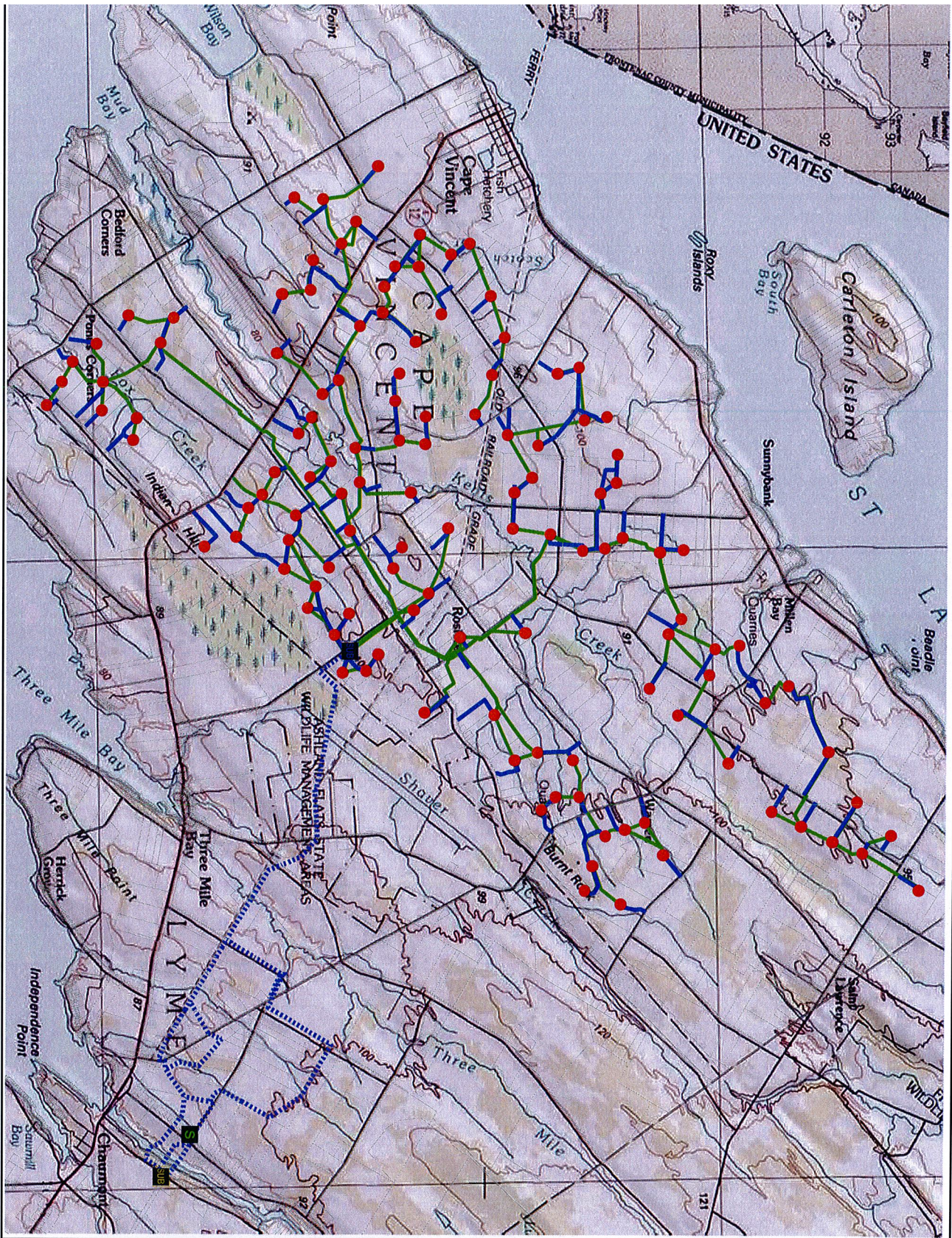


# **EXHIBIT 1**

# EXHIBIT 1



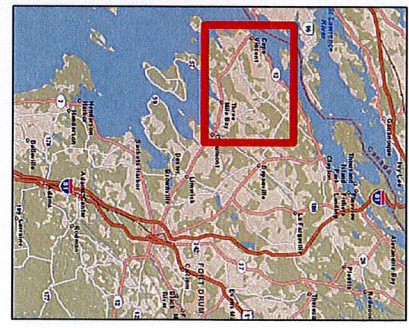
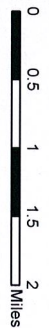
## Proposed Cape Vincent Wind Farm

- LEGEND**
- Proposed Array - 124 Turbines
  - Proposed Access Roads
  - Proposed Underground Collection
  - ▬ Proposed Transmission Route Alternatives
  - Proposed Project Substation
  - Proposed Substation
  - Proposed feedbridge Switching Station
  - Point of Interconnect Substation



NOTES:

Proposed Data from Jefferson County, Assessor's Maps and Maps Surveyed Background Copyright © 2000 National Geographic Society  
 Additional Source ESRI ArcGIS Wind Street Map  
 "Information Subject to Change - 10/15/15"  
 "PROPOSED PROJECT INFORMATION"  
 This drawing is a proprietary information owned by BP Energy Services, Inc. Any unauthorized reproduction or distribution is prohibited.



Town of Cape Vincent, Town of Lyme  
 Jefferson County, NY



# **EXHIBIT 2**

## **Exhibit 2**

### **Prior Public Involvement**

- A. Beginning in 2007, the BP Wind Energy team has been actively conducting a public outreach program to educate, involve, and engage stakeholders early in the development process of the proposed Cape Vincent Wind Farm. In 2007, BP retained the services of Trieste Associates and the company's team of public outreach experts to assist with planning events to educate and engage the public. As part of this effort, BP assisted a group of local wind power supporters in the Towns of Cape Vincent and Lyme to form a group known as Voters for Wind. Voters for Wind has a website to disseminate information about wind power ([www.votersforwind.com](http://www.votersforwind.com)) and also meets regularly to help educate their neighbors about wind power. In addition, the project has also maintained a website containing all of the updated documents and studies contained in the Draft Environmental Impact Statement (DEIS) and Supplemental DEIS submitted to the Town of Cape Vincent. To date, all activities have been designed to reach stakeholders most directly impacted by the proposed wind farm, including local residents, town officials of the Towns of Cape Vincent and Lyme, local media outlets, and stakeholders throughout the region. The public outreach activities are numerous, given the years of site studies, planning, and beneficial adjustments that have taken place.

Acciona similarly carried out numerous public outreach activities and developed educational materials to inform the local community and elected officials on the progress made during the St. Lawrence Wind Farm development. Project staff regularly attended town meetings in Cape Vincent and Lyme and opened an office in Cape Vincent in 2008. The Acciona team donated to the local French Festival and was a member of the Cape Vincent Chamber of Commerce. Fact sheets and reports were produced to educate the public about wind power and to address common public concerns raised by local residents. In addition, the project website contained all the updated documents and studies contained in the DEIS, Supplemental DEIS, and Final EIS. The list of informational materials and public outreach events hosted by Acciona and BP Wind Energy are included below.

#### **B. Description of the public involvement program prior to submission**

##### (1) Cape Vincent Wind Farm Open Houses

Prior to initiating the Article 10 process in September 2012, the Open House events actively involved the Cape Vincent Wind Farm representatives and environmental experts and engineers to explain the key issues pertaining to wind power and building a wind farm. The open house meetings took place in half day intervals on Saturdays at convenient times for those interested in attending and learning about the proposed wind farm. Open house meetings displayed informational boards to enable attendees to spend as much time as they needed to review the content and ask questions of wind company experts. These included the following, which can be found in Exhibits A1 – A9:<sup>1</sup>

---

<sup>1</sup> References to "Exhibit \_\_\_" are to the exhibits filed with CVWP's original PIP filed with the Siting Board on September 17, 2012.

|  |  |                                |
|--|--|--------------------------------|
| <i>Conservation Issues for Blandings Turtles for Northern NY</i> | <i>Project Timeline</i>                            | <i>Building a Wind Farm</i>    |
| <i>Benefits of Wind Power</i>                                    | <i>Local Economic Benefits</i>                     | <i>Sound Assessment Study</i>  |
| <i>Environmental Studies</i>                                     | <i>Geological &amp; Engineering Considerations</i> | <i>Visual Simulation Study</i> |

Each open house event attracted a large number of people representing a cross section of the community. Citizens Campaign for the Environment and Voters for Wind, two prominent community groups, each had tables at the open houses, providing their own perspective about wind power technology. Regional media outlets were invited and attended the open house meetings to ask questions of the experts and report on the days' events.

Project fact sheets were made available at the open house meetings covering topics such as: Cape Vincent Birds and Bats, Cape Vincent Economic Benefits, and other wind information fact sheets, some of which are provided immediately below:

- Property Values:
  - Impacts of Windmill Visibility on Property Values in Madison County, NY. By Ben Hoen, MS, Bard Center for Environmental Policy
  - The Impact of Wind Power Projects on Residential Property Values in the United States: A Multi-Site Hedonic Analysis. Berkeley National Laboratory
  
- Health:
  - Wind Turbine Sound and Health Effects: An Expert Panel Review. Prepared for American Wind Energy Association and Canadian Wind Energy Association
  - Toxic Air: The Case for Cleaning Up-Coal-Fired Power Plants. American Lung Association
  
- Aesthetics and Sound:
  - Sight and Sound Wind Power. Wind Power Education Project: A collaborative of Pace Law School Energy Project, Citizens Campaign for the Environment, and NY Public Interest Research Group

- Wind Energy:
  - Agriculture and Wind. Wind Power Education Project: A collaborative of Pace Law School Energy Project, Citizens Campaign for the Environment, and NY Public Interest Research Group
  - Wind Energy: Fact vs. Fiction. Wind Power Education Project: A collaborative of Pace Law School Energy Project, Citizens Campaign for the Environment, and NY Public Interest Research Group
  - Choose Energy Wisely. Wind Power Education Project: A collaborative of Pace Law School Energy Project, Citizens Campaign for the Environment, and NY Public Interest Research Group
  - 10 Steps to Developing a Wind Farm. American Wind Energy Association
  
- Subsidies:
  - Energy Subsidies Black, Not Green. Environmental Law Institute

The open houses took place as follows: See articles in Exhibits B1 – B5

- 08/16/06: Cape Vincent Fire Hall (SLWF)
- 10/13/07: Chaumont Fire Hall (CVWF) (see Exhibits B2.1- B2.3)
- 2/12/08: Cape Vincent Rec Park (CVWF)
- 7/30/08: Cape Vincent Rec Park (CVWF)
- 8/28/08: Cape Vincent Fire Hall (SLWF)

(2) Local Project Offices

Both BP Wind Energy and Acciona Energy opened dedicated project offices in downtown Cape Vincent to enable members of the local community to access wind project information in a timely manner. BP's office was opened on October 7, 2008 and BP continues to maintain a CVWF office and will have an office for the duration of the project. This office allows for an ongoing exchange of information about wind power technology, and consistent interactions between project staff and residents of the local community. This office is located at 114 S. Esseltyne St., Cape Vincent, Jefferson County, NY, in the heart of the Town of Cape Vincent, readily accessible and open from 9am to 5pm on Tuesdays, Thursdays, and Fridays.

(3) Public Education Events

Public education events sponsored by the Cape Vincent Wind Farm.

- 8/31/11: Public education forum for the New York Wind Education Collaborative held at the Cape Vincent Recreational Park. The New York Wind Education Collaborative (NYWEC) is a joint effort of Citizens Campaign for the Environment, Pace Energy and Climate Center, and Alliance for Clean Energy New York (ACE NY) and is co-sponsored by the New York State Energy

Research and Development Authority (NYSERDA). NYWEC's goal is to increase the public's understanding of wind power issues, in the belief that a better informed public can participate more meaningfully in the environmental review process and other public discussions surrounding proposed wind facilities. Speakers included Carol Murphy of ACE NY, Brian Smith of Citizens Campaign for the Environment, and key note speaker Mark Thayer, co-author of the Berkeley National Lab, U.S. Department of Energy (DOE) funded study on the impacts of wind power developments on property values. The meeting was organized in the month of August to enable as many local residents and vacation home owners to attend and learn about wind energy and its potential impact on communities. Well over one hundred people attended the meeting along with local press. An article about the event appeared in the Watertown Daily Times on 9/1/11. (see Exhibit C1). A flyer for the event was produced and distributed throughout the community (see Exhibit C1.1).

- 8/10/11: Economic benefits of wind power in Cape Vincent: Three Mile Bay Fire Hall. Power point presentation was used describing the benefits of wind power and how the St. Lawrence Wind Farm would bring added income to the area. This was part of public outreach efforts for the SLWF during the release of the Economic Benefits Report. An article about the report appeared in the Watertown Daily Times (see Exhibit C2). A flyer for the event was produced and distributed throughout the community (see Exhibit C-2.1). In the fall of 2007, BP sponsored a bus tour of the Maple Ridge wind farm in Lowville, NY to help Jefferson County community residents and locally elected officials better understand how wind power works and have an opportunity to ask questions of wind experts. It was also an opportunity for attendees to personally experience the scale of wind turbines on the landscape and the sound generated by an operating wind farm. The tour included an opportunity for attendees to discuss wind energy matters with representatives from the Town of Lowville Chamber of Commerce, a Town Supervisor, and a Town Assessor who shared their first-hand knowledge about wind power. Recruitment for the bus tour took place during an open house held at the Chaumont Fire Hall on 10/13/07.

(4) Local Advertisements

BP has utilized paid advertisements in the most widely circulated local newspapers to clearly define the ongoing commitment to invest in the CVWF and to showcase its local and regional economic benefits (see Exhibits D1- D3).

- 2/12/12 - Appeared in the Watertown Daily Times
- 4/29/12 - Appeared in the Watertown Daily Times and the Thousand Island Sun
- 9/16/12 - Appeared in the Watertown Daily Times and the Thousand Island Sun

(5) Project Newsletters

Cape Vincent Wind Farm Reports (Project Newsletters) and the St. Lawrence Wind Farm (Progress in Motion) reports were produced to provide the status of the wind farm early on and throughout the development stage in order to address public concerns about wind power technology. The newsletters were mailed to project landowners and made available to the general public as requested. (see Exhibits E-1-E-7)

- Fall 2008, Winter 2010
- November 15, 2010, March 1, 2011, May 18, 2011, December 19, 2011
- July 2, 2011: St Lawrence Wind Farm Landowner letter

(6) Informational Publications

In addition to project fact sheets being distributed at events, an Economic Benefits Report was created and published in June 2011 (“Economic Impacts of Wind Development & the St. Lawrence Wind Farm” – see Exhibit F-1). This report addresses the economic benefits of wind power in a user-friendly manner, highlighting statistics about operating wind farms in New York and listing examples to address concerns about wind power impacts on property values and tourism (see Exhibit F-2). The report was widely distributed to local and regional stakeholders, public opinion leaders and the media outlets, including:

Media - Watertown Daily Times, Thousand Island Sun, TV - WWNY 7  
Landowners in the SLWF project  
Cape Vincent Planning Board  
Cape Vincent Town Board  
Lyme Town Board  
Lyme Zoning Board of Appeals  
Thousand Island Central School District – Board members  
Lyme Central School District – Board members  
Jefferson County Legislators  
Jefferson County Industrial Development Agency (JCIDA)  
NYS Assemblywoman Addie Russell  
NYS Senator Patty Ritchie  
NYS Farm Bureau  
Jefferson County Farm Bureau  
Alliance for Clean Energy NY (ACENY)

(7) Town Board Meetings

Project developers maintained a presence at town Board meetings and during the SEQRA application processes for each of the proposed projects.

### **C. Key Issues Identified in Prior Public Outreach**

Following is a list of the areas of concern most commonly raised by members of the community in the Towns of Cape Vincent and Lyme and how the concerns were addressed. These issues likely will not change in the upcoming Article 10 proceeding thereby giving CVWP the advantage of knowing ahead of time the main concerns of stakeholders and allowing CVWP to conduct a Public Involvement Program to address such concerns.

- Turbine noise and visual impacts to homes located on the St. Lawrence River. The concerns over the sound levels of wind turbines are a community-sensitive issue. In 2007, in preparation for the first open house event, CVWF created an information board, “Sound Assessment Study” to help explain background sound studies performed in the Cape Vincent area, (see Exhibit A5). With the SLWF having been acquired earlier this year, the layout for the revised CVWF was optimized, reducing the project size from 135 turbine locations to 124 turbine locations. This reduction in project size resulted in elimination of several turbine locations that had been originally been sited in closer proximity to the St. Lawrence River and Village of Cape Vincent (two areas deemed sensitive by the local community). Compared to the original array plan, the elimination of turbines reduces the concerns over sound levels and visual impacts along the most sensitive areas.
- Impacts of wind power on property values. Many of the concerns raised by residents related to potential impacts on property values from wind turbines, especially by owners of vacation homes located near the waterfront. To address these concerns the development team coordinated a public education forum on 8/31/11 (see above): The keynote speaker, Mark Thayer, co-author of the Berkeley National Lab, U.S. DOE funded study on the impacts of wind power developments on property values. The developers invited an independent expert on this issue to explain his peer-reviewed study and to answer questions about the results of his findings to address this concern. Based on the data and analysis presented in this report, no evidence is found that home prices surrounding wind facilities are consistently, measurably, and significantly affected by either the view of wind facilities or the distance of the home to those facilities.
- Impacts on tourism: The community raised concerns about the impacts of a wind farm on summer tourism. The Economic Impacts of Wind Energy Development report, addresses tourism and wind farms and includes tourism statistics from operating wind farms (See Exhibit F-1, pages 16-17). The report cites the positive tourism impacts of the neighboring Wolfe Island Wind Farm, which is comparable in size at about 200 MW and which recently reached commercial operation in June 2009. The 8/31/11 public education forum (see above) included statistics about the impacts of operating wind farms on tourism and how the presence of wind turbines do not negatively impact tourism of communities similar to the Cape Vincent area.

- Impacts of wind turbines on birds, bats, and wildlife

BP Wind Energy organized meetings with a key, regional environmental group, Save the River on two occasions (11/12/07 and 8/24/10). An initial meeting took place to introduce BP and answer questions and concerns about wind power in the area. BP Wind Energy organized a second meeting in August 2010, following the startup of the Wolfe Island Wind Farm, to address concerns raised by the group about the impacts of wind turbines on birds in the region. Both meetings took place at the Save the River office located in Clayton, NY.

- Wind power fact sheets were produced to address common concerns and questions raised by the public early on in the process. The fact sheets explain the economic benefits of wind power and the environmental and wildlife studies that are required by law to protect wildlife and the environment as wind farms are developed. (see Exhibit G-1 to G-5)

- Local Economic Benefits of Wind Power
- Environmental Benefits
- Avian and Bats
- Understanding PILOT Payments and the Economic Impact of Wind Farms
- St. Lawrence Wind Farm Fact Sheet

- CVWF representatives have met with representatives of NYDPS, NYDEC, NYSHPO, DANC, NYISO, JCIDA, U.S. FWS, U.S. Army Corps of Engineers and other elected officials.

**D. BP Wind Energy acquisition of the St Lawrence Wind Farm**

In February, 2012 BP Wind Energy announced that it had acquired the assets of the St. Lawrence Wind Farm. BP Wind Energy personally contacted key stakeholders and the local media outlets to hear first-hand feedback about the acquisition and BP Wind Energy's ongoing commitment to engaging with the community (*see* Exhibit H). Here is the list of the stakeholders that were contacted:

- Cape Vincent Town Supervisor
- Cape Vincent Planning Board Chair
- Lyme Town Supervisor
- NYS Assemblywoman Addie Russell
- NYS Senator Pattie Ritchie
- U.S. Congressman Bill Owens
- NYS Governor's Office
- U.S. State Senator Kirsten Gillibrand
- U.S. State Senator Charles Schumer
- Jefferson County Administrator
- Jefferson County Leg. District 1
- U.S. Fish and Wildlife Service
- NYISO
- NYS DEC
- Development Authority of the North Country (DANC), Executive Director
- County Legislators
- Jefferson County Industrial Development Authority, CEO
- Thousand Island School District Board, President
- Lyme School District Board, President

The information provided above explains how the project has taken the steps necessary to inform, engage, and solicit input from the local community, general public, and other stakeholders prior to the submission of this Public Involvement Program plan.

# **EXHIBIT 3**

**Exhibit 3**

**LIST OF STAKEHOLDERS FOR  
PUBLIC INVOLVEMENT PLAN AND OUTREACH**

**MUNICIPALITIES WITHIN PROJECT STUDY AREA**

Town of Cape Vincent

|                       |                     |
|-----------------------|---------------------|
| Town Supervisor       | Urban Hirschey      |
| Deputy Supervisor     | Brooks Bragden      |
| Town Board Member     | Clif Schneider      |
| Town Board Member     | John Byrne          |
| Planning Board Chair  | Richard MacSherry   |
| Planning Board Member | Bob Brown           |
| Planning Board Member | Cyril Cullen        |
| Planning Board Member | Bob Cardarelli      |
| Planning Board Member | Karen Bourcy        |
| Planning Board Member | Rockne Burns        |
| Planning Board Member | Paul Docteur        |
| Zoning Board, Chair   | R. Dennis Faulknham |
| Zoning Board          | Keith Walker        |
| Zoning Board          | Ed Hludzenski       |
| Zoning Board          | Hester Chase        |
| Zoning Board          | Joseph Martin       |

Town of Lyme

|                              |                     |
|------------------------------|---------------------|
| Lyme Town Supervisor         | Scott Aubertine     |
| Lyme Town Board Member       | Daniel Villa        |
| Lyme Town Board Member       | David Henderson     |
| Lyme Town Board Member       | Don Bourquin        |
| Lyme Town Board Member       | Ann (Boo) Harris    |
| Lyme Zoning Board of Appeals | Mike Callahan       |
| Lyme Zoning Board of Appeals | Richard Revelle     |
| Lyme Zoning Board of Appeals | Harry Stauddenmayer |
| Lyme Zoning Board of Appeals | Ernie Brifter       |
| Lyme Zoning Board of Appeals | Carol Quencer       |
| Lyme Zoning Board of Appeals | Dawn Munk           |
| Lyme Planning Board          | Ed DeMattia         |
| Lyme Planning Board          | Tim Mason           |

Jefferson County

|                        |                         |
|------------------------|-------------------------|
| County Administrator   | Robert F. Hagemann, III |
| County Leg. District 1 | Michael Docteur         |
| County Leg. District 2 | Robert Thomas           |
| County Leg. District 3 | Philip N. Reed, Sr.     |

County Leg. District 4  
County Leg. District 5  
County Leg. District 6  
County Leg. District 7  
County Leg. District 8  
County Leg. District 9  
County Leg. District 10  
County Leg. District 11  
County Leg. District 12  
County Leg. District 13  
County Leg. District 14  
County Leg. District 15

Allen Drake  
Steven Harter  
Gino Zando  
John Peck  
James Nabywaniec  
Barry Ormsby  
Michael Behling  
Robert Ferris  
Carolyn Fitzpatrick  
Scott Gray  
Jennie Adsit  
Anthony Doldo

Jefferson County IDA

JCIDA, CEO  
JCIDA  
JCIDA  
JCIDA  
JCIDA

Don Alexander  
David J. Converse  
Kent Burto  
William H. Fulkerson  
John D. Doldo, Jr

Thousand Island School District

TI School Superintendent  
TI School Board  
TI School Board  
TI School Board  
TI School Board  
TI School Board  
TI School Board  
TI School Board  
TI School Board

Joseph Menard  
Kenneth F. Garnsey Jr  
Lisa Ingerson  
Jolene Radley  
Brian Lantier  
John Warneck  
Dennis Faulknham  
Erin Churchill  
Mike Bashaw

Lyme Central School District

Lyme School Superintendent  
Lyme School Board, president  
Lyme School Board  
Lyme School Board  
Lyme School Board  
Lyme School Board  
Lyme School Board  
Lyme School Board  
Lyme Zoning Board  
Lyme Zoning Board  
Lyme Zoning Board  
Lyme Zoning Board

Karen Donahue  
Gary Nicholson  
Brian Peters  
Kathy Dyer  
Deanna Lothrop  
Heather O'Brian  
Lynn Reichert  
Donna Stevenson  
Richard Revelle  
Harry Staudenmayer  
Carol Quencer  
Ernie Briffter

## **New York State Agencies or Departments**

### NYS Attorney General

Attorney General Eric Schneiderman

### NYS Dept of Agriculture and Markets

Commissioner Darrel Aubertine

- agricultural lands, agricultural districts, impact avoidance and mitigation measures

### NYS Dept of Environmental Conservation

Commissioner Joe Martens

Stephen Tomasik

Project Manager

- environmental justice rules, air emissions, natural resources, ecologic resources, bird and bat studies, stormwater planning, open space conservation planning, etc.

### NYS Dept of State

Secretary of State Cesar Perales

- coastal resources, coastal zones and inland waterways, local waterfront revitalization plans, etc.

### NYSERDA

Acting Chairman Frank Murray

### NYS Office of Parks, Recreation and Historic Preservation

Commissioner Rose Harvey

- State Historic Preservation Officer, state historic sites, state parks, recreation resources, open space conservation planning, etc.

### NYS Division of Homeland Security and Emergency Services

Commissioner Jerome Hauer

- emergency preparedness plans, critical infrastructure impacts, etc.

### NYS Dept of Public Service

Chairman Garry Brown

- Public Information Officer, Office of Gas, Electric & Water, Office of Energy Efficiency & Environment, Office of Consumer Policy, as appropriate

### NYS Department of Transportation

Commissioner Joan McDonald

- NYS highway work and occupancy permit requirements, oversize deliveries

### NYS Dept of Health

Commissioner Nirav Shah

- public health issues

Empire State Development Corporation

President & CEO Ken Adams

- economic development, Empire Zones

NYS Governor's Office

Deputy Secretary for Energy and the Environment Robert Hallman

Assistant Secretary for Energy Tom Congdon

Development Authority of the North Country

Executive Director Jim Wright

State Legislature

Assemblywoman Addie Russell

Senator Pattie Ritchie

**New York Independent System Operator**

Mrs. Karen Gach - Deputy General Counsel

Mr. Ken Davis - Counsel

Mr. Steven Corey - Manager Interconnection Projects

**FEDERAL**

US State Senator

Charles E. Schumer

US State Senator

Kirsten E. Gillibrand

Congressman

Bill L. Owens

US Army Corps of Engineers

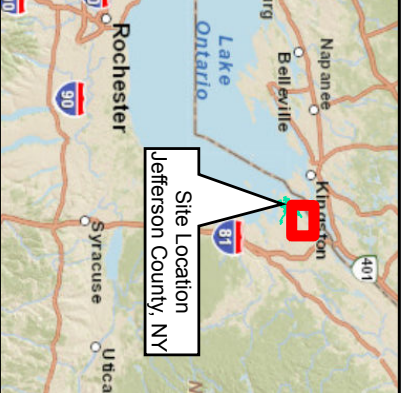
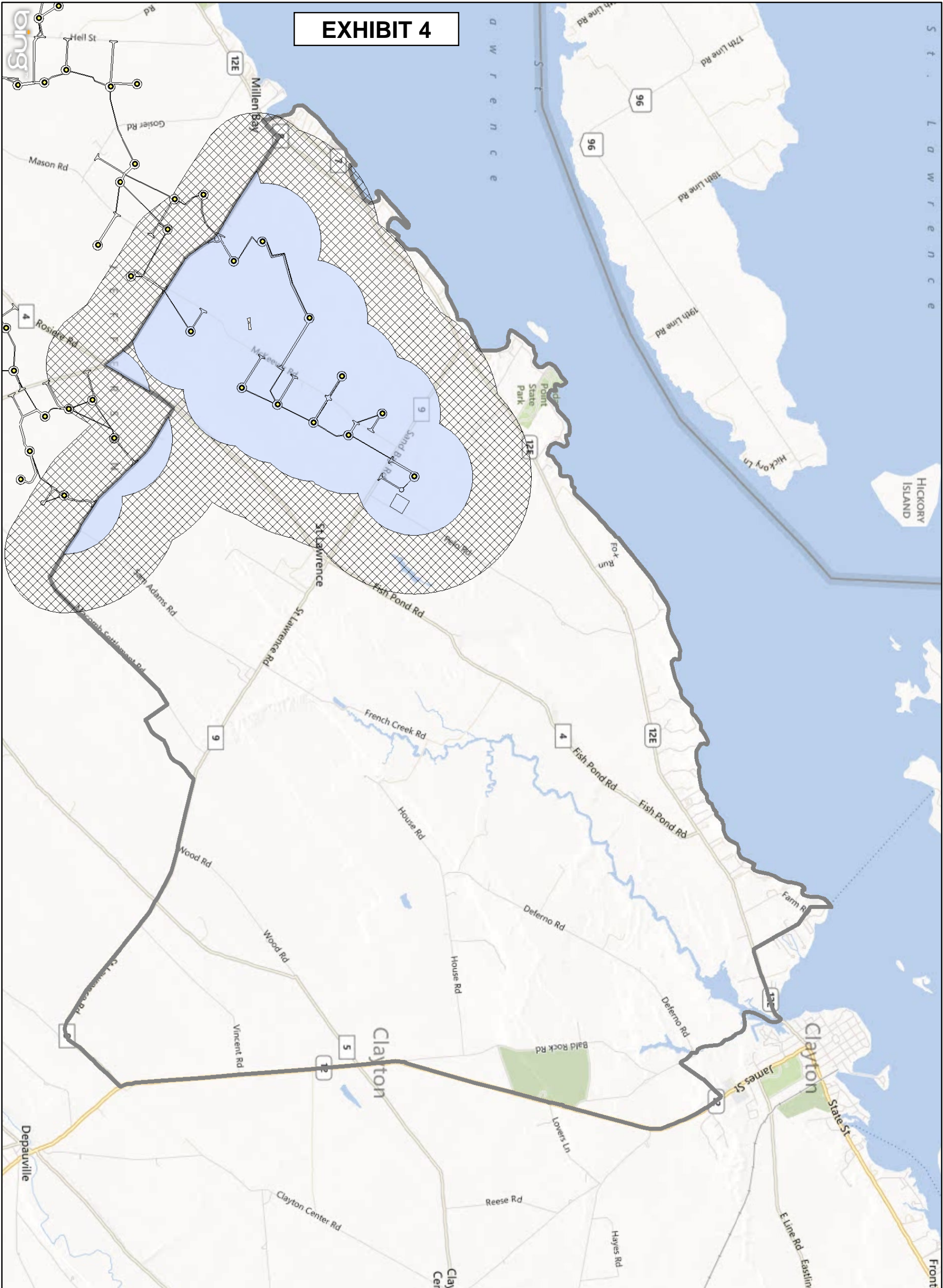
Maggie Crawford

US Fish and Wildlife Service

Robyn Niver

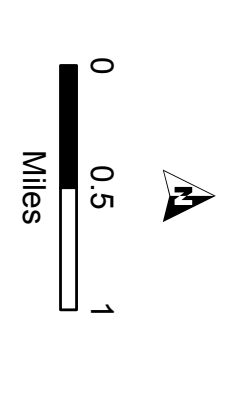
# **EXHIBIT 4**

# EXHIBIT 4



- Legend**
- Turbine Location
  - Limits of Disturbance
  - Impact Study Area
  - Adjacent Communities
  - Potential Environmental Justice Area

Service Layer Credits: Sources: Esri, Delorme, NAVTEQ, USGS, Intermap, iPC, NRCAN, Esri Japan, METI, Esri China (Hong Kong), Esri (Thailand), TomTom, 2012  
 © 2010 NAVTEQ © AND © 2012 Microsoft Corporation  
 Potential Environmental Justice Area: NYSDEC Office of Environmental Justice



Cape Vincent Wind Farm  
**Potential Environmental Justice Area**

Cape Vincent Wind Farm  
 Jefferson County  
 New York

# **EXHIBIT 5**

**Exhibit 5**

**Notifications Required by Article 10 and 16 NYCRR § 1000 *et seq.***

**1. Preliminary Scoping Statement (“PSS”) –**

No less than 90 days before submittal of application. Copies of PSS filed must include the date on or about which the PSS will be filed with the Board.

Applies to the required preliminary scoping statement and any stipulation setting forth an agreement on any aspect of the preliminary scoping statement and/or the methodology or scope of the studies or program of studies to be conducted in support of the application.

|  |  |
|--|--|
| Ten (10) paper copies and one electronic copy  | Siting Board, by filing with the Secretary of the Department of Public Service                               |
| Four (4) paper copies                          | New York State Department of Environmental Conservation Central Office                                       |
| Three (3) paper copies                         | New York State Department of Environmental Conservation Region 6 office                                      |
| Two (2) paper copies                           | Commissioner of NYS Dept. of Health  |
| Two (2) paper copies                           | Chair of NYSERDA   |
| Two (2) paper copies                           | Commissioner, Empire State Development Corp.   |
| One (1) paper copy                             | Supervisor, Town of Cape Vincent, NY   |
| One (1) paper copy                             | Supervisor, Town of Lyme, NY   |
| One (1) paper copy                             | County Administrator, Jefferson County   |
| One (1) paper copy                             | NYS Dept. of Agriculture and Markets   |
| One (1) paper copy                             | NYS Dept. of State   |
| One (1) paper copy                             | NYS Attorney General   |
| One (1) paper copy                             | NYS Dept. of Transportation  |
| One (1) paper copy                             | NYS Office of Parks, Recreation and Historic Preservation  |
| One (1) paper copy                             | Library in Senate District   |
| One (1) paper copy                             | Library in Assembly District   |
| One (1) electronic copy with proofs of service | James Denn, Public Information Coordinator, DPS  |
| Publish Notice                                 | Town of Cape Vincent, Town of Lyme, Jefferson County: Newspaper notice no less than three days before filing |
| Copy of Notice and Summary of PSS              | Member of Assembly<br>118 <sup>th</sup> District   |

|                                   |   |
|-----------------------------------|---|
| Copy of Notice and Summary of PSS | Senator<br>48 <sup>th</sup> Senate District   |
| Copy of Notice and Summary of PSS | Anyone who has filed a statement with the Secretary of the DPS that they wish to receive such notices concerning facilities in the area |

**2. Summary of material comments to PSS and response**

|  |   |
|--|---|
| Ten (10) paper copies and one electronic copy  | Siting Board, by filing with the Secretary of Albany office of the Department of Public Service |
| Four (4) paper copies                          | New York State Department of Environmental Conservation Central Office                          |
| Three (3) paper copies                         | New York State Department of Environmental Conservation Region 6 office                         |
| Two (2) paper copies                           | Commissioner of NYS Dept. of Health   |
| Two (2) paper copies                           | Chair of NYSERDA  |
| Two (2) paper copies                           | Commissioner, Empire State Development Corp.  |
| One (1) paper copy                             | Supervisor, Town of Cape Vincent  |
| One (1) paper copy                             | Supervisor, Town of Lyme  |
| One (1) paper copy                             | County Administrator, Jefferson County  |
| One (1) paper copy                             | NYS Dept. of Agriculture and Markets  |
| One (1) paper copy                             | NYS Dept. of State  |
| One (1) paper copy                             | NYS Attorney General  |
| One (1) paper copy                             | NYS Dept. of Transportation   |
| One (1) paper copy                             | NYS Office of Parks, Recreation and Historic Preservation                                       |
| One (1) paper copy                             | Public Library in Senate District   |
| One (1) paper copy                             | Public Library in Assembly District   |
| One (1) electronic copy with proofs of service | James Denn, Public Information Coordinator, DPS   |

### 3. Proposed Stipulations

After the presiding examiner has determined that funds to assure early and effective public involvement have been allocated to municipal and local parties, the applicant may commence stipulations consultations and seek agreement by stipulation with any interested person, agency or municipality including, but not limited to, the staff of DPS, DEC, and DOH, as appropriate, as to any aspect of the preliminary scoping statement and the methodology or scope of any study or program of studies made or to be made to support the application.

|   |  |
|---|--|
| Copy of Proposed Stipulation and copy of Proposed Notice Summarizing contents of Proposed Stipulation | Presiding Examiner   |
| Copy of Proposed Stipulation  | Each person who participated in the stipulations consultation process          |
| Ten (10) paper copies and one electronic copy of Proposed Stipulation                                 | Siting Board, by filing with the Secretary of the Department of Public Service |
| Four (4) paper copies of Proposed Stipulation   | New York State Department of Environmental Conservation Central Office         |
| Three (3) paper copies of Proposed Stipulation  | New York State Department of Environmental Conservation Region 6 office        |
| Two (2) paper copies of Proposed Stipulation  | Commissioner of NYS Dept. of Health  |
| Two (2) paper copies of Proposed Stipulation  | Chair of NYSERDA   |
| Two (2) paper copies of Proposed Stipulation  | Commissioner, Economic Development.  |
| One (1) paper copy of Proposed Stipulation  | Supervisor, Town of Cape Vincent, NY   |
| One (1) paper copy of Proposed Stipulation  | Supervisor, Town of Lyme, NY   |
| One (1) paper copy of Proposed Stipulation  | County Administrator, Jefferson County   |
| One (1) paper copy of Proposed Stipulation  | NYS Dept. of Agriculture and Markets   |
| One (1) paper copy of Proposed Stipulation  | NYS Dept. of State   |
| One (1) paper copy of Proposed Stipulation  | NYS Attorney General   |
| One (1) paper copy of Proposed Stipulation  | NYS Dept. of Transportation  |
| One (1) paper copy of   | NYS Office of Parks, Recreation and Historic Preservation                      |

|  |   |
|--|---|
| Proposed Stipulation   |   |
| One (1) paper copy of Proposed Stipulation                                   | Library   |
| One (1) paper copy of Proposed Stipulation                                   | Library   |
| One (1) electronic copy of Proposed Stipulation along with proofs of service | James Denn, Public Information Coordinator, DPS   |
| Notice summarizing contents of Proposed Stipulation                          | Member of Assembly<br>118 <sup>th</sup> District  |
| Notice summarizing contents of Proposed Stipulation                          | Senator<br>48 <sup>th</sup> Senate District   |
| Notice summarizing Contents of Proposed Stipulation                          | Anyone who has filed a statement with the Secretary of the DPS that they wish to receive such notices concerning facilities in the area |

#### 4. Application

|  |  |
|--|--|
| Electronic copy and ten (10) paper copies      | Siting Board by filing with Secretary of the Department of Public Service  |
| Four (4) paper copies                          | New York State Department of Environmental Conservation<br>Central Office  |
| Three (3) paper copies                         | New York State Department of Environmental Conservation<br>Region 6 office |
| Two (2) paper copies                           | Commissioner of NYS Dept. of Health  |
| Two (2) paper copies                           | Chair of NYSERDA   |
| Two (2) paper copies                           | Commissioner, Empire State Development Corp.                               |
| One (1) paper copy                             | Supervisor, Town of Cape Vincent, NY                                       |
| One (1) paper copy                             | Supervisor, Town of Lyme, NY   |
| One (1) paper copy                             | County Administrator, Jefferson County                                     |
| One (1) paper copy                             | NYS Dept. of Agriculture and Markets                                       |
| One (1) paper copy                             | NYS Dept. of State   |
| One (1) paper copy                             | NYS Attorney General   |
| One (1) paper copy                             | NYS Dept. of Transportation  |
| One (1) paper copy                             | NYS Office of Parks, Recreation and Historic Preservation                  |
| One (1) paper copy                             | Public Library   |
| One (1) paper copy                             | Library  |
| One (1) electronic copy with proofs of service | James Denn, Public Information Coordinator, DPS                            |

# **EXHIBIT 6**

# EXHIBIT 6



700 Louisiana Street, Floor 33  
Houston, TX 77002

\_\_\_\_\_, 201\_

Dear \_\_\_\_\_,

As part of our on going public involvement and education effort for the Cape Vincent Wind Farm we are inviting all of our stakeholders to an open house event that BP will be hosting on Saturday, November 10, 2012 from 1:00 p.m. to 4:00 p.m. at the Cape Vincent Recreational Park, 602 South James Street, Cape Vincent, NY 13618.

At this open house BP's Wind Energy Team will provide more information about the Cape Vincent Wind Farm, the Article 10 process, the intervenor funding process, and community benefits.

We look forward to updating you on the status of the project and hope you will join us. If you are unable to make this open house event, please visit our project website for updates on project activities at [www.capevincentwindfarm.com](http://www.capevincentwindfarm.com).

Sincerely,

Richard F. Chandler  
Director, Business Development  
BP Wind Energy North America

# **EXHIBIT 7**

# Please join the BP Team to learn more about the Cape Vincent Wind Farm

at an open house meeting on  
Saturday, November 10, 2012

1:00 p.m. – 4:00 p.m.

The Cape Vincent Recreational Park  
602 South James St.  
Cape Vincent, NY 13618

For more information on the project please visit: [www.capevincentwindfarm.com](http://www.capevincentwindfarm.com)

BP Wind Energy



# The Cape Vincent Wind Farm Newsletter



September 2012

## About Richard Chandler:

As a native New Yorker I am excited to be working in my home state to develop the Cape Vincent Wind Farm. We anticipate the project will produce approximately 200-285 megawatts of renewable power - enough renewable energy to power over 60,000 average American homes, or a city about the size of Syracuse. The project will generate revenue for the region, local landowners, and for residents of the greater Cape Vincent community. The economic benefits of the wind farm will play a critical role in sustaining the community and will ensure growth and economic stability for future generations.

Together with my colleagues at BP, we are dedicated to continuing to engage with local officials, stakeholders and community groups in Cape Vincent and throughout Jefferson County as we move through the Article 10 state permitting process for the Cape Vincent Wind Farm.

*Richard Chandler*

Richard Chandler, Director, Business Development, Cape Vincent Wind Farm, BP

## About the Article 10 Permitting Process:

Article 10 provides for the siting review of new and repowered or modified major electric generating facilities in New York State by the Board on Electric Generation Siting and the Environment (Siting Board) in a unified proceeding.

The Siting Board is part of the Department of Public Service and consists of seven persons: the Chair of the Department of Public Service, who serves as Chair of the Siting Board; the Commissioner of the Department of Environmental Conservation; the Commissioner of the Department of Health; the Chair of the New York State Energy Research and Development Authority; the Commissioner of Economic Development and two ad hoc public members, both of whom reside within the municipality in which the facility is proposed to be located.



Article 10 requires certification proceedings to be conducted expeditiously and generally imposes a 12-month deadline on such proceedings after an application has been accepted by the Siting Board. The statute mandates a pre-application consultation process to obtain early input from the public regarding the proposed project, provides for active public involvement, and establishes requirements for intervenor funding to promote local participation in siting cases.

## Cape Vincent Wind Farm Status Update:

We are making good progress on the development of the Cape Vincent Wind Farm. We continue to undertake a detailed review of how best to merge the assets of BP's Cape Vincent Wind Farm with the St. Lawrence Wind Farm we acquired earlier this year. By merging these assets under a single owner, BP has created greater flexibility to design a project which provides economies of scale, improves the competitiveness of the project in the power markets, and reduces impacts from the project.

We have been diligently working on a final turbine layout and look forward to sharing this with you all in the coming months. We have been finalizing lease agreements with landowners within the project footprint and along the transmission corridor.



BP's Fowler Ridge 2 Wind Farm, Indiana.

BP Wind Energy will be investing over \$300 million to complete this project which will become a welcome addition to the company's national portfolio that has interests in 16 wind farms.

## Next Steps:

On September 17, BP Wind Energy submitted the Cape Vincent Wind Farm Public Involvement Plan (PIP) to the New York State Department of Public Service. We plan to finalize our pre-application in the next few months and look to submit the application in the first half of 2013. The PIP contains a comprehensive overview of all the public outreach

activities that we have undertaken to date, and details how we plan to continue to engage and educate the local community, municipalities, and regional public interests. We are in the process of establishing a dedicated Cape Vincent Wind Farm website that will be up and running in the coming weeks. The website will be a repository of all of the information produced about the wind farm (such as fact sheets) and will enable the project team to provide timely updates on the project as we move through the permitting process.



BP's Goshen North Wind Farm, Idaho.

## The Cape Vincent Wind Farm Team:

Land leases are being finalized with the help of Bob Jepson (641-455-9188) and Shane Fockler (630-675-6348). Public outreach services will continue to be provided by Maz Trieste and Chelsea Horn (518-871-1015) from Trieste Associates. Paula Bourquin (315-654-2181) continues to be based at the Cape Vincent Project Office on Esseltyne Street in Cape Vincent. The office is open Tuesdays, Thursdays and Fridays from 9 a.m.-5 p.m. If you have any questions, please feel free to reach out to us directly.

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Please provide detailed comments on the project.

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Thank you for taking the time to participate.

When your Comment Sheet is complete please:

- Leave with a BP representative at the public event

- Mail it to:  
BP Wind Energy  
P.O. Box 947  
Cape Vincent, NY 13618

- Email comments to: [info@capevincentwindfarm.com](mailto:info@capevincentwindfarm.com)

For more information about the Cape Vincent Wind Farm please visit: [www.capevincentwindfarm.com](http://www.capevincentwindfarm.com), stop by our office at 114 Esseltyne Street in Cape Vincent, or call us at 713.354.2100

# Public Comment Sheet

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## *The Cape Vincent Wind Farm*

Please print

Name: \_\_\_\_\_

Address: \_\_\_\_\_

State: \_\_\_\_\_ Zip code: \_\_\_\_\_

Phone (optional): \_\_\_\_\_

Email (optional): \_\_\_\_\_

Are you a landowner in the project?

Yes \_\_\_ No \_\_\_

Please indicate the existing use of your property:

\_\_\_ Agriculture

\_\_\_ Residential

\_\_\_ Commercial

\_\_\_ Industrial

\_\_\_ Other \_\_\_\_\_

Is this in response to a public event you attended?

Yes \_\_\_ No \_\_\_

If Yes, what event (please include date)?

\_\_\_\_\_

**BP Wind Energy**



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**What aspects about the project are of most interest to you?**

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**What type of additional information about the project would you like to learn more about?**

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# **EXHIBIT 8**

| No. | Cover Letter Recommendations   | Response                                 |
|-----|--|--|
| 1   | The proposed outreach meetings to the Town of Cape Vincent and Town of Lyme should include opportunities to solicit input regarding those municipalities' interests rather than be limited to the narrow issues identified in the PIP.   | Please refer to table in Section IV.C.   |
| 2   | Many of the studies cited as component parts of the project information program were general in nature (e.g., U.S. DOE Property Valuation study) or are somewhat dated (e.g., EIS documents for prior Cape Vincent and St. Lawrence wind projects from 2006-08) the applicant should show how it intends to elicit input to develop scope and analysis of site-specific and current information that is responsive to current stakeholder interests and concerns.                                  | Please refer to table in Section IV.C.   |
| 3   | The project area includes a part of the Town of Cape Vincent that was recently identified by NYS DEC as a potential Environmental Justice area, based on US Census Bureau from year 2000. 2010 Census data should be reviewed as data becomes available. The PIP should address plans for focused outreach activities to reach any communities of concern that are identified in further analysis of population information, as appropriate.   | Please refer to Section IV.A.            |
| 4   | The PIP should identify a proposed Study Area, and identify any additional stakeholders or stakeholder groups that are within that broader area. Representatives and residents of adjacent municipalities (i.e., Town of Clayton; Wolfe Island, Ontario) should be considered as potential stakeholders based on regional scale impacts of the proposed large-scale wind energy project, and potential cumulative impacts with existing or proposed wind energy facilities in those jurisdictions. | Please refer to Sections II.B and IV.A.  |
| 5   | The list of stakeholders should acknowledge the Department of State, including the Coastal Resources Management staff, since the project involves designated Coastal Zone resources including the Chaumont River area proposed to be crossed by the route of the 115 kV transmission line to the Chaumont substation in the Town of Lyme.  | Please refer to Table in Section IV.C.1. |

|   |  |                                |
|---|--|--------------------------------|
| 6 | A tentative schedule indicating approximate dates for public meetings, and filing schedule for Preliminary Scoping Statement and Article 10 Application should be published at proposed project website, newsletters, and workshops or Open House and other public meetings, as noted in Attachment 1. | Please refer to Section IV.C.1 |
|---|--|--------------------------------|

| <b>No.</b> | <b>Attachment 1 Recommendation</b>  | <b>Response</b>                             |
|------------|---|---|
| 1          | <p>The Public Involvement Program plan (Plan) should identify:</p> <ul style="list-style-type: none"> <li>(a) the proposed project location;</li> <li>(b) the location of interconnections, including the identification of municipalities affected;</li> <li>(c) the location of reasonable alternative sites, where applicable; and</li> <li>(d) a preliminary Study Area.</li> </ul>   | Please refer to Section II.B and Exhibit 1. |
| 2          | <p>The Plan should provide the methodology for identifying:</p> <ul style="list-style-type: none"> <li>(a) the actual affected agencies;</li> <li>(b) the actual other stakeholders that may be affected by the construction of the facility including: <ul style="list-style-type: none"> <li>(i) host landowners; and</li> <li>(ii) adjacent landowners; and</li> <li>(iii) other affected individuals, groups and organizations; and</li> </ul> </li> <li>(c) whether environmental justice communities will be affected by the proposal.</li> </ul> | Please refer to Section IV.A.               |

| <b>No.</b> | <b>Attachment 1 Recommendation</b>  | <b>Response</b>               |
|------------|---|-------------------------------|
| 3          | <p>The Plan should provide a preliminary specific (non-generic) identification of:</p> <ul style="list-style-type: none"> <li>(a) the actual affected agencies;</li> <li>(b) the actual other stakeholders that may be affected by the construction of the facility including: <ul style="list-style-type: none"> <li>(i) host landowners; and</li> <li>(ii) adjacent landowners; and</li> <li>(iii) other affected individuals, groups and organizations; and</li> </ul> </li> <li>(c) environmental justice communities that will be affected by the proposal.</li> </ul>   | Please refer to Section IV.A. |
| 4          | <p>The Plan should identify language(s) other than English spoken:</p> <ul style="list-style-type: none"> <li>(a) according to United States Census data by 5,000 or more persons residing in any 5-digit zip code postal zone in which any portion of such zone is located within the preliminary Study Area for the proposed facility, giving the source of data used; and</li> <li>(b) by a significant population of persons residing in close proximity to the proposed facility, alternative locations and interconnections not captured above.</li> </ul>  | Please refer to Section IV.B. |
| 5          | <p>If languages other than English are identified above, the Plan should identify:</p> <ul style="list-style-type: none"> <li>(a) how documents will be translated into languages other than English; and</li> <li>(b) what provision will be made for communicating with those members of the public at public meetings.</li> </ul>  | Not Applicable.               |
| 6          | <p>For each affected agency and other stakeholder, the Plan should identify the desired goal of each consultation, and a plan to achieve such goal, including:</p> <ul style="list-style-type: none"> <li>(a) the identification of particular aspects of the environmental setting that may be affected;</li> <li>(b) the disclosure of potentially significant adverse environmental and health impacts resulting from the construction and operation of the proposed facility;</li> <li>(c) a request for feedback from each affected agency and other stakeholder asking them to identify additional material effects and impacts; and</li> <li>(d) other agency and stakeholder-specific goals identified by the Applicant.</li> </ul> | Please refer to Section IV.C. |

| <b>No.</b> | <b>Attachment 1 Recommendation</b>  | <b>Response</b>               |
|------------|---|-------------------------------|
| 7          | <p>For each specific consultation identified above, the Plan should:</p> <ul style="list-style-type: none"> <li>(a) identify the methods of outreach to be used;</li> <li>(b) contain an outreach schedule with approximate dates, times and locations;</li> <li>(c) identify who will be doing the outreach along with their contact information; and</li> <li>(d) provide a methodology to measure the success of the outreach.</li> </ul>  | Please refer to Section IV.C. |
| 8          | <p>If an environmental justice community will be affected by the proposal, the Plan should provide specific measures to address environmental justice outreach issues.</p>  | Please refer to Section IV.A. |
| 9          | <p>The Plan should include a provision that the Applicant will prepare a monthly spreadsheet-style tracking report identifying public involvement program activities conducted by the Applicant, summaries of feedback received in such activities, and summaries describing any actions taken by the Applicant in response to such feedback. The report should be fashioned in a manner that it is easy to track the Applicant's progress towards achieving its public involvement goals. The reports should be posted on the Applicant's website and filed with the Secretary for posting in the case file.</p>   | Please refer to Section IV.D. |
| 10         | <p>The Plan should include:</p> <ul style="list-style-type: none"> <li>(a) a description of: <ul style="list-style-type: none"> <li>(i) an established project website including website address; or</li> <li>(ii) a schedule for developing a website to disseminate information to the public;</li> </ul> </li> <li>(b) a schedule or outline indicating regular updates to the website;</li> <li>(c) a statement of the lead time that will be provided for the posting of notices of future outreach events; and</li> <li>(d) an identification of the content that will be provided on the website.</li> </ul> | Please refer to Section IV.E. |

| <b>No.</b> | <b>Attachment 1 Recommendation</b>   | <b>Response</b>                      |
|------------|--|--------------------------------------|
| 11         | <p>The Plan should provide that the website will:</p> <ul style="list-style-type: none"> <li>(a) be written in plain language;</li> <li>(b) be easily navigated;</li> <li>(c) contain contact information for the Applicant (e-mail, telephone number and mailing address);</li> <li>(d) provide links to: <ul style="list-style-type: none"> <li>(i) the DPS Article 10 Public Information Coordinator;</li> <li>(ii) the Siting Board home page; and</li> <li>(iii) case-specific documents;</li> </ul> </li> <li>(e) include information on the Article 10 process;</li> <li>(f) explain the Intervenor Funding process (including stating the specific dollar amounts of funding that will be available for each phase of the project);</li> <li>(g) contain project-specific information;</li> <li>(h) contain a map of the proposed facility and alternate facility locations and interconnections; and</li> <li>(i) provide a schedule that lists: <ul style="list-style-type: none"> <li>(i) dates/times/locations for in-person outreach events; and</li> <li>(ii) key milestone dates, such as date when the application will be filed.</li> </ul> </li> </ul> | <p>Please refer to Section IV.E.</p> |

| <b>No.</b> | <b>Attachment 1 Recommendation</b>  | <b>Response</b>                                |
|------------|---|--|
| 12         | <p>The Plan should:</p> <ul style="list-style-type: none"> <li>(a) identify general outreach activities specifically scheduled to take place prior to submittal of the application, including mailings, open houses, meetings, seminars/webinars, etc., to inform, engage, and solicit input from the local community, general public, and other stakeholders;</li> <li>(b) identify how information relative to events open to the public will be disseminated;</li> <li>(c) include material to educate the public as to the specific proposal, including project technology, location of facilities, proposed study area, outline of the scope of studies to be provided in the application, etc.;</li> <li>(d) include educational material relative to the Article 10 review process and why the Applicant is conducting a Public Involvement Program;</li> <li>(e) include material to educate the public on how it may become involved in each step of the Article 10 review process;</li> <li>(f) provide an explanation as to how outreach activities will solicit input regarding public interests that don't fall into the categories outlined in the PIP; and</li> <li>(g) include educational material on Intervenor Funding (including stating the specific dollar amounts of funding that will be available for each phase of the project).</li> </ul> | <p>Please refer to Sections IV.F and IV.G.</p> |

| <b>No.</b> | <b>Attachment 1 Recommendation</b>  | <b>Response</b>  |
|------------|---|--|
| 13         | <p>Since previous outreach has been done relative to two separate proposals that have been consolidated into this proposal, the Plan should include material to educate the public on what has changed, for both approval process changes and project changes, including:</p> <ul style="list-style-type: none"> <li>(a) an explanation of why the Applicant has decided to submit an Article 10 application instead of seeking local siting approvals;</li> <li>(b) a description of the differences between the Article 10 process and the local siting process;</li> <li>(c) if the number of turbines will be greater than previously identified: (i) an explanation why the Applicant has decided to increase the number of turbines; and (ii) a description of the changes in impacts that can be expected by increasing the number of turbines;</li> <li>(d) if the height of turbines will be greater than previously identified: (i) an explanation why the Applicant has decided to increase the height of turbines; and (ii) a description of the changes in impacts that can be expected by increasing the height of turbines; and</li> <li>(e) if the setbacks of the turbines will be less than previously promised: (i) an explanation why the Applicant has decided to decrease the setbacks of turbines; and a description of the changes in impacts that can be expected by decreasing the setbacks of turbines.</li> </ul> | <p>Please refer to Sections I and II.B and Exhibits 1 and 2.</p> |

| <b>No.</b> | <b>Attachment 1 Recommendation</b>   | <b>Response</b>                           |
|------------|--|---|
| 14         | <p>The Plan should provide information regarding notifications to identify:</p> <ul style="list-style-type: none"> <li>(a) when notices will be issued (provide a schedule) and what information they will contain;</li> <li>(b) who will receive notifications;</li> <li>(c) the manner in which notifications will be made (for example, whether notifications will be in the same manner as the town would notice a regular town meeting);</li> <li>(d) draft form letters and/or notices;</li> <li>(e) specific publications and media outlets that will be used to provide general public information and notifications and why they were selected, which should include the official newspapers of the affected municipalities;</li> <li>(f) which languages will be used for notices and why they were selected; and</li> <li>(g) whether E-mail listserves will also be used to send notices.</li> </ul> | Please refer to Section IV.F.ii and IV.G. |
| 15         | <p>The Plan should identify:</p> <ul style="list-style-type: none"> <li>(a) activities designed to encourage participation by stakeholders in the certification;</li> <li>(b) activities designed to encourage participation by stakeholders in the compliance process;</li> <li>(c) the goals of these activities;</li> <li>(d) methodologies for measuring the success of such activities;</li> <li>(e) a schedule of such activities indicating when and where they will be conducted; and</li> <li>(f) how information relative to events open to the public will be disseminated.</li> </ul>  | Please refer to Section IV.F.             |
| 16         | <p>The Article 10 Regulations require a number of specific consultations with affected agencies and municipalities. The Plan should include a schedule of the required consultations with approximate dates, times and locations and identifying who will be doing the outreach along with their contact information. If a consultation is not applicable to the proposed facility, the schedule should so indicate.</p>   | Please refer to Section IV.C.             |

| No. | Attachment 1 Recommendation   | Response   |
|-----|---|--|
| 17  | <p>The schedule of required consultations should include, if applicable:</p> <p>(a) consultation with DPS, NYISO and the local transmission owners to identify applicable requirements to be used to demonstrate the degree of compliance with all relevant applicable reliability criteria of the Northeast Power Coordinating Council Inc., New York State Reliability Council, and the local interconnecting transmission utility, including any criteria regarding blackstart and fuel switching capabilities [16 NYCRR 1001.5(n)];</p> <p>(b) consultation with DPS and DEC to develop an acceptable input data set, including modeling for the Applicant’s proposed facility and inputs for the emissions analysis, to be used in the simulation analyses [16 NYCRR 1001.8];</p> <p>(c) consultation with DOH and DEC to determine a set of non-criteria (i.e. toxic) pollutants to be emitted from the proposed facility [16 NYCRR 1001.17(c)(9)];</p> <p>(d) consultation with DOH and DEC to determine appropriate pollutants for an estimation of the maximum potential air concentrations (short and long term) [16 NYCRR 1001.17(d)(1)];</p> <p>(e) consultation with DOH and DEC to determine appropriate pollutants for a comparison of the maximum predicted air concentrations to ambient air quality standards and guidelines and ambient background concentrations for non-criteria pollutants for both short-term and long-term exposures [16 NYCRR 1001.17(d)(2)];</p> <p>(f) consultation with DOH and DEC to determine if cumulative source impact analyses for any appropriate pollutant in accordance with air permitting requirements and 6 NYCRR Part 487 are warranted [16 NYCRR</p> | <p>Please refer to Section IV.C. However, 17[b] – 17[f]) are generally not applicable.</p> |

| No. | Attachment 1 Recommendation  | Response |
|-----|--|----------|
|     | <p>(h) consultation with OPRHP to determine if a Phase II study based on intensive archaeological field investigations shall be conducted to assess the boundaries, integrity and significance of cultural resources identified in Phase I studies [16 NYCRR 1001.20(a)(4)];</p> <p>(i) consultation with OPRHP and DPS to determine the need for and scope of work for any required Phase II cultural resources study [16 NYCRR 1001.20(a)(4)];</p> <p>(j) consultation with local historic preservation groups to identify sites or structures listed or eligible for listing on the State or National Register of Historic Places within the viewshed of the facility and within the study area [16 NYCRR 1001.20(b)];</p> <p>(k) consultation with DEC, DPS, OPRHP and APA where appropriate to establish representative viewpoints for the photographic simulations of the facility and interconnections [16 NYCRR 1001.24(b)(4)];</p> <p>(l) consultation with the affected school districts to inform the Applicant's estimate of incremental school district operating and infrastructure costs due to the construction and operation of the facility [16 NYCRR 1001.27(f)];</p> <p>(m) consultation with the affected municipalities, public authorities, and utilities to inform the Applicant's estimate of incremental municipal, public authority or utility operating and infrastructure costs that will be incurred for police, fire, emergency, water, sewer, solid waste disposal, highway maintenance and other municipal, public authority, or utility services during the construction and operation phases of the facility [16 NYCRR 1001.27(g)];</p> <p>(n) consultation with the affected local emergency response organizations to inform the Applicant's analysis of whether all contingency plans to be implemented in response to the occurrence of a fire emergency or a hazardous substance incident can be fulfilled by existing local emergency response capacity, and in that regard identifying any specific equipment or training deficiencies in local emergency response capacity [16 NYCRR 1001.27(k)];</p> <p>(o) consultation with the municipalities or other local agencies whose requirements are the subject of the local laws exhibit to determine whether the Applicant has correctly identified all such requirements and to determine whether any potential request by the Applicant that the Board elect to not apply any such</p> |          |

| <b>No.</b> | <b>Attachment 1 Recommendation</b>   | <b>Response</b>                                |
|------------|--|--|
|            | <p>changes to the proposed facility, or otherwise [16 NYCRR 1001.31]; and</p> <p>(p) consultation with the state agencies and authorities whose requirements are the subject of the State Laws and Regulations exhibit to determine whether they Applicant has correctly identified all such requirements [16 NYCRR 1001.32].</p>  |  |
| 18         | <p>The Article 10 Regulations require a number of specific consultations related to air transportation impacts. According to the Federal Aviation Administration database, there are a number of public airports and heliports near the location of the proposed facility. The Public Involvement Plan should include a schedule of the required consultations with approximate dates, times and locations and identifying who will be doing the outreach along with their contact information. If a consultation is not applicable to the proposed facility, the schedule should so indicate.</p>   | <p>Please refer to Sections IV.C and IV.H.</p> |
| 19         | <p>The Plan should also:</p> <p>(a) identify the necessity of consultations with the operators of airports or heliports [16 NYCRR 1000.4(f) &amp; 1001.25(e)&amp;(f)];</p> <p>(b) provide the methodology used to identify the operators;</p> <p>(c) include outreach to inform such operators of the proposed facility and its location prior to the submission of the preliminary scoping statement [16 NYCRR 1000.4(f)];</p> <p>(d) include an informal Department of Defense review of the proposed construction or alteration, in accordance with 32 Code of Federal Regulations, Section 211.7; or a formal Department of Defense review of the proposed construction or alteration in accordance with 32 Code of Federal Regulations, Section 211.6 [16 NYCRR 1001.25(f)(1)]; and</p> <p>(e) include consultations with operators of airports and heliports that are non-military facilities, including providing a detailed map and description of such construction or alteration to such operators, and a request for review of and comment on such construction or alteration by such operators [16 NYCRR 1001.25(f)(2)].</p> | <p>Please refer to Section IV.H.</p>           |

| <b>No.</b> | <b>Attachment 1 Recommendation</b>  | <b>Response</b>   |
|------------|---|---|
| 20         | <p>The Plan should include a table listing by rows each separate DPS staff recommendation set forth in this attachment in one column, and in a second column a statement for each row that either:</p> <ul style="list-style-type: none"><li>(a) the Applicant has revised the Public Involvement Program plan to incorporate the DPS recommendation (giving the section or page number of the Plan where the revision appears); or</li><li>(b) providing a written explanation as to why the Applicant decided not to incorporate the recommendations.</li></ul> | <p>This Table, referenced in of the revised PIP, satisfies this recommendation.</p> |