

**NEW YORK STATE PUBLIC SERVICE COMMISSION  
WATER QUALITY CERTIFICATION**

**Pursuant to:** §401 of the Federal Water Pollution Control Act, 33 U.S.C. § 1341,  
and Article 10 of the New York Public Service Law

**Certification Issued to: Cassadaga Wind LLC  
Innogy Renewables US  
1251 Waterfront Place, 3<sup>rd</sup> Floor  
Pittsburgh, PA 15222**

**Location of Project**

Cassadaga Wind LLC proposes the construction of a utility scale Wind Energy Project, located in the Towns of Charlotte, Cherry Creek, and Stockton, Chautauqua County.

**Project Description**

On January 17, 2018, the New York State Board on Electric Generation Siting and the Environment (Siting Board) granted a conditional Certificate of Environmental Compatibility and Public Need, to Cassadaga Wind, LLC (Cassadaga Wind or Certificate Holder) pursuant to Public Service Law (PSL) §168.

The Certificate Order authorizes Cassadaga Wind LLC for the construction of up to 48 wind turbines in the Towns of Cherry Creek, Charlotte and Arkwright, access roads, above and underground 34.5 kilovolt (kV) collection lines, an above-ground 115kV generator lead line, collection and point-of-interconnect (POI) substations, two permanent meteorological towers, one operations and maintenance building, and two temporary staging/laydown areas. The POI substation and a small portion of the 115kV generator lead line are in the Town of Stockton. The total generating capacity of the Facility shall not exceed 126 megawatts (MWs).

The proposed Project consists of 37 wind turbines, ten of which will be Gamesa G114 2.625 megawatt (MW) turbines and the remaining 27 turbines will be Nordex N117 3.675 MW turbines. There will be an estimated 11.75 miles of access roads, 5.5 miles of overhead transmission line and 25 miles of collection line associated with the Project.

Cassadaga Wind LLC has submitted a Wetland Mitigation Plan to mitigate the impacts to State and federal jurisdictional wetlands, wetland buffers and streams that will

be impacted during facility construction. There will be an estimated 5.5 acres of temporary wetland impact, of which 0.22 acres of which will result in temporary wetland fill. There will be an estimated 3.6 acres of permanent impact to wetlands, of which 2.8 acres are state-jurisdictional wetlands. There will also be an estimated 4.1 acres of permanent wetland adjacent area impact and 0.66 acres of temporary wetland adjacent area impact. Approximately 715 LF of temporary impact to New York State Department of Environmental Conservation (NYSDEC) streams and 154 LF of permanent impact to NYSDEC streams are anticipated.

### **Certification**

The New York State Public Service Commission hereby certifies, pursuant to §401 of the Water Pollution Control Act (33 U.S.C. §1341) and Article 10 of the New York Public Service Law that the Project, as conditioned herein, complies with applicable requirements of §§ 301, 302, 303, 306 and 307 of the Federal Water Pollution Control Act, as amended, and applicable New York State water quality standards, limitations, criteria and other requirements set forth in 6 NYCRR §608.9(a) and Parts 701 through 704, and Part 750 provided that all of the conditions listed herein are met. This certification ("Certification") is issued in conjunction with the Article 10 Certificate sought by Cassadaga Wind LLC in, and based on the record of, Case 14-F-0490.

### **Conditions**

1. No in-water work shall commence until the necessary Conditions relating to such work contained in the Certificate and any Order have been met to the satisfaction of the Department of Public Service.
2. Construction and operation of the Project shall at all times be in conformance with (a) the Certificate Conditions (as amended and supplemented), to the degree not superseded by the Certificate, (b) all conditions of approval contained in the Certificate, and (c) New York State Water Quality Standards necessary and appropriate for issuance of, and compliance with, this Certification.
3. Cassadaga Wind LLC shall provide a copy of this Certification to the U.S. Army

Corps of Engineers and the NYSDEC, along with a copy of the Application, Article 10 Certificate, and approved Certificate Conditions in Case 14-F-0490, so that the U.S. Army Corps of Engineers and NYSDEC will have a complete record of the conditions that apply to this Project.

4. Cassadaga Wind LLC shall provide to all construction contractors performing work on the Project complete copies of this Certification, the Article 10 Certificate, and the approved Certificate Conditions.

Certified by:



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Elizabeth Grisaru, Acting Deputy Director  
Environmental Certification & Compliance Section  
Office of Electric, Gas and Water  
New York State Department of Public Service  
Three Empire State Plaza  
Albany, New York 12223-1350

10/25/2019

Date