

Stipulation 28-1001.28 Exhibit 28: Environmental Justice

The Facility is not expected to have any impacts on Environmental Justice areas. Exhibit 28 will contain a statement to that effect, as well as a map and description of the Environmental Justice area in closest proximity to the Facility site: the area identified in the City of Lockport (10 miles southwest of the Facility site).

Stipulation 29-1001.29 Exhibit 29: Site Restoration and Decommissioning

Exhibit 29 shall contain:

- a) A statement of the performance criteria proposed for site restoration in the event the facility cannot be completed and for decommissioning of the facility, including a discussion of why the performance criteria are appropriate. The statement shall also address:
 1. Safety and the removal of hazardous conditions;
 2. Environmental impacts;
 3. Aesthetics;
 4. Salvage and recycling;
 5. Potential future uses for the site; and
 6. The useful life of the facility.

- b) A complete plan for the decommissioning and restoration of the Facility site including how such decommissioning and restoration shall be funded and a schedule for the conduct of decommissioning and site restoration activities. The Decommissioning Plan will provide specifics on the site restoration and decommissioning, including the removal or non-removal of visible above-ground and underground structures and debris, the proposed depth of removal, as well as a discussion of the non-visible improvements whose removal may be subject to landowner consultation. The Decommissioning Plan will include:
 1. A discussion on the triggering events for decommissioning of the Facility and a statement of the performance criteria proposed for site restoration in the event the Facility cannot be completed.
 2. Provisions for the removal of above-ground structures and debris, and depth of removal for below-ground structures (e.g. tower foundations, buildings), including the removal of all above-ground structures and debris and all below-ground structures to at least a depth of 36-inches in non-agricultural land and at least 48-inches in active agricultural land, or per local town code requirements, where applicable. In addition to the removal of each turbine tower and foundation, removal of the following items shall also be accounted for in the decommissioning estimate:
 - i. Each step-up transformer and pad;
 - ii. Access road and associated material, unless landowner has requested that access roads and similar improvements be left in place following decommissioning of Facility;

- iii. Collector lines and poles;
 - iv. Collector substation transformer and related equipment;
 - v. Any other related components will be estimated and called out.
3. Provisions for the restoration of the soil and vegetation.
 4. A timetable for site restoration.
 5. The method of estimating decommissioning costs, including restoration, certified by an independent, Professional Engineer to be selected by the Applicant. A description of the scrap and salvage plan, including how it will be carried out, will be provided.
 6. Preliminary per-turbine decommissioning estimate will be included. If a wind turbine model is not selected at the time of Application submission, the per-turbine estimate shall be based on the model (from the list of potential options) with the highest decommissioning estimate.
 7. Preliminary per-foot of access road restoration estimate will be included in the Application.
 8. The Applicant will provide the source of their decommissioning and restoration estimates and will substantiate the projected cost.
 9. Provisions for updating the decommissioning cost estimate.
 10. Provisions that any Road Use Agreements will apply to the decommissioning of wind power facilities to ensure roads are adequately restored to their original condition or better following decommissioning activities.
 - 11.
 12. Identification of procedures for the towns to access financial assurances.
 13. A provision that the terms of the Decommissioning Plan shall be binding upon the Applicant or any of their successors, assigns, or heirs.
 14. A Provision that the towns shall have access to the site, pursuant to reasonable notice, to inspect the results of complete decommissioning.
 15. Removal of machinery, equipment, tower, and all other materials related to the Facility is to be completed within one year of decommissioning.
- c) A description of all site restoration, decommissioning and guaranty/security agreements between the applicant and landowner, municipality, or other entity as applicable, including provisions for turbines, foundations, and electrical collection, transmission, and interconnection facilities.
- d) Information related to nuclear power facilities is not applicable and therefore will not be included in the Application.

Stipulation 30-1001.30 Exhibit 30: Nuclear Facilities

The proposed Facility is not a nuclear power facility, therefore Exhibit 30 will not be included in the Application.

Stipulation 31-1001.31 Exhibit 31: Local Laws and Ordinances

The Applicant has consulted and will continue to consult with the Towns of Somerset and Yates to identify applicable laws and regulations of each municipality. The Applicant will also consult