

HORSESHOE SOLAR ENERGY LLC

ORES DMM NO. 21-02480

Permit Modification Request (Field Change) Form

Introductory Information

a. Permit Modification Request (Field Change) Number: 04

b. Request Date: 2/16/2026

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>Boring activities have resulted in the puncture of an underground water aquifer that is surfacing approximately 50-100 gallons of water per minute. To eliminate this groundwater from surfacing, HSS proposes to utilize a flexible hydrophobic foam with sealing and adhesion for groundwater control applications. A subcontractor, SUB-TECHNICAL INC specializing in engineered solutions for ground and water control for civil projects will mobilize to site. This material has been approved and accepted by NSF/ANSI 61 as a safe drinking water system component. This grouting material will be installed via the HDD drill no closer than 50 feet from where the water returns have been discovered, ensuring material is not incorporated into the aquifer. The drill will pull back and install grout to just below subgrade levels to ensure adequate pressure is maintained and future surfacing does not occur.</p>	
<p>a. Justification for Change(s):</p>	<p>The impact of an underground aquifer approximately 400ft below bore entry has resulted in the surfacing of groundwater onto the project site. This groundwater flow is surfacing at a rate of approximately 50-100 gallons per minute and has inundated the project site and adjacent agricultural fields. The proposed abandonment plan will eliminate this subsurface groundwater from surfacing via bore hole.</p>	
<p>a. Description of New Impact(s) Associated within the Change(s):</p>	<p><i>If Yes:</i></p>	<p><i>Will the proposed changes result in any new impacts?</i> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p><i>Describe the proposed new impacts:</i></p> <p><i>Are the proposed changes within the authorized limits of disturbance (LOD)?</i> <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><i>Are the proposed changed within the authorized Facility Site?</i> <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><i>Are the proposed changes within the previously defined study areas for the Facility?</i> <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><i>If No: Describe the proposed changes to the LOD, Facility Site, or study areas:</i></p>
<p>b. Entities Consulted or Briefed on Change(s):</p>		
<p>a. Wetlands/Streams:</p>	<p><i>If Yes:</i></p>	<p><i>Will the proposed changes result in new or reduced impacts?</i> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p><i>Identify federal/state jurisdiction and ID(s):</i></p> <p><i>Describe the change in impact:</i></p>
<p>a. Special Concern / Threatened / Endangered Species:</p>	<p><i>If Yes:</i></p>	<p><i>Will the proposed changes result in new or reduced impacts?</i> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p><i>Identify federal/state jurisdiction and species:</i></p> <p><i>Describe the change in impact:</i></p>
		<p><i>Will the Limits of Significant Ground Disturbance change?</i> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p><i>Were these areas previously surveyed?</i> <input type="checkbox"/> Yes <input type="checkbox"/> No</p>

b. Cultural Resources:		Do these areas have elevated archaeological sensitivity? <input type="checkbox"/> Yes <input type="checkbox"/> No
	If Yes:	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:
c. Agricultural Resources:		Will the proposed changes result in new or reduced impacts? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
	If Yes:	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.
		Describe the change in impact, including any impacts to proposed agricultural co-utilization:
d. Visual Impacts:		Are changes to Visual Impacts Minimization and Mitigation Plan required? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
	If Yes:	Describe the change(s) required:
		Is an amendment to the approved SWPPP required? <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 checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
	If Yes:	Describe details/language that need to be changed in the Siting Permit and any related compliance filings: Compliance Filing bore location at HDD 7 will need to be shifted to avoid aquifer. A separate change will be submitted once HDD 7 can be installed.
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	

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