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December 5, 2012

Honorable Jaclyn A. Brilling
Secretary, NYS Board of Electric Generation Siting and the Environment
3 Empire State Plaza
Albany, NY 12223-1350

Re: Case 12-F-0410 Cape Vincent Wind Power

Dear Secretary Brilling:

The November 16, 2012 submission by Cape Vincent Wind Power, LLC (BP) of a revised Public Involvement Program (PIP) for their proposed construction of a wind generating facility in the Town of Cape Vincent, NY contains statements that are misleading and/or incorrect. They are as follows:

On page 7 the applicant states, "While the Project is not anticipated to have a potentially significant adverse environmental impact resulting from its construction and/or operation that is different in type, scope, or magnitude compared to the population located in the broader geographic area surrounding the proposed wind farm...", etc.

It is, on the contrary, a fact that the proposed project will have major adverse environmental impacts on those within the proposed boundary and to those throughout the surrounding areas. How could it possibly be otherwise? Those impacts will significantly alter what currently exists. Many of these adverse impacts cannot be mitigated as a practical matter. Examples are major bird kills (as convincingly demonstrated at the nearby Wolfe Island site since 2009), excessive noise, light pollution and electronic signal interference.

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EXECUTIVE DIRECTOR
PUBLIC INVOLVEMENT
SECRETARY

Throughout the BP submission the project is described as an "Approximately 200-285 Megawatt facility." Again, this is vague and misleading information. The quantitative spread of 200-285 equates to a 42.5% scope variation! In other words, the applicant is allowing itself the latitude to change the scope over a very wide range, as if that were an incidental rather than central consideration. Also, the word "approximately" leaves us with no clarity as to what BP is actually proposing to do in our town. Are they reserving to themselves the prerogative to construct a project of any size they wish -- not limited to the 200 - 285 MW range? I

It would be impossible for us, as local stakeholders and government officials, to conduct a proper review of BP's project until we know what that project actually is. The locations and output of each tower are not specified and have not been made public. At least one attendee of the November 10, 2012 CVWP public meeting was told by a CVWP representative that CVWP does not intend to make the specifics of the project public. Interesting approach to "public involvement."

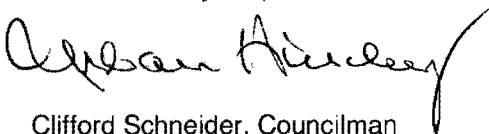
The applicant states, "Assuming CVWF generates approximately 200 MW, the CVWF would make an annual tax payment of \$1.7 million in year one..." etc. 200 MW is based on the rated output of the project. It is a well-known fact that wind energy conversion systems are normally 75% less efficient than their rated capacity. That fact is nowhere in dispute. If the economic benefits projections are based on rated output but paid out in actual output, then the projected economic benefits are overstated by 75%. Again, the use of the word "assuming" enables the applicant to make misleading assertions for which they could not be held effectively accountable for after start-up.

These are only some of the glaring examples that highlight how BP's pre-application public outreach efforts still lack clarity and should be weighed by Siting Board staff accordingly. A deliberate avoidance of true communication at this stage, clearly suggests how BP intends to proceed should the process move forward.

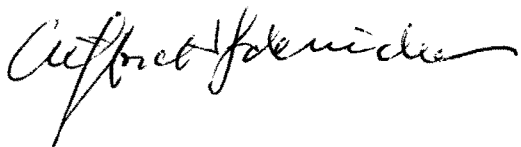
We see repeated statements from BP, in the context of their Public Involvement Program, wherein they play very fast and loose with the most pertinent information, or chose to withhold such information altogether. To approach their obligations with the message, "We will tell what we think you need to know when we want you to know it," is surely not the standard for the level of community involvement expected of developers under Article 10

Sincerely,

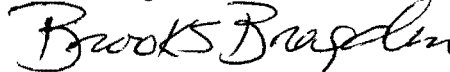
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