

TOWN OF CAPE VINCENT

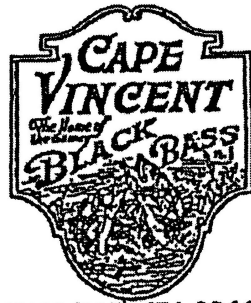
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December 14, 2012

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

Re: Case12-F-0410 Cape Vincent Wind Power

Dear Secretary Brilling:

BP held a Public Education Workshop in Cape Vincent on December 6, 2012. This workshop was advertised to explain how the Article 10 permitting process works, provide information on how to become involved with the Article 10 permitting process and answer questions on the Article 10 permitting process.

Past experience with BP's project manager Richard Chandler gave us little hope BP would be forthcoming with information. Nevertheless, many attended anticipating that BP's attorney John Harris would be more responsive to questions. Unfortunately this was not the case. Attorney John Harris talked at us much the same as Chandler. We asked pointed questions and they dodged and ducked. For example:

Question: Did BP participate in writing Article 10

Answer: I don't know the answer to that. I think they may have submitted comments on the siting law but, off the top of my head I don't remember (It is hard to believe that Mr. Harris did not know if BP submitted comments or not.)

Question: Is the PIP process supposed to be a dialogue, a two way communication, or does the applicant state what they intend to do without any discussion?

Answer: Both (Why then will the applicant not answer question in a substantive manner?)

Question: Is the applicant required to interact with the Town during the development of their Preliminary Scoping Statement?

Answer: The applicant will reach out. (What does that mean? When is this supposed to happen during the process?)

Question: Is the applicant required to submit a copy of their Preliminary Scoping Statement to the Town for comment before it is officially submitted to the Article 10 Board?

Answer: Nothing requires the applicant to do so. (Why wouldn't they if the applicant was truly interested in the Town's input?)

Question: Does Article 10 make provision for ad hoc members to be nominated from each municipality in which the project will be located? If there are two separate municipalities involved does the number of ad hoc member of the Board increase?

Answer: I do not know. (You would at least hope the attorney representing BP would have offered to find out the answer if he wasn't up to speed on the process.)

We were not the only people who were struck by BP's obfuscation. The Watertown Daily Times reported (Dec. 7, 2012) that, *"Like the wind farm's project manager at a previous meeting, John S. Harris — an attorney who represented BP at Thursday's workshop at the Cape Vincent Recreation Park — was unable to answer several questions posed by local officials. Some of the inquiries were out of the meeting's scope, Mr. Harris told the audience, and others, he simply did not know what the answer was."*

We understand that BP may not have their project plans fully completed, but they must have a better idea of what they are going to do than what they are providing for us. For another example, they still cannot tell us whether the project is 200 MW or 285 MW. Either BP is woefully ill-equipped to move ahead with an Article 10 project or they are choosing not to share any substantive information with the Town, which flies in the face of the Article 10 PIP.

We respectfully submit that BP is not following the intent, let alone the letter of the Article 10 Public Involvement Program. We further submit that BP is more interested in checking off the box that says they conducted a Public Information Program, when in reality they could really care less.

We ask the Siting Board to address this lack of meaningful dialogue on the part of the applicant. Continued and flagrant failure of the applicant to abide by rules, and the complete lack of good faith sharing of information, should result in a rejection of BP's Public Involvement Program.

Respectfully yours,

Urban Hirschey – Town Supervisor
Brooks Bradgon – Deputy Supervisor
John Byrne – Town Council
Clifford Schneider – Town Council
Richard Macsherry – Planning Board Chairman
Robert S. Brown – Planning Board
Cyril Cullen – Planning Board
Paul Docteur – Planning Board



Brooks Bradgon

