increase in the use of solar energy technology, many panels from a variety of projects will be nearing the end of their lifespan. It is anticipated there will be more recycling options available for solar modules at that time. Disposing of the solar modules will be done using best management practices at the time of decommissioning.

1MW-DC Landfill, Tonawanda, New York

4. Costs of Decommissioning

The costs below are the current estimated costs to decommission the Webster Solar Garden LLC Solar Facility. The salvage values of valuable recyclable materials (aluminum, steel, copper, etc) are not factored into the below costs. The scrap value will be determined on current market rates at the time of salvage.

Tasks	5.0 MWac Estimated Cost ($)
Remove Panels	$6,760
Remove Rack Wiring	$6,730
Dismantle Racks	$33,960
Remove and Load Electrical Equipment	$5,085
Break up Concrete Pads	$4,125
Remove Racks	$21,450
Remove Cable	$17,875
Remove Ground Posts and Power Poles	$38,100
Grading	$11,000
Seed Disturbed Areas	$1,500
Truck to Recycling Center	$6,190
Current Total	**$152,775**
Total After 25 Years (3% inflation rate)	**$319,875**

5. Decommissioning Bond

A decommissioning bond will guarantee that monies are available to perform the facility decommissioning. The bond will be held by [insurance company] and will list the Town of Webster as a beneficiary on the decommissioning bond. Prior to project construction, bond with the value of $319,875 will be posted.

Proof of Decommissioning Bond is attached in Exhibit B

5.1 Abandonment Before Maturity

If the Solar Facility is not operational for longer than a 12-month consecutive operations period, the Facility will be considered to have been Abandoned. In case of Abandonment of the Solar Facility before its Project Maturity Date, the same decommissioning procedures as for decommissioning after ceasing operation will be undertaken and the same decommissioning and restoration program will be honored. The Town will have the ability to draw on the Project's Decommissioning Bond and pay to have the Project Decommissioned.

6MW-DC Riverview Array, Tonawanda, New York

Exhibit D:

Operations & Maintenance Plan

2760 Kenmore Avenue
Buffalo, NY 14150
(716) 876-8899
www.Montante.com
www.MontanteSolar.com

Montante Solar

Operations and Maintenance (O&M) Plan

1. Overview

This O&M Plan outlines the strategies and procedures for maintaining optimal performance, safety, and longevity of the 5 MW solar photovoltaic system. The plan includes preventative maintenance, corrective maintenance, monitoring, reporting, and safety protocols.

2. Project Description

Project Name:	Webster Solar Garden LLC
Location:	Caracas Drive, Webster NY (within Xerox Campus)
System Capacity:	5 MW AC / 6.6 MW DC
Racking Configuration:	Ground-mounted, fixed-tilt
Modules:	VSUN 610W, Bifacial Panel
Inverters:	Chint 275kW
Commissioning Date:	TBD

3. Goals of the O&M Program

- Ensure maximum system uptime and energy production
- Prolong the lifespan of system components
- Maintain safety for workers and the public
- Comply with local, state, and utility regulations
- Provide transparent reporting to stakeholders and owners

4. Scope of Services

General Operations:

- Effective implementation and control of O&M activities including document management, equipment inventories, owners and operating manuals, and warranties
- Reliable process operations to achieve the optimum balance between cost of scheduled maintenance, yield, and cash flow through the life of the system

- Specification of rules and provisions to ensure that maintenance is performed safely and efficiently

Regulatory & Environmental Compliance:

- Comply with [state/county] electrical and environmental codes
- Maintain stormwater controls (SWPPP compliance)
- Ensure compliance with interconnection agreement and utility requirements
- Waste handling (e.g., module replacement or oil disposal) in accordance with NYSDEC or EPA guidelines

Monitoring & Performance Analysis:

Webster Solar Garden LLC will have two monitoring platforms for redundancy. NYSERDA will have access to one of the monitoring portals and is able to pull reporting information. Webster Solar Garden LLC's O&M team will have live "smart" reporting with both systems, which will send immediate alerts.

Monitoring Platform(s):

NYSERDA Community Solar Reporting:	AlsoEnergy
Owner/O&M Team Additional Monitoring:	Chint Energy Portal

Owner, Operator, and O&M Team shall have 24/7 Remote Access to monitoring portals & 24/7 Physical Access to site

Alerts: Automated alerts for deviations in expected output, string-level faults, or inverter errors

Vegetative Maintenance Plan:

Following construction of the solar facility, disturbed grounds will be re-established with low growth / low maintenance ground cover. The vegetative maintenance contractor will be responsible for inspecting and maintaining the vegetative integrity of the solar facility. The contractor will conduct on-site activities during the growing months at the frequency of approximately 2-3 times per year but a minimum of 2 times per year. The contractor is expected to adjust site maintenance frequency based on time of year and weather conditions. To

avoid rutting, erosion, soil compaction and damage to pollinator and/or perennial plant species, weather forecasts will be consulted and on-site field inspections will be conducted prior to mowing or cutting to ensure that these practices occur when the site is able to withstand this type of activity.

Mowing:

Mowing is a three-step process. First, the mower or bush hog trims the large areas. Second, trimmers are used to cut around structural elements and other places the mower couldn't reach. Finally, any vegetation that was thrown and stuck to the modules will be cleaned off.

Site Inspection:

During each maintenance visit, the site will be inspected for signs of erosion. Any areas of concern will be immediately communicated to the project owner/developer to evaluate and implement corrective measures. Should the contractor observe a non-typical condition or change in site conditions the project owner/developer will be immediately notified.

Access Road Maintenance:

During maintenance activities, the access road will be inspected and maintained to ensure that vegetative creep does not occur. This will include the mowing of at least a 3-foot strip paralleling each side of the road. Additionally, any observed vegetative creep within the road will be removed.

Corrective Maintenance

Corrective Maintenance will be triggered initiated upon detection of a failure or degradation through monitoring or inspection.

Response Time:

Emergency:	Immediate
Critical Failures (<50% System Down):	<48 Hours
Non-Critical Failures (>50% System Down)	<96 Hours

Documentation: All issues, repairs, and replacements documented in Maintenance Reports.

Perimeter Maintenance

In compliance with NYSDEC, the perimeter fence will need to be kept in-tact and in good condition throughout the lifetime of the solar system. The perimeter fence will be inspected to ensure safety & compliance.

4. Emergency Management

Prior to the commissioning of the solar site, Webster Solar Garden LLC will meet with the Fire Department and other local agencies to review emergency procedures.

Any maintenance and emergency repair shall be performed by a qualified and licensed electrical contractor.

Remote Site Monitoring:

- The site will be monitored 24/7 using a remote DAS system
    - RG&E (Local Utility) has access to the system and is able to take the system offline immediately in case of an emergency
    - A local site contractor will be dispatched immediately in case of an emergency
    - In the case of an emergency threatening safety or loss of property, local emergency services will also be contacted

Emergency Contractor Contact:

Montante Solar
Steven Erck, Vice President
Cell: 716-609-0011
Email: serck@montante.com

Webster Fire Department:

FOR EMERGENCY DIAL 911

Distance from Site:	2.3 Miles
Non-Emergency Phone:	585-872-9526
Address:	35 South Ave., Webster NY 14580

O&M MAINTENACE SCHEDULE

Webster Solar Garden LLC

Item #	Service	Service Description	Frequency
1. Monitoring, Reporting, and Inventory			
1.1	Active Site Monitoring	Monitor inverters and meter output data for issues and alarms.	Daily
1.2	Annual Maintenance Plan (See Appendix A)	Provision of Annual Maintenance Plan, including baseline schedule for all maintenance services contemplated to occur in such year.	Annually
1.3	Monthly Reporting (See Appendix B)	Provide monthly operating report for the project including a summary of (i) operations; (ii) weather data, power and environmental attributes; (iii) Project performance; (iv) reports of any environmental or Site disturbances; (v) safety/accident reports; (vi) Non-Agreed Services; (vii) maintenance and inspection reporting; and (viii) any proposal of recommended maintenance for the upcoming month.	Monthly
1.4	Annual Reporting (See Appendix C)	Provide annual maintenance/inspection reports for the project for the preceding calendar year.	Annually
1.5	Incident and Maintenance Reporting (See Appendix D)	Provide written report (in .pdf format) on any event involving unplanned Services, personnel injury associated with the project or material damage to the project or any part thereof.	No later than five (5) business days after the occurrence, or immediately for OSHA recordable events, but no later than 24 hours.

Item #	Service	Service Description	Frequency
1.6	Security Incident Reporting (See Appendix E)	Notify Company following provider receiving information indicative of a security issue on site.	Immediately, but no later than 24 hours.
1.7	Maintain Spare Parts	Store, maintain, and replenish spare parts inventory at Company's expense. Inventory will be stored either on-site in an O&M storage structure or off-site at a centralized storage facility or warehouse.	As Needed
2. Site Property Inspection/Maintenance			
2.1	Vegetation Management (See Appendix F)	Maintain vegetation and debris removal/control and landscaping, for all property within the fence line and all property immediately surrounding fencing (within reason), specifically ensuring vegetation does not encroach on modules.	3 X per year, April, July, and October
2.2	Weed Abatement	Remove all invasive weeds to prevent future growth.	3 X per year, April, July, and October
2.3	Perimeter and Fence Inspection	Inspect all fencing for signs of damage, intrusion, and overgrowth of vegetation. Inspect signage to ensure all originally installed signs are present and legible.	4 X per year, January, April, July, and October
2.4	Roads	Inspect all roads for soil erosion concerns.	3 X per year, April, July, and October
2.41	Roads	All access roads shall be plowed during the winter to allow for continued site access.	As Needed
2.5	Site Security	Inspect entire site for general vandalism or other signs of security related issues.	Monthly
2.6	Wildlife and Pest Management	Maintain site to address problematic wildlife matters including but not limited to nest and hive removal.	As Needed
3. DC Systems			
3.1	Racking Inspection	Inspect all racking, racking mounts and conduits on racking for damage, corrosion, settling and stability.	1 X per year

Item #	Service	Service Description	Frequency
3.2	Module Inspections	Visually inspect 25% sampling of modules for soiling, breakage, delamination, discoloring, hot spots (only via aerial thermal audits), rotating sample areas annually to achieve 100% inspection every 4 years. Inspections may be done either on the ground or via aerial visual analysis and aerial thermal imaging. If systemic issues are identified, notify Company and propose a corrective action plan to be implemented as needed.	1 X per year
3.3	Broken Module Replacement	Replace modules that have previously been identified as broken (within reason) or identified as broken at the time of inspection. The cost of replacement modules (either for immediate use or to replenish spare parts) will be paid for by the Company as needed. The procurement of replacement modules is conditional to Company approval.	As Needed
3.4	Wire Inspection	Visually inspect for proper wire management and any possible damage on exposed conductors.	1 X per year
3.5	Combiner Box and Re-Combiner Inspections	Electrical/mechanical inspection of combiners & disconnects. Visually inspect bonding bushings and grounding, check for wire damage especially at entrance/exit locations, terminal corrosion, any discoloration, and inspect fuses for proper functionality. Remove insects/pest's debris from all enclosures.	1 X per year
3.6	Combiner Box and Re-Combiner Torque Inspections	Confirm and correct terminal torque settings for both sides of all fuse holders, grounded (negative) terminal bar, grounding bar, PV output circuit and DC Disconnects.	1 X per year
4. AC Systems			
4.1	Inverters	Perform annual inverter preventative maintenance work for all inverters per manufacturer's recommendations and manufacturer's warranty requirements.	Per Manufacturer's Recommendations and Manufacturer's Warranty Requirements

Item #	Service	Service Description	Frequency
4.2	Inverter Air Filters and Transformer heat sinks	Inspect inverter air-filters and heat sinks, and clean or replace air filters if applicable.	2 X per year or Per Manufacturers Recommendations, whichever is more frequent.
4.3	Transformers	Visually inspect and clean all transformers per manufacturer recommendations, including but not limited to oil level measurement and clearing heat sink of debris.	1 X per year
4.4	AC Disconnect (if applicable)	Inspection of latches and seals on enclosure, verify proper operation of disconnect, visually inspect terminations and confirm and correct terminal torque settings. Check for signs of arcing.	1 X per year
5. DAS/SCADA Inspections			
5.1	General DAS Inspection	Perform monitoring system maintenance per manufacturer's specifications; verify orientation and attachment of pyranometers and module temperature sensors and MET station and verify back up power supply functionality.	1 X per year
5.2	Pyranometers	Clean pyranometer domes with a soft cloth.	All scheduled & unscheduled site visits
5.3	Pyranometer Calibration	Coordinate with Company to cause calibration of pyranometers per manufacturer's specifications.	Per manufacturer specifications
5.4	Data/Instrument Accuracy and Communications Verification	Test MET station sensors (GHI and POA pyranometers, ambient temperature, back-of-module, anemometer, Revenue Grade Meter (including current transducers), and inverter direct.	1 X per year
6. Testing			
6.1	IV Curve String Testing or Module Level Thermal Audits	100% IV Curve Testing on strings, or 100% Module Level Thermal Audits.	1 X per year

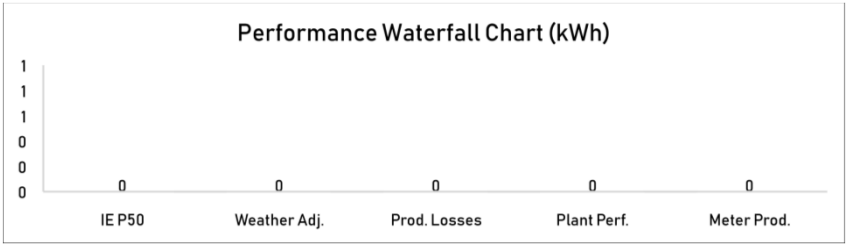
Item #	Service	Service Description	Frequency
6.2	Thermal Imaging	Thermal imaging of all: overcurrent protection devices (OCPD) and bolted electrical connections including terminations in combiners and all disconnects, inverters and transformers.	1 X per year
6.3	Transformer Oil Testing	Conduct transformer oil sampling and testing per nationally and/or internationally recognized testing standards.	1 X per two years
6.4	Point-to-Point Testing	For 5% random sampling of combiner boxes, inspect grounding from modules & rack to combiners for wear, corrosion, and secure connections, and test the point-to-point resistance between modules, rack and EGC per NETA-ATS 2013 Section 7.13; document location, measure resistance and record results. Investigate point-to-point resistance readings that exceed 0.5 ohms. Notify Company of any issues identified and propose a corrective action plan to be implemented as needed.	1 X per year

APPENDIX A
SAMPLE MONTHLY REPORT

Monthly Operations and Maintenance Report

Site Name
Portfolio Name
Month, Year

Site Information	
System Size (kWdc):	
System Size (kWac):	
Final Completion Date:	
PTO Date:	
Inverter Type:	
Inverter Qty:	

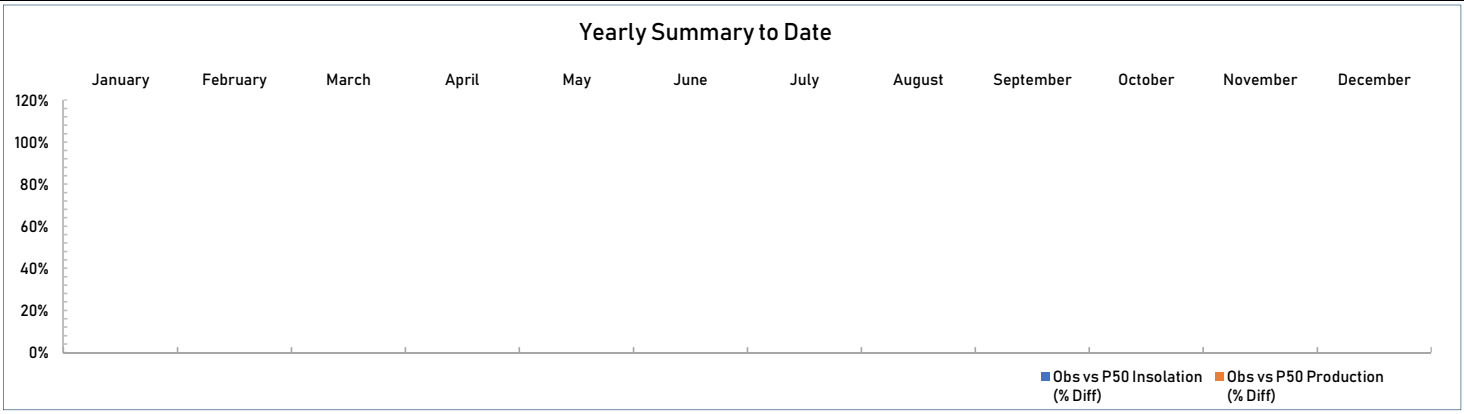


Actual vs Expected Production										
Meter Production (kWh)	P50 Production (kWh)	Weather Adj. Expected Production (kWh)	Obs vs P50 Production (% Diff)	Estimated Production Loss (kWh)	Observed Insolation (kWh/m^2)	P50 Insolation (kWh/m^2)	Obs vs P50 Insolation (% Diff)	Inverter Availability (%)	O&M Availability (%)	NREL Weather Adjusted OPR (%)

Completed Work Orders					
Work Order	Device	Date	Est. Loss (kWh)	Remarks	Fix

Open Work Orders				
Work Order	Device	Date Entered	Scheduled Date	Problem Description

Health, Safety, Security & Environmental Events				
Type	Device	Date	Status	Incident Description



Monthly Operations and Maintenance Report

Site Name
Portfolio Name
Month, Year

YTD Summary											
Month	Meter Production (kWh)	P50 Production (kWh)	Weather Adj. Expected Production (kWh)	Obs vs P50 Production (% Diff)	Estimated Production Loss (kWh)	Observed Insolation (kWh/m^2)	P50 Insolation (kWh/m^2)	Obs vs P50 Insolation (% Diff)	Inverter Availability (%)	O&M Availability (%)	NREL Weather Adjusted OPR (%)
January											
February											
March											
April											
May											
June											
July											
August											
September											
October											
November											
December											
YTD	0	0	0	-	0	0.00	0.00	-	-	-	-

* Site Availability is calculated at inverter level and excludes DAS/utility outages

** The NREL Weather Adjusted Operational Performance Ratio (OPR) is the measured energy compared to the modelled energy adjusted for weather conditions

APPENDIX B
SAMPLE ANNUAL REPORT

Annual Operations and Maintenance Report

Site Name
Portfolio Name
YEAR

YTD Summary											
Month	Meter Production (kWh)	P50 Production (kWh)	Weather Adj. Expected Production (kWh)	Obs vs P50 Production (% Diff)	Estimated Production Loss (kWh)	Observed Insolation (kWh/m^2)	P50 Insolation (kWh/m^2)	Obs vs P50 Insolation (% Diff)	Inverter Availability (%)	O&M Availability (%)	NREL Weather Adjusted OPR (%)
January											
February											
March											
April											
May											
June											
July											
August											
September											
October											
November											
December											
YTD	0	0	0	-	0	0.00	0.00	-	-	-	-

* Site Availability is calculated at inverter level and excludes DAS/utility outages

** The NREL Weather Adjusted Operational Performance Ratio (OPR) is the measured energy compared to the modelled energy adjusted for weather conditions

APPENDIX C
SAMPLE INCIDENT REPORT

INCIDENT REPORT FORM

Date & Time

Incident Date:	
Incident Time:	
Statement Date:	
Time Reported:	

Location

Incident Loaction:	
Contractor:	

Incident Class

Incident Class:	Test
Incident Type:	N/A
Affected Area:	N/A

Investigation Affiliates		**Postion**
Investigation Leader:		
Supervisor:		
Employee:		
Interviewees:		

Accident Class

Accident Class:	N/A
Accident Type:	N/A
Damage/Injury:	N/A

Incident Summary

Incident Detail

Accident/Incident Cause

Corrective Actions

Root Casue

Other

Contributing Factors

Other

Additional Factors

Other

APPENDIX D
SAMPLE SECURITY INCIDENT REPORT

SECURITY INCIDENT REPORT FORM

Date & Time

Incident Date:	
Incident Time:	
Statement Date:	
Time Reported:	

Location

Incident Loaction:	
Contractor:	

Incident Class

Incident Class:	Test
Incident Type:	N/A
Affected Area:	N/A

	Investigation Affiliates	**Postion**
Investigation Leader:		
Supervisor:		
Employee:		
Interviewees:		

Accident Class

Accident Class:	N/A
Accident Type:	N/A
Damage/Injury:	N/A

Incident Summary

Incident Detail

Accident/Incident Cause

Corrective Actions

Root Casue	**Contributing Factors**	**Additional Factors**
Other	Other	Other

Exhibit E:
Major Equipment
Data Sheets

2760 Kenmore Avenue
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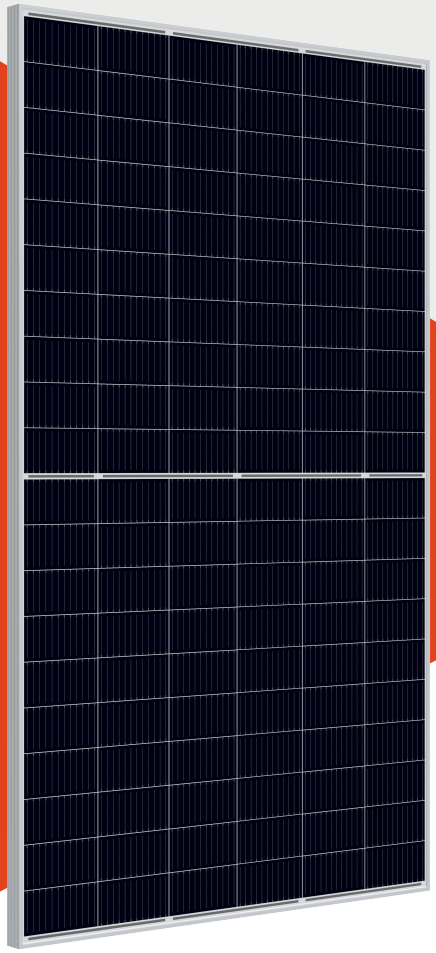
(716) 876-8899
www.Montante.com
www.MontanteSolar.com

Montante Solar

MADE IN VIETNAM, manufacture by VIETNAM SUNERGY JOINT STOCK COMPANY

VSUN
Innovative & Smart



25 YEAR
QUALITY ASSURANCE

30 YEAR
POWER OUTPUT GUARANTEE

VSUN610-132BMH-DG

VSUN610-120BMH-DG
VSUN605-120BMH-DG
VSUN600-120BMH-DG
VSUN595-120BMH-DG

610W
Highest power output

21.55%
Module dfficiency

2.0%
First-year degradation warranty

0.45%
Annual degradation over 30 years

KEY FEATURES

- PERC — MBB technology with Circular Ribbon
- Higher output power
- Half-cell Technology
- 0~3% — Positive tolerance offer
- Bifacial cells, converting more sunlight into electricity
- Better shading tolerance
- Load certificates: wind to 2400Pa and snow to 5400Pa
- Lower LCOE

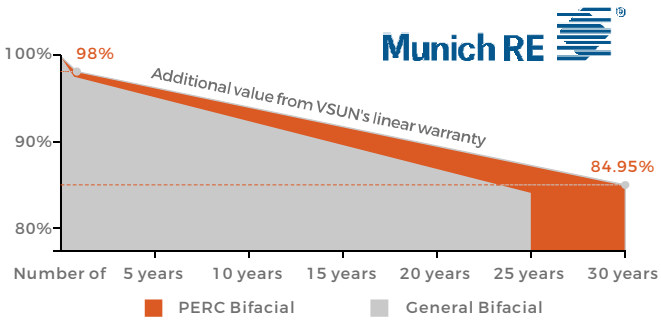
ABOUT VSUN

Invested by Fuji Solar, VSUN SOLAR is a solar solution provider with headquartered in Tokyo, Japan that offers reliability, high efficiency solar products and technology globally. VSUN is rated as BNEF Tier 1 PV module manufacturer, PVEL Lab "Best performer" and EcoVadis "Bronze Award".

PRODUCT CERTIFICATION

TÜV SÜD · C SP US · CE · PV CYCLE · ISO · IEC

WARRANTY



Update Time:2023.5.13

MADE IN VIETNAM, manufacture by VIETNAM SUNERGY JOINT STOCK COMPANY

Electrical Characteristics at Standard Test Conditions(STC)

Module Type	VSUN610-120BMH-DG	VSUN605-120BMH-DG	VSUN600-120BMH-DG	VSUN595-120BMH-DG
Maximum Power - Pmax (W)	610	605	600	595
Open Circuit Voltage - Voc (V)	41.82	41.65	41.48	41.3
Short Circuit Current - Isc (A)	18.69	18.62	18.57	18.51
Maximum Power Voltage - Vmpp (V)	34.73	34.56	34.39	34.21
Maximum Power Current - Impp (A)	17.57	17.51	17.45	17.4
Module Efficiency	21.55%	21.38%	21.20%	21.02%

Standard Test Conditions (STC): irradiance 1,000 W/m²; AM 1,5; module temperature 25°C. Pmax Sorting : 0~5W. Measuring Tolerance: ±3%.
Remark: Electrical data do not refer to a single module and they are not part of the offer. They only serve for comparison among different module types.

Electrical Characteristics with different rear side power gain(reference to 605 front)

Pmax (W)	Voc (V)	Isc (A)	Vmpp (V)	Impp (A)	Pmax gain
635	41.65	19.55	34.56	18.39	5%
666	41.65	20.48	34.56	19.26	10%
724	41.73	22.34	34.48	21.01	20%
755	41.73	23.28	34.48	21.89	25%

Material Characteristics

Dimensions	2172×1303×35mm (L×W×H)
Weight	36.4kg
Frame	Silver anodized aluminum profile
Front Glass	AR-coating Semi-toughened glass, 2.0mm
Cell Encapsulation	EVA (Ethylene-Vinyl-Acetate) or POE
Back Glass	Glazed & Semi-toughened glass, 2.0mm
Cells	12×10 pieces monocrystalline solar cells series strings
Junction Box	IP68, 3 diodes
Cable	Potrait: 500 mm (cable length can be customized), 1×4 mm2 or 12AWG, Connector: PV-ZH202B(Manufacturer by Zhejiang Zhonghuan Sunter PV Technology Co., Ltd.)

System Design

Maximum System Voltage [V]	1500
Series Fuse Rating [A]	30
Bifaciality	70%±10%
Fire Rating	Class C for IEC and TYPE 29 for US
PV module classification	Class II
Temperature Range	-40 °C to + 85 °C
Maximum Surface Load	5,400 Pa
Application class	Class A
Withstanding Hail	Maximum diameter of 25 mm with impact speed of 23 m/s

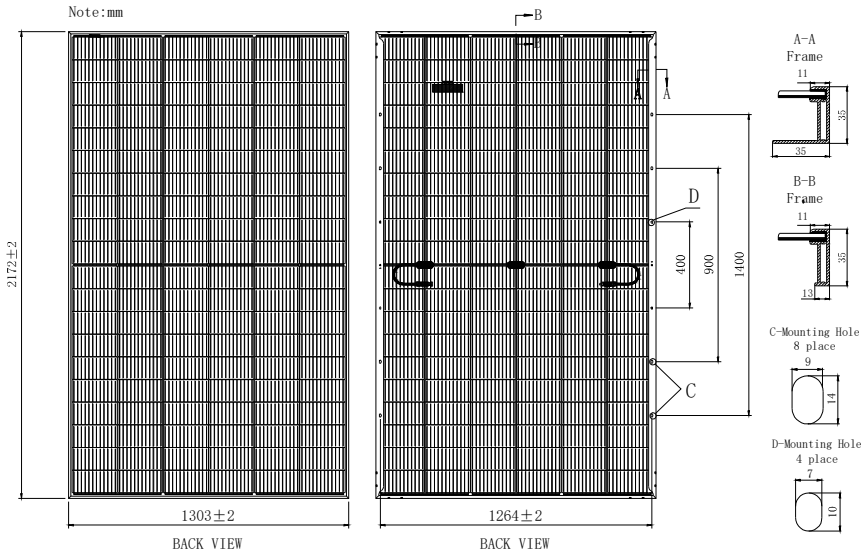
Packaging

Dimensions(L×W×H)	1325×1125×2510mm
Container 20'	/
Container 40'	/
Container 40'HC	540

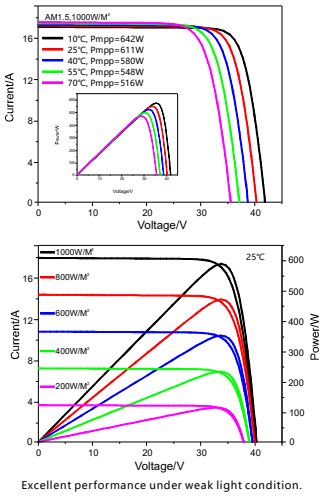
Temperature Characteristics

NOCT	45°C(±2°C)
Voltage Temperature Coefficient	-0.25%/°C
Current Temperature Coefficient	+0.04%/°C
Power Temperature Coefficient	-0.34%/°C

Dimensions



IV-Curves

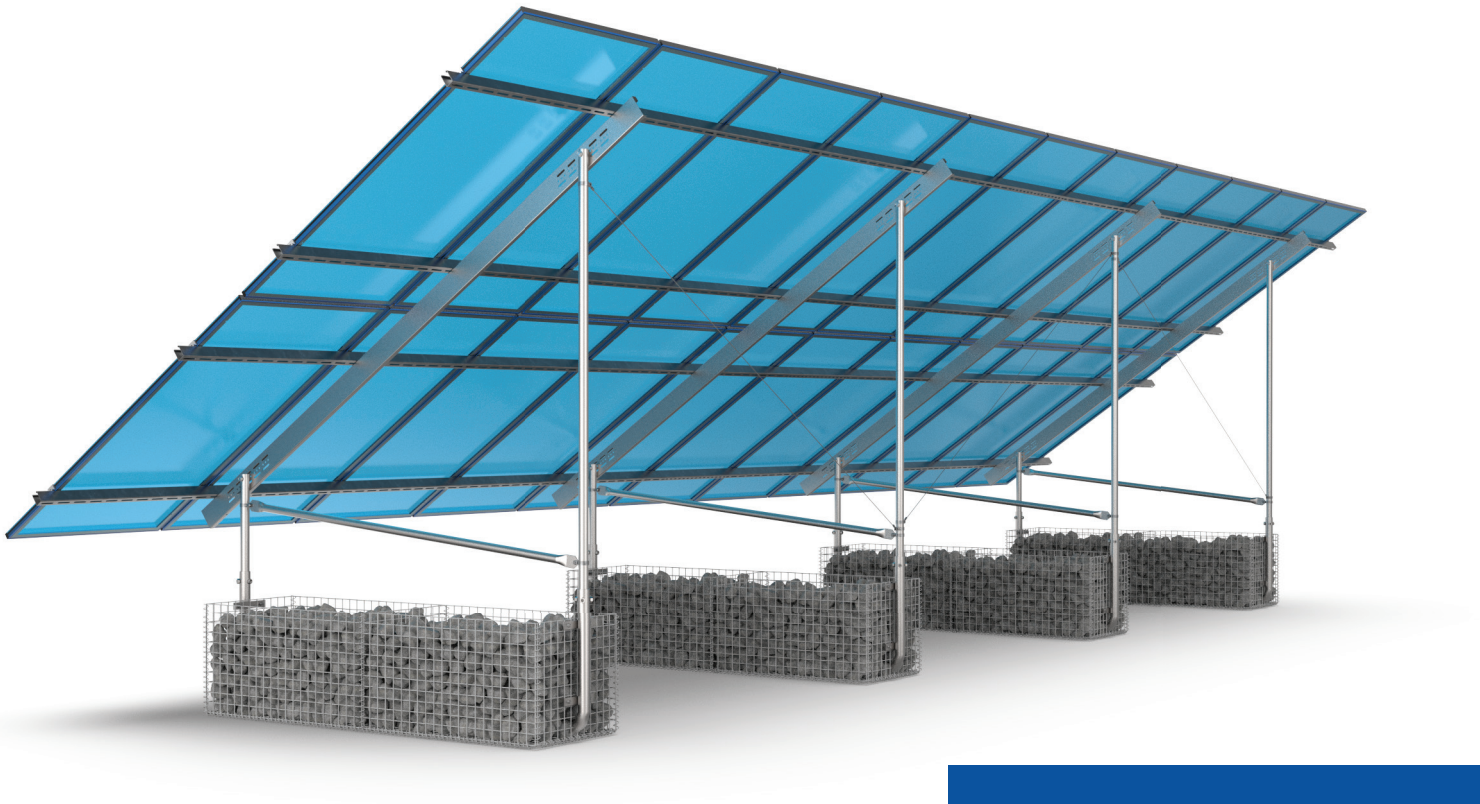


Excellent performance under weak light condition.

Update Time:2023.5.13

APA SOLAR RACKING

APASOLAR.COM
WHERE INNOVATION MEETS AUTOMATION



NO MORE CONCRETE

By utilizing locally sourced quarry rock, simply drop the weight in and you're done. No more waiting on concrete trucks, renting concrete pumps, or washing out trucks onsite. No more labor hours for setting up temporary concrete molds. No more waiting 24 hours for concrete to cure. The flow and speed of your job is 100% in your control.

RAPID SETUP

The galvanized steel wire box is delivered to the site over 70% pre-assembled. Simply unfold the box, install the spiral wires and connect the anchor tubes. The Geoballast foundation is then fully assembled and can be moved to the proper position in the row and filled with quarry rock. It's easy to assemble, stage, and stringline.

GEOBALLAST FOUNDATION

The **Geoballast Foundation** was developed after years of installing ballasted solar projects. Concrete, whether pre-cast or pour in place, proved to be an expensive and time-consuming method. Our innovative engineering and R&D teams developed a revolutionary process for ballasted projects. The goal was to remove all concrete and take the idea of a standard gabion basket and engineer it to excel as a ballast solution. Our highly engineered Geoballast box has the fastest installation time available, and is one of the most cost effective products on the market.

In business since 2008, APA offers a versatile line of racking and foundation solutions for projects in even the most challenging environments. With projects nationwide, APA is a trusted racking partner.

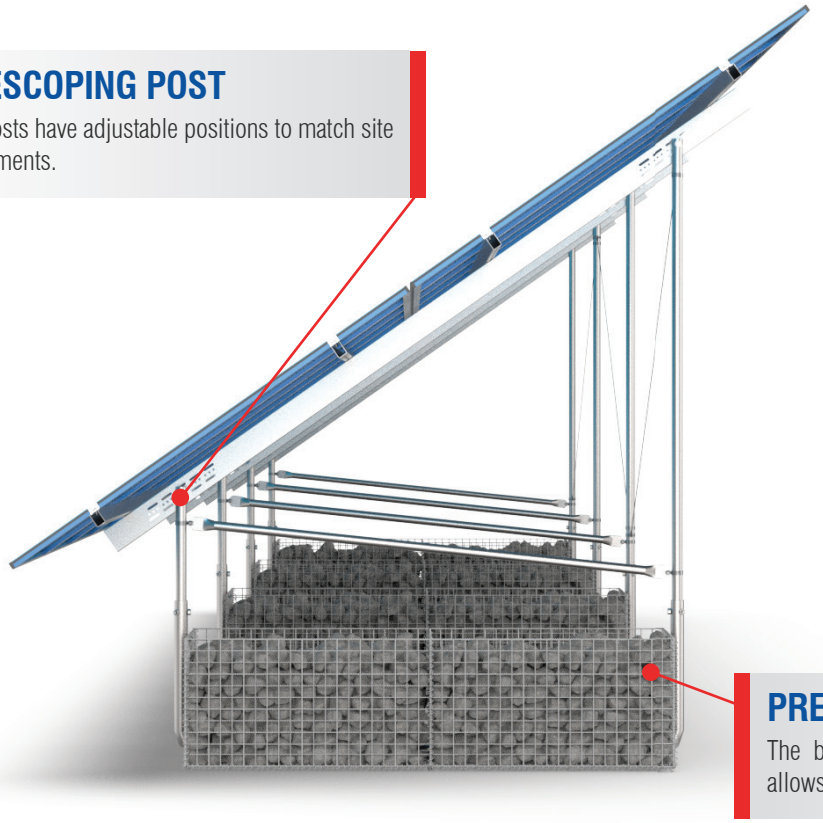
20-345 COUNTY ROAD X \\ PO. BOX 224 \\ RIDGEVILLE CORNERS, OH 43555

419.267.5280 // SALES@APASOLAR.COM

WHY USE A GEOBALLAST FOUNDATION?

TELESCOPING POST

Both posts have adjustable positions to match site requirements.



STANDARD SPECIFICATIONS

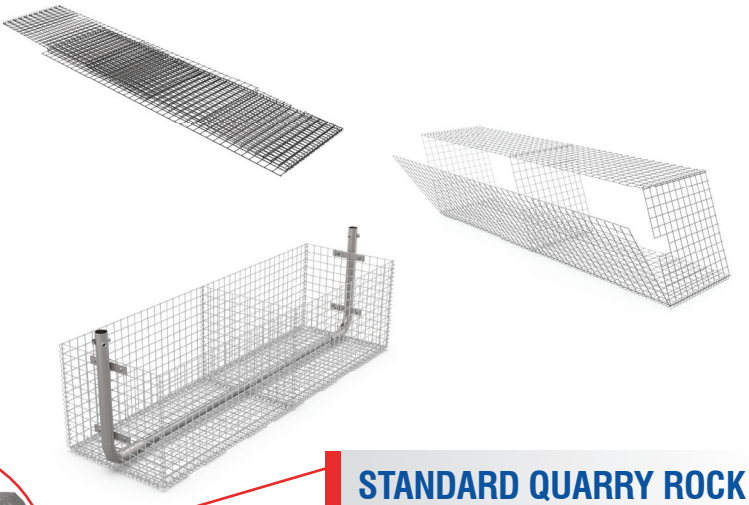
Engineering: APA Drawings can be PE stamped for all 50 States and territories
Tilt Angles: 5°-35° Tilt Options
Wind Loading: Up to 130mph
Snow Loading: Up to 100psf
Mounting Orientation: 2-High in Portrait
Weight Requirement: 2,250 lbs per basket
Foundation Coating: Galvanized with PVC coating for added protection

PRE-ASSEMBLED BASKET

The ballast is shipped 70% assembled, which allows for lower labor cost and quick deployment.

SIMPLE SETUP PROCESS

- Place folded ballast basket on the ground
- Unfold basket and insert lower tube
- Install spiral retainers and u-bolt connections
- Place in desired location and fill with quarry rock



STANDARD QUARRY ROCK

Rock can be sourced from local quarries to reduce shipping costs.

APA SOLAR RACKING

419.267.5280 // SALES@APASOLAR.COM

275kW/275kVA, 1500Vdc String Inverters for North America

CPS SCH275KTL-DO/US-800

The 275kW high power CPS three phase string inverters are designed for ground mount applications. The units are high performance, advanced and reliable inverters designed specifically for the North American environment and grid. High efficiencies, wide operating voltages, broad temperature ranges and NEMA Type 4X enclosure enable this inverter platform to operate at high performance across many applications. The SCH275KTL inverters include 12 MPPTs and are available with either 36 fused PV string inputs or 24 unfused PV string inputs. The CPS FlexOM solution enables communication, controls and remote product upgrades.

Key Features

- NFPA 70, NEC 2017 compliant
- Touch safe DC Fuse holders adds convenience and safety
- CPS FlexOM Gateway enables remote FW upgrades
- Integrated DC disconnect switch
- Protection Functions for enhanced reliability and safety
- 12 MPPTs with 36 fused inputs or 24 unfused inputs
- Copper and Aluminum compatible AC connections
- NEMA Type 4X outdoor rated, tough tested enclosure
- Full power capacity up to 42°C
- Standard 5 year warranty with extensions to 20 years

C US

This device compli
part 15 of the FCC

Chint Power Systems America
6800 Koll Center Parkway, Suite 235 Pleasanton, CA 94566
Tel: 855-584-7168 Mail: AmericaSales@chintpower.com Web: www.chintpowersystems.com

Model Name	CPS SCH275KTL-DO/US-800
DC Input	
Max. DC Input Voltage	1500V
Operating DC Input Voltage Range	500-1500Vdc
Start-up DC Input Voltage / Power	600Vdc / 300W
Number of MPP Trackers	12
MPPT Voltage Range @ PF>0.99[1]	880-1300Vdc
Max. PV Short-Circuit Current	600A, 50A per MPPT
Number of DC Inputs	36 Fused Inputs, 3 per MPPT or 24 Non-Fused Inputs, 2 per MPPT (determined by SKU)
DC Disconnection Type	Load-rated DC switches
DC Surge Protection	Type II
AC Output	
Rated AC Output Power @ PF>0.99	275kW
Max. AC Apparent Power	275kVA
Rated Output Voltage	800Vac
Output Voltage Range[2]	704-880Vac
Grid Connection Type	3-Phase / PE
Max. AC Output Current @800Vac	198.5A
Rated Output Frequency	60Hz
Output Frequency Range[2]	57 - 63Hz
Power Factor	>0.99 (±0.8 adjustable)
Current THD @ Rated Load	<3%
Max. Fault Current Contribution (1 Cycle RMS)	215.2A
Max. OCPD Rating	250A
AC Surge Protection	Type II
System and Performance	
Max. Efficiency	99.0%
CEC Efficiency	98.5%
Stand-by / Night Consumption	5W
Environment	
Enclosure Protection Degree	NEMA Type 4X
Cooling Method	Variable speed cooling fans
Operating Temperature Range[3]	-22°F to +140°F / -30°C to +60°C (derating from +107°F / +42°C)
Operating Humidity	0 to 100%
Operating Altitude	8202ft / 2500m (no derating)
Audible Noise	<80dBA @ 1m and 25°C
Display and Communication	
User Interface and Display	LED indicators, WiFi + APP
Inverter Monitoring	Modbus RS485 / PLC / CAN
Site Level Monitoring	CPS FlexOM (1 per 32 inverters)
Modbus Data Mapping	SunSpec / CPS
Remote Diagnostics / FW Upgrade Functions	Standard / (with FlexOM Gateway)
Mechanical	
Dimensions (HxWxD)	26.8 x 41.3 x 15.7in (680 x 1050 x 400mm)
Weight	Approx. 260lbs / 118kg
Mounting / Installation Angle	Vertical installation
AC Termination	Stud Type Terminal (Wire range: 3/0AWG – 600kcmil AL/CU, Lugs not supplied)
DC Termination	36 Fused Input: Screw Clamp Fuse Holder (Wire range: #14 - #6 AWG CU) 24 Non-Fused Input: Screw Clamp Terminal (Wire range: #14 - #8 and #6 - #4 AWG CU)
Fused String Inputs (3 per MPPT)[4]	20A fuses provided (Fuse values up to 30A acceptable)
Safety	
Certifications and Standards	UL1741SA-2018, CSA-22.2 NO.107.1-01, IEEE1547-2018, FCC PART15
Selectable Grid Standard	IEEE 1547-2018, CA Rule 21, ISO-NE, HECO Rule 14H
Smart-Grid Features	Volt-RideThru, Freq-RideThru, Ramp-Rate, Specified-PF, Volt-Var, Freq-Watt, Volt-Watt
Protection Functions	
Reactive Power at Night	Yes
IV Curve Tracing	Yes
Insulation Resistance Monitoring	Yes
Onboard Fault Oscillography	Yes
PV String Current Monitoring	Yes
Residual Current Monitoring	Yes
Input Reverse Polarity Protection	Yes
Output Overcurrent Protection	Yes
Output Short-Circuit Protection	Yes
Output Overvoltage Protection	Yes
DC Arc-Fault Protection	Optional
Warranty	
Standard	5 Years
Extended Terms	10, 15 and 20 years

1) See user manual for further information regarding MPPT Voltage Range when operating at non-unity PF
2) The "Output Voltage Range" and "Output Frequency Range" may differ according to the specific grid standard.
3) See user manual for further requirements regarding non-operating conditions.
4) Fused string inputs only applicable to the SCH275KTL 36 input model.

Exhibit F:

Non-Jurisdictional Wetlands: DEC & USACE

2760 Kenmore Avenue
Buffalo, NY 14150
(716) 876-8899
www.Montante.com
www.MontanteSolar.com

Montante Solar

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
Division of Fish, Wildlife and Marine Resources | Region 8 Bureau of Habitat
6274 East Avon-Lima Road | Avon, NY 14414-9516
Phone: (585) 226-2466 | Fax: (585) 226-2830

Freshwater Wetlands Determination

NAME	WETLAND ID#	DATE INVESTIGATION CONDUCTED
James Pippen	**As delineated by H&A, Xerox Property** **Tax ID** 065.02-1-40.111	**8/7/2025**
ORGANIZATION	WETLAND LOCATION	
Haley & Aldrich	TOWN: **Webster** COUNTY: **Monroe**	
STREET ADDRESS		
260 E. Main Street, suite 2100		
CITY - VILLAGE - TOWN	STATE	ZIP CODE
Rochester	**NY**	**1464**

RE: Wetlands KLA, KLB, and KLC Xerox Property Tax ID 065.02-1-40.111

This letter is in response to your inquiry regarding the applicability of Article 24 (Freshwater Wetland Act) regulations to the parcel of land in question. An investigation was conducted and, based on this determination, the Department of Environmental Conservation finds that the statements checked below apply to the subject property:

- ☐ A regulated Freshwater Wetland is located on or within 100 feet of this property, and regulated activities in the wetland or within the 100-foot adjacent area are subject to permit requirements.
- ☒ No regulated Freshwater Wetland is currently mapped on or within 100 feet of this property. Therefore, no New York Environmental Conservation Law Article 24 Freshwater Wetland permit is required at this time.
- ☐ The project, as described, is within 100 feet of a regulated wetland, and a wetland permit will be required prior to the commencement of the proposed project. Information about Freshwater Wetlands and regulated activities can be found on the Department's Freshwater Wetlands web page: http://www.dec.ny.gov/lands/4937.html
- ☐ The property contains a regulated wetland and/or is within 100 feet of a wetland boundary, but the described project is located outside the regulated area and will not require a wetland permit.
- ☐ Please contact the **U.S. Army Corps of Engineers (Buffalo office) at 716-879-4330** regarding any federally protected wetlands in the vicinity. http://www.lrb.usace.army.mil/Missions/Regulatory.aspx
- ☐ The boundary of the regulated wetland located on this property has been precisely delineated as follows:

This determination is to confirm the Wetland delineation submitted by Kim Lodge and James Pippin of Haley & Aldrich. The Lodge & Pippen study identifies 3 wetlands all within three wetlands (KLA, KLB, and KLC). BEH staff has completed a "desktop' evaluation of the proposed project area and determined that all three wetlands are within 50M of each other. The total acreage of the three delineated wetlands is 4.1ac. The wetland outside of the study area does not appear to be greater that 3ac for a total wetland acreage of approximately 7±ac.

The parcel Jurisdiction Determination for parcel - 065.02-1-40.111 indicate that there are regulated wetlands of unusual importance (Urban are) on the parcel. Regional staff has determined that the wetlands within the study/ project area are not within an urban area and all wetlands combined are less than 12.4 acers.

As the wetland are not 12.4ac in size and do not meet the unusual importance criteria it has been determine that the Department does not have Article 24 Freshwater Wetlands Jurisdiction of the wetlands identified as KLA, KLB, and KLC. This determination is valid for a period of 5 years (Through August 5, 2030).

SIGNED: 08/07/2025 TITLE: **Biologist 2, R8 Manger BEH**

Department wetland field delineations remain in effect for a period of five years, after which they are subject to revision at the Department's discretion, due to changing site conditions. Measurements of the 100-foot adjacent area are done *horizontally* upland from the wetland boundary, not along the ground surface. Identification of the adjacent-area boundary, if done, is the responsibility of the landowner or project sponsor.

DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS BUFFALO DISTRICT
478 MAIN STREET
BUFFALO, NY 14202-3278

July 10, 2025

Regulatory Branch

SUBJECT: Transmittal Department of the Army No. LRB-2025-00319, Nationwide Permit No. 51 as Published in the Federal Register, Volume 86, No. 8 on Jan. 13, 2021.

TM Montante Solar Development, LLC
Katie Soscia
2760 Kenmore Ave
Tonawanda, NY 14150

Dear Ms. Soscia:

This pertains to your application for a Department of the Army permit to discharge fill material (3 ft. x.2 ft. x 2 ft. tall, geoballasts) into 0.03 acre of federally regulated wetlands and 0.01acre of federally regulated ditches for the construction of a solar PV system on a 20 acre parcel located at 139 Caracas Drive in the Town of Webster, Monroe County New York. See Sheets 1-5 of 5 attached.

I have evaluated the impacts associated with your proposal, and have concluded that they are authorized by the enclosed Nationwide Permit (NWP) provided that the attached conditions are satisfied.

Verification of the applicability of this NWP is valid until March 14, 2026 unless the NWP is modified, suspended, revoked, or the activity complies with any subsequent permit modification. Please note in accordance with 33 CFR part 330.6(b), that if you commence or are under contract to commence an activity in reliance of the permit prior to the date this NWP expires, is suspended or revoked, or is modified such that the activity no longer complies with the terms and conditions, you have twelve months from the date of permit modification, expiration, or revocation to complete the activity under the present terms and conditions of the permit, unless the permit has been subject to the provisions of discretionary authority.

It is your responsibility to remain informed of changes to the NWP program. A public notice announcing any changes will be issued when they occur and will be available for viewing at our website: http://www.lrb.usace.army.mil/Missions/Regulatory.aspx. Finally, note that if your activity is not undertaken within the defined period or the project specifications have changed, you must immediately notify this office to determine the need for further approval or reverification.

Your initiation of work as authorized by the enclosed NWP acknowledges your acceptance of the general and special conditions contained therein. This affirmation is limited to the

Regulatory Branch

SUBJECT: Transmittal of Department of the Army No. LRB-2025-00319, Nationwide Permit No. 51 as Published in the Federal Register, Volume 86, No. 8 on Jan. 13, 2021.

attached NWP and associated WQC, and does not obviate the need to obtain any other project specific Federal, state, or local authorization. Specifically, you may need to obtain Article 15 (Protection of Water), Article 24 (Freshwater Wetland), and/or Article 34 (Coastal Erosion Management) authorization from the New York State DEC.

I have evaluated your submitted aquatic resource delineation map and have determined that the aquatic resource boundaries shown on the map accurately represent on-site conditions. Please note that this is a preliminary JD. Preliminary JDs are non-binding written indications that there may be waters of the United States (WOUS) on your parcel and approximate locations of those waters. Preliminary JDs are advisory in nature and may not be appealed.

Pursuant to Regulatory Guidance Letter 16-01, any permit application made in reliance on this preliminary JD will be evaluated as though all aquatic resources on the site are regulated by the Corps. Further, all aquatic resources will be used for purposes of assessing the extent of project related impacts and compensatory mitigation. If you require a definitive response regarding Department of the Army jurisdiction for any or all of the aquatic resources identified on the submitted drawings, you may request an approved JD from this office. If an approved JD is requested, please be aware that this is often a lengthy process and we may require the submittal of additional information.

I have enclosed the preliminary JD Form with this letter. The form and attached table identify the extent of aquatic resources on the site and specific terms and conditions of the preliminary JD. Please sign and return a copy of this form to my attention so that I may complete my evaluation of your file. If you do not respond within 15 days, I will presume concurrence and no additional follow-up is necessary prior to finalizing this action.

In accordance with Regulatory Guidance Letter 05-02, “Preliminary jurisdictional determinations are not definitive determinations of areas within regulatory jurisdiction and do not have expirations dates.” However, I strongly recommend that the boundaries of all aquatic resources on the parcel be re-evaluated by a qualified wetland biologist after five years of the date of this letter. This will ensure that any changes are appropriately identified and you do not inadvertently incur a violation of Federal law while constructing your project or working on your project site.

Lastly, the delineation included herein has been conducted to identify the location and extent of the aquatic resource boundaries and/or the jurisdictional status of aquatic resources for purposes of the Clean Water Act for the particular site identified in this request. This delineation and/or jurisdictional determination may not be valid for the Wetland Conservation Provisions of the Food Security Act of 1985, as amended. If you or your tenant are USDA program participants, or anticipate participation in USDA programs, you should discuss the applicability of a certified wetland determination with the local USDA service center, prior to starting work.

Regulatory Branch

SUBJECT: Transmittal of Department of the Army No. LRB-2025-00319, Nationwide Permit No. 51 as Published in the Federal Register, Volume 86, No. 8 on Jan. 13, 2021.

Questions pertaining to this matter should be directed to me at (716) 879-4121 by writing to the following address: U.S. Army Corps of Engineers Regulatory Branch 478 Main Street Buffalo NY 14202 or by e-mail at: Ernest.A.Francisco@usace.army.mil.

Sincerely,

Andy Francisco

Andy Francisco
Biologist

Enclosures
cc: Thomas Robitaille, Haley & Aldrich of New York Engineering and Geology, LLP

U.S. Army Corps of Engineers (USACE)

NOTIFICATION OF ADMINISTRATIVE APPEAL OPTIONS AND PROCESS AND REQUEST FOR APPEAL

For use of this form, see Section 404 of the Clean Water Act, Section 10 of the Rivers and Harbors Act of 1899, and Section 103 of the Marine Protection, Research, and Sanctuaries Act; the proponent agency is CECW-COR.

Form Approved -
OMB No. 0710-0003
Expires 2027-10-31

DATA REQUIRED BY THE PRIVACY ACT OF 1974

Authority The authorities for requesting this information are Sections 9, 10, 13, and 14, Rivers and Harbors Act of March 3, 1899; Section 404, Clean Water Act; and Section 103 Marine Protection Research and Sanctuaries Act of 1972.

Principal Purpose This information serves as notification to affected parties regarding the USACE administrative appeal options and process, as well as to facilitate requests for appeal of USACE decisions with which they disagree.

Routine Uses Routine uses will include: (a) To serve as notification to affected parties of the Corps administrative appeal options and process and to facilitate requests for appeal of Corps decisions with which they disagree. (b) Records may be referred to the Department of Justice for possible criminal prosecution. (c) Records may be referred to other Federal, State, and local agencies for evaluation and enforcement purposes.

Disclosure Disclosure of this information is voluntary on your part. However, failure of individual to provide requested information could result in inability to determine all pertinent information regarding a Department of the Army permit matter.

The Agency Disclosure Notice (ADN)

The Public reporting burden for this collection of information, 0710-0003, is estimated to average 1 hour per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or burden reduction suggestions to the Department of Defense, Washington Headquarters Services, at whs.mc-alex.esd.mbx.dd-dod-information-collections@mail.mil. Respondents should be aware that notwithstanding any other provision of law, no person shall be subject to any penalty for failing to comply with a collection of information if it does not display a currently valid OMB control number.

PURPOSE: This form is used to facilitate the initiation of the administrative appeals process. The appeals process allows an affected party to pursue an administrative appeal of certain Corps of Engineers decisions with which they disagree.

Upon release, this form will also be available on the Corps website https://www.usace.army.mil/Missions/Civil-Works/Regulatory-Program-and-Permits/

Applicant: TM Montante Solar Development, LLC	File Number: LRB-2025-00319	Date: 2025-07-10

Documents Attached (*select all that apply*):		Form Reference Section:
☐	INITIAL PROFFERED PERMIT (*Standard Permit or Letter of Permission*)	A
☐	PROFFERED PERMIT (*Standard Permit or Letter of Permission*)	B
☐	PERMIT DENIAL WITHOUT PREJUDICE	C
☐	PERMIT DENIAL WITH PREJUDICE	D
☐	APPROVED JURISDICTIONAL DETERMINATION	E
☒	PRELIMINARY JURISDICTIONAL DETERMINATION	F

SECTION I

The following identifies your rights and options regarding an administrative appeal of the above decision. Additional information may be found at https://www.usace.army.mil/Missions/Civil-Works/Regulatory-Program-and-Permits/appeals/ or Corps regulations at 33 CFR Part 331.

A: INITIAL PROFFERED PERMIT: *You may accept or object to the permit*

- ACCEPT: If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.

- OBJECT: If you object to the permit (Standard or LOP) because of certain terms and conditions therein, you may request that the permit be modified accordingly. You must complete Section II of this form and return the form to the district engineer. Upon receipt of your letter, the district engineer will evaluate your objections and may: (a) modify the permit to address all of your concerns, (b) modify the permit to address some of your objections, or (c) not modify the permit having determined that the permit should be issued as previously written. After evaluating your objections, the district engineer will send you a proffered permit for your reconsideration, as indicated in Section B below.

B: PROFFERED PERMIT: *You may accept or appeal the permit*

- ACCEPT: If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.

- APPEAL: If you choose to decline the proffered permit (Standard or LOP) because of certain terms and conditions therein, you may appeal the declined permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

C. PERMIT DENIAL WITHOUT PREJUDICE: *Not appealable*

You received a permit denial without prejudice because a required Federal, state, and/or local authorization and/or certification has been denied for activities which also require a Department of the Army permit before final action has been taken on the Army permit application. The permit denial without prejudice is not appealable. There is no prejudice to the right of the applicant to reinstate processing of the Army permit application if subsequent approval is received from the appropriate Federal, state, and/or local agency on a previously denied authorization and/or certification.

D: PERMIT DENIAL WITH PREJUDICE: *You may appeal the permit denial*

You may appeal the denial of a permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

E: APPROVED JURISDICTIONAL DETERMINATION: *You may accept or appeal the approved JD or provide new information for reconsideration*

- ACCEPT: You do not need to notify the Corps to accept an approved JD. Failure to notify the Corps within 60 days of the date of this notice means that you accept the approved JD in its entirety and waive all rights to appeal the approved JD.

- APPEAL: If you disagree with the approved JD, you may appeal the approved JD under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

- RECONSIDERATION: You may request that the district engineer reconsider the approved JD by submitting new information or data to the district engineer within 60 days of the date of this notice. The district will determine whether the information submitted qualifies as new information or data that justifies reconsideration of the approved JD. A reconsideration request does not initiate the appeal process. You may submit a request for appeal to the division engineer to preserve your appeal rights while the district is determining whether the submitted information qualifies for a reconsideration.

F: PRELIMINARY JURISDICTIONAL DETERMINATION: *Not appealable*

You do not need to respond to the Corps regarding the preliminary JD. The Preliminary JD is not appealable. If you wish, you may request an approved JD (which may be appealed), by contacting the Corps district for further instruction. Also, you may provide new information for further consideration by the Corps to reevaluate the JD.

POINT OF CONTACT FOR QUESTIONS OR INFORMATION:

If you have questions regarding this decision you may contact:		If you have questions regarding the appeal process, or to submit your request for appeal, you may contact:	
Name:	Andy Francisco	Name:	Suzanne Chubb, Regulatory Program Manager
Street Address, City, State:	USACE Buffalo District, Regulatory Branch 478 Main Street Buffalo, NY 14202	Street Address, City, State:	USACE, Great Lakes & Ohio River Division 550 Main Street, Room 10-780, CELRD-PD-O Cincinnati, Ohio 45202-3222
Phone:	716-879-4121	Phone:	(513) 218-1243
Email:	ernest.a.francisco@usace.army.mil	Email:	suzanne.l.chubb@usace.army.mil

SECTION II - REQUEST FOR APPEAL or OBJECTIONS TO AN INITIAL PROFFERED PERMIT

REASONS FOR APPEAL OR OBJECTIONS: (*Describe your reasons for appealing the decision or your objections to an initial proffered permit in clear concise statements. Use additional pages as necessary. You may attach additional information to this form to clarify where your reasons or objections are addressed in the administrative record.*)

ADDITIONAL INFORMATION: The appeal is limited to a review of the administrative record, the Corps memorandum for the record of the appeal conference or meeting, and any supplemental information that the review officer has determined is needed to clarify the administrative record. Neither the appellant nor the Corps may add new information or analyses to the record. However, you may provide additional information to clarify the location of information that is already in the administrative record.

RIGHT OF ENTRY: Your signature below grants the right of entry to Corps of Engineers personnel, and any government consultants, to conduct investigations of the project site during the course of the appeal process. You will be provided a 15-day notice of any site investigation and will have the opportunity to participate in all site investigations.

Email address of appellant and/or agent	Telephone number
Signature of appellant or agent	Date

BACKGROUND INFORMATION

A. **REPORT COMPLETION DATE FOR PJD:** 10-JUL-2025

B. **NAME AND ADDRESS OF PERSON REQUESTING PJD:**
Soscia, Katie
Tm Montante Solar Development Llc
2760 Kenmore Ave
Tonawanda, NY 14150

C. **DISTRICT OFFICE, FILE NAME, AND NUMBER:**
LRB, TM Montante Solar Development LLC - 139 Caracas Drive Solar Project , LRB-2025-00319

D. PROJECT LOCATION AND BACKGROUND INFORMATION:
(USE THE TABLE BELOW TO DOCUMENT MULTIPLE AQUATIC RESOURCES AND/OR AQUATIC RESOURCES AT DIFFERENT SITES)

State: NY County/Parish/Borough: Monroe County City:
Center coordinates of site (lat/long in degree decimal format):
Lat.: 43.231944° Long.: -77.404167°
Universal Transverse Mercator: 18
Name of nearest waterbody: Fourmile Creek

E. REVIEW PERFORMED FOR SITE EVALUATION (CHECK ALL THAT APPLY):
☒ Office (Desk) Determination. Date: July 8, 2025
☐ Field Determination. Date(s):

TABLE OF AQUATIC RESOURCES IN REVIEW AREA WHICH "MAY BE" SUBJECT TO REGULATORY JURISDICTION.

Site Number	Latitude (decimal degrees)	Longitude (decimal degrees)	Estimated amount of aquatic resource in review area (acreage and linear feet, if applicable)	Type of aquatic resource (i.e., wetland vs. non-wetland waters)	Geographic authority to which the aquatic resource "may be" subject (i.e., Section 404 or Section 10/404)
East Ditch	43.232926	-77.410216	225 feet	Non-wetland waters	Section 404
North Ditch A	43.233956	-77.411184	600 feet	Non-wetland waters	Section 404
North Ditch B	43.233746	-77.41087	185 feet	Non-wetland waters	Section 404
Stream KL3	43.234314	-77.412757	1625 feet	Non-wetland waters	Section 404
West Ditch	43.23292	-77.41298	260 feet	Non-wetland waters	Section 404
Wetland KLA	43.232952	-77.412837	0.27 acres	Wetland	Section 404
Wetland KLB	43.233481	-77.412002	0.94 acres	Wetland	Section 404
Wetland KLC	43.233886	-77.413172	0.93 acres	Wetland	Section 404
Wetland KLC (PEM)	43.23349	-77.41342	2.04 acres	Wetland	Section 404

1) The Corps of Engineers believes that there may be jurisdictional aquatic resources in the review area, and the requestor of this PJD is hereby advised of his or her option to request and obtain an approved JD (AJD) for that review area based on an informed decision after having discussed

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the various types of JDs and their characteristics and circumstances when they may be appropriate.

2) In any circumstance where a permit applicant obtains an individual permit, or a Nationwide General Permit (NWP) or other general permit verification requiring "pre-construction notification" (PCN), or requests verification for a non-reporting NWP or other general permit, and the permit applicant has not requested an AJD for the activity, the permit applicant is hereby made aware that: (1) the permit applicant has elected to seek a permit authorization based on a PJD or no JD whatsoever, which do not make an official determination of jurisdictional aquatic resources; (2) the applicant has the option to request an AJD before accepting the terms and conditions of the permit authorization, and that basing a permit authorization on an AJD could possibly result in less compensatory mitigation being required or different special conditions; (3) the applicant has the right to request an individual permit rather than accepting the terms and conditions of the NWP or other general permit authorization; (4) the applicant can accept a permit authorization and thereby agree to comply with all the terms and conditions of that permit, including whatever mitigation requirements the USACE has determined to be necessary; (5) undertaking any activity in reliance upon the subject permit authorization without requesting an AJD constitutes the applicant's acceptance of the use of the PJD or reliance on no JD whatsoever; (6) accepting a permit authorization (e.g., signing a proffered individual permit) or undertaking any activity in reliance on any form of USACE permit authorization based on a PJD or no JD whatsoever constitutes agreement that all aquatic resources in the review area affected in any way by that activity will be treated as jurisdictional, and waives any challenge to such jurisdiction in any administrative or judicial compliance or enforcement action, or in any administrative appeal or in any Federal court; and (7) whether the applicant elects to use either an AJD or a PJD, the.JD will be processed as soon as practicable. Further, an AJD, a proffered individual permit (and all terms and conditions contained therein), or individual permit denial can be administratively appealed pursuant to 33 C.F.R. Part 331. If, during an administrative appeal, it becomes appropriate to make an official determination whether geographic jurisdiction exists over aquatic resources in the review area, or to provide an official delineation of jurisdictional aquatic resources in the review area, the USACE will provide an AJD to accomplish that result, as soon as is practicable. This PJD finds that there "*may be*" waters of the U.S. and/or that there "*may be*" navigable waters of the U.S. on the subject review area, and identifies all aquatic features in the review area that could be affected by the proposed activity, based on the following information:

SUPPORTING DATA. Data reviewed for PJD (*check all that apply*)

Checked items should be included in subject file. Appropriately reference sources below where indicated for all checked items:

_x__ Maps, plans, plots or plat submitted by or on behalf of the PJD requestor:
Map: Wetland Delineation Map included with Wetland Delineation Report, Haley & Aldrich, Nov. 6, 2024 (WDR).

_x__ Data sheets prepared/submitted by or on behalf of the PJD requestor.
- _x__ Office concurs with data sheets/delineation report.
- ___ Office does not concur with data sheets/delineation report. Rationale: _____.

___ Data sheets prepared by the Corps: _____.

___ Corps navigable waters' study: _____.

___ U.S. Geological Survey Hydrologic Atlas: _____.

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_x__ USGS NHD data.
___ USGS 8 and 12 digit HUC maps.
_x__ U.S. Geological Survey map(s). Cite scale & quad name: _1:24K, Webster_____.
_x__ USDA Natural Resources Conservation Service Soil Survey. Citation: __WDR_____.
_x__ National wetlands inventory map(s). Cite name: _USACE ORM Data layer & WDR_____.
___ State/Local Wetland Inventory map(s): _____.
___ FEMA/FIRM maps: _____
___ 100-year Floodplain Elevation is: _____. (National Geodetic Vertical Datum of 1929)
___ Photographs: _x__ Aerial (*Name & Date*): _Google Earth, all available years__.
___ or _x__ Other (*Name & Date*): __WDR, Nov. 6, 2024_.
___ Previous determination(s). File no. and date of response letter: _____.
___ Other information (*please specify*): _____.

IMPORTANT NOTE: The information recorded on this form has not necessarily been verified by the USACE and should not be relied upon for later jurisdictional determinations.

Name of Regulatory Staff Member Completing PJD	Date	Signature of Regulatory Staff Member Completing PJD
Andy Francisco	July 10, 2025	Andy Francisco
Name of Person Requesting PJD	Date	Signature of Person Requesting PJD (*REQUIRED, unless obtaining the Signature is Impracticable*

Andy Francisco
_____
Signature of Regulatory Staff Member Completing PJD

_____
Signature of Person Requesting PJD (*REQUIRED, unless obtaining the signature is impracticable*)[1]

[1] Districts may establish timeframes for requester to return signed PJD forms. If the requester does not respond within the established time frame, the district may presume concurrence and no additional follow up is necessary prior to finalizing an action.

COMPLETION FORM / COMPLIANCE CERTIFICATION

Each permittee who receives a Nationwide Permit (NWP) verification letter from the Corps must provide a signed certification documenting completion of the authorized activity and any compensatory mitigation.

APPLICANT:
Katie Soscia
TM Montante Solar Development LLC
2760 Kenmore Ave
Tonawanda, NY 14150

POINT OF CONTACT:
Tom Robitaille
H & A of New York Engineering and Geology, LLP
260 E Main Street, Suite 2100
Rochester, NY 14604

File No.: LRB-2025-00319
File Closed: July 10, 2025
NWP No.: 51

Upon completion of the activity authorized by this permit and any required compensatory mitigation sign this certification and return it to the address listed below within 30 days of project completion.

Please note that your permitted activity is subject to a compliance inspection by a U.S. Army Corps of Engineers representative. If you fail to comply with this permit you are subject to permit suspension, modification, revocation, and/or assessment of administrative penalties.

The permittee shall certify the completion of the authorized work and mitigation:

a. The authorized work was done in accordance with the NWP authorization, including any general, regional, or activity specific conditions.

b. The implementation of any required compensatory mitigation was completed in accordance with the permit conditions. If credits from a mitigation bank or in-lieu fee program are used to satisfy the compensatory mitigation requirements, this certification must include the documentation required by 33 CFR 332.3(1)(3) to confirm that the permittee secured the appropriate number and resource type of credits.

_____ _____

TM Montante Solar Development LLC; Katie Soscia — Date

Permittee Telephone Number: _____

Project location: 139 Caracas Dr. Town of Webster, Monroe County, NY

Project Description: to discharge fill material (3 ft. x.2 ft. x 2 ft. tall, geoballasts) into 0.03 acre of federally regulated wetlands and 0.01acre of federally regulated ditches for the construction of a solar PV system on a 20 acre parcel.

Authorized Impacts (Waters of the U.S. Impacted by Project): 0.04 acre total

Waterway and/or Project Setting: Fourmile Creek

Return completed form to: **LRB.Regulatory.PermitCompliance@usace.army.mil** (Preferred)

Or Mail to: Compliance Coordinator
Regulatory Branch
U.S. Army Corps of Engineers
478 Main St
Buffalo, NY 14202

Exhibit G:

Landowner's Affidavit

2760 Kenmore Avenue
Buffalo, NY 14150
(716) 876-8899
www.Montante.com
www.MontanteSolar.com

Montante Solar

OWNER'S AFFIDAVIT

(Sign and return if property owner is different than applicant)

I, John Barrett do hereby certify that I am an owner and/or contract purchaser of property involved in this request and that the foregoing statements, answers and supporting documentation submitted are in all respects true and correct to the best of my knowledge and belief. If this application is granted approval, all actions shall be in accordance with the terms of that approval.

On behalf of Xerox Corporation - John Barrett

NAME OF PROPERTY / BUSINESS OWNER

SIGNATURE OF PROPERTY/BUSINESS OWNER

March 24, 2025

DATE

Exhibit H:

Tax Incentive Disclosure Form

2760 Kenmore Avenue
Buffalo, NY 14150
(716) 876-8899
www.Montante.com
www.MontanteSolar.com

Montante Solar

DISCLOSURE OF INTENT TO REQUEST TAX INCENTIVES, ABATEMENTS, OR EXEMPTIONS

Have you currently applied for, or intend to apply for any tax incentives, abatements, or exemptions?

Yes X

No _____

If **YES**, would you agree to enter into a Host Community Agreement* (HCA) with the Town of Webster?

Yes X

No _____

If **NO**: If you apply for or receive any tax incentives, abatements or exemptions in the future, would you agree to enter into a Host Community Agreement (HCA)?

Yes _____

No _____

Daniel Montante

NAME OF PROPERTY / BUSINESS OWNER

SIGNATURE OF PROPERTY/BUSINESS OWNER

March 19, 2025

DATE

* A Host Community Agreement (HCA) is an agreement between the business/property owner, wherein the business/property owner recognizes that the Town provides services which benefit the business/property and the owner desires to compensate the Town for such services, by making payment to the Town (and to make the Town whole in regard to property taxes) by entering into this agreement to acknowledge the Town's cost of providing services to its residents and property owners.

Exhibit I:
Non-Collusion Form

2760 Kenmore Avenue
Buffalo, NY 14150
(716) 876-8899
www.Montante.com
www.MontanteSolar.com

Montante Solar

NON-COLLUSION DISCLOSURE PURSUANT TO SECTION 225-111 OF THE WESTER ZONING ORDINANCE

TO WHOM IT MAY CONCERN:

No officer or employee of the State of New York, County of Monroe or Town of Webster has any financial interest in the land affected by or in the partnership making application for the project known as **Webster Solar Garden LLC**

DATED: **6/12/25**

BY: _____
Authorized Representative