

NOTICE OF SUBMISSION OF APPLICATION FOR SECTION 401 WATER QUALITY CERTIFICATE

High River Energy Center, LLC (High River Energy Center) has received authority from the New York State Board on Electric Generation Siting and the Environment (Siting Board) to construct a 90-megawatt (MW) solar electric generating facility (the Project) in the Town of Florida, Montgomery County, New York under Article 10 of the New York State Public Service Law (PSL). High River Energy Center received a Certificate of Environmental Compatibility and Public Need from the Siting Board on March 11, 2021. Pursuant to 16 NYCRR § 1000.8, High River Energy Center hereby provides notice that, on or about June 21, 2021, it intends to file its Request for Issuance of a Water Quality Certification under Section 401 of the Clean Water Act (CWA) in connection with the Joint Application for Permit for wetlands and related permits that was filed with the U.S. Army Corps of Engineers (USACE) on May 21, 2021. A Pre-filing Meeting Request was filed for the Project on May 14, 2021.

The Joint Application covers the permits/approvals required to construct and/or operate the Project under Section 404 of the Clean Water Act that would be issued by the USACE. In connection therewith, High River Energy Center is requesting that the Section 401 Water Quality Certification be issued by the Siting Board. The Joint Application includes a description of the Project and its components and construction, an analysis of the environmental setting of the Project, results from analyses conducted to assess potential impacts to aquatic resources and jurisdictional waters (e.g., wetlands and streams), and measures that will be implemented to avoid, minimize, and mitigate environmental impacts to the maximum extent practicable. As shown in the Joint Application, and previously shown in High River Energy Center's Article 10 Application, construction and operation of the Project will not result in adverse impacts to water resources. The Joint Application also addresses compliance with the Endangered Species Act and the Historic Preservation Act.

All public documents filed in this proceeding, including the Joint Application and Request for Issuance of the Section 401 Water Quality Certificate, may be viewed at the DPS website located at www.dps.ny.gov by clicking "Search" on the homepage and then entering Case 17-F-0597 in the "Search by Case Number."

A copy of the Joint Application and Request for Issuance of the Water Quality Certification will be served on the Town Supervisor of the Town of Florida. The documents, when filed, may be examined during normal business hours at the Offices of the Department of Public Service, 3 Empire State Plaza, Albany, NY 12223, and at the following local document repositories:

- Town of Florida Town Hall, 214 Ft. Hunter Road, Amsterdam, NY 12010
- Amsterdam Free Library, 28 Church Street, Amsterdam, NY 12010
- Fort Hunter Free Library, 167 Fort Hunter Road, Amsterdam, NY 12010

A map of the Project is shown below.

