

HORSESHOE SOLAR ENERGY LLC

ORES DMM NO. 21-02480

Permit Modification Request (Field Change) Form

Introductory Information

a. Permit Modification Request (Field Change) Number: 05

b. Request Date: 3/28/2026

c. Title and Description of Permit Condition(s) / Compliance Filings to be Changed: Genesee River HDD LNTP

Attachment(s)? Yes

Photo(s)? No

Supporting Information

<p>a. Description of Change(s):</p>	<p>2-3 days following completion of boring activities at borehole HDD-004, groundwater channelized around the 8" bore conduit into the bore pit and groundwater has been intermittently flowing along this conduit into the pit since then at a rate of ~5-10 gpm. The project intends to grout the annular space around HDD-004 conduit to prevent channelizing of groundwater along the conduit using the previous grouting method from minor change 04.</p>
<p>a. Justification for Change(s):</p>	<p>The project work area West of the Genesee River is known to be wet with standing water/high groundwater table during Spring thaw/wet cycles and whenever the river is high. These observed conditions have been confirmed through discussions with the farmer that has managed the fields for a number of years. The bore pits are excavated 3 – 5 ft below the surface of the field in this location and thus the project is dewatering below the natural seasonal high groundwater table in this area. HDD-004 was installed at a much shallower depth than the previous HDD-001 and HDD-007 that encountered pressurized groundwater and did not extend beyond the deep confining layer previously experienced on these bores. That said, out of abundance of caution, the project intends to bore alongside the installed conduit at HDD-004 following the bore path as further explained in the attached grouting plan to grout the space around the conduit with Hyperflex grout (NSF/ANSI 61 certified) which was previously approved in HSS minor change 04. The scope of work proposed in this Minor Change has been reviewed by a Third-Party NYS Professional Engineer with recommendations and contingencies that will be followed as the proposed scope is implemented.</p>
<p>a. Description of New Impact(s) Associated within the Change(s):</p>	<p>Will the proposed changes result in any new impacts? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p><i>Describe the proposed new impacts:</i></p> <p>Are the proposed changes within the authorized limits of disturbance (LOD)? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><i>If Yes:</i> Are the proposed changed within the authorized Facility Site? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Are the proposed changes within the previously defined study areas for the Facility? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><i>If No:</i> Describe the proposed changes to the LOD, Facility Site, or study areas:</p>
<p>b. Entities Consulted or Briefed on Change(s):</p>	
<p>a. Wetlands/Streams:</p>	<p>Will the proposed changes result in new or reduced impacts? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p><i>If Yes:</i> Identify federal/state jurisdiction and ID(s):</p> <p>Describe the change in impact:</p>
	<p>Will the proposed changes result in new or reduced impacts? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>

a. Special Concern / Threatened / Endangered	<i>If Yes:</i>	<i>Identify federal/state jurisdiction and species:</i>
		<i>Describe the change in impact:</i>
b. Cultural Resources:		<i>Will the Limits of Significant Ground Disturbance change?</i> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
		<i>Were these areas previously surveyed?</i> <input type="checkbox"/> Yes <input type="checkbox"/> No
		<i>Do these areas have elevated archaeological sensitivity?</i> <input type="checkbox"/> Yes <input type="checkbox"/> No
	<i>If Yes:</i>	<i>Describe any necessary consultation with SHPO and other stakeholders, any additional required surveys, and otherwise characterize the potential for the change to impact cultural resources:</i>
c. Agricultural Resources:		<i>Will the proposed changes result in new or reduced impacts?</i> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
	<i>If Yes:</i>	<i>Attach an updated quantification of impacts to Mineral Soil Groups (MSG) 1 through 4, active agricultural lands, and active agricultural lands within MSG 1 through 4.</i>
		<i>Describe the change in impact, including any impacts to proposed agricultural co-utilization:</i>
d. Visual Impacts:		<i>Are changes to Visual Impacts Minimization and Mitigation Plan required?</i> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
	<i>If Yes:</i>	<i>Describe the change(s) required:</i>
		<i>Is an amendment to the approved SWPPP required?</i> <input type="checkbox"/> Yes <input type="checkbox"/> No

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j. Stormwater Pollution Prevention Plan:	Are the changes resulting from changes to the SWPPP? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
c. Nationwide Permit:	Do the changes have a nexus with any applicable Nationwide Permit(s) under Section 404 of the Clean Water Act? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
	If Yes:	Are the changes permitted under applicable Nationwide Permit(s)? <input type="checkbox"/> Yes <input type="checkbox"/> No If No: Describe any necessary consultation with USACE and other stakeholders:
c. Compliance Filing(s) and Siting Permit Updates:	Will the proposed changes require updates to the language in the Siting Permit or approved Compliance Filings? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
	If Yes:	Describe details/language that need to be changed in the Siting Permit and any related compliance filings:
d. Local Law Compliance (unwaived provisions):	Do the changes maintain compliance with all applicable local laws for which relief was not approved? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
d. Local Law Compliance (waived provisions):	Do the changes pertain to any local law provision for which relief was granted? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
	If Yes:	Provide an analysis demonstrating that the change is within the scope and limitations outlined in the Siting Permit:
	Do the changes require review by a professional engineer? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
		Are NYS PE Stamped drawings provided? <input type="checkbox"/> Yes <input type="checkbox"/> No
		Is review required under New York State Uniform Fire Prevention and Building Code? <input type="checkbox"/> Yes <input type="checkbox"/> No

Other Requirements:		<i>Is review required under State Pollutant Discharge Elimination System (SPDES) permit(s)?</i> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
	<i>If Yes:</i>	<i>Describe the applicable change(s) and any required consultation with stakeholders:</i>