



Department of Health

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June 12, 2017

Hon. Kathleen H. Burgess
Secretary to the Commission
New York State Public Service Commission
Empire State Plaza, Building 3
Albany, New York 12223

Re: Case No. 16-F-0267 – Deer River Wind Farm, Preliminary Scoping Statement

Dear Secretary Burgess:

The New York State Department of Health (“NYSDOH or the Department”) has reviewed the Preliminary Scoping Statement (PSS) for the Deer River Wind Farm, a proposed 100 MW wind powered electric generating facility located in the Towns of Pinckney, Harrisburg, Montague and Rodman in Lewis and Jefferson County, New York. The PSS was prepared by Stantec Consulting Services, and is dated May 2017.

We believe that the attached comments developed by Department of Health staff, pertaining primarily to potential public health concerns associated with the proposal, will assist in developing an application that will fully address the needs of the local communities and the general public. One issue that requires clarification in the PSS is whether the applicant’s evaluation of potential impacts will include both participating and non-participating receptors. NYSDOH suggests that impacts are evaluated regardless of the participation status.

Thank you for your consideration of these comments; we look forward to your response and to continued discussion on these important issues. Should you have any questions, please do not hesitate to contact me by email at Richard.Thomas1@health.ny.gov or by phone at (518) 473-1403.

Sincerely,

Richard Thomas
Assistant Counsel
Bureau of House Counsel

cc: Jenny L. Briot, Atlantic Wind, LLC.
Service List

New York State Department of Health
Staff Comments on May 2017 Preliminary Scoping Statement
for Deer River Wind Farm

- 1) Section 2.15 of the PSS presents the scope of the studies to be included in the Application as related to Public Health and Safety, per 16NYCRR 1001.15. It is unclear whether the application will present potential impacts for both participating and non-participating receptors; please clarify in the PSS.
 - a. Section 2.15.5 of the PSS summarizes the scope of the health evaluation for facility shadow flicker impacts. The PSS should indicate that the applicant will evaluate the public health impacts associated with shadow flicker impacts (both short-term and long-term) by conducting a review of peer-reviewed scientific literature in addition to the presentation of national and international siting requirements for wind energy projects. We also suggest that in addition to the evaluation of shadow flicker presented, the evaluation include a comparison to short- and long-term flicker guidelines contained in The National Association of Regulatory Utility Commissioners' (NARUC) January 2012 "Wind Energy & Wind Park Siting and Zoning Best Practices and Guidance for States."
 - b. Section 2.15.6 references the sources of information to be used to assemble public health and safety maps as required by 16 NYCRR 1001.15(f). We recommend adding additional sources of information:
 - i. Because the Jefferson and Lewis County Public Health Departments are partial service county health departments, we recommend that information on public water supply resources be sought from the NYSDOH, Records Access Office¹. NYS Department of Environmental Conservation and local municipalities may have information on private wells.
 - ii. To fully evaluate any effects of wind turbine operations on communication services, particularly with respect to emergency services, we suggest the applicant consult with the Jefferson and Lewis County Offices of Fire and Emergency Management and the Jefferson and Lewis County Sheriff's Offices.
- 2) Section 2.19 of the PSS describes the scope of the noise and vibration studies to be included in the application. NYSDOH recommends that the application assess potential impacts from noise and vibration at both the participating and non-participating receptors. Pursuant to 16 NYCRR 1001.19(e) and (f), the application should include an evaluation of future noise levels from operation of the facility for all potentially impacted noise receptors. However, we recognize

¹ See <https://www.health.ny.gov/regulations/foil/>

that project design goals may differ between the participating and non-participating receptors. Similarly, NYSDOH also recommends that impacts at seasonal residences (including hunting cabins) be presented in the application.

- 3) Section 2.23 indicates that public water supply intake and drinking well information may be obtained via a Freedom of Information request to the DOH, without indicating which division or section of the DOH would be addressed. As indicated previously, Jefferson and Lewis County Public Health Departments are partial service county health departments and we recommend that information on public water supply resources (intakes, wells, etc.) be sought from the NYSDOH, Records Access Office.
- 4) Section 2.25 of the PSS describes an analysis and evaluation of the traffic and transportation impacts associated with the construction of the facility. This section should also include an evaluation of the potential for increased accidents during transportation of facility components.
- 5) Section 2.26 of the PSS describes the project's potential impacts on communications, including emergency services. Please see our comments on Exhibit 15 to improve this study of facility impacts on emergency communications. Also, please include an evaluation of the impact on data communication for the NYS Mesonet system (see: <http://www.nysmesonet.org/>) which is a resource for emergency response.