

Appendix B. Communication and Complaint Resolution Plan



Communication and Complaint Resolution Plan

for the

Coeymans Solar Farm

Coeymans, Albany County, New York

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1.0 INTRODUCTION

The Communication and Complaint Resolution Plan (CCRP) addresses the requirements outlined in Stipulation 12(d) and the approved Certificate Conditions for the Coeymans Solar Farm (the Facility), proposed by Hecate Energy Albany 1 LLC and Hecate Energy Albany 2 LLC (Co-Applicants).

1.1 PROJECT DESCRIPTION

The Facility will consist of photovoltaic modules, single-axis trackers, direct current (DC) collection system, alternating current (AC)/DC Power Conversion Stations, medium-voltage step-up transformers and a medium voltage collection system proposed on approximately 436 acres of land between U.S. Route 9W and Albany County Route (CR) 101 in the Town of Coeymans, Albany County, New York (the Facility Area). The Facility will include also access roads, two collection substations, modifications to the adjacent transmission line, and other ancillary facilities and equipment. The primary access to the Facility Area will be from the west, off CR 101.

1.2 PURPOSE AND OVERVIEW

Facility construction and operation methods have been designed to avoid or minimize any cause for complaints. However, should they occur, this CCRP has been developed to establish a process for responding to any public complaints, comments, and questions regarding the Facility in a consistent, respectful, and timely manner.

The Co-Applicants intend to hire one or more experienced engineering, procurement, construction (EPC) contractors to design and construct the Facility. The Co-Applicants will require the contractors to implement and follow the CCRP and incorporate it into its project specific plans for the Facility during construction. During operations, the Co-Applicants will engage one or more Operations and Maintenance (O&M) Service Providers to operate and maintain the Facility. The Co-Applicants will require that the CCRP is followed and implemented by the O&M Service Provider in close coordination with the Co-Applicants' management team.

2.0 COMMUNICATIONS

2.1 GENERAL

General information about the Facility will be posted on the Facility's website and in the local designated public repositories. General information will include information about the status of the Facility, contact information for Facility representatives, and the process of filing a complaint or comment. During the construction phase, website posted information will include the anticipated construction schedule. During Facility operation, information will be posted on the website regarding anticipated routine site activities and periodic maintenance work on site.

This final CCRP for Facility construction has been provided to the Town of Coeymans for review and comment. A copy of the final plan is also being filed with the Secretary to the Board, prior to initiating construction activities.

Figure 1 provides a flow chart for the organization structure for site staff during construction.

2.2 CONTACT INFORMATION

As part of the development and planning for the Facility, a toll-free telephone number and an email address has been established for communications from the public. During Facility construction, this telephone number and email will be maintained or if changed will be included in the posted information. The Co-Applicants will use the following means to communicate with interested public stakeholders, municipalities, and the New York State Department of Public Service (NYS DPS).

- Facility Website
- Posted signs at the Facility Area
- Mailings as required
- Periodic notices in local newspapers as required
- Toll-free telephone numbers
- Email

The Co-Applicants will require that contact information is posted for the construction contractors and O&M service providers responsible for managing the construction and operation phases of the Facility.

2.3 PRE-CONSTRUCTION OUTREACH

The Co-Applicants acknowledge that construction can construction and operation of the Project will result in some potentially disruptive activities, such as construction noise and traffic. Potential stakeholder and community questions and concerns can be avoided or mitigated through clear communication prior to and during construction. Therefore, the Co-Applicants will conduct outreach efforts and file notices in compliance with Certificate Conditions to clearly communicate with stakeholders and the public.

Many complaints can be avoided by implementing routine communication with the community and relevant stakeholders. If the community is notified in advance of the potential for disruptive activities to occur (i.e., anticipated construction noise or slow vehicles), and are provided the opportunity to plan accordingly, the potential for complaints to arise is likely be reduced. Communication, including notices and outreach activities, will include information on the Complaint Resolution Process established for the Facility. This information also will be posted on the Facility website. A copy of this Communication and Complaint Resolution Plan also will be provided to the Town of Coeymans.

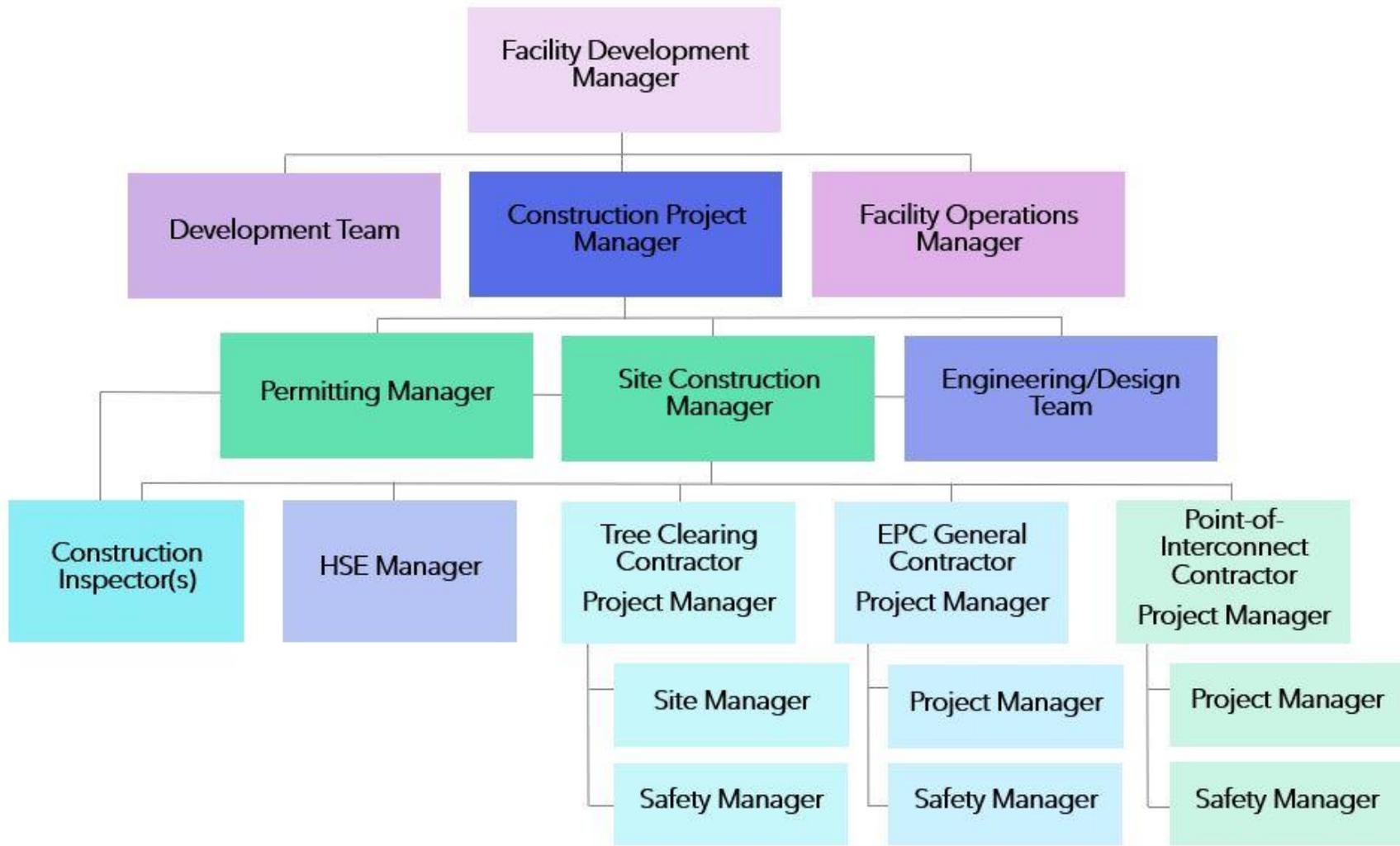


Figure 1. Organizational Structure for the Coeymans Solar Farm Construction Team.

In compliance with Certificate Conditions 19, the Co-Applicants will:

- Provide notice by mail to host landowners, adjacent landowners within 2,500 feet of the final layout to be constructed, and persons who reside on such property (if different from the landowner);
- Provide notice to local Town and County officials and emergency personnel;
- Publish notice in the local newspapers of record for dissemination and at least one free publication if available (e.g., Pennysaver);
- Provide notice for display in public places, which shall include, but not be limited to, the Town Hall of the host municipality, the library in the host municipality, the post office in the host municipality, the Facility website, document repositories, and the Facility construction trailers/offices (when such are located on site); and
- File notice with the Secretary for posting on the New York State (NYS) Department of Public Service (DPS) Document Matter Management website.

In compliance with Certificate Conditions 20 the Co-Applicants shall write the notice(s) required (as described above for Condition 19) in language reasonably understandable to the average person and shall ensure that the notice(s) contain:

- A map of the Facility;
- A brief description of the Facility;
- The construction schedule and transportation routes;
- The name, mailing address, local or toll-free telephone number, and email address of the Facility Development Manager and Construction Manager;
- The locations of Project information (website, repositories, etc.) and procedure and contact information for registering a complaint; and
- Contact information for the Secretary to the Siting Board and Commission.

In compliance with Certificate Condition 21, and upon distribution of the notices described above for Conditions 19 and 20 and prior to commencement of construction, the Co-Applicants shall notify the Town Board of the affected municipality where the Notice required in Condition 19 has been posted.

In compliance with Certificate Condition 22, at least seven (7) business days prior to commencement of construction, the Co-Applicants shall file with the Secretary an affirmation that it has provided the notifications required by this Section III and include a copy of the notice(s) under this Section as well as a distribution list.

In accordance with Certificate Condition 75, the Co-Applicants also will hold a pre-construction meeting at least 14 days before the commencement of construction with DPS staff. Invitations will also be extended to NYS Department of Agriculture and Markets (AGM) staff, NYS Department of Transportation staff, Town Supervisor and Highway Department staff, and NYS DEC Staff. The Co-Applicant's construction contractor and the HSE Manager shall attend the pre-construction meeting. In preparation to, and as part of this meeting:

- An agenda with the location and an attendee list shall be agreed upon between DPS staff and the Co-Applicants, and distributed to the attendee list at least 1 week prior to the meeting;
- Maps showing designated travel routes, construction worker parking and access road locations, and a general project schedule shall be presented;
- The Co-Applicants shall supply draft meeting minutes to the attendee list for corrections or comments, and thereafter the Co-Applicants shall issue finalized meeting minutes; and
- If, for any reason, the original construction contractor cannot finish the construction of the Project, and one or more new construction contractors are needed, there shall be another meeting with the same format as outlined above.

Other measures will be taken to avoid or minimize the potential for complaints commonly associated with construction. For example, speed limits for construction traffic will be imposed and enforced, and dust control measures will be implemented. The Facility Health, Safety and Environmental (HSE) Manager also is responsible for ensuring the safety of the public and construction crews.

3.0 COMPLAINT RESOLUTION

3.1 REGISTERING A COMPLAINT

Complaints may be made the following ways:

- (1) Calling the toll-free number or the phone number of the contractor or Facility representative;
- (2) Speaking directly with Facility Personnel at the site entrance; or
- (3) Writing to the Facility representatives at the local site address or using the designated email address (contact@coeymanssolarfarm.info) as indicated on the Facility website. A blank template for submission of a written complaint/comment is provided as Appendix A.

If Facility personnel are approached directly with complaints, comments, or questions during construction or operation, the complainant will be referred to the Facility Manager or will take the complainant's contact information and report the complaint to the Facility Manager. The Facility Manager or its designee will record the complaint and contact the complainant to verify receipt of the complaint.

The Co-Applicants will maintain contact with NYSDPS and Town of Coeymans representatives during Facility construction and will encourage those representatives to communicate any public complaints to the Co-Applicants, as they may be received.

The Co-Applicants will ensure that received complaints are recorded on a complaint log (template provided in Appendix B).

3.2 COMPLAINT RESPONSE

3.2.1 Complaint Data Collection

Upon receipt of a complaint, the Co-Applicants or designated Facility representative will contact the complainant within approximately three business days of receipt of a complaint to determine the nature of the complaint. At that time, Facility representative will ask for a description of the complaint, location, time of day, duration, and any other defining circumstances as needed to further assess the issue.

In some cases, a local resident may just want to express a concern or an opinion and does not expect any further action. In those circumstances, a conversation with Facility representative may resolve the complaint. In those cases the Facility representative will record the conversation on a complaint log, but no additional follow up will be required.

For other inquiries that require follow up, the Co-Applicants or Facility representative will investigate the circumstances of the issue and attempt to resolve. Some issues may be easily resolved with communication and information sharing, while other issues may require more follow up and attention to the issue. The potential complaint resolution example cases below provide guidance on how to handle other issues.

3.2.1.1 *Potential Complaints During Construction*

Noise and Vibration

- If the noise complaint location is more than one mile from the Facility Area, then it would be very unlikely that the noise was sourced from Facility construction. In any case, the complaint should be logged and the complainant will be consulted via telephone.
- If the noise complaint is less than one mile from the Facility Area, the following steps will be taken:

- A Facility representative will contact complainant on telephone and offer to visit the site of the complaint to listen and observe. If the complaint was in regard to a specific, intermittent activity that is expected to be repeated during the construction process, the representative will attempt to recreate the conditions that resulted in the complaint.
- A Facility representative will attempt to determine if any equipment is not functioning properly and thus creating unusual sound or if timing and location of noisy work activities can be adjusted.

Stormwater, Dust and Similar Impacts

- Detailed information should be collected including the type/source of impact (date, time of day, weather conditions, location, description of impact, etc.).
- Construction activities occurring on the date, and at the time and location identified will be investigated.
- Steps will be taken to determine whether the appropriate pollution prevention measures were/are in place as outlined in the stormwater pollution prevention plan, dust control plan or other relevant plans.
- Future planned construction activities will be identified to assess the likelihood of similar problems in the same location or elsewhere.
- If this preliminary assessment does not reveal any obvious source of the impacts, the circumstances of the complaint will dictate whether additional investigation is required.

Construction Traffic or Worker Behavior

- Detailed information should be collected including the type/source of impact (date, time of day, weather conditions, location, description of the behavior and impact, names if known, etc.).
- Depending on the issue; steps should be taken appropriate to address the issue possibly including; instructions and policy reinforcement to Facility management and craft workers regarding worker code of conduct and traffic policies, adjusting site traffic controls, deploying site security where appropriate, and if warranted consider employee discipline actions.

3.2.1.2 *Complaints During Operations*

- If the complaint pertains to noise and originates from a location within one mile of the Facility Area, the Facility representative should;
 - Investigate whether equipment near the complainant was operating on the date, and at the time and location identified;
 - Determine if the sound is related to Facility maintenance or abnormal operational conditions;
 - Determine if there is a reasonable possibility that the sound level induced by the Facility is likely to be greater than permitted levels and
 - If noise levels are estimated to be greater than permitted, the attempt to find the root cause and consider engaging a noise consultant to assist.
- After investigating issues related to complaints during operation, the Facility representative should follow up with the complainant to report findings. For some complaint issues, there may be need for an iterative consultation process to help resolve the issue.

3.2.1.3 *Other Complaints*

Complaints concerning construction/operation of the Facility other than those identified above will be recorded on the complaint log and investigated, as appropriate, based on the nature of the complaint.

3.2.2 **Complaint Tracking**

A summary of complaints received will be reported to the Co-Applicant asset management via regular Facility reports or sooner depending on the severity of the issue.

3.2.3 **Complaint Response**

The complaint response process is limited to reasonable and objectively practical complaints that pertain to the Facility. In instances where the conversation with Facility personnel does not immediately resolve the complaint, the Facility representative will investigate and work with the complainant in good faith to resolve their concerns within a reasonable time. In cases of unresolved complaints, a written response to the complainant will be provided within 30 days of receipt of the complaint. As practicable, complaint response timelines will be accelerated during the construction phase to accommodate the potential immediate nature of complaints received during this phase.

If a public complaint remains unresolved and the complainant unsatisfied within 30 days of receipt of the original complaint, then the DPS staff will be notified, and the following options may be considered to progress toward a resolution:

- Facility representative will elevate the issue to senior Facility management
- Facility management may engage local town officials and/or DPS staff as needed to help resolve a resolution
- Facility management may engage a third conflict resolution expert

Further action will consider Facility-specific factors and will be decided on a case-by-case basis. Complaints not resolved within 60 days may be brought by the complainant to the New York State Public Service Commission (PSC) and DPS staff, and will be subject to the PSC complaint resolution procedures and/or mediation.

3.2.4 **Annual Reports**

As required by Certificate Condition 39(g), annual reports of complaint resolution tracking must be provided to DPS staff, and which must also be filed with the Secretary.

APPENDIX A. COMPLAINT/COMMENT SUBMISSION FORM

APPENDIX B. COMPLAINT LOG TEMPLATE

COEYMANS SOLAR FARM – COMPLAINT LOG TEMPLATE

Complaint Number	Date	Time	Complainant's Name and Contact Information	Nature of Complaint	Investigation	Corrective Measures Taken	Date of Resolution