

**NEW YORK STATE ENVIRONMENTAL QUALITY REVIEW ACT**

**STEBEN COUNTY INDUSTRIAL DEVELOPMENT AGENCY  
GENERIC ENVIRONMENTAL IMPACT STATEMENT  
FINDINGS STATEMENT  
ECOGEN LLC PRATTSBURGH/ITALY WINDFARM**

Pursuant to Article 8 (State Environmental Quality Review Act – SEQRA) of the Environmental Conservation Law and 6 N.Y.C.R.R. Part 617, the Steuben County Industrial Development Agency (SCIDA), makes the following findings:

**1.0 ACTION**

A Generic Environmental Impact Statement (GEIS) has been prepared on behalf of the SCIDA. The purpose of the GEIS was to identify and evaluate the potential impacts of siting approximately 53 Wind Turbine Generators (WTG) at various locations within an overall study area comprised of approximately 24,000 acres and, where applicable, to identify reasonable mitigation measures to reduce the effect of significant adverse impacts to the maximum extent practicable

**2.0 DESCRIPTION OF ACTION**

The Project study area is generally bounded by Twelve Mile Creek Road to the west; McMichael Road to the east; Edson Road, Italy Valley Road and Italy Turnpike Road to the north; and West Creek Road to the south (approximately 24,000 acres).

The Project includes the construction of an Electrical Collection System (ECS) that will interconnect the 53 individual WTG and deliver power to the existing New York State Electric & Gas (NYSEG) infrastructure in the area; construction of a substation, an operations and maintenance building; and construction of ancillary service roads. Power generated from the Project will be conveyed directly to the NYSEG system.

Each WTG will have a generating capacity of up to 1.5 MW and will consist of a tubular, steel monopole tower approximately 80 m (262 ft) in height. Each tower will have three rotor blades. The net diameter of the rotor and hub will be 77 m (253 ft). The maximum height of the WTG will be approximately 119 m (389 ft) with a blade in the perfectly vertical position. Typical WTG impacts including service roads, WTG pad, crane pad, and ECS will be 1.13 acres to 1.26 acres depending on whether the WTG is located on open land or forested land, respectively.

In addition to the approximately 61 acres disturbed by the WTG, crane path, service roads, and ECS, 10 acres will be disturbed by the construction staging area/operations and maintenance building while another 1 acre will be disturbed for the substation, bringing the total impacted area to approximately 72 acres.

**3.0 PUBLIC NEED AND BENEFIT**

The New York State Energy Plan and Final Environmental Impact Statement prepared by the NYS Energy Planning Board (Energy Plan 2002) provides statewide policy guidance for energy-related

decisions by government and private participants within the State. The Energy Plan states “A benefit of greater energy diversity...is greater energy security in the form of reduced risk of energy supply disruption and price volatility. Moreover, a balanced portfolio of energy resources, including renewable energy resources, provides greater service reliability.” In addition, the Energy Plan states “The State adopts a goal of increasing renewable energy as a percentage of primary energy use from 19% to 25% by 2013.” In September of 2004 this policy was implemented by the New York Public Service Commission in its “Order Approving Renewable Portfolio Standard Policy, Case 03E-01880”.

The purpose of the Project is to develop an alternate energy system to generate electricity from a clean and renewable source. Wind energy can be produced and supplied to the power grid at lower costs than other non-hydropower renewable energy sources. Wind energy offers utility companies an alternate energy source, having a production cost that can be known for the 15 to 20 year life of the purchase agreement.

Public benefits resulting from the Project will include the creation of jobs for both construction and operation, payment to landowners for land purchases and leases, and revenue to the Towns through increased property taxes and/or “payment in lieu of taxes” (PILOT). Environmental benefits will include utilization of a renewable energy source and energy production without the production of greenhouse gases, other water and air pollutants, and any significant solid waste

#### **4.0 AGENCY JURISDICTION**

The SCIDA, as the Lead Agency, is assisting in the development of the wind farm by providing an economic assistance package.

#### **5.0 DATE FINAL GENERIC ENVIRONMENTAL IMPACT STATEMENT FILED**

November 22, 2005

#### **6.0 FACTS AND CONCLUSIONS RELIED ON TO SUPPORT THE DECISION**

These findings consider the relevant environmental impacts, facts and conclusions disclosed in the Final Generic Environmental Impact Statement (FGEIS); weigh and balance relevant environmental impacts with social, economic and other considerations; and provide a rationale for the SCIDA's decision regarding environmental impacts associated with the proposed action. These findings also certify that the requirements of 6 NYCRR Part 617 have been met and certify that consistent with social, economic and other essential considerations from among the reasonable alternatives available, the action chosen is the one which avoids or minimizes adverse environmental impacts to the maximum extent practicable, and that adverse environmental impacts will be avoided or minimized to the maximum extent practicable by incorporating as conditions those mitigation measures that were identified as practicable.

These findings are based on the full record of these proceedings and the submissions that were included as part of that record. Pursuant to SEQRA, the SCIDA completed a Full Environmental Assessment Form and sought and received concurrence from other involved agencies for the SCIDA to be the Lead Agency for consideration of this proposed action. Public scoping was

conducted and a Final Written Scope was accepted on June 10, 2004. A Draft Generic Environmental Impact Statement (DGEIS) was completed, and a public comment period, which included a public hearing, followed the completion of the DGEIS. Written comments on the DGEIS were received by the Lead Agency through the public comment period, which ended on June 17, 2005. A shorthand reporter transcribed oral comments received at the public hearing held on May 23, 2005 and a certified copy of the public hearing transcript was provided to the Lead Agency. The comments were provided, summarized and responded to in the Final Generic Environmental Impact Statement (FGEIS). The FGEIS was filed by SCIDA on November 22, 2005. Following the filing, SCIDA continued to receive some comments on the FGEIS. These addressed various topics including visual impacts, tourism and seasonal/year-round residences. This correspondence has been included in the record with the other comments and correspondence and we have created a supplemental comment log. However, these comments do not contain new or substantive information or issues that were not previously sufficiently assessed in the GEIS. Consequently for reply to these comments we refer to the sections of the FGEIS that address these issues.

However, SCIDA takes particular note of a letter dated December 2, 2005 from Kevin Bernstein, Esq. of the law firm Bond Schoeneck & King, PLLC on behalf of his client WindFarm Plattsburgh, LLC. The December 2nd letter contends that Ecogen does not have legal rights to sufficient land within the project area to complete the project and that the FGEIS is deficient by not considering impacts beyond the primary candidate areas. SCIDA finds Windfarm's comments completely baseless and irrelevant to the SEQRA process.

The DGEIS noted that Windfarm had made a proposal for a project in the Prattsburgh area and considered the presence of multiple wind projects as one of the reasons for proceeding with a generic environmental impact statement, notwithstanding that Windfarm did not appear to be actively pursuing the project. The DGEIS considered the impacts from up to 99 WTGs and their distribution throughout the study area, particularly with respect to impacts to aesthetic resources and wildlife. The December 2nd letter is in error by claiming that the FGEIS only considered the primary candidates areas. In fact there has been extensive analysis of the entire project area with only certain supplemental analysis focused upon the primary candidate areas.

The extent of Ecogen's current landholder agreements is irrelevant. It is Ecogen's responsibility, based upon these findings, to acquire the necessary agreements with landowners to bring the project to fruition. These findings do not provide any legal means for Ecogen to acquire those rights and only serve as the necessary environmental guidance for Ecogen to choose sites that meet the siting criteria. Ecogen will submit its final design package to SCIDA for its review, and, as discussed below, if there are elements of the project that have not been adequately considered in the FGEIS, a further review under SEQRA will be undertaken.

SCIDA also notes that on June 17, 2005, Mr. Bernstein presented comments to SCIDA on behalf of a "confidential client". Those comments were fully responded to in the FGEIS. The December 2nd letter reveals that Windfarm is the confidential client. It must be noted that it has been well settled that competing economic interests are not within the zone of interests that SEQRA is intended to protect. See, *Society of Plastics Industry, Inc. v. County of Suffolk*, 77 N.Y.2d 761

(1991). While Windfarm has not identified any issue in the FGEIS that had not been fully considered it also has not identified what its environmental interest is in the application. Instead of openly participating in the consideration of potential environmental impacts from wind projects in the area, Windfarm chose to use subterfuge and misleading comments which appear primarily designed to acquire some form of economic advantage over a competitor.

The potential impacts reviewed in this GEIS are summarized by topic below. Each section below presents a summary of potential impacts, the analysis conducted by SCIDA, the required mitigation and conditions and the Findings of each topic.

Consistent with these Findings, once the Project Sponsor has identified final WTG site locations it will submit detailed site plans and any pertinent regulatory applications to SCIDA. SCIDA will review these submissions and determine whether the final site design package complies with the mitigation measures/conditions in this GEIS Findings Statement. SCIDA may retain an independent third party consultant to assist in this review. In order to facilitate this review a compliance checklist is provided as Exhibit A. Following the review of the final site plan materials and checklist, SCIDA will render a final decision on the approval of the financial assistance package and will make any further SEQRA determinations, if necessary.

## **6.1 LAND AND LAND USE**

### **6.1.1 Discussion of Potential Impacts**

Approximately 1.13 to 1.26 acres of land will be impacted for each WTG site, depending on the site. For each WTG, the impacts can include impacts from the service roads, crane travel path, crane assembly area, crane pad and ECS. Approximately 3.4 miles of service roads will be constructed for the Project. Service roads will be 16 feet wide and crane travel paths will be approximately 35 feet wide within each cluster. Cables buried as part of the ECS will cause temporary and minimal impacts during construction.

The 53 WTG sites, roads, substation, and other ancillary facilities represent a combined conversion of approximately 72 acres of active and inactive agricultural land, vacant land and a limited amount of forested land to developed land use. This represents a three acre reduction in total area of disturbance from the 75 acres originally proposed in the DGEIS. This decrease was due primarily to a decrease in the area required for the rotor laydown area during construction, although there were slight increases in the length of the crane travel paths and crane assembly areas. Construction activities related to topsoil and subsoil will be undertaken in accordance with New York State Agriculture and Markets Guidelines for Agricultural Mitigation for Wind Power Projects to ensure that land disturbance will be minimized. Actions that will minimize impacts include locating, where feasible, ECS and service roads in locations of existing farming or logging roads and reusing topsoil on site.

The proposed project is generally compatible with existing land use patterns within the Towns of Prattsburgh and Italy. Land use classifications will remain largely unchanged, in that current land

uses surrounding the WTG will continue and classifications will remain the same. Only the land on which the WTG and related facilities will be located will be reclassified as public services per the State's land classification system which represents an insignificant amount of land area out of the total study area or as a percentage of the Towns of Italy or Prattsburgh.

In general, future land use patterns are anticipated to remain largely unchanged. The Steuben County Agricultural Expansion and Development Plan stresses the importance of agriculture to Steuben County and establishes a number of goals to further agricultural development and implement farm protection measures. The Yates County Agricultural and Farmland Protection Board, in its Agricultural Development and Farmland Enhancement Plan, also promotes the enhancement and protection of farmland. These county policies and plans will ensure that future land uses are dominated by agriculture.

The Town of Italy's Comprehensive Plan was amended on July 25, 2005. The Plan emphasizes in its recommendations enhancement of agricultural and recreational uses. The Plan proposes the adoption of a Scenic Overlay District to help protect sensitive environmental areas within the Town. Additionally, the Plan also concludes that "industrial" wind farms are not compatible with the Town's goals and visions as stated in the Plan. To date, the Town of Italy has not adopted a zoning law. While SCIDA acknowledges the revised Italy Comprehensive Plan, the Plan states that it conducted a thorough review of the advantages and disadvantages that an "industrial" wind farm would have for the community, however no thorough documentation of the analysis is evident. Based on a review of the NYSDEC environmental Notice Bulletin, there is no evidence that the Town of Italy conducted the requisite SEQRA review of the amendment to the comprehensive plan, let alone a comprehensive environmental impact statement. It is SCIDA's determination that the GEIS for this project provides the necessary comprehensive analysis, which indicates that, if the conditions and mitigations instituted in this GEIS are followed, the benefits of adding to the local economic base and preserving open space outweigh potential impacts to land and land use. Additionally, the project area has been reduced by 9,000 acres and eliminates a majority of the Town of Italy from the proposed project. If appropriate zoning regulations are adopted in the Town of Italy prior to project construction, Ecogen will be required to abide by those regulations to the extent they are applicable to the project.

The project is likely to bolster long standing county and municipal policies and plans and keep agricultural land uses in operation by supplementing the income of farmers whose land on which the WTG and related facilities will be located. In so doing the Project may offer an alternative to participating landowners who might otherwise be compelled to subdivide farming/open space properties into residential lots in order to raise capital. This trend which is occurring in other upstate communities and has occurred in this County would be contrary to the aforementioned goals of preserving agricultural open space in this region and would erode the rural, open space character of the area.

The Project, which primarily maintains open space and permits farming to continue to take place in fields adjacent to the WTGs is generally compatible with the rural character and agricultural and low-density residential land uses that dominate the study area. Other public service facilities such as communications towers exist within the study area and are compatible with the rural landscape

within and outside the project area. SCIDA recognizes that some people believe that the introduction of WTGs represents an adverse change in land use patterns. Reasonable people can disagree on what the land uses are or will be in a community. Looking at all of the information available in the GEIS, SCIDA believes that WTGs are an acceptable element of a rural landscape that take advantage of the natural resources in open space and wind resources to provide renewable energy, support the local economic base and preserve the essential elements of open space.

Although potential land impacts are anticipated to be minimal, and the Facility will be consistent with the character and land use policies of the area, SCIDA acknowledges that the Project may have impacts on non-participating landowners immediately adjacent to WTG installations. The primary concern although rare, is the potential for WTG collapse. This is discussed more thoroughly in Section 6.10 –Health and Safety, but in order to avoid any potential impacts SCIDA will impose a minimum setback for any WTG from a non participating property line. To address any potential noise impacts SCIDA will impose an additional setback requirement from WTG to adjacent non-participating permanent residence. These are discussed in more detail in Section 3.7- Noise. While these setbacks are sufficient to mitigate adverse impacts from the operation of WTG, SCIDA acknowledges that there has been some public concern over the future use of properties that are not yet developed with a permanent residence and therefore would not be subject to the required setbacks for noise. To address this concern SCIDA has established siting criteria to maintain appropriate buffer distances to protect the future use of adjacent non-participating properties without a permanent residence. These siting criteria are presented below in 6.1.2, Mitigation.

#### 6.1.2 Mitigation

- Where feasible, use existing farm or logging roads for service roads.
- Re-use topsoil on-site.
- Minimum setback from base of WTG to the centerline of public roads or the property line of non-participating land owner is 489 feet (WTG height plus 100 feet).
- For adjacent, non participating properties without a permanent residence, setbacks from the base of the WTG will apply in accordance with A and B:

A: Variable Setback to Property Line\*(acres of adjacent non-participating property):

- 2.0 acres or less setback 1,000 feet
- Greater than 2.0 to 4.0 acres, setback 925 feet
- Greater than 4.0 to 6.0 acres, setback 850 feet
- Greater than 6.0 to 8.0 acres, setback 775 feet
- Greater than 8.0 to 10 acres, setback 700 feet
- Greater than 10.0 to 12.0 acres, setback 625 feet
- Greater than 12.0 to 14.0 acres, setback 550 feet
- Greater than 14.0 acres, setback 489 feet

Property sizes will be determined based on:

1. Tax records as if November 22, 2005.
2. Total acreage of contiguous parcel of common ownership

\*Excludes properties less than 5 acres that contain a communication tower.

B: Non-Permanent Residence, if present:

Minimum setback of 850 feet provided that the dwelling was constructed on a frost proof foundation or floating concrete slab as of November 22, 2005.

6.1.3 Conditions

- It is acknowledged that a comprehensive plan was amended by the Town of Italy on July 25, 2005. As was done with the GEIS, the final design package will be reviewed by SCIDA as it relates to the Town of Italy Comprehensive Plan. If an appropriate zoning law is adopted, Ecogen will be required to abide by those regulations.
- Coordinate with New York State Department of Agriculture and Markets prior to construction to develop an "Agricultural Mitigation Plan" for the project
- Comply with applicable Federal, State and Local laws.
- After final site selection a quantification of land acreage impacts by the project will be provided. It will include an estimate of impacted land according to different types of habitat. It will also identify the location of slopes greater than 15% grade. The plan will be reviewed by SCIDA prior to approving the project.

6.1.4 Findings

The project may result in land and land use impacts, particularly on parcels containing, or adjacent to, WTG. It is impossible to construct commercial wind turbines without such impacts, however, those impacts are greatly minimized by the siting criteria adopted by SCIDA and the potential adverse impacts are strongly out-weighted by the benefits of providing a source of clean, renewable energy consistent with New York state policy and adding to the local economic base and preserving open space. The lease payments to landowners will provide an important supplement to agricultural incomes and will counter the trend in farmland conversion to residential subdivisions. SCIDA has determined that with the identified mitigations and conditions, there will be no significant adverse impact.

**6.2 WATER AND WETLAND RESOURCES**

6.2.1 Discussion of Potential Impacts

Streams that are located in the Project area and are classified as a New York State Class or Standard A, B, C(T) or C (T(S)) are state-protected streams. Flint Creek in the Project area is designated Class A, potentially suitable for drinking water. Segar Gully, a tributary to Flint Creek, is classified C (TS), suitable for trout spawning. Twelve Mile, Ten Mile and Five Mile Creeks and their tributaries are part of the Chemung River watershed and drain generally southward to the Chemung River. West Creek is tributary to Ten Mile Creek. Martin Hayes/Lyons Creek is tributary to Twelve Mile Creek. Martin Hayes/Lyons Creek and West Creek are classified as Class C (TS) streams. A reach of Twelve Mile Creek flowing through the western side of the Project area is

classified Class C (T), suitable for trout. The remaining portions of creeks and their tributaries in the Project area are unprotected Class C streams, suitable for general fishing.

All of the mapped floodplains are along Project area streams. There are no broad expanses of floodplains in the Project area. None of the proposed WTG will be located in a flood hazard area.

The two state wetlands within and one adjacent to the Project area are primarily riparian wetlands associated with Ten Mile and Twelve Mile Creeks and their tributaries. State wetland PB-1 is located just south of State Route 53 and north of Cook School Road and is adjacent to two of the five primary candidate areas for WTG placement. This riparian wetland is associated with a tributary to Twelve Mile Creek and is generally a forested wetland. National Wetlands Inventory ("NWI") wetlands mapped in the Project area that are not associated with the two NYSDEC wetlands are mainly associated with creek floodplains, farm ponds and depressional areas with poor drainage.

A qualified wetland scientist and other qualified professionals conducted a preliminary assessment of Federal jurisdictional wetlands in the Project area. The assessment included a review of soil survey, NWI and State-regulated wetland maps and recent aerial photography. Potential wetland areas were identified on the aerial photography and correlated with field observations. This preliminary determination of wetlands, provided an estimate of the concentration and quality of the wetlands in the project area and specifically, in the primary candidate areas for WTG placement. This preliminary determination of wetlands will also be used to document that potential wetlands were avoided to the maximum extent possible during final project layout.

Impacts to surface waters and floodplains in the Project area will be minor. The proposed WTG and service roads would be located primarily on ridges and hill tops away from streams and floodplains. The stream crossings will be by way of overhead wires or borings beneath the streams and floodplain. There was concern raised over vegetative clearing along stream for ECS crossings and the potential impact to stream temperatures and general stream habitat. If the ECS crossing is overhead, the impact to surrounding vegetation would be greatly reduced by crossing perpendicular to the stream. To reduce impact to streams during construction, no trenching will occur across Project area streams. There will be no crossings of streams by heavy equipment. Access to the "other" side of the stream for constructing overhead lines or borings will be gained from the "other" side. Impacts resulting from construction will be minor.

If crossing a State wetland or adjacent area by the ECS is unavoidable, the crossing will be accomplished by a directional bore or overhead lines. Small wetland areas may be impacted by construction of service roads, the ECS and the 10-acre staging area. It is anticipated that less than 0.5-acre of wetlands will be impacted for the project. Disturbance of jurisdictional wetlands will require review of the wetland impacts by USACOE, and based on the amount or type of disturbance, may require a permit with the NYSDEC and USACOE.

The right-of-way cleared for installation of the ECS will be approximately 16 ft. The bank area within 50 ft. of a State-protected stream will not be disturbed.

Although direct impact to streams and surface water bodies will be minor, precipitation during construction activities could result in silt-laden runoff entering project area streams and wetlands. This will be mitigated by using appropriate stormwater controls as required by SPDES General Permit for Stormwater Discharges from Construction Activities, Permit No. GP-02-01.

As part of the final design package a "Water Resources Assessment" will be prepared. This assessment will be prepared to demonstrate coordination with resource agencies (NYSDEC and USACOE), to show compliance with the state and federal water resource permits and to verify compliance with the water resource mitigations and criteria.

#### 6.2.2 Mitigation

- Wherever possible, overhead ECS stream crossings will be perpendicular to stream banks to minimize clearing along stream banks.
- The ECS will cross streams via overhead lines or directional bore.
- No trenching or use of heavy equipment will occur in streambeds and no ground disturbance will occur within 50 feet of NYS protected streams
- Restore impacted wetlands to pre-construction conditions if required by USACOE permit.
- Implement Stormwater Pollution Prevention Plan and Erosion and Sediment Control Plan to minimize impacts during construction.

#### 6.2.3 Conditions

- Restrict total federal wetland impacts to less than 0.5 acre unless granted a federal individual permit.
- Obtain appropriate permits from ACOE for wetland disturbance.
- If necessary, obtain proper ACOE and NYSDEC wetland permits prior to construction and comply with all general permits in the ACOE Nationwide Permit Program.
- Obtain SPDES General Permit for Stormwater Discharges from Construction Activities, Permit No. GP-02-01
- Water resources assessment will be prepared as defined in the Checklist in Exhibit A.
- 100 foot set back from State regulated wetland

#### 6.2.4 Findings

The project will largely avoid wetlands and streams. Nevertheless the project may result in limited surface water (streams) and wetland impacts. It is impossible to construct commercial wind turbines without such impacts, however, those impacts are greatly minimized by the mitigation, criteria and conditions adopted by SCIDA. The potential impacts are strongly out-weighted by the

benefits of providing a source of clean, renewable energy consistent with New York state policy and adding to the local economic base. SCIDA has determined that with the identified mitigation, criteria and conditions, there will be no significant adverse impact.

### **6.3 WILDLIFE AND HABITAT RESOURCES**

#### **6.3.1 Discussion of Potential Impacts**

##### **Plant Communities**

The Project will impact approximately 72 acres of land including 17 acres of active agricultural land, 31.8 acres of abandoned agricultural land, and 12.6 acres of primarily successional second growth woodland. A small amount of forest plant community will be eliminated by the Project, which will be primarily successional second growth. Impacts will be minimized by, where practicable, co-locating ECS along service roads and by locating service roads along existing farm roads and logging trails. Additionally, where other mandated setbacks allow, WTG will be located along edges of agricultural fields and woodlands.

Disturbance to mature forests will be minimized by enacting the mitigations above as well as minimizing the amount of cleared land required to assemble the rotor during construction to include only those areas necessary to place the three blades and create sufficient room for assembly and rigging.

Streams and stream habitat may be temporarily impacted, as discussed previously in Section 6.2. These potential impacts can be significantly mitigated by implementing a Stormwater Pollution Prevention Plan and an Erosion and Sediment Control Plan during construction. Additionally, streams will not be crossed by heavy equipment and permanent stream crossings will be by overhead line or directional bore.

##### **Mammals, Reptiles, Amphibians and Fish**

The project will result in temporary displacement of mammal species during construction and operation. There may be a temporary increase in the mortality of small mammals, reptiles and amphibians during construction. The level of these impacts will be minimal and are not a significant adverse impact.

##### **Endangered, Threatened and Special Concern Species**

The project is not in an area of high concentration of endangered or state listed species. While with any project there is a possibility of collision mortality involving Federal or NYS-listed migrating

or foraging birds, the GEIS did not specifically identify potential impacts to endangered, threatened or special concern species.

### Birds and Bats

In consultation with NYSDEC and USFW, the GEIS prepared for SCIDA carefully considered the potential impact of the project on birds and bats. The GEIS included acoustical and radar studies for birds and bats that covered three migratory seasons, Spring and Fall 2004 and Spring 2005 and breeding bird surveys for 2004 and 2005. Studies do not show that there is a significant concentration of migrating birds compared to other studies conducted within the state. While numerous comments were received and were carefully considered regarding the avian studies, SCIDA did not receive reports from any experts which contested the study methodologies or the contents of the studies. Furthermore, the level of study conducted for this project far exceeded the level of study for projects already constructed, approved or under construction in New York State.

There may be WTG collision mortality involving migrating, resident, and foraging birds and bats as well as temporary displacement of resident, breeding and over-wintering birds during construction and operation. However there is no evidence to suggest a substantial risk of significant mortality rates on birds. Collision mortality studies at existing wind farms in the east suggest that night flying birds normally avoid WTG during migration. Tall (>500 ft) communication towers with guy wires and lighting have been found to be far more lethal to migrating birds, especially during inclement weather. Modern WTG such as those to be utilized at the Project will have a tubular tower structure that affords minimal perching opportunities for birds, especially raptors. The project sponsor, however, will conduct a three year post monitoring plan to assess avian and bat impacts from the operation of the project. Furthermore, the project sponsor will conduct a summer breeding bird survey during and after construction activities to assess the impact to local breeding populations. These studies are being conducted in order to assist other communities and agencies in assessing potential impacts for future projects.

The studies conducted for the project did not indicate the area was used as a significant migratory flyway, however, minor channeling of migrating birds through the area appeared to occur in Segar Gully, on the north end of the project. WTG will not be placed in Segar Gully, and as a matter of necessity to maximize the use of wind resources, will be placed on hill tops and other higher elevations in the project area. Additionally, the project will use the minimal amount FAA approved red strobe-like L-864 lighting allowed in order to reduce attraction of migrating birds.

SCIDA acknowledges that the Regional Office of the USFWS has suggested additional seasonal studies of bird and bat use of the project area. While SCIDA recognizes USFWS' role in the consultative process, SCIDA respectfully disagrees with its recommendation. The Regional Office

of USFWS' suggestion is apparently based upon a misapplication of USFWS' federal guidance documents and represents a level of study that has not been applied by any other federal agency reviewing wind power projects, including the Bureau of Land Management. Moreover, NYSDEC has advised SCIDA that it believes the studies in the GEIS have the proper methodology and scope to provide sufficient information to consider the potential impacts of the project on birds and bats. The additional studies requested by USFWS would simply provide additional data points for future studies and will not provide useful information regarding the potential impacts of the instant project. The SEQRA process is intended to consider the potential adverse impacts of a project and is not a tool for information gathering that has a purely academic purpose.

#### High Tor Wildlife Management Area (WMA)

There may be WTG collision mortality involving resident or breeding birds in the High Tor WMA migrating or foraging over the Project area. However, this potential impact has been greatly minimized as the project area has been reduced from 33,000 acres to 24,000 acres. The 9,000 acres removed from the project study area were located adjacent and east of Hi Tor WMA. The closest primary candidate area is over 4,500 ft from the Hi Tor WMA.

#### 6.3.2 Mitigation

- Paint WTG a color (off-white) readily visible to migrating and foraging birds and approved by FAA.
- Co-locate ECS along service roads where practicable to minimize impacts to active agricultural and woodlands.
- Minimize impacts to active agricultural and woodlands by locating service roads along existing farm roads and logging trails as much as possible and locating WTG along edges of agricultural fields and woodlands wherever other setbacks allow.
- Utilize state-of-the-art FAA approved lighting technology (red strobe-like L-864) on approximately 50% of the WTG to discourage avian attraction during migration while the remainder will be unlit.
- No crossing of streams with heavy equipment
- Implement Stormwater Pollution Prevention Plan and Erosion and Sediment Control Plan to minimize impacts during construction.
- Stream crossings to be via overhead lines or directional bore.

#### 6.3.3 Conditions

- Locate WTG away from Segar Gulley.

- Develop and conduct 3-year post-construction monitoring plan of bird and bat mortality under consultation with NYSDEC and USFW.
- Conduct summer breeding bird surveys during and following construction and compare to baseline survey.
- Minimize disturbance to mature forest.
- Locate WTG near edge of woodland where other setbacks allow.

#### 6.3.4 Findings

The project may result in limited avian and bat impacts. It is impossible to construct and operate commercial wind turbines without such impacts, however, those impacts are greatly minimized by the mitigation criteria and conditions adopted by SCIDA. The potential impacts are strongly outweighed by the benefits of providing a source of clean, renewable energy consistent with New York state policy and adding to the local economic base. SCIDA has determined that with the identified mitigations and conditions, there will be no significant adverse impact.

### 6.4 **AGRICULTURAL RESOURCES**

#### 6.4.1 Discussion of Potential Impacts

Steuben County has 23 agricultural districts including 791 farms representing 274,304 acres. Of the 23 agricultural districts, Agricultural District No. 17 is located partially within the study area. Yates County has approximately 722 farms representing approximately 115,000 acres. Of the agricultural districts located within Yates County, Agricultural District No. 1 is partially within the Town of Italy. Impacts on agricultural soils from Project construction will result from clearing, excavation and filling activities. The primary candidate areas are comprised of 6,435 acres of which 1,507 acres (23.4%) are classified as active agricultural district land. It is anticipated that the majority of the 53 WTG and ECS and service roads will be located within the primary candidate areas. Therefore, based on the assumption that the Project will disturb approximately 72 acres of land within the primary candidate areas, it is anticipated that approximately 17 acres (23.6%) of active agricultural district land will be impacted by the Project. While portions of these agricultural district lands include Agricultural Soil Groups 1 through 4, the total amount of prime and important farmland soils to be converted over the long term will be minimal.

Where construction activity does occur on active agricultural land, there is a potential impact from loss of topsoil by either directly removing from the site, erosion during construction or compacted soils resulting from construction vehicles. Additionally, there is a potential impact from loss of “plowable” land due to shallow ECS burial on agricultural fields. These impacts are greatly reduced by requiring the following mitigation criteria:

- Install the ECS a minimum of 4 feet below ground surface (bgs) within active agricultural lands or 3 feet bgs if co-located with service roads.

- WTG constructed on active agricultural land will be sited as to best avoid disrupting agricultural activities, such as along field edges, when other setbacks allow.
- In conjunction with obtaining the SPDES General Permit for stormwater discharges, the project sponsor must implement Stormwater Pollution Prevention Plan and Erosion and Sediment Control Plan to minimize loss of topsoil during construction.
- Reuse top soil on site.
- Use an Agricultural Restoration Contractor to restore agricultural lands temporarily disturbed during construction.

In addition to the above mitigation criteria, Ecogen will be required to prepare an "Agricultural Mitigation Plan" in accordance with the guidance document entitled, "NYS Agriculture and Markets Guidelines for Agricultural Mitigation of Windpower Projects".

In accordance with Section 305(4)(b) of Agriculture and Markets Law, the lead agency filed a Preliminary Notice of Intent with New York State Department of Agriculture and Markets and the Steuben County and Yates County Agriculture and Farmland Protection Boards on March 11, 2004 (see DGEIS, Appendix A, Agency Correspondence). The Notice described the proposed action, the Project area's agricultural setting, and provided a summary of potential adverse impacts to farmland within the agricultural districts that may be impacted by the Project. Pursuant to Section 305 (4)(c), a Final Notice of Intent and detailed Agricultural Impact Statement will be filed by the lead agency with A&M and the Steuben County and Yates County Agricultural and Farmland Protection Boards at least 65 days prior to the advance of public funds for the Project. Additionally, a Final Notice of Intent and Agricultural Impact Statement must be filed in accordance with New York State Department of Agriculture and Markets prior to construction.

The golden nematode (*Globodera rostochiensis*) is a quarantined pest in certain portions of the State of New York, including the entire Town of Prattsburgh, pursuant to the U.S. Department of Agriculture (USDA) regulations, 7 CFR 301.85. This quarantine has been in effect since 1986. The purpose of the quarantine is to prevent the spread of the golden nematode, which causes a dangerous disease of potatoes and certain other plants. The Town of Prattsburgh is considered a quarantined area by the USDA and by definition, a "regulated area" or "generally infested area." Pursuant to 7 CFR 301.85-5, Ecogen entered into a Compliance Agreement with the USDA dated August 4, 2003, to facilitate the movement of articles during construction of portions of the Project in the Town of Prattsburgh (i.e., generally infested areas). The Agreement ensures that Ecogen will comply with the USDA stipulations pursuant to 7 CFR 301.85 by notifying (a minimum of 48 hours in advance) an Officer of the USDA prior to moving any farm and construction equipment, soil moving equipment or service vehicles, from the work areas within the Town of Prattsburgh.

With these measures in place, the impact to the agricultural soils and land is anticipated to be minimal.

#### 6.4.2 Mitigation

- Ecogen has entered into a Compliance Agreement with the USDA regarding movement and treatment of construction equipment, where necessary, in golden nematode infected areas.
- In cases where the ECS is located within an agricultural field, install the ECS a minimum of 4 bgs within active agricultural lands or 3 feet bgs if co-located with service roads.
  - WTG constructed on active agricultural land will be sited as to best avoid disrupting agricultural activities, such as along field edges, when other setbacks allow.
  - An Agricultural Restoration Contractor will be utilized to restore agricultural lands temporarily disturbed during construction.
  - Implement Stormwater Pollution Prevention Plan and Erosion and Sediment Control Plan to minimize loss of topsoil during construction.
  - Reuse top soil on site

#### 6.4.3 Conditions

- Prepare an "Agricultural Mitigation Plan" as defined in the attached GEIS compliance Review Checklist
- Construct the Project in conformance with New York State Department of Agriculture and Market Guidelines for Agricultural Mitigation for Windpower Projects.
- A Final Notice of Intent and Agricultural Impact Statement must be filed in accordance with New York State Department of Agriculture and Markets prior to construction.
- Obtain SPDES General Permit for stormwater discharges from construction activities.

#### 6.4.4 Findings

The project may result in impacts to agricultural land. However, those impacts are greatly minimized by the mitigation criteria and conditions adopted by SCIDA. The potential impacts are strongly out-weighted by the benefits of providing a source of clean, renewable energy consistent with New York state policy and providing lease payments to farmers which will assist in the preservation of farmland as well as adding to the local economic base. SCIDA has determined that with the identified mitigations and conditions, there will be no significant adverse impact.

### **6.5 VISUAL IMPACTS/AESTHETIC RESOURCES**

#### 6.5.1 Discussion of Potential Impacts

SCIDA recognized that the Project had the potential to have a significant visual impact on aesthetic resources. The GEIS contained a detailed visual impact analysis that considered the potential impacts from publicly accessible locations. Photomontage, profile and zone of visual influence (i.e view shed) modeling were used to evaluate the potential impacts of the Project on visual resources in the Project area. The analysis used these models to assess the extent of visual impact of at least five miles from potential WTG locations. The models use locations from National Registry of Historic Places-listed locations, locations of local or regional importance and from locations internal to the project area. Additional analysis was conducted to assess the potential visual impact of WTG from near and distance views, including an analysis of the potential view of five WTG from the Village of Naples towards Knapp Hill in Prattsburgh.

The Project has the potential to create contrasting visual effects at locations close to the WTG units. Further away (approximately 2-miles), the impact diminishes but is still evident. In many locations within the Project area, due to topography and vegetation, the WTG will not be visible. SCIDA reviewed whether screening wind farm components: associated operations and maintenance building, substation and service roads, would have an influence on the viewshed in the area. However, it was determined that these project components would not have a significant visual impact on the project area. Other visual impacts include FAA lighting on WTG at night. The degree of impact is in direct relation to the proximity to the WTG with far diminished impacts at greater distances. All assessments of visual impacts are inherently subjective and SCIDA made use of accepted methodologies in assessing those impacts and establishing mitigation and conditions that will avoid significant adverse impacts on sensitive receptors. Still, because the WTG need to be located in areas of marketable wind resource (hill top elevations), SCIDA recognizes that some local residents do not like the way they look and may perceive their presence as a visual impact. Even though SCIDA recognizes that there will be an unavoidable adverse visual impact to portions of the local community, SCIDA has incorporated various mitigation measures to minimize the level of impact.

These mitigations include requiring that WTG will be uniform in design with a neutral, low-reflectivity FAA approved off-white finish to minimize contrast. To reduce potential visual impact to other project components, service roads will utilize existing farm or logging roads to the maximum extent possible and landscaping/fencing will be used to partially screen Ecogen buildings and help transition into the surroundings.

The majority of the ECS, except when crossing steep ridges and some wetlands and streams, will be underground. To the greatest extent practicable, the ECS will follow proposed service roads in order to minimize additional disturbance. Where ECS must traverse wooded areas, a 15-foot corridor will be cleared and maintained for construction and maintenance purposes. Although siting of the WTG is not final, it is estimated that approximately 4.8 miles of ECS will be constructed, of which most will be underground, and will follow service roads, some along edges of existing open fields, and some through wooded areas. The majority of the ECS will be below ground. Visual impacts will only occur for buried ECS through wooded areas and where overhead lines are necessary due to steep slopes. This impact is substantially less than the maintained

right of ways from the buried gas and 115KV overhead electrical transmission lines that already traverse the project area.

Additional visual impact will result from WTG lighting in the nighttime sky in order to comply with mandated FAA regulations. The lighting scheme for WTG will incorporate using red strobe-like L-864 lights and placing lights on only a small number of WTG in each grouping. It is anticipated that, by following FAA guidelines, approximately one-half of the WTG will be lit.

With respect to views from structures listed or proposed for listing on the National Register of Historic Places, the State Historic Preservation Office has been included in ongoing consultation by Ecogen. It is understood that, once final sites have been selected, additional study will be required prior to SHPO's completion of review and the Project's subsequent construction. A work plan was submitted to SHPO regarding assessing visual impacts from the project once final sites are selected. That work plan was approved by SHPO on November 2, 2005. Completion of SHPO consultation will be completed prior to submittal of the final site design package.

#### 6.5.2 Mitigation

- WTG will be uniform in design and all buildings associated with the Project will have a neutral, low-reflectivity finish to minimize contrast. However, paint must be an approved color (off-white) required by FAA regulations.
- Landscaping/fencing will be used to partially screen Ecogen buildings and help transition into the surroundings.
- Mandated FAA lighting will be on approximately 50% of the WTG and will be the lowest intensity required for pilot safety.
- The majority of the ECS will be placed underground.
- Service Roads will utilize existing farm or logging roads to the maximum extent practicable.

#### 6.5.3 Conditions

- Additional Visual Impact Analysis will be necessary if required by SHPO as part of cultural resource review; or if the equipment is significantly different in shape, size or color; or if the view of the project from Naples is more than 5 turbines on Knapp Hill, as is depicted in the photo simulation presented in Appendix R in the FGEIS or if required by an adopted local law in the town.

#### 6.5.4 Findings

The project may result in unavoidable visual impacts on certain publicly traveled roads in proximity to the WTGs. Impacts on views from public roads will be limited in scope and duration of visual experience. The WTGs will not be located in any area where they will result in significant adverse impacts on public parks or recreational areas. An additional Visual Impact Analysis will be required by SHPO if it deems such an assessment necessary. It is impossible to construct

commercial wind turbines without any visual impacts, however, those impacts are minimized by the siting criteria adopted by SCIDA and the potential adverse impacts are strongly out-weighted by the benefits of providing a source of clean, renewable energy and adding to the local economic base.

## **6.6 HISTORIC AND ARCHAEOLOGICAL RESOURCES**

### **6.6.1 Discussion of Potential Impacts**

There is an abundance of contemporary folk structures (1940-present) within the Project study area. Prefabricated mobile homes, A-frame cabins and eclectic, individually designed structures are most prominent. However, there are a number of homes, primarily located on farmsteads, which date back to the 19th century and early 20th century.

The initial inventory of historic resources within the Project study area identified structures which will be evaluated for their potential eligibility for the National Registry of Historic Places (NHRP) once the revised Area of Potential Effect (APE) is determined after WTG are selected. However, currently there are no NHRP-listed structures within the Project study area. There is one NHRP-listed structure within ½-mile of the northern most primary candidate area. There are two other NHRP-listed structures within ¾-mile of the northern most primary candidate area. All other NHRP-listed structures are greater than two-miles from the Project study area. As stated in Section 6.5, visual impacts are greatly reduced with distance, and since there are no WTG immediately proximate to NHRP-listed structures there is no adverse visual impact to those structures from the project. However, the initial inventory of historic resources within the Project study area identified structures which will be evaluated for their potential eligibility for the NHRP once the revised APE is determined after WTG are selected. This review will be coordinated through the SHPO and will be submitted as part of the final design package. SCIDA acknowledges the Project could create indirect visual impacts on existing structures that are potentially eligible for listing on the NRHP and those potential impacts will be considered during review of the final design package with the input of SHPO.

Construction activities could potentially impact archaeological resources in areas identified as archaeologically sensitive. Three known historic archaeological sites were identified in the Project study area by the SHPO file search. At the request of SHPO, more specific information was not provided in the GEIS to protect the integrity of these historic properties.

A Phase 1A Archaeological Sensitivity Assessment was conducted in 2003 by Binghamton University for the proposed Wind Farm Prattsburgh, LLC (WFP) project. At the suggestion of SHPO, due to the close proximity of proposed WTG for both projects, the WFP Phase 1A Archaeological Sensitivity Assessment report was determined to be applicable to the Ecogen project. The WFP Phase 1A Archaeological Sensitivity Assessment concluded that the project area has very low historic site potential and low to moderate prehistoric sensitivity.

Mitigating any part or all of the project through wholesale relocation to another geographic location in New York due to potential cultural resource impacts will not be feasible. SHPO has agreed with the general conclusion that relocation of the Ecogen project to any other part of New York State will likely have the same or more effect on cultural resources and historic architecture.

As developed in consultation with the SHPO, the most important preservation measures will be avoiding archaeological sites, minimizing the visibility of WTG (using mitigation as already established in Section 6.5) from listed or eligible structures where possible, refurbishing local historic cemeteries and the creation of an escrow account funded by a one-time payment of \$25,000 each for the Towns of Prattsburgh and Italy for any suggested improvements to historic buildings or sites. As required by the SHPO and in accordance with Ecogen's work plan approved by SHPO on November 2, 2005, a "Cultural Resource Assessment" and other required SHPO studies will be completed after final site selection and will be submitted as part of the final site design package.

#### 6.6.2 Mitigation

- WTG will be uniform in design and all buildings associated with the Project will have a neutral, low-reflectivity finish to minimize contrast. However, WTG paint must be approved color (off-white) required by FAA regulations.
- Landscaping will be used to partially screen Ecogen buildings and help transition into the surroundings.
- Mandated FAA lighting will be on approximately 50% of the WTG and will be the lowest intensity required for pilot safety.
- The majority of the ECS will be placed underground.
- Service Roads will utilize existing farm or logging roads where possible.
- Ecogen will adhere to mitigation as determined by SHPO. A one time payment of \$25,000 each for Town of Prattsburgh and Towns of Italy will be made for improvements to historic buildings or sites.

### 6.6.3 Conditions

- Prepare a “Cultural Resource Assessment” and other required SHPO studies after final site selection as defined in the attached GEIS Compliance review Checklist.

### 6.6.4 Findings

The project may result in impacts to cultural resources. However, SHPO and SCIDA agree with the general conclusion that the archaeological resources that may be impacted are not of high value and that relocation of the Ecogen project to any other part of New York State will likely have the same or more effect on cultural resources and historic architecture. It is impossible to construct commercial wind turbines within New York State without any cultural resource impacts, however, those impacts are minimized by the mitigation criteria and conditions adopted by SCIDA and the potential adverse impacts are strongly out-weighed by the benefits of providing a source of clean, renewable energy and adding to the local economic base.

## 6.7 **NOISE IMPACTS**

### 6.7.1 Discussion of Potential Impacts

The proposed project area is rural in nature with a mix of forested land and parcels previously cleared for agriculture. To determine the impact of WTG noise at sensitive receptors, a phased assessment was conducted in accordance with NYSDEC’s policy for *Assessing And Mitigating Noise Impacts* (2001). The assessment included measurements of existing noise levels. Data was collected in early winter (with alternating periods of snow cover and no snow cover), which represents the worst case scenario for evaluating noise impacts. Seven sites within the project boundary were selected as representative locations. Three locations were within “candidate areas” where wind conditions are considered high (> 6.5 meters per second annualized average). The remaining four locations were in sheltered, low wind areas (< 6.5 meters per second annualized average). Data was collected for a maximum of two-week intervals in order to ensure a wide range of wind speed conditions.

The assessment found that impacts from noise will be within a generally acceptable level. Receptors within close range of a WTG may experience increases in noise levels above the 6 dB range but total noise will still be within the range identified by the NYSDEC as “very quiet” or “quiet.” For changes in levels >6 dB, a Second Level Noise Impact Evaluation was conducted, consistent with the requirements of the NYSDEC noise assessment guidance policy. This assessment was conducted in accordance with the NYSDEC guidance on Modified Composite Noise Rating (mCNR) method that assesses the likely community reaction to an increase in ambient noise. This analysis took into account the existing background noise conditions at receptor locations and the predicted noise spectrum for WTG operations at these receptors. The

New York State Department of Public Service uses the mCNR to access noise impacts of proposed power plants.

The noise assessment further established that during increasing wind conditions, impacts from operation WTG noise will be reduced due to increased background noise levels, especially during seasons with leaf cover. This relationship between higher wind speeds and higher ambient background noise is also reflected in the lower background noise conditions for areas that are topographically sheltered, and therefore have generally lower wind speeds. The primary noise sensitive receptors were determined to be neighboring non-participating residences. Due to the rural nature of the project area and the large parcel sizes, these are the principal types of receptors that may be significantly impacted by the project.

The NYSDEC reviewed the noise assessment as part of their pre-draft review of the DGEIS and determined that the analysis was adequate, professional and done in a manner consistent with NYSDEC Noise Assessment guidelines and indicated no concerns with the results of the analysis.

The results of the noise assessment as presented in the DGEIS recommended that two setbacks from the base of WTG to a non-participating residence should be instituted. For "Windy" areas (locations with average annualized wind speed of 6.5 m/s or greater) the recommended setback was 1,000 feet. For "Sheltered" areas (locations with average annualized wind speed less than 6.5 m/s) the recommended setback was 1,375 feet. SCIDA reviewed these setbacks as recommended in the DGEIS in conjunction with comments received during the public comment period. Based on this review, SCIDA determined an additional 200 feet will be added to the 1,000 foot setback for a total of 1,200 feet from the base of a tower to a non-participating permanent residence. This further adds to the conservatism of the original noise assessment.

In addition, SCIDA has also recommended a series of sliding scale setbacks to address public concerns regarding future uses of neighboring non-participating parcels where those parcels do not currently contain permanent residences and that otherwise may be negatively affected by noise impacts for future development. These setbacks are intended to preserve the future development options for those properties and are presented in Section 6.1 – Land and Land Use.

Noise will be associated with the construction of the Project. Noise from construction will be short term and can be mitigated by instituting operational controls such as turning off engines when not in use, maintaining equipment in good working order and using adequate engine covers and mufflers in order to minimize noise. With these controls in place, there will be no significant adverse impact.

#### 6.7.2 Mitigation

- Ecogen will work with the contractors to minimize the construction noise generated. Best management practices will be implemented such as turning off engines when not in use, maintaining equipment in good working order and using adequate engine covers and mufflers in order to minimize noise.
- Mandatory setbacks from the base of WTG to non-participating permanent residences have been developed to mitigate noise. Other setbacks to non-participating, non-permanent residences and property lines have also been established and are listed in Section 6.1.3.
- Setback from base the of WTG to mitigate noise impacts is 1,200 feet from the receptor for non-participating residence with an average wind speed of greater than 6.5 m/s average annualized wind speed as determined by AWS Truewind computer modeled surface wind speed (generally depicted on Figure 3.7-1 in the DGEIS).
- Setback from the base of WTG to mitigate noise impacts is 1,375 feet from the receptor for non-participating residence with an average wind speed of less than 6.5 m/s average annualized wind speed as determined by AWS Truewind computer modeled surface wind speed (generally depicted on Figure 3.7-1 in the DGEIS).

Note: A structure will be considered a permanent residence if the following criteria are met:

1. Structure is connected to public utility for electric service, and
2. Structure is connected to a potable water supply, and
3. Structure is connected to a municipal sewer or has an on-site septic system.
4. Must meet the definition of residence by April 1, 2006. For proposed construction, must also be able to demonstrate issued building permit by January 1, 2006. Residences will be determined by Tax records through 2004 and by Building permits issued through 2005.

#### 6.7.3 Conditions

No conditions other than applicable mitigation measures

#### 6.7.4 Findings

The project may result in impacts to ambient noise conditions in the project area. It is impossible to construct commercial wind turbines without such impacts, however, those impacts are greatly

minimized by the siting criteria and conditions adopted by SCIDA and the potential impacts are strongly out-weighted by the benefits of providing a source of clean, renewable energy and adding to the local economic base. SCIDA has determined that with the identified mitigations and conditions, there will be no significant adverse impact.

## **6.8 ENERGY IMPACTS**

### **6.8.1 Discussion of Potential Impacts**

Minor impacts to energy will result from the use of petroleum products such as gasoline, diesel fuel, lubricating oils, greases and hydraulic fluids for construction vehicles and equipment and lighting. Energy will be needed for construction of WTG components and associated facilities, ECS components and transportation of these materials to construction sites. The Project is expected to consume less than one percent of the electricity it generates to power WTG and associated facilities and is expected to generate enough electricity to satisfy the yearly load requirements of approximately 30,000 average homes in New York State.

The New York State Electric and Gas Corporation (NYSEG) has conducted a study to evaluate the impact of the Project on the reliability of the existing electrical delivery systems. A draft System Reliability Impact Study (SRIS) was conducted pursuant to the (New York Independent System Operator) NYISO requirements.

The draft SRIS indicate that the thermal, voltage and stability performance of the local 115 kV and the NYISO bulk power systems are not degraded by the Project.

The Project will be consistent with the goals of the State Energy Plan of 2002 to maximize the use of clean and efficient energy, provide for safe and secure operation of the State's energy systems, support the continued development of competitive energy markets and increase energy diversity including renewable energy as well as the NYSPSC Renewable Portfolio Standard of September, 2004.

### **6.8.2 Mitigation**

No applicable mitigations.

### **6.8.3 Conditions**

No conditions.

#### 6.8.4 Findings

SCIDA has determined that the project will not result in a significant adverse impact to energy or energy resources and will in fact be a benefit to the energy needs of New York State.

### 6.9 TEMPORARY AND SHORT TERM IMPACTS

#### 6.9.1 Discussion of Potential Impacts

Each potential impact subject section was assessed for potential temporary and short term impacts that may occur during construction activities. These potential impacts were analyzed in detail as part of their respective subject sections but are also summarized in this section. With the required mitigation and conditions none of these issues are a significant adverse impact.

The following is a summary of potential temporary and short-term impacts:

There will be a temporary disturbance of soils and habitat during the construction of approximately 53 WTG, 3.4 miles of service roads, 4.8 miles of ECS, 1 acre substation, and 10 acre construction staging area/operations and maintenance building. Disturbances not needed for permanent operation and maintenance of the wind farm will be restored following completion of construction activities. Larger mammals such as deer, coyote, fox, raccoon, skunk and opossum tend to be far ranging and opportunistic and can readily survive temporary disturbances such as WTG construction.

Short-term impacts to agricultural soils may result from disturbance and compaction during construction. A Final Notice of Intent and Agricultural Impact Statement will be filed with NYS Dept. of Ag & Markets to insure any adverse agricultural impacts are minimized or avoided. Active agricultural fields will be reclaimed per New York State Department of Agriculture and Markets Guidelines for Agricultural Mitigation for Wind Power Projects using an Agricultural Restoration Contractor.

There is a potential for silt-laden runoff to nearby surface waters during construction. Appropriate stormwater permits and controls will be implemented during construction. Additionally, no trenching for the ECS will occur in streambeds and no ground disturbance will occur within 50 feet of State-protected streams or 100 feet of a state wetland.

There may be a temporary disturbance to wetlands during installation of the ECS. The ground surface of wetlands will be returned to pre-construction conditions as required by the ACOE Nationwide Permit for utility line crossing.

Temporary visual impacts will result from the use of large tower cranes used during WTG construction. It is likely that one or two cranes may be utilized during a single construction season to construct the WTG. While this impact cannot be mitigated, due to its temporary nature, this does not present a significant adverse visual impact for the community.

The potential impact on archaeological resources will be limited to the areas where construction activities will occur. There are only three areas within the project area that are known archaeological sites. SHPO has been consulted throughout the GEIS process. The project sponsor will be required to complete the required Cultural Resource Assessment and submit the results of SHPO's review of the project in the final design package.

Temporary noise impacts may result from the transportation and operation of construction equipment. These impacts can be mitigated by enacting best management practices such as limiting the construction to daytime hours when practical and shutting off equipment when not in use.

Temporary increase in demand for energy resources as required for equipment used to construct WTG, operations and maintenance (O&M) building, substation, service roads, ECS, and decommissioning (if necessary). However, these are normal increases in energy use and do not constitute an adverse environmental impact.

Temporary impacts to local roads may occur during construction as a result of movement of heavy equipment. Repairs to local roads due to movement of heavy equipment during construction will be the responsibility of Ecogen. Additionally, short-term impact to traffic will be limited to localized delays resulting from deliveries of equipment and WTG components. Ecogen will be required to obtain applicable permits from local, county and State agencies prior to construction or transport of heavy equipment.

A negative visual impact would occur if the project were to be abandoned during construction. Although this scenario is unlikely, Ecogen will be required to fund a decommissioning bond that will cover costs to remove the WTG components if such an event would occur.

SCIDA recognizes that there may be an impact to the local communities in covering staffing costs to oversee construction issues related to SEQRA compliance. In order to

mitigate the additional inspection costs, Ecogen will provide a fund of \$30,000 to cover these costs. The \$30,000 will be divided between the municipalities based on the number of turbines built for each town.

Although not anticipated based on the geotechnical studies completed for the project, if blasting were required, Ecogen contractors would comply with applicable state regulations. Therefore, Ecogen will prepare a "Blasting Plan" describing blasting operations in compliance with all applicable Federal, State, and local rules and regulations. This plan will be provided to SCIDA as part of the final design package.

#### 6.9.2 Mitigation

- All temporarily disturbed areas will be re-graded and re-vegetated upon completion of construction, including the majority of the construction staging area. Ecogen will utilize an Agricultural Restoration Contractor to restore agricultural land temporarily disturbed during construction.
- No trenching for the ECS will occur in streambeds.
- No ground disturbance will occur within 50 feet of State-protected streams or 100 feet of a state wetland.
- Return ground surface of wetlands to pre-construction conditions as required by the ACOE Nationwide Permit for utility line crossing.
- Concentrating major construction periods in daytime hours will mitigate construction-related noise impacts. Best management practices will be implemented such as turning off engines when not in use, maintaining equipment in good working order and using adequate engine covers and mufflers in order to minimize noise.
- Repairs to local roads due to movement of heavy equipment during construction will be the responsibility of Ecogen.
- In order to mitigate the additional inspection costs that may be required for each town to oversee construction issues related to SEQRA compliance, Ecogen will provide a fund of \$30,000 to cover these costs. The \$30,000 will be divided between the municipalities based on the number of turbines built for each town.

#### 6.9.3 Conditions

- Locate WTG as close to roads and edges of agricultural fields as possible given other siting criteria.
- Obtain ACOE Section 404 Nationwide Permit for utility crossings, prior to construction, if required.

- Obtain SPDES General Permit for stormwater discharges from construction activities and implement Stormwater Pollution Prevention Plan during construction of WTG and associated buildings, service roads and the ECS, which will include utilization of appropriate sediment and erosion control measures to minimize silt-laden run-off.
- Obtain applicable highway permits from local, county and State agencies prior to mobilization of heavy equipment and WTG components.
- If blasting is necessary, prepare a “Blasting Plan” describing blasting operations in compliance with all applicable Federal, State, and local rules and regulations.
- Establish a decommissioning fund to ensure that in the event the Project is terminated construction areas would be restored to remove any temporary negative impacts.
- Construct the Project in conformance with New York State Department of Agriculture and Markets Guidelines for Agricultural Mitigation for Windpower Projects.
- In accordance with the SHPO approved workplan, a pre-construction Cultural Resource Assessment will be conducted in archeologically sensitive areas.
- File a Final Notice of Intent and Agricultural Impact Statement with NYS Dept. of Ag & Markets to insure any adverse agricultural impacts are minimized or avoided.
- Standard communication protocol will be established prior to construction.

#### 6.9.4 Findings

The project may result in temporary and short term impacts during construction. It is impossible to construct commercial wind turbines without such impacts, however, those impacts are greatly minimized by the siting criteria and conditions adopted by SCIDA and the potential impacts are strongly out-weighted by the benefits of providing a source of clean, renewable energy, adding to the local economic base and the generation of temporary employment and income during construction activities. SCIDA has determined that with the identified mitigations and conditions, there will be no significant adverse impact.

### 6.10 HEALTH AND SAFETY IMPACTS

#### 6.10.1 Discussion of Potential Impacts

In order to assess the expected occurrence of icing conditions related to the Project site, an evaluation was completed that included analysis of information collected from on site meteorological study towers, various literature sources, historical weather observations taken at regional National Weather Service stations, and from anecdotal reports from other wind energy plants in northern U.S. and southern Canada. Conclusions drawn from the evaluation were that for the large majority of icing events, ice shedding is expected to occur by melting and by

gravitational shedding due to partial melting, whereby ice falls off the tower and blades directly to the ground below. The potential for ice to be thrown off rotating blades any significant distance is considered to be extremely low. Additionally the WTG operations will be fitted with 5 fail safe systems, that can either detect ice buildup or sense equipment malfunction resulting from ice build up. The WTG will be temporarily shut down if there is significant ice build up and/or if the equipment is not functioning properly

*A University of Berkley Analysis of Potential Safety Risks of the Ecogen Prattsburgh-Italy Wind Farm Project* risk assessment analyzed risk levels associated with potential ice throw, blade throw and tower collapse and determined there is not a significant safety risk associated with these potential scenarios. Specifically, the study determined that the risk to a resident from ice throw, blade throw or tower collapse at a distance of 400 feet from the base of the tower was extremely low and significantly less than the risk to that resident from being struck by an automobile, being involved in a bike accident or being involved in a motor vehicle accident.

Because wind turbines are typically situated in areas of higher ground and turbine blades can extend up to 389 feet above ground, the potential for lightning impact strikes is present. Several design features of the wind turbines have been incorporated into the production of the turbines to mitigate the risk to people and property damage. According to the manufacturer's specifications, the rotor blades are equipped with a strike sensor mounted in the blade tip. Additionally, a solid copper conductor from the blade tip to root provides a grounding path that leads to the grounding system at the base of the tower foundation. The turbine is grounded and shielded to protect against lightning. However, since lightning is an unpredictable force of nature, should a lightning strike damage various components of the towers, risk to the public and property is mitigated by situating towers a minimum distance of 489 feet (maximum height of WTG, plus 100 feet) from any public road right of way and the property line of a non-participating landowner.

Public comment expressed concern of potential impacts to local emergency response personnel in dealing with potential emergencies related to the project, specifically WTG. Prior to construction, Project and contractor representatives would meet with local emergency providers to discuss the potential response for fires associated with WTGs.

Impacts from electromagnetic fields (EMF) were assessed to determine if the project would present a significant health risk from EMF exposure. In 1992, under the Energy Policy Act, the U.S. Congress instructed the National Institute of Environmental Health Sciences (NIEHS), National Institutes of Health (NIH) and the U.S. Department of Energy (DOE) to direct and manage a program of research and analysis aimed at providing scientific evidence to clarify the potential of

health risks from exposure to EMFs. This resulted in the formation of the EMF Research and Public Information Dissemination Program (EMF-RAPID Program). The results of the study indicated that there was not sufficient evidence of a risk from EMF to warrant concern. Numerous additional studies have been conducted regarding EMF risk and no consistent conclusions have been reached which warrant any concern regarding health risks associated with EMF, especially at the levels associated with WTGs. Therefore SCIDA has determined that there is no significant adverse impact due to EMF exposure from the project.

A secondary potential impact from the ECS is the potential risk from accidentally contacting the buried lines with an excavator or other subsurface intrusion. Ecogen will be required to mark underground ECS with above grade markers approximately every 300 feet. In addition, Ecogen will register the underground ECS locations with the state one-call service, Underground Facilities Protection Organization (UFPO).

Shadow-flicker is a short-term periodic occurrence during clear skies in the early morning and late afternoon when the sun is low on the horizon. The most intense effect from shadow flicker is from indoors receptors where ambient light changes are magnified in interior spaces. Common factors that affect the visibility of shadow-flicker on a particular residence are the intensity of the sun; orientation of the nacelle and rotors relative to position of the sun; distance from the WTG's shadow-flicker and interior lighting conditions. Because of these and other factors, shadow-flicker is not a continued or everyday occurrence rather, shadow-flicker is periodic in nature that may be visible on limited, sporadic days throughout the year. Analysis of the 99 potential WTG locations showed that, excluding the moderating effects of vegetation and adjacent structures that could block the visibility of shadow-flicker, only 24 nearby residences had the potential to be affected by shadow-flicker more than 25 hours a year and 44 residences could be affected between a maximum of 10 to 25 hours per year. Other than annoyance, the other potential risk from shadow flicker brought up in public comments was the potential to induce photo-stimulated epileptic seizures.

SCIDA evaluated the potential of photo-stimulated epileptic seizures from operation of the wind farm and the effect of shadow flicker. According to the Epilepsy Foundation only a small percentage of people with epilepsy are photosensitive to seizures and of that sensitive population "flashing lights most likely to trigger seizures are between the frequency of 5 to 30 flashes per second (Hertz)". The proposed WTG have a maximum rotor speed of approximately 20 revolutions per minute, which translates, into a frequency of 0.87 Hz. Since the blade frequency is anticipated to be less than 1 Hz, the risk of triggering an epileptic seizure is minimal and therefore the potential psychological effects of the shadow flicker would not be a significant impact.

These shadow flicker analysis results are based on 99 potential locations. The potential affect on residences from the 53 WTG, whose locations will be determined during site selection and final design, would be expected to be greatly reduced from this conservative evaluation. To mitigate the effects from potential ice throw and to reduce the annoyance of potential shadow flicker on local receptors for other impacts (health/safety reasons and noise abatement), Ecogen will be required to select WTG sites based on various setbacks such as minimum 489 feet from a non-participating property line and a minimum 1,200 feet from a non-participating residence and a minimum of 489 feet from a participating residence.

#### 6.10.2 Mitigation

- Site base of WTG minimum of 489 feet from property line of non-participating property or center line of public roadways.
- Site base of WTG minimum of 489 feet from participating permanent residence.
- Redundant safety systems on the equipment combined with the applicable Federal, State and local codes will be utilized throughout the Project.
- Icing detectors will be installed on the meteorological tower to detect ice build up. Four other redundant ice detection systems will also be used. A significant accumulation of ice buildup that triggers the fail safe shut downs will require the WTG to be temporarily shut down until it can be restarted in a safe manner.
- Ecogen will be required to mark underground ECS with above grade markers approximately every 300 feet. In addition, Ecogen will register the underground ECS locations with the state one-call service, Underground Facilities Protection Organization (UFPO).
- Project specific health and safety standards will be implemented during construction. Construction personnel will be provided with all appropriate personal protection equipment.

#### 6.10.3 Conditions

- Project and contractor representatives will review available emergency preparedness plans prior to construction.

#### 6.10.4 Findings

SCIDA has determined there is no recognized health and safety risks associated with shadow flicker or EMF. However, there are low risks from icing and contact to buried ECS. It is impossible to construct and operate commercial wind turbines without such impacts, however, those impacts are greatly minimized by the siting criteria and conditions adopted by SCIDA and the potential impacts are strongly out-weighed by the benefits of providing a source of clean, renewable energy

and adding to the local economic base. SCIDA has determined that with the identified mitigations and conditions, there will be no significant adverse impact.

## **6.11 IMPACTS ON LOCAL ROADS**

### **6.11.1 Discussion of Potential Impacts**

It is anticipated that the majority of impacts to local roads will occur during construction as a result of movement of heavy equipment. Short term and temporary impacts to traffic would be limited to localized delays resulting from deliveries of equipment and WTG components. Normal operation of the wind farm will not generate significant levels of traffic. Maintenance and operations crews will travel between the operations building and individual WTG's as need for routine inspection and maintenance.

New York State Route 53 will be used as the primary access route to the Project area. Local roads will link NY State Route 53 to the private service roads. Although New York State Route 53 contains adequate road dimensions and load specifications, local Town roads may need modifications. Some minor re-grading of hillcrests may be necessary. Minor widening of town roadways at bends may also be necessary, as will some culvert upgrades to handle heavier construction vehicles. In such cases, the existing drainage facilities would be re-routed to accommodate the roadway improvements. Private service roads will be constructed and maintained by Ecogen in order to connect the WTG locations to the Town roads. Best management practices will be implemented during Project construction to minimize spills and soil tracking.

After Final WTG siting and prior to beginning construction activities, appropriate permits will be obtained from the NYSDOT (Work Permit and Special Handling Permits), the Yates County DPW and Steuben County DPW (for work within the county right of way), and from the Towns of Italy and Prattsburgh (for driveway curb cuts and work within the town right of way).

Once final WTG sites and services roads are selected, Ecogen will photo document and geo reference conditions of the Town roadways to be used for construction. Any improvements will be completed at the cost of Ecogen. Road repairs for damage caused by project construction activities will also be paid for by Ecogen.

A "Road Assessment" of the state, county and local roads used for project access in the Towns of Prattsburgh and Italy will be prepared for final site selection and prior to construction. Coordination with appropriate highway superintendents will be required. The assessment will

document: all haul routes; existing conditions of roads, bridges, culverts, etc; required permits; necessary improvements including “envelope” (vertical) clearing requirements; requirements for maintaining roads during construction; impacts to private property (if any); a plan for post construction inspections and remedial action. The Plan will be submitted as part of the final design package.

Most Project-related traffic will be construction workers commuting to and from work. Traffic congestion is unlikely under most circumstances. Short-term traffic delays are expected to occur during movement of heavy equipment and WTG components. The width of some transports may require short-term closure of local roads. These closures would most likely occur on weekdays during daylight hours. If necessary, marked detours and/or flaggers will be provided to assist motorists during periods of road closures. Each of the Town Highway Superintendents will be notified prior to any movements that are anticipated to cause traffic delays.

Normal operation and maintenance of the wind farm will necessitate travel over local roads primarily by light duty trucks. It is anticipated that three light duty trucks will be utilized for daily maintenance and inspection of the towers. These trucks will use private service roads to travel between WTG within each cluster. Access between clusters of WTG will be by local roads. Operation of the project may require seasonal roads to be accessible year-round. The project Sponsor will be responsible for maintaining year-round access to WTG locations from seasonal roads.

In addition to making these post construction repairs, Ecogen intends to provide an annual payment to the Towns of Prattsburgh and Italy for each of the following twenty (20) years after the commencement of commercial operation of the wind farm. The annual payment would be approximately based on \$3,000 per WTG per year and allocated to each Town based on the number of WTG in each Town. The purpose of this payment is to compensate the municipality for any additional maintenance of town roads that may result from the Ecogen Project.

#### 6.11.2 Mitigation

- Best management practices will be implemented during Project construction to minimize erosion and soil tracking.
- If improvements are required, road, culvert and intersection upgrades will be the responsibility of Ecogen.
- Repairs to local roads due to movement of heavy equipment during construction will be the responsibility of Ecogen.

- Ecogen will provide an annual stipend to the host communities of \$3,000 per WTG per year for 20 years for local road maintenance.
- Adhere to Road Assessment requirements and mitigation recommendations.

#### 6.11.3 Conditions

- Prepare a “Road Assessment” as defined in the attached GEIS Compliance review Checklist.
- Obtain applicable highway permits prior to mobilization of heavy equipment

#### 6.11.4 Findings

The project may result in impacts to Town roads, primarily from project construction. It is impossible to construct and operate commercial wind turbines without such impacts, however, those impacts are greatly minimized by the conditions adopted by SCIDA and the potential impacts are strongly out-weighted by the benefits of providing a source of clean, renewable energy and adding to the local economic base. SCIDA has determined that with the identified mitigations and conditions, there will be no significant adverse impact.

## 6.12 **BLASTING AND SEISMIC ISSUES**

### 6.12.1 Discussion of Potential Impacts

The top of bedrock throughout the majority of the Project area is composed of the West Hill and Gardeau Formations (from the West Falls Group), which consists of interbedded shale and siltstones. Two geotechnical studies were conducted within the project area to determine the need for blasting. The studies indicated that a clay till comprises the predominant soil type. The soil is underlain by weathered shale, encountered at varying depths. Blasting would not be required within these areas due to the soft nature of the weathered zone. In areas where foundations may extend into competent bedrock, it is anticipated that extension into the competent rock will be shallow and removal can be completed via other means (i.e., jackhammer, hoe-ram, etc.) therefore, requiring no blasting.

While it is anticipated that no blasting will be required, unanticipated subsurface conditions may occur. Therefore a “Blasting Plan” describing blasting operations and potential impacts to local above and below grade structures will be prepared by Ecogen and submitted with the final design package. The “Blasting Plan” would adhere to all applicable regulations pertaining to blasting, including NYS DOL explosive handling regulations (12 NYCRR Part 39). Due to the shallow nature

of the foundations (ranging from approximately 5 to 8 feet in depth), if blasting were required, it would be localized and limited in nature.

#### 6.12.2 Mitigation

- If blasting is required, the Project will adhere to all applicable regulations to blasting including NYSDOL explosive handling regulations (12 NYCRR 39) and NYSDEC blasting/mining regulations and as outlined in the “Project Blasting Plan”.

#### 6.12.3 Conditions

- Prepare a “Project Blasting Plan” as defined in the attached GEIS Compliance review Checklist.

#### 6.12.4 Findings

The project is unlikely to result in impacts from blasting during construction. However, unanticipated subsurface conditions may occur which could result in localized limited blasting at isolated locations. The potential impact is greatly minimized by the mitigation and conditions adopted by SCIDA and the potential impacts are strongly out-weighed by the benefits of providing a source of clean, renewable energy and adding to the local economic base. SCIDA has determined that with the identified mitigations and conditions, there will be no significant adverse impact.

### **6.13 SOCIO-ECONOMIC IMPACTS**

#### 6.13.1 Discussion of Potential Impacts

SCIDA considered potential impacts to recreational areas in this section as well as the potential impacts to the socioeconomic conditions of the Project area. There are no designated open spaces or recreational areas within the study area. However, passive open space is in abundance due to the rural character of the study area. One privately-owned conservation area within the study area exists in the Town of Prattsburgh. In addition, a small public park is located within the Hamlet of Prattsburgh. The DGEIS identified this park as a location that may require a temporary easement for transportation of WTG components into the project area. Numerous comments were received regarding concern over the possible impact to the park from the transportation easement. Based on these comments SCIDA has determined that the potential impact to the park could be avoided by using alternate transportation routes. Using alternate routes eliminates the need for an easement and any impact to the park in Prattsburgh.

The Project will not increase school enrollment above current levels and, therefore, no significant adverse impacts to the Prattsburgh and Naples Central School Districts are anticipated. However, beneficial impacts to the school districts will result from increased tax revenue through the PILOT agreement. The PILOT program will increase revenue for the host counties, municipalities, school districts and special funding districts.

Police, fire, ambulance and life support services have adequate personnel and equipment to respond to basic emergencies that may occur during construction or operation of the Project facilities. However, project and contractor representatives will be required to hold a pre-construction meeting with local emergency providers in order to familiarize them with out-of-the-ordinary construction equipment and methods, and the anticipated construction sequencing. In addition the project and contractor representatives will review any available local emergency preparedness plans prior to construction and operation of the Project.

The Project will generate employment and income during construction activities and throughout operation. During an approximate six to nine month construction period, the Project will generate approximately 75 to 100 full-time jobs, representing approximately \$2 million in wages. It is anticipated that construction employment will be drawn primarily from the Western and Central New York labor markets. Ecogen will give preference to local contractor candidates using a "first among equals" policy and will also coordinate with the regional workforce development agency.

Upon completion of the Project and during full operation, approximately 6 to 8 full-time jobs will be created with approximately \$250,000 to \$300,000 in new annual wages. These jobs will provide additional employment and boost the local economy. Ecogen will also make approximately \$150,000 in annual lease payments to landowners that will create additional local expenditures on goods and services. The Project will not have a significant adverse impact on tourism and tourism-related businesses or commercial businesses.

#### 6.13.2 Mitigation

- Follow procedures established in a pre-construction meeting with local emergency providers.
- No transport of equipment or project activity in the park in Town of Prattsburgh.
- In order to promote local workforce involvement in the project the following will be accomplished:
  - For short term construction jobs, a policy of "first among equals" will be implemented, and
  - For permanent jobs, Ecogen will coordinate the search for potential local job candidates with Chemung Schuyler Steuben Workforce New York.

### 6.13.3 Conditions

- Project and contractor representatives will review any available local emergency preparedness plan(s) prior to construction and operation of the Project.
- Project and contractor representatives will hold a pre-construction meeting with local emergency providers in order to familiarize them with out-of-the-ordinary construction equipment and methods, and the anticipated construction sequencing.
- No transport of equipment or project activity in the park in Town of Prattsburgh.

### 6.13.4 Findings

SCIDA has determined that the project will not result in a significant adverse socioeconomic impact and will in fact be a benefit to the local economy.

## 6.14 **PROPERTY VALUES**

### 6.14.1 Discussion of Potential Impacts

A residential housing value impact analysis report was prepared in order to assess the potential impact to residential property values as a result of the project. The analysis included: data from completed projects from a previously completed national study (REPP Report); data from communities where projects have been proposed; and data for both the Towns of Italy and Prattsburgh since the announcement of the project. The REPP report concluded that with respect to the Madison and Fenner Wind Farms located in Madison County, "there is no significant evidence in these cases that the presence of the wind farms had a negative effect on residential property values." Similar results in other areas of the country were indicated in the REPP Report. Furthermore the residential impacts analysis conducted for the GEIS concluded that there has been no supportable decline in average market values or number of transactions in the Towns of Italy and Prattsburgh since the Project was announced in 2001. In fact, the analysis shows significant increases in residential and raw land values over a five and one-half-year period.

### 6.14.2 Mitigation

No applicable mitigation.

### 6.14.3 Conditions

No Conditions

### 6.14.4 Findings

SCIDA has determined that the project will not result in a significant adverse impact to local property values.

## **6.15 GROUNDWATER AND WELLS**

### **6.15.1 Discussion of Potential Impacts**

Groundwater resources within the Project area are mainly obtained from wells (private and municipal) and natural springs. Main groundwater sources in the valleys consist of unconsolidated shallow and unconfined Kame deposits and Kame Moraine deposits along with Glacial Outwash sands and gravels in association with recent alluviums. Main groundwater resources in the ridge and hilltop areas, where the major project components will be located, are composed mainly from deep bedrock (interbedded shale and siltstones) deposits. Seasonal perched water tables are present at or near the surface for some of the poorly drained soils and moderate to well-drained soils with a fragipan layer. However, these seasonal perched water tables are not a source of potable groundwater.

Most groundwater resources will be generally located in valley regions, below the hilly areas where the WTG will be located. Since tower foundations will be approximately 6 feet bgs, with potential maximum 14 feet below bgs in select locations and supply wells on hilltops are drawing water from greater than 60 feet bgs, no impact is anticipated. No impact to supply and recharge of groundwater resources is anticipated during construction of the service roads and ECS due to the shallow depth of those activities.

Although seasonal perched water may be encountered during placement of tower foundations, these are not groundwater resources used for drinking purposes.

If groundwater resources are encountered during WTG installation, construction procedures will include engineering controls such as short-term pumping. Following completion of construction and groundwater pumping, perched water zones will resume normal conditions.

No long-term groundwater pumping will be required, thereby avoiding potential drawdown of the water table.

### **6.15.2 Mitigation**

No applicable mitigation.

### **6.15.3 Conditions**

No Conditions

#### 6.15.4 Findings

SCIDA has determined that the project will not result in an adverse impact to groundwater.

### 6.16 DECOMMISSIONING

#### 6.16.1 Discussion of Potential Impacts

Two scenarios were raised that potentially could lead to abandonment of the Project, and therefore, the need for decommissioning: abandonment during construction and abandonment during operation.

In the unlikely event that construction of the wind farm is not completed, the potential arises for several impacts. 1) If site work is not completed through re-grading and restoration phase, exposed soils may be subject to erosion. 2) If service roads are not completed with the necessary culverts and drainage improvements, the storm water runoff may create erosion and sedimentation impacts. 3) If construction materials and equipment are abandoned, they may pose a safety hazard to unauthorized visitors. 4) If the wind farm project terminates prior to construction completion, the materials and topsoil stockpiles and incomplete appearances of the site create a negative visual impact.

In the unlikely event that after construction, the wind farm ceases operations and the facilities are abandoned, the potential would exist for impacts from abandonment of the WTG's, which may result in 1) aesthetic impacts related to the facilities becoming derelict, 2) trespassing and safety concerns from the facilities becoming an attractive nuisance, and 3) the perception that although the same physical facility resides in the field, there may result a negative perception from a WTG that is not operating (rotors turning).

In order to mitigate the potential impacts from either abandonment scenario, a decommissioning bond in the amount of the cost of tear down and restoration minus salvage value will be established prior to construction of the Project, as determined by an independent engineer or salvage contractor to be held by SCIDA or its successor agency. In addition a "Decommissioning and Restoration Plan" will be prepared after final site selection and will be submitted as part of the final design package. The Plan will include: anticipated life of the project; estimated decommissioning cost in current dollars; method of and schedule for updating the costs of decommissioning and restoration; method of ensuring that funds will be available for decommissioning and restoration; and, anticipated manner in which the project will be decommissioned and the site restored.

#### 6.16.2 Mitigation

- In the unlikely event that the Project is abandoned during construction, wind turbine foundation/pedestals (if in place at time of abandonment) would be removed to 3 feet below grade; construction materials and debris would be removed and the leased parcel would be re-graded and reseeded as required in an approved “Decommissioning and Restoration Plan”
- In order to mitigate any effects of Project abandonment, the wind farm would be decommissioned and disturbed property restored as provided in the decommissioning and restoration plan.

#### 6.16.3 Conditions

- Prepare a “Decommissioning and Restoration Plan” as defined in the attached GEIS Compliance Review Checklist.
- A decommissioning bond in the amount of the cost of tear down and restoration minus salvage value will be established prior to construction, as determined by an independent engineer or salvage contractor to be held by SCIDA or its successor agency.

#### 6.16.4 Findings

The project could result in impacts from project abandonment during either during project construction or operation. The potential impact is avoided by the mitigation and conditions adopted by SCIDA and the potential impacts are strongly out-weighted by the benefits of providing a source of clean, renewable energy and adding to the local economic base. SCIDA has determined that with the identified mitigations and conditions, there will be no significant adverse impact.

### **6.17 MANDATED FAA LIGHTING**

#### 6.17.1 Discussion of Potential Impacts

Because the Project consists of multiple steel monopole structures, each approximately 262 feet (80 m) in height (approximately 389 feet with a rotor in the extreme vertical position), lighting per FAA requirements will be required and, therefore, a visual impact may result. Potential impacts related to lighting include impacts to air navigation, wildlife and aesthetic/visual resources.

According to pending FAA regulations regarding lighting on wind turbine structures, lighting will be positioned on the outer turbines of a wind farm cluster, the separation between “unlit” turbines will

be approximately ½ mile, and red lights/strobes will flash simultaneously. In addition, turbines will now only have to display one red flashing beacon (L-864), lighting positioned on the turbine housing should be elevated to above the hub height and white painted turbines provide a significant contrast to virtually all varying terrain. These pending regulations were developed by the FAA to mitigate visual night time impacts by reducing the number of lit WTG within each cluster and requiring the lights to flash simultaneously, reducing avian impacts by using the red flashing beacon and reducing daytime visual impacts by using a FAA approved white color.

In accordance with FAA regulations, Ecogen will mitigate any impacts to navigable air space by submitting a Notice of Proposed Construction or Alteration form (FAA Form 7460-1) to the FAA for each WTG structure at least 30 days prior to the date the proposed construction is to begin.

#### 6.17.2 Mitigation

- Follow all requirements specified in the FAA's acknowledgment letter(s), including lighting specifications in accordance with the FAA Advisory Circular AC 70/7460-1 or its subsequent related pending guidance.
- Install red strobe-like L-864 lights on selected WTG to minimize the attraction to birds.

#### 6.17.3 Conditions

- Submit Notice of Proposed Construction or Alteration to the FAA for each WTG at least 30 days prior to construction (FAA Form 7460-1).
- Determine the minimum number of towers to be lit in each WTG grouping to satisfy FAA requirements.

#### 6.17.4 Findings

Night lighting of the WTGs will result in unavoidable visual impacts by adding new visual elements to the night sky. These impacts have been minimized to the maximum extent practicable by limiting the lights to the minimum number of towers consistent with FAA requirements. The minimized adverse impacts are outweighed by the project benefits of providing a source of clean renewable energy and adding to the local economic base.

### **6.18 OBSTRUCTION OF FCC REGULATED SIGNALS**

#### 6.18.1 Discussion of Potential Impacts

WTG have the potential to interfere with radio frequency signals by obstructing the line-of-site between two microwave transmitters. Wind turbines have the potential to obstruct and reflect

television reception when wind turbines are placed between the television and the reception points.

Wind turbine blades may also have similar effects, particularly when blades are constructed of metal or have metallic cores. However, modern wind turbine blades are typically made of a fiberglass material that reduces the potential for electromagnetic interference. Wind turbine generators can also produce electromagnetic interference, although asynchronous (brushless) generators lessen the chance of interference with radio and television signals.

A Television Reception Ground Survey of the subject area was conducted for the Project area to study the signal strength of the 12 major television stations that service the subject area prior to construction of the WTG. Based on the results of the survey, there is poor or marginal TV service currently within the project area. This is confirmed by the prevalent use of residential satellite service in the area. Given the poor quality of the existing TV signal in the project area, any potential interference from the WTG operation is anticipated to be negligible. However, if future complaints relative to degraded television reception due to project operation arise for households who were utilizing a household antenna for their broadcast television reception as of the date of the FGEIS, Ecogen will investigate such complaints and will address any such problem for the affected household.

Based on a microwave path analysis of the Project area, five of the 99 potential WTG sites are located along four microwave paths and have the potential for signal interference. In order to avoid impacts to microwave transmission service in the project area, Ecogen will site WTG to avoid point to point microwave transmission paths. Following final siting, this condition will be verified by a Microwave Transmission Study that will be submitted as part of the final design package.

#### 6.18.2 Mitigation

- Rotor blades will be constructed of fiberglass/carbon material and asynchronous (brushless) generators will be used which will reduce the potential for electromagnetic interference.
- Site WTG to avoid point to point microwave transmission paths.
- If future complaints relative to degraded television reception due to project operation arise, Ecogen will investigate such complaints and address any such problem resulting from its operations. Mitigation actions could include adjusting existing receiving antennae, install community step up signal antennae and related equipment, providing cable (if available), satellite reception, or other measures to the

affected households who were utilizing a household antenna for their broadcast television reception as of the date of the FGEIS

#### 6.18.3 Conditions

- Prepare a Microwave Transmission Study after final site selection as defined in the GEIS Compliance Review Checklist.

#### 6.18.4 Findings

The project may result in impacts to FCC regulated signals. The potential impact is greatly minimized by the mitigation and conditions adopted by SCIDA and the potential impacts are strongly out-weighted by the benefits of providing a source of clean, renewable energy and adding to the local economic base. SCIDA has determined that with the identified mitigation and conditions, there will be no significant adverse impact.

### 6.19 **LAND TITLE**

#### 6.19.1 Discussion of Potential Impacts

Ecogen is proposing to develop the Project on a series of properties leased from individual landowners. It is anticipated that approximately 75 to 100 parcels will be secured by lease, easement or purchase. Depending upon location and situation, various amounts of land area will be subject to lease, however, only the areas necessary for construction of the WTG, service road or ECS will be utilized. The sponsor of the Project will obtain title insurance prior to construction on the property (s).

WTG will only be constructed on lands with marketable title. Ecogen will deal with covenants or restrictions on the property accordingly with the landowner and original seller. Certain deed restrictions may be left in place and not impact the Project's development.

#### 6.19.2 Mitigation

No applicable mitigation.

#### 6.19.3 Conditions

- Obtain title insurance as necessary for lending requirements prior to the installation of improvements.

#### 6.19.4 Findings

SCIDA has determined that the project will not result in a significant adverse impact to land titles.

## **6.20 SOLID WASTE MANAGEMENT**

### **6.20.1 Discussion of Potential Impacts**

Increased solid waste generation is expected as a result of any development project. The majority of solid waste will be generated during the construction of the 53 WTG. In addition to general refuse, the types of waste produced during construction will include cardboard boxes, plastic wrapping, and wooden pallets, primarily the packing materials for parts of the WTG. This refuse will be collected and hauled off site to a dumpster at the main operations building and then collected by the chosen local solid waste contractor. All vegetative material collected during the initial clearing process including dirt, trees and shrubs will be recycled in the Project area and not transported to the operations center or a landfill.

Following construction and during normal operations, there will be zero to minimal solid waste generated by the Project. However, the WTGs will be visited on a regular basis as a function of normal operating procedures. Any solid wastes created during these visits will be collected and ultimately disposed of by an Ecogen contractor and transported to a landfill.

Regional solid waste management facilities have sufficient capacity to handle the small amount of solid waste generated during construction and operation.

### **6.20.2 Mitigation**

- Refuse will be collected and hauled offsite to a dumpster at the main operations building and then collected by a local solid waste contractor. All vegetative material collected during the initial clearing process will be recycled in the Project area.
- WTGs will be visited on a regular basis and any solid waste created during these visits will be collected and hauled to the operations and maintenance building and then collected by a contractor for transport to a landfill.

### **6.20.3 Conditions**

No conditions

### **6.20.4 Findings**

SCIDA has determined that the project will not result in an adverse impact to solid waste management operations of the towns.

**CERTIFICATION OF FINDINGS TO APPROVE**

Having considered the Draft and Final GEIS of the Ecogen LLC Prattsburgh/Italy Wind Farm, and having considered the preceding written facts and conclusions relied upon to meet the requirements of 6 N.Y.C.R.R. 617.11, this Statement of Findings certifies that:

1. The requirements of 6 N.Y.C.R.R. Part 617 have been met;
2. Consistent with the social, economic and other essential considerations from among the reasonable alternatives available, the action is one which avoids or minimizes adverse environmental effects to the maximum extent practicable, and that adverse environmental impacts will be avoided or minimized by incorporating as conditions to the decision those mitigative measures which were identified as practicable; and

Steuben County Industrial Development agency

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Name of Agency

*James P. Sherron*

Signature of Responsible Official

*James P. Sherron*

Name of Responsible Official

*Executive Director*

Title of Responsible Official

*12/8/05*

Date

---

7234 Route 54 North, P.O. Box 393, Bath NY 14810

Address of Agency

**ECOGEN, LLC  
PRATTSBURGH/ITALY WIND FARM  
FGEIS COMPLIANCE REVIEW CHECKLIST**

**Communication Requirements:**

- Following the Finding Statement and prior to construction Ecogen will be required to coordinate additional studies with various resource agencies and/or governmental bodies. Ecogen is required to copy SCIDA on all correspondence, notify SCIDA of all meetings at least 7 calendar days in advance and provide SCIDA with meeting minutes.
- Proper application of setbacks will be confirmed by SCIDA after final site selection and prior to PILOT approval. Necessary documentation of the application of the setbacks will be required. Ecogen will be required to notify the owners (on record at the tax assessor's office) of properties contiguous to parcels containing final WTG location(s). Notification will be by registered mail, return receipt requested and shall be at least 30 days prior to approval of the PILOT.
- Communication with local officials, school transportation officials and emergency providers will be a requirement throughout the project. Prior to construction a plan will be submitted to SCIDA that identifies standard communication protocol to be employed during the project.

**WTG Setbacks:**

- Minimum setback from the base of the WTG to the centerline of public roads or the property line of non-participating landowner is 489 feet (WTG height plus 100 feet).
- For adjacent, non participating properties without a permanent residence, setbacks from the base of the WTG will apply in accordance with A and B:

**A: Variable Setback to Property Line\*(acres of adjacent non-participating property):**

- 2.0 acres or less, setback 1,000 feet
- Greater than 2.0 to 4.0 acres, setback 925 feet
- Greater than 4.0 to 6.0 acres, setback 850 feet
- Greater than 6.0 to 8.0 acres, setback 775 feet
- Greater than 8.0 to 10 acres, setback 700 feet
- Greater than 10.0 to 12.0 acres, setback 625 feet
- Greater than 12.0 to 14.0 acres, setback 550 feet
- Greater than 14.0 acres, setback 489 feet

Property sizes will be determined based on:

1. Tax records as if November 22, 2005.
2. Total acreage of contiguous parcel of common ownership

\*Excludes properties less than 5 acres that contain a communication tower.

**B: Non-Permanent Residence, if present:**

Minimum setback of 850 feet provided that the dwelling was constructed on a frost proof foundation or floating concrete slab as of November 22, 2005.

- Setback from NYSDEC-regulated wetlands is 100 feet (any project related disturbance) unless granted a NYSDEC permit.
- Setback from a participating residence is a minimum 489 (WTG height plus 100 feet) feet from the base of the WTG.
- Noise setback to non-participating permanent residences:
  - Setback to mitigate noise impacts is 1,200 feet from the permanent residence for non-participating landowners with an average wind speed of greater than 6.5 m/s average annualized wind speed as determined by AWS Truewind computer modeled surface wind speed (generally depicted on Figure 3.7-1 in the DGEIS).
  - Setback to mitigate noise impacts is 1,375 feet from the permanent residence for non-participating landowners with an average wind speed of less than 6.5 m/s average annualized wind speed as determined by AWS Truewind computer modeled surface wind speed (generally depicted on Figure 3.7-1 in the DGEIS).

Note: A structure will be considered a permanent residence if the following criteria are met:

1. Structure is connected to public utility for electric service, and
2. Structure is connected to a potable water supply, and
3. Structure is connected to a municipal sewer or has an on-site septic system.
4. Must meet the definition of residence by April 1, 2006. For proposed construction, must also be able to demonstrate issued building permit by January 1, 2006. Residences will be determined by Tax records through 2004 and by Building permits issued through 2005.

**Discretionary Permits/Approvals and Plans:**

- Prepare a “Micro Wave Transmission Study” after final site selection and prior to construction. The analysis will demonstrate to SCIDA that the WTG’s are situated so as not to interfere with point to point transmission of microwave signals. The Plan will be reviewed by SCIDA prior to approving the economic assistance package.
- After final site selection and prior to construction, conduct a “Water Resources Assessment” (regulated wetlands and streams). The Assessment will include: field reconnaissance to identify and locate resources; assessment of impacts; coordination with resource agencies (NYSDEC and USACOE); determination of appropriate permits; mitigation to be included in the project design so as to ensure “No Significant Impact”.
- Prepare an “Agriculture Mitigation Plan” (approved by the NYS Dept. of Agriculture and Markets) following final site selection and prior to construction. The Mitigation Plan will be in accordance with the guidance document entitled, “NYS Agriculture and Markets Guidelines for Agricultural Mitigation of Windpower Projects”. The plan will include: siting recommendations and goals; construction guidelines; restoration guidelines; and, 2 year monitoring and remediation (if required).

- Prepare a “Road Assessment” of the state, county and local roads used for project access in the Towns of Prattsburgh and Italy following final site selection and prior to construction. Coordination with appropriate highway superintendents will be required. The assessment will document: all haul routes; existing conditions to identify structures that will require improvements of roads, bridges, culverts, etc; required permits; necessary improvements including “envelope” clearing requirements; requirements for maintaining roads during construction; impacts to private property (if any); a plan for post construction inspections and remedial action. The Plan will be reviewed by SCIDA prior to approving the economic assistance package.
- Prepare a “Decommissioning and Restoration Plan” after final site selection and prior to construction. The Plan will include: estimated decommissioning cost in current dollars; method of and schedule for updating the costs of decommissioning and restoration; method of ensuring that funds will be available for decommissioning and restoration; and, anticipated manner in which the project will be decommissioned and the site restored. The plan will reviewed by SCIDA prior to approving the economic assistance package.
- Prepare a “Cultural resource Assessment” after final site selection and prior to construction in accordance with SHPO approved Scope of Work entitled, “Phase IB Archeological Field Investigation; Specialized Archeological Study and Architectural History Survey.” Ecogen will provide the NYSDEC an opportunity to review and comment (30 day limit) on the cultural resources inventory when developed. SCIDA will require SHPO concurrence that cultural resource issues are satisfactorily addressed. Coordination with local historical societies is a requirement of the scope of work. A one-time payment of \$25,000 for the Towns of Prattsburgh and Italy will be made for improvements to historic buildings or sites.
- A comprehensive plan was amended by the Town of Italy on July 25, 2005. As was done with the GEIS, the final design package will be reviewed by SCIDA as it relates to the Town of Italy Comprehensive Plan. If an appropriate zoning law is adopted, Ecogen will be required to abide by those regulations.
- Following final site selection and prior to construction, a three year post construction avian and bat monitoring plan will be developed in consultation with the NYSDEC and USFW. The plan will provide access to NYSDEC and USFW staff for evaluation of post monitoring studies.
- Develop a plan describing the protocols to conduct summer breeding bird surveys during and following construction that will allow a comparison to baseline surveys.
- SPDES General Permit No. GP-02-01, Storm Water Discharges from Construction Activities, is required. A Stormwater Pollution and Prevention Plan and an Erosion and Sediment Control Plan are required as part of the permit
- Comply with the thresholds and conditions of USACOE Nationwide Permit No. 12 for Utility Line Crossings for wetland impacts less than 0.5-acres are disturbed. If filling within wetlands exceed 0.1 acres, a pre-construction notification, wetlands delineation and wetlands mitigation plan must be submitted to USACOE.
- A Final Notice of Intent and Agricultural Impact Statement must be filed with the NYS Department of Agriculture and Markets.

- Obtain applicable highway permits from Local, County and State agencies prior to mobilization of heavy equipment and WTG components.
- FAA Notice of Proposed Construction or Alteration, Form 7460-1 must be submitted to the FAA at least 30 days prior to construction.
- Prepare a blasting plan describing blasting operations and potential impacts to adjacent above and below grade structures. The blasting plan would adhere to all applicable regulations pertaining to blasting, including NYSDOL explosive handling regulations (12 NYCRR Part 39).

**General Criteria:**

- Additional Visual Impact Analysis will be necessary if required by SHPO as part of cultural resource review; or if the equipment is significantly different in shape size and color; or if the view of the project from Naples is more than 5 turbines on Knapp Hill, as is depicted in the photo simulation presented in Appendix R in the FGEIS, or if required by an adopted local law in the town.
- Ecogen will mark the location of buried ECS at 300 foot intervals as well as register the location of the buried ECS with Underground Facilities Protection Organization.
- After final site selection a quantification of land acreage impacts by the project will be provided. It will include an estimate of impacted land according to different types of habitat. It will also identify the location of slopes greater than 15% grade. The plan will be reviewed by SCIDA prior to approving the economic assistance package.
- No transport of equipment or project activity in the park in the Town of Prattsburgh.
- Re-use topsoil on-site.
- In order to promote local workforce involvement in the project the following will be accomplished:
  - For short term construction jobs, a policy of "first among equals" will be implemented, and
  - For permanent jobs, Ecogen will coordinate the search for potential local job candidates with Chemung Schuyler Steuben Workforce New York.
- Ecogen will provide a fund of \$30,000 to cover the additional cost of inspection that may be required for each town to oversee construction issues related to SEQR compliance. The \$30,000 will be divided between the municipalities based on the number of turbines built within each town.
- Coordinate with NYS Department of Agriculture and Markets prior to construction.
- Where feasible, use existing farm or logging roads for service roads.
- Avoid wetlands. Where necessary, minimize impacts to federal jurisdictional wetlands to less than 0.5-acres. Restore wetlands temporarily impacted to pre-construction conditions, when applicable.
- Co-locate ECS along service roads and install underground where practicable. ECS stream crossings will be via overhead lines or directional boring and perpendicular to stream banks in order to minimize overhead clearing.

- FAA approved lighting will be utilized on approximately 50% of WTG to discourage avian attraction during migration. Follow all requirements specified in the FAA's acknowledgment letter(s), including lighting specifications in accordance with the FAA Advisory Circular AC 70/7460-1 or its subsequent related pending guidance. Install red strobe-like L-864 lights on selected WTG to minimize the attraction to birds.
- Paint WTG an FAA-approved color (off-white) readily visible to migrating and foraging birds.
- Locate WTG outside of Segar Gulley.
- Minimize impacts to active agricultural land and woodland; locate WTG near edge of woodland where practicable.
- Construct the Project in conformance with "NYS Department of Agriculture and Markets Guidelines for Agricultural Mitigation for Windpower Projects".
- Install ECS a minimum of 4 feet bgs within active agricultural lands, 3 feet bgs elsewhere.
- WTG constructed on active agricultural land will be sited as to best avoid disrupting agricultural activities, such as along field edges when other setbacks allow.
- Landscaping and fencing will be used to partially screen Ecogen buildings.
- Minimize construction noise by implementing best management practices.
- Limit construction to during daytime hours to mitigate noise impacts.
- Disturbed areas will be graded and seeded.
- No trenching or use of heavy equipment will occur in streambeds and no ground disturbance will occur within 50 ft of State-protected streams.
- Utilize an agricultural restoration contractor to restore agricultural land temporarily disturbed during construction.
- Repair local roads damaged from mobilization of heavy equipment and WTG components at Ecogen's expense.
- Engineering design of the WTG and related project equipment shall use conservative assumptions/safety factors and will meet all Federal, State and local codes.
- Icing detectors will be installed on meteorological tower to detect ice buildup and allow for shut down of turbines in the event of a problematic icing condition.
- Project and contractor representatives will review available emergency preparedness plans with local emergency management officials prior to construction.
- Best management practices will be implemented during project construction to minimize erosion and soil tracking.
- Complete road, culvert and intersection upgrades and restoration work at Ecogen's expense to facilitate construction work, if required.

- A decommissioning bond in the amount of cost of tear down and restoration minus salvage value will be established prior to construction to decommission the Project, as determined by an independent engineer or salvage contractor to be held by SCIDA or its successor agency.
- Rotor blades will be constructed of fiberglass/carbon material and asynchronous (brushless) generators will be used which will reduce the potential for electromagnetic interference.
- Refuse will be collected and transported off site to a licensed disposal facility by a local solid waste hauler.
- Vegetative material generated during clearing work will be recycled in the Project area.
- In the event the Project was terminated during construction, decommissioning/restoration activities would include removal of WTG foundations to 3 ft below grade, removal of construction materials/debris and re-grading/seeding of the leased parcel.