

Highbanks Solar Project

Operations and Maintenance Plan

Project Size:

12.5 MW AC

Project Location:

Intersection of Highbanks and Old Highbanks Road
Town of Leicester, NY
Latitude, Longitude: 42°44'10.08"N, 77°54'58.04"W

Prepared by:

Highbanks Solar, LLC
110 Edison Place, Suite 312
Newark, NJ 07102

Date:

June 2024

Purpose:

Compliance with Town Code Section 714 – Solar Energy Systems, Part C (5), (b), (ix)

Introduction

Highbanks Solar, LLC (“Highbanks”) is proposing to develop, construct and operate the Highbanks Solar Project (“Project”) a 12.5 megawatt alternating-current (12.5 MW_{ac}) solar photovoltaic facility in the Town of Leicester (the “Town”) in Livingston County, New York. The Project will interconnect into New York State Electric and Gas Corporation’s (NYSEG) Highbanks substation. In seeking a Special Use Permit from the Town, the Project is obligated to provide a decommissioning plan (“Plan”). The Plan will be signed by the Project operator and landowner(s) and filed with the County and Town Clerks office prior to the issuance of the building permit for the Project.

Changes to Decommissioning Plan

Highbanks will provide the Town with an updated, signed Plan within 30 days if the operator of the Project changes or if there are any updates to the Plan. Any updates to the Plan will be submitted to the Town by the party responsible for decommissioning the Solar Facility. Updates to the Plan are required to be reviewed and approved by the Town of Leicester and potentially reapproved by the Town Planning Board prior to decommissioning of the Project.

Prior to construction, the Plan will be recorded at the Livingston County Clerk’s office in accordance with the Town Code. Once filed with the County Clerk, a receipt of the filing will be provided to the Town Clerk.

Decommissioning Triggers and Period

Decommissioning may be triggered as a result of any of the following conditions:

- 1) The land lease expires or is terminated;
- 2) Town Special Use Permit or Site Plan approval is revoked; or
- 3) The Project does not produce energy for more than 90 days of no electrical generation in accordance with the Town’s zoning ordinance
 - a) In this instance, the Town shall provide the Project and landowner a written notification of determination of abandonment or inoperability and there shall be a 30-day appeal period in accordance with the Town’s zoning ordinance.

The Project will provide written notice to the Town Code Enforcement Officer within 30 days of the above decommissioning triggers. All such removal and decommissioning shall occur within 12 months of any aforementioned Project decommissioning triggers.

If the Project or landowner do not decommission the Project as required by the Town Code, the Town is permitted to utilize the decommissioning financial security to decommission the Project.

Decommissioning Process

- 1) The Project owner shall obtain all necessary permits from the NYSDEC and Town and prepare a Stormwater Pollution Prevention Plan (SWPPP) to be implemented during decommissioning. A Notice of Intent (NOI) will be submitted to the NYSDEC for coverage under the General SPDES permit.
- 2) The Project will be safely de-energized on site, and NYSEG will be notified of the change in use. As needed, a qualified technician may disconnect internal project wiring and discharge any potential energy.
- 3) Install any required erosion and sediment controls identified in the SWPPP.

- 4) Remove all Project equipment, conduits, structures, and foundations
 - a) PV panels will be individually detached and stacked for orderly removal.
 - b) The racking systems will be disassembled to remove panel support structures. Then, the foundations may be either pulled out, in the case of driven piles, or reversed out, in the case of earth screws; both of these can be performed by a pile rig with the appropriate connection.
 - c) Buried conduits will be removed from the ground, and all trenches will be backfilled with the native soil spoils per New York State Department of Agriculture and Markets (NYSDAM) Guidelines.
- 5) Remove all fencing, landscaping and access roads.
- 6) The Project will remove the project-owned utility poles, but does not take responsibility for the equipment or material owned by NYSEG.
- 7) Material disposal
 - a) Salvage any equipment where possible
 - b) Recycle any equipment where possible
 - c) Dispose of non-reusable or recyclable equipment in appropriate manner
- 8) Site Restoration
 - a) Restore the site in accordance with the land lease and other appropriate permits substantially to land's original state prior to construction of the Project
 - i) Install erosion and sedimentation measures specific to this task.
 - ii) Grade/smooth the land after subsurface equipment removal
 - iii) Apply seed and mulch to all disturbed areas. Seed to be applied at a rate of 40 lb/acre and straw mulch to be applied at a rate of 2 tons/acre
 - iv) Remove any erosion and sediment controls once the site has reached Final Stabilization (currently defined by NYSDEC General Permit as a condition where "perennial vegetative cover with a density of eighty (80) percent over the entire pervious surface has been established").
 - b) Coordinate with NYSDAM to the extent needed and follow the current NYSDAM guidelines for solar energy projects to the extent practical

Refer to plan sheets C7.0 and C7.1 of the original approved site plan set for additional information. A sample decommissioning schedule can be found in Appendix A.

Decommissioning Costs & Fund

Highbanks has hired HUNT Engineers, Architects, Surveyors and Landscape Architect, DPC (HUNT) to estimate decommissioning costs for the project. HUNT has used their experience on similar projects along with NYSERDA guidance documentation to arrive at a present and future decommissioning cost. See attached Appendix B 'Opinion of Probable Cost' and Appendix C 'Cost Escalation Schedule'. If necessary, Highbanks will provide additional details for this calculation to the Town in advance of applying for a building permit for the Project.

The decommissioning funds will be an irrevocable financial security bond or other form acceptable to the Town. The Town will be designated as the financial security beneficiary and the amount of security will be 110% of the estimated decommissioning costs unless otherwise approved by the Town Planning Board. The financial security shall provide for an annual increase to compensate for the cost of inflation or any other anticipated increase in decommissioning costs. The Project operator shall provide written evidence annually no later than 10 days prior to the anniversary date of the issuance of the building permit to the Town that the financial security is 1) operable, 2) valid, and 3) properly increased to account for inflation or any other anticipated decommissioning cost increases. The decommissioning bond shall be in place for the full life of the Project plus an additional 18 months to cover the decommissioning period and to allow the Project site to be fully stabilized.

Decommissioning Plan Acknowledgement

Operator: Highbanks Solar LLC

Signature: _____ Date: _____

ACKNOWLEDGEMENT

STATE OF _____)
) SS:
COUNTY OF _____)

On the _____ day of _____, 20____, before me, the undersigned, personally appeared _____, who acknowledged himself to be the _____ of **Highbanks Solar, LLC**, a Delaware limited liability company, and that he in such capacity being authorized to do so, executed the foregoing instrument for the purposes therein contained by signing his name for the company.

In witness hereof I hereunto set my hand and official seal.

Landowner: Robert Todd Donnan and Craig Donnan

Signature: _____ Date: _____

Signature: _____ Date: _____

ACKNOWLEDGEMENT

STATE OF _____)
) SS:
COUNTY OF _____)

On the _____ day of _____, 20____, before me, the undersigned, personally appeared Robert Todd Donnan and that he in such capacity being authorized to do so, executed the foregoing instrument for the purposes therein contained by signing his name.

In witness hereof I hereunto set my hand and official seal.

STATE OF _____)
) SS:
COUNTY OF _____)

On the _____ day of _____, 20____, before me, the undersigned, personally appeared Craig Donnan and that he in such capacity being authorized to do so, executed the foregoing instrument for the purposes therein contained by signing his name.

In witness hereof I hereunto set my hand and official seal.

Appendix A
Highbanks Solar Project
Sample Decommissioning Duration Schedule

Highbanks Solar Project Sample Decommissioning Schedule

TASK	Duration	MONTH 1	MONTH 2	MONTH 3	MONTH 4	MONTH 5	MONTH 6	MONTH 7
Permitting								
Prepare site specific Grading & ESC Plans and submit Notice of Intent (NOI)	3 weeks	■						
Acknowledgement from NYSDEC of General Permit Coverage	1 weeks		■					
Power Disconnect								
Disconnect project from utility grid	1 week		■					
Site Demolition								
Install erosion and sediment controls per SWPPP and initiate SWPPP inspections	2 weeks		■					
remove rack wiring	6 weeks		■	■	■			
remove panels	6 weeks		■	■	■			
dismantle racks	8 weeks		■	■	■	■		
remove ground screws	9 weeks		■	■	■	■	■	
remove fence	4 weeks			■	■			
remove cable	2 weeks			■	■			
remove access roads & grade	4 weeks					■	■	
remove landscaping	2 weeks			■	■			
Site Stabilization								
stabilize site	1 week						■	
establishment of vegetation	4 weeks						■	■

Appendix B
Highbanks Solar Project
Opinion of Probable Cost

ITEM #	TASK/ITEM	UNITS	QUANTY	UNIT COST	ESTIMATED COST (\$)
1	Permitting				
	Engineering & Fees	LS	1	\$20,000.00	\$20,000
	SWPPP inspections	EA	26	\$320.00	\$8,320
2	Install, Maintain and Remove E&S Measures				
2a	silt fence/silt sock	LF	6,500	\$2.50	\$16,250
2b	stabilized construction entrance	EA	1	\$2,500.00	\$2,500
3	Remove Rack Wiring	LF	125,000	\$0.15	\$18,750
4	Remove Panels	EA	31,050	\$1.00	\$31,050
5	Dismantle Racks	EA	1,350	\$30.00	\$40,500
6	Remove Electrical Equipment (includes interconnect disconnect & removal of transmission structures)	LS	5	\$12,500.00	\$62,500
7	Breakup and Remove Concrete Pads or Ballasts (5 pads)	CY	150	\$32.00	\$4,800
8	Remove Racks (includes trucking)	EA	1,350	\$12.50	\$16,875
9	Remove Cable				
9a	onsite cable	LF	2,750	\$3.50	\$9,625
9b	medium voltage cable	LF	2,400	\$5.00	\$12,000
10	Remove Racking Foundation (driven pile)	EA	5,400	\$20.00	\$108,000
11	Remove Fence	LF	9,800	\$2.50	\$24,500
12	Remove Landscaping	EA	152	\$150.00	\$22,800
13	Remove Access Roads and Grade Flat	SF	81,000	\$2.75	\$222,750
14	Seed Disturbed Areas	AC	10	\$3,100.00	\$31,000
15	Town Roadway Repair	LS	1	\$20,000.00	\$20,000
	Current Total				\$672,220
	110% per Town Code				\$739,442
	Total After 30 Years (2.5% inflation rate)				\$1,513,200

NOTE: This Opinion of Probable Cost was developed based on material take-off quantities generated from current project data. This estimate does not obligate HUNT Engineers, Architects, Land Surveyors and Landscape Architect, DPC or successor companies to perform the scope of work referenced by the estimate.

Assumptions:

- 5 posts per rack
- length of individual racking = 87.7'
- length of cable= 1,350 racks x 87.7'/rack +5% = 124,314
- remove panels: 60 panels per hour @ \$60/hour
- dismantle racks: 2 racks per hour with two laborers at \$60/hour
- remove driven piles: 10 piles per hour with two laborers and equipment @ \$200/hour

THIS OPINION OF PROBABLE COST WAS PREPARED BY HUNT ENGINEERS, ARCHITECTS, LAND SURVEYORS AND LANDSCAPE ARCHITECT, DPC. LAST REVISED 06/19/2024

Daniel P Yanosh Jr, PE
 NY License 085462

Appendix C
Highbanks Solar Project
Cost Escalation Schedule

Highbanks Solar, LLC
 Cost Escalation Schedule

Decommission Construction Year	Decommissioning cost (1)
Year 1	\$739,442
Year 2	\$757,928
Year 3	\$776,876
Year 4	\$796,298
Year 5	\$816,206
Year 6	\$836,611
Year 7	\$857,526
Year 8	\$878,964
Year 9	\$900,938
Year 10	\$923,462
Year 11	\$946,548
Year 12	\$970,212
Year 13	\$994,467
Year 14	\$1,019,329
Year 15	\$1,044,812
Year 16	\$1,070,932
Year 17	\$1,097,706
Year 18	\$1,125,148
Year 19	\$1,153,277
Year 20	\$1,182,109
Year 21	\$1,211,662
Year 22	\$1,241,953
Year 23	\$1,273,002
Year 24	\$1,304,827
Year 25	\$1,337,448
Year 26	\$1,370,884
Year 27	\$1,405,156
Year 28	\$1,440,285
Year 29	\$1,476,292
Year 30	\$1,513,200
(1) assumes an annual 2.5% inflation rate for Year 2 and beyond	