

# Baron Winds Wind Project

## Steuben County, New York

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### **NOTICE OF SUBMISSION OF PRELIMINARY SCOPING STATEMENT**

Baron Winds LLC (Applicant), a subsidiary of EverPower Wind Holdings, Inc. is proposing to submit an Application to construct the Baron Winds Project (Facility), a wind powered major electric generating facility under Article 10 of the Public Service Law (Project). This notice announces that on or about August 10, 2016 the Applicant will file a Public Scoping Statement (PSS), pursuant to 16 NYCRR 1000.5, which is designed to gather input from the public and interested agencies on the scope and methodology of studies to be conducted in support of the Application which will be filed at a later date. The filing of the PSS will start a 21-day public comment period on the scope and methodology of the studies proposed.

The proposed Facility is an up to 300 megawatt (MW) wind-powered electric generating facility. The Facility components are proposed to include the installation and operation of up to 120 wind turbines in the Towns of Avoca, Cohocton, Dansville, Fremont, Howard, and Wayland, together with the associated collection lines (below grade and overhead), access roads, permanent meteorological towers, laydown areas and an operation and maintenance (O&M) building. To deliver electricity to the New York State power grid, the Applicant proposes to construct a collection substation adjacent to an existing interconnection substation, which will be used to interconnect with New York State Electric and Gas Corporation's 230 kV transmission line in the Town of Cohocton. The Facility is proposed to be located on leased private land that is generally rural in nature. The actual footprint of the proposed facilities is not determined at this point in the process, but will be located within the leased land, and will enable farmers and landowners to continue with farming operations or other land uses such as forestry practices and recreational land use.

The Facility will result in the generation of electricity from wind, a renewable energy source, avoiding harmful emissions and the use of water resources that are typically associated with energy generation. In addition, the Facility assists the State in meeting the goals of the 2015 State Energy Plan, which includes a goal of 50% of energy generation from renewable sources by 2030, and other State policy initiatives consistent with the development of the Facility. Other positive impacts to be discussed in the PSS include employment opportunities, specifically by generating temporary construction employment and full-time jobs, and increased revenues to County and local municipality tax bases, payments to the local hospitality industry, purchase of local supplies and goods, and lease revenues to participating landowners.

The PSS precedes the formal public scoping process and therefore, among other things, will describe and identify: the environmental setting in the Facility area, potential environmental and health impacts from construction and operation of the Facility, proposed benefits of the Facility, proposed studies (including preconstruction studies and post-construction monitoring for potential impacts to avian and bat species), proposed measures to minimize environmental impacts, reasonable alternatives, other required permits/authorizations, and other relevant information to be assessed. The PSS will also provide a preliminary scope of an environmental impact analysis containing a discussion of potentially significant adverse environmental and health impacts to be assessed relating to the construction and operation of the Facility, including potential impacts to, land use in the Facility area; public health and safety; terrestrial ecology, including avian and bat species, and wetlands; water resources and aquatic ecology; communications, transportation and utilities; cultural, historical and recreational resources; visual, including potential for shadow flicker; sound; electric magnetic fields; and impacts on the statewide electrical system.

Within 21 days after filing of the PSS, any person, agency or municipality may submit comments on the PSS by serving such comments on the Applicant and filing a copy with the Secretary of the Department of Public Service. The Applicant will prepare a summary of the material comments and its reply thereto within 21 days after the closing of the comment period. The scoping process is overseen and mediated by a Hearing Examiner designated by the DPS and will commence after required notices have been sent and intervenor funding has been disbursed. Notice will be provided when the Hearing Examiner schedules the scoping meeting.

No less than 90 days after the filing of the PSS, the Applicant will submit an Article 10 Application. Building on the Scoping process and any stipulations agreed to by the parties, the Application will include the studies developed as part of the Scoping process in support of the Project. The Application will include a description of the Project, an evaluation of

environmental and health impacts, a summary of public involvement activities, an evaluation of reasonable and available alternative locations, a statement of why any local substantive standards should not be applied, an electric interconnection study including general design study and SRIS, security and emergency plans, statement demonstrating compliance with the most recent State Energy Plan, and other information. The Application will also contain the information set forth in 16 NYCRR 1001, Exhibits 1-41 unless otherwise waived by the Siting Board or otherwise not applicable.

Once an Application is filed and determined by the Siting Board to be complete, the Siting Board will schedule a public hearing on the Application. The Siting Board will also issue a notice of availability of application intervenor funds that are available to be used by parties to participate in formal review of the Application. A pre-hearing conference will be scheduled by the Hearing Examiner to identify intervenors, award intervenor funds, identify issues for the hearing, and establish a case schedule. Additional hearings regarding the application and project impact assessments will be scheduled by the Hearing Examiner as needed. After hearings, the stakeholders may brief their positions and the Hearing Examiner will issue a recommended decision upon which the Siting Board will base its decision. Article 10 requires that all proceedings on the Application, including a final decision by the Siting Board must be completed within 12 months of when the Application is determined to be complete.

Upon filing of PSS, the Applicant will provide funding in the amount of \$105,000 to be disbursed by the Siting Board to municipalities and other local parties to help pay expenses, including attorneys and consultants, associated with participating in the Article 10 process during the pre-application review phase. Fifty percent (50%) of these intervenor funds are reserved for municipalities. Additional intervenor funds will be available for the Application/Hearing Phases. Following the filing of a PSS, the Hearing Examiner or the Secretary shall issue a notice of availability of pre-application intervenor funds providing a schedule and related information describing how interested members of the public may apply for pre-application funds. Requests for pre-application funds must be submitted to the Hearing Examiner within thirty (30) days after the issuance of the notice of the availability of pre-application intervenor funds. A pre-application meeting to consider funding requests will be convened within no less than 45 but no more than 60 days after the filing of the PSS.

To obtain information regarding the Project, please contact:

Contact information for Applicant:  
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Contact information for DPS Article 10 Coordinator:  
James Denn  
NYS Department of Public Service  
3 Empire State Plaza  
Albany, NY 12223  
518-474-7080

Information is also available at the public document repositories and on the web. The DPS website is (<http://www.dps.ny.gov/>). To access documents, go to "Search" at the top of the webpage, then search using the Case Number 15-F-0122 or the direct link:

(<http://documents.dps.ny.gov/public/MatterManagement/CaseMaster.aspx?MatterCaseNo=15-f-0122>)

or by going to the Project-specific website maintained by the Applicant: <http://everpower.com/baron-winds-wind-project-steuben-county-ny/>.

### **File a Request for Notices**

Any interested member of the public may file a request with the DPS Secretary to receive copies of all notices concerning the Project, including but not limited to notices regarding any proposed pre-application stipulation. Written requests should be sent to the DPS Secretary at [secretary@dps.ny.gov](mailto:secretary@dps.ny.gov) or sent by mail to the following address:

Hon. Kathleen H. Burgess  
Secretary to the Commission  
New York State Public Service Commission  
Empire State Plaza  
Agency Building 3  
Albany, NY 12223-1350