

Hour	Date	First	Last	Author	Message/Logged Contact
18:15:41	01 Jun 2015	Suzanne	Albright	Suzanne Albright	<p>Good Afternoon Dan and Taylor (I am not sure who receives the emails now),</p> <p>I am writing to send you this article that reviews the hazards and recommendations regarding bird slaughter by industrial wind turbines. One thing that stood out as I was reading this is the recommendation to avoid placing turbines along or near the Atlantic coast and the Great Lakes. Interestingly, Apex now has three proposed industrial wind projects in these regions. Specifically, I am referring to Lighthouse Wind in Niagara and Orleans Counties, the Kent County Maryland project, and Timbermill Wind in North Carolina.</p> <p>I am hoping that Apex will re-examine these plans, as it is unsettling to see one organization proposing wind projects in three areas of high risk for avian slaughter. Surely, Apex does not want to be associated with such widespread disregard for avian safety.</p> <p>I look forward to hearing from you or someone at Apex regarding this matter.</p> <p>Thank You, Suzanne Albright Rochester, NY</p>
18:16:18	09 Jun 2015	Suzanne	Albright	Taylor Quarles	<p>Mrs. Albright,</p> <p>Lighthouse Wind is in active consultation with USFW region 5 and NYSDEC regions 8 and 9 regarding the proposed Lighthouse Wind project. Third party wildlife consultants, with wildlife biologists on staff have been actively studying avian populations since late 2014. We plan on continuing these in depth studies, following agreed upon protocols, throughout 2015 and likely into 2016. These studies are specific to the proposed Lighthouse Wind areas in Somerset and Yates, and thus will provide an opportunity to understand the potential impact of the project to avian species.</p> <p>The results of these studies will be available for review by these agencies and the general public at the time we choose to submit our application. We look forward to continuing these and other studies and continue working to develop the proposed Lighthouse Wind project responsibly.</p> <p>Sincerely,  Taylor Quarles</p>
20:56:42	07 May 2015	Alan	Aszkler	Taylor Quarles	<p>Alan,</p> <p>Please pardon my delay in responding to your question regarding low frequency noise/infrasound. In regards to the response time, I have striven to respond to every question or comment received within 10 days, however, due to the high level of public involvement in the process at this early stage, there have been instances where this was not possible, and we are taking steps to address that issue.</p> <p>Let me address our broader permitting requirements ahead. The proposed Lighthouse Wind project is still at an early stage of development. Before we receive a permit to build this project through Article 10, we will need to submit our Preliminary Scoping Statement (PSS), and Application, in that order. After each submission there will be a period of public comment. I would encourage you to refer to the Article 10 requirements in order to read what we will be required to submit in our PSS and Application, and understand that this information will be reviewed by the siting board, on which the NYS Department of Health has a permanent seat.</p> <p>Within the article 10 law, the most pertinent section to our discussion which I have found is 1001.19 Exhibit 19: Noise and Vibration. You can refer to this section of the Article 10 law here, beginning on page 27. Forgive me for not posting it in this email, but it is close to three pages long: <a href="http://www3.dps.ny.gov/W/PSCWeb.nsf/96f0fec0b45a3c6485257688006a701a/143595fa3be36aea852579d00068b454/\$FILE/Article%2010%20Regulations.pdf">http://www3.dps.ny.gov/W/PSCWeb.nsf/96f0fec0b45a3c6485257688006a701a/143595fa3be36aea852579d00068b454/\$FILE/Article%2010%20Regulations.pdf</a> I will however post the two sections of exhibit 19 which mention "infrasound" or "low frequency sound". These excerpts are describing a small portion of our required submissions under article 10.</p>
20:56:42	07 May 2015	Alan	Aszkler	Taylor Quarles	<p>...</p> <p>"(e) An evaluation of future noise levels during operation of the facility, related facilities and ancillary equipment including predicted Aweighted/dBA sound levels, , prominent discrete (pure) tones, and amplitude modulated sound, at potentially impacted and representative noise receptors, using computer noise modeling, and an analysis of whether the facility will produce significant levels of low frequency noise or infrasound."</p> <p>"(k) An evaluation of the following potential community noise impacts: hearing damage (as addressed by applicable Occupational Safety and Health Administration standards); indoor and outdoor speech interference; interference in the use of outdoor public facilities and areas; community complaint potential; the potential for structural damage; and the potential for interference with technological, industrial or medical activities that are sensitive to vibration or infrasound."</p> <p>...</p> <p>I wanted to point these sections out because your questions directly reference the requirements of article 10. I hope that in conjunction with the NYS Department of Health sitting on the siting board, these comprehensive and transparent requirements can demonstrate that there are many details regarding the project and your specific questions that are forthcoming in our PSS and Application.</p> <p>I will respond in a separate email regarding specific studies.</p> <p>Sincerely,  Taylor Quarles</p> <p><b>Note by Apex: This message is in response to a question by Mr. Aszkler on April 10th, 2015</b></p>
00:40:15	07 May 2015	Mike	Basil	Mike Basil	<p>G Man U ROCK!!!!!!!!!!!!</p> <p>Sent from my iPhone</p> <p><b>Note by Apex: This message is referring to a message sent by Mr. Maid on May 6th, 2015 at 16:53:55. Mr. Basil was cc'd on this message.</b></p>
14:45:03	29 Jun 2015	Christine	Bronson	Christine Bronson	<p>Dear Mr. Quarles:</p> <p>I have attempted to obtain maps of the Lighthouse Wind project at your Barker storefront but there is no one there.</p> <p>Please give me the regular hours when this otherwise empty storefront has someone there. Please don't tell me to "make an appointment". What is the purpose of renting a storefront if there are no scheduled hours? It should be at my convenience, when I am in town. I don't make appointments to buy bread or milk in town, when it would be convenient to walk in your "office". Otherwise just have some sign posted in the town square like there is in your storefront window. I'm sure it would save you rent money.</p> <p>Sincerely,  Christine Bronson</p>

21:35:36	29 Jun 2015	Christine	Bronson	Taylor Quarles	<p>Ms. Bronson,</p> <p>The purpose of renting this space was to allow for more effective outreach to folks living in the area in addition to stakeholder groups. Because the space is relatively new, we are still in the process of getting it staffed and having hours posted. Despite this, I have already held numerous successful meetings at the location, several of them from walk ups. I look forward to posting regular hours in the near future so we can be as available as possible for folks to stop by at their convenience, when they are in town.</p> <p>I intend to post hours of availability for next week, and will reach out to you when I do so. Until then feel free to peruse the maps included in our "Revised Public Involvement Plan", submitted December 31st, 2015, which is available to the public online through our website here: <a href="http://www.lighthousewind.com/article10_submissions">http://www.lighthousewind.com/article10_submissions</a></p> <p>Sincerely,</p> <p>Taylor Quarles</p>
11:59:33	27 Jun 2015	Peter	Carges	Peter Carges	Just received a post card and wanted to let you know that the Carges family of Barker N Y is opposed to any wind farm.
14:45:51	01 May 2015	Gail	Damon	Gail Damon	<p>Hi Taylor,</p> <p>I was wondering if you could give me some insight as to the huge "X" on Burgess road and how it pertains to the wind project?</p> <p>Gail Damon</p> <p>Sent from Samsung tablet</p>
15:07:03	01 May 2015	Gail	Damon	Taylor Quarles	<p>Gail,</p> <p>Could you point out where you are seeing this 'X'?</p> <p>Taylor</p>
15:14:47	01 May 2015	Gail	Damon	Taylor Quarles	<p>Gail,</p> <p>The setback distances mentioned at the open house were intended to be illustrative of the process we will be following once the project gets further along in it's development. It is true that each town has a wind ordinance with some specific setbacks. These laws are available through each jurisdiction.</p> <p>My intention in my previous response was to inform you that, like we mentioned in our open house presentations, there will be numerous different setbacks followed for distance, noise and shadow flicker. At this stage in the development process we have not proposed any specific turbine locations, or specific turbine models. When we get to that stage I believe that our preliminary scoping statement and application will offer the answers to many of your questions.</p> <p>I encourage everyone to refer to the article 10 law, as it comprehensively states what will be required of our future submissions. You can find the document online here: <a href="http://www3.dps.ny.gov/W/PSCWeb.nsf/96f0fec0b45a3c6485257688006a701a/143595fa3be36aea852579d00068b454/\$FILE/Article%2010%20Regulations.pdf">http://www3.dps.ny.gov/W/PSCWeb.nsf/96f0fec0b45a3c6485257688006a701a/143595fa3be36aea852579d00068b454/\$FILE/Article%2010%20Regulations.pdf</a></p> <p>Thank You.</p> <p>Taylor</p>
19:19:42	01 May 2015	Gail	Damon	Gail Damon	<p>Taylor,</p> <p>To be as specific as I can, I went to the North end of Burgess road and clocked it in my car...it is .6 of a mile from the north end in the west lane of the road. It is just a little north of Seth Atwater property (home). Hope this is specific enough.</p> <p>Gail</p> <p>Sent from Samsung tablet</p>
19:50:27	09 Jun 2015	Gail	Damon	Taylor Quarles	<p>Gail,</p> <p>Pardon the delay in responding.</p> <p>It is possible that the X you saw was placed for the purpose of developing detailed topographic maps of area. The location of the X you saw is not related to any future proposed project components. Lighthouse Wind continues to work on a proposed layout for the project.</p> <p>Sincerely,</p> <p>Taylor Quarles</p>
16:30:33	22 May 2015	Susan	Dudley	Taylor Quarles	<p>Mrs. Dudley,</p> <p>I am writing to you in response to your email regarding "63 peer reviewed articles". Out of the 63, 7 (36, 18, 11, 9, 8, 2, 1) of the articles had links that were broken or we couldn't find them. Please provide working links for these articles if you would like us to examine them. Upon initial review of the articles we could find we noticed that many of them did not appear to be peer reviewed, and that many of them were written by the same few folks. In order to offer you the most in depth response possible, we decided to take the time to look at each article individually to determine it's validity. This in depth review will be sent over as soon as it is finished.</p> <p>To do this review, we will be using following description of the peer review process:</p> <p>"In academic publishing, the goal of peer review is to assess the quality of articles submitted for publication in a scholarly journal. Before an article is deemed appropriate to be published in a peer-reviewed journal, it must undergo the following process:</p> <ul style="list-style-type: none"> <li>• The author of the article must submit it to the journal editor who forwards the article to experts in the field. Because the reviewers specialize in the same scholarly area as the author, they are considered the author's peers (hence "peer review").</li> <li>• These impartial reviewers are charged with carefully evaluating the quality of the submitted manuscript.</li> <li>• The peer reviewers check the manuscript for accuracy and assess the validity of the research methodology and procedures.</li> <li>• If appropriate, they suggest revisions. If they find the article lacking in scholarly validity and rigor, they reject it.</li> </ul> <p>...</p>

16:30:33	22 May 2015	Susan	Dudley	Taylor Quarles	<p>Because a peer-reviewed journal will not publish articles that fail to meet the standards established for a given discipline, peer-reviewed articles that are accepted for publication exemplify the best research practices in a field."</p> <p>From: We look forward to offering our more in depth review of these articles in the near future.</p> <p>Additionally, it is important to note that the NYS department of health has a voting seat on the seven member board which decides on Article 10 Applications. We are confident in their ability to review all the available information to be presented in our application.</p> <p>In the Article 10 regulation, a number of the exhibits deal with health issues. These include, but are not limited to:</p> <p>1001.15 Exhibit 15: Public Health and Safety  1001.16 Exhibit 16: Pollution Control Facilities  1001.17 Exhibit 17: Air Emissions  1001.18 Exhibit 18: Safety and Security  1001.19 Exhibit 19: Noise and Vibration</p> <p>Thank You</p>
19:40:22	01 May 2015	Steve and Judy	Esposito	Steve and Judy Esposito	<p><b>Note by Apex: This message was sent in response to Ms. Dudley's message sent on April 23rd, 2015 at 14:18:47</b></p> <p>To Mr. Fitzgerald /Mr. Quarles,  We are still in Florida so have been unable to attend anything thus far, but we were able to view the live stream panel discussion between Apex and SOS.  I have a question for you; re setbacks. I have read numerous e-mails and I am aware that the size depends on the setbacks, but there has been a lot of info about distance from the shoreline. Some say 1 1/2 miles some have said 1 mile from the shoreline. I had an e-mail the other day that the fish and wildlife were recommending a 5 mile setback from the water.  Hypothetically if the turbines were to be installed what would the setback be from the shoreline/ and or residents that live on the lake shore.  Please don't give me an answer that would say as the project goes further those things would be determined at a later time. I just want an answer to what the distance would be.  Thank-you  Judy Esposito  10637 Lakeshore Rd  Lyndonville NY 14098  .  Sent from my iPad</p>
13:47:31	22 May 2015	Steve and Judy	Esposito	Taylor Quarles	<p>Mrs. Esposito,</p> <p>Pardon my delay in responding.</p> <p>I am glad to hear you were able to view the live stream of our event at the GCC community college. Another opportunity for you to participate is through our Telephone Town Halls. The next one will be held on June 11, at 6pm. You can call in and ask questions in addition to learning about the projects progress. The toll free call in is as follows: (855)-756-7520 Ext. 28406#</p> <p>Specific setback distances have not yet been determined. Occupied homes as well as many of the other points of importance, such as roads, power lines, barns, wells etc will have distance setbacks. Setback distances for distance, noise level, and shadow flicker will be compiled based upon existing the specifications of the proposed wind turbine generator, local ordinances, consultation with various stakeholders. We are actively performing these consultations with groups such as the New York State Public Service Commission, New York State Department of Environmental Conservation and Army Corps of Engineers, among others. The setback distances used will be included in the documents accompanying any layouts. We anticipate a preliminary layout to be submitted sometime in late summer or early fall. This layout will likely answer many of your questions with greater specificity than I am able at this time. This preliminary layout will be open to be scrutinized by all the agencies and stakeholders involved as well as residents of the area. Comments on this layout and other aspects of our preliminary scoping statement (PSS) will be taken into consideration by both Lighthouse Wind and the Public Service Commission.</p> <p>Sincerely,  Taylor Quarles</p>
23:22:14	11 May 2015	Tobi	Hefferon	Tobi Hefferon	<p>I was participating in your telephone town hall meeting this evening, 5/11/15. I asked a couple of questions at approximately 6:30pm. At that time I was not able to rejoin the conference. When I entered the conference number that I had initially joined the call with, the electronic operator kept saying that "this is not a valid conference #, please try again." I have tried repeatedly to no avail! Needless to say, my questions were effectively not answered. I am NOT happy right now and I have to wonder how many others received the same fate?!. Please post a recording for this event on your website. When I take my time AGAIN to participate in June please ensure this does not happen again.  -Tobi Hefferon</p>
	12 May 2015	Tobi	Hefferon	Paul Devlin	<p>Apex representative Paul Devlin contacted Tobi Hefferon by phone to discuss her issue with the telephone town hall, answer any questions she had, and make sure that during the next telephone town hall she understands the protocol for asking questions over the phone.</p>
14:39:27	01 May 2015	Cynthia	hellert	Taylor Quarles	<p>Cynthia,</p> <p>Thank you for your feedback.</p> <p>I have never stated that "there have been zero turbine failures". During the panel discussion at the Medina campus of the Genesee community college Mrs. Albright listed off several numbers relating to "turbine failure". Because we were in the midst of a panel discussion on the proposed Lighthouse wind project, I did not have the ability to check her numbers. Instead I simply added up the numbers she quoted and divided it by the number of wind turbines operating in the United States currently (around 50,000). The percentage came out to somewhere in the range of .002%. I never insinuated that this was the true statistic, but only that even if I used the number she stated during our panel discussion, turbines have an exceptionally low rate of failure.</p>

14:39:27	01 May 2015	Cynthia	hellert	Taylor Quarles	<p>We are in active consultation with USFWS, NYSDEC, and the US Army Corp of Engineers regarding wildlife issues. We are currently performing avian studies. We are actively working on our plans for other wildlife studies, including bat studies. Our study plan and results will be reviewed under the article 10 process. I would encourage you to refer to the article 10 law on this matter and any other you may be interested in. This is a very comprehensive and transparent permitting process in my opinion.</p> <p>1001.22 Exhibit 22: Terrestrial Ecology and Wetlands -- can be seen on pages 34-36 of the document  <a href="http://www3.dps.ny.gov/W/PSCWeb.nsf/96f0fec0b45a3c6485257688006a701a/143595fa3be36aea852579d00068b454/\$FILE/Article%2010%20Regulations.pdf">http://www3.dps.ny.gov/W/PSCWeb.nsf/96f0fec0b45a3c6485257688006a701a/143595fa3be36aea852579d00068b454/\$FILE/Article%2010%20Regulations.pdf</a></p> <p>In regards to your concern over health issues I also encourage you to review:  1001.15 Exhibit 15: Public Health and Safety -- found on page 21-22.</p> <p>Thanks for your concern.</p> <p>Taylor Quarles</p> <p><b>Note by Apex: This message is in response to Ms. Hellert's message sent on April 23rd at 14:32:31</b></p>
19:07:16	01 May 2015	Cynthia	hellert	Cynthia hellert	<p>Taylor,  Thank you for your response. First I am going to address my quote, "there have been zero wind turbine failures", which I thought you had stated. I have listened to the recording of the panel discussion (which was finally released after being vetted by the APEX lawyers) and could hear exactly what the questions and answers were, which was very difficult for those of us not seated close to the speakers that evening. I apologize that I did not hear the question accurately. The question was "how many injuries have resulted from blade failures?" This is where you responded "zero" and quickly went on to the previous discussion of wind in Denmark, stating you would return to the question. You did not, however, return to the question. Either way, "zero" is apparently not an accurate number as Suzanne went on to quote from her investigation.  Of even more concern to me is the repeated propaganda relating to the absence of health issues linked to industrial wind turbines. I'm sure you have repeated it often enough that you now believe it to be true. "There's 50,000 wind turbines spinning right now in the U.S. and Of all the studies, even peer reviewed ....including shadow flicker, infrasound....there is not an established link between wind turbines and human health impact." REALLY ??? Do your homework Taylor.  I will personally continue to research and I will fight for what is right for me and my family. Industrial Wind Turbines do NOT belong near PEOPLE!  Now fly back to your home in Virginia and take our plight with you.</p> <p>Sincerely,  Cynthia</p>
23:40:26	01 May 2015	Cynthia	hellert	Cynthia hellert	<p>Taylor,  I have read the referenced information in the link you provided. My understanding of this is that the company will document possible adverse effects on public safety and it will display the possible mitigation of these. The bottom line is that the company acknowledges that these do in fact exist, and the company will list what they will do to mitigate. Mitigation is not elimination. I find this totally inconsequential.</p> <p>Cynthia</p>
18:26:23	09 Jun 2015	Cynthia	hellert	Taylor Quarles	<p>Cynthia,</p> <p>Please pardon my delay in response to your most recent messages.  I appreciate your opinion on this matter, and take the responsible development of the Lighthouse Wind project very seriously. Please understand that we are still at an early stage of project development. Our future submittals under article 10 will address many of the outstanding questions you may have. These submissions will include our Preliminary Scoping Statement (PSS) and Application. We expect the PSS submittal will occur in late summer 2015, and our final application submittal will occur in early 2016. The PSS will outline among other things, all of the studies we will perform (and those we have been performing) and the application will include, among other things, the results of these studies that have been completed at that time. These documents will be available for the public and government agencies to review and comment on, and will be considered in full before granting a final permit for the project.</p> <p>Sincerely,  Taylor Quarles</p>
16:28:18	15 Jun 2015	Cynthia	hellert	Cynthia hellert	<p>Taylor and Dan,  Do the APEX wind farms have fences around them? I never see them in your propaganda.</p> <p>Cynthia</p>
20:27:34	17 Jun 2015	Cynthia	hellert	Taylor Quarles	<p>Cynthia,</p> <p>We do not plan on having fences around our turbines. The turbines will have an access road around the base. Farmers will be able to plant crops or graze livestock up to that road, and will be able to use the access road for their personal usage. We work with the landowners to site the access roads in the most convenient places for their operations. Our intention is that these well built roads will allow for greater efficiency of their operation in addition to allowing for technician access to the turbine.</p> <p>Sincerely,  Taylor Quarles</p>
14:04:02	01 May 2015	Richard	Hellert	Taylor Quarles	<p>Richard,</p> <p>Thank you for your feedback.</p> <p>Taylor Quarles</p>
14:10:26	01 May 2015	Richard	Hellert	Richard Hellert	<p>Now read the Lockport paper for more truth about your company and the hazards of wind energy. These people are not making this up.</p>
22:54:46	09 Jun 2015	Richard	Hellert	Taylor Quarles	<p>Mr. Hellert,</p> <p>Pardon my delay in response to your most recent comment.  Thank you for your continued feedback. I want to emphasize that the project is still at an early stage. We are actively gathering public and agency comment in addition to meeting with stakeholders in order to finish designing our study protocols, which will all be laid out in our Preliminary Scoping Statement (PSS). This document will be open to public and agency review, as will the final results of these studies.</p> <p>Sincerely,  Taylor Quarles</p>

13:09:08	10 Jun 2015	Richard	Hellert	Richard Hellert	At the next meeting in Yates come with documentation that they are not harmful.  Sent from my iPhone
23:14:43	23 Jun 2015	Richard	Hellert	Taylor Quarles	Mr. Hellert,  Thanks for your message. Please be a bit more specific as to what your question is. I am happy to have a discussion regarding your specific concerns.  Sincerely,  Taylor Quarles
01:58:16	24 Jun 2015	Richard	Hellert	Richard Hellert	It is not a question. I would like proof that windmills are not going to be hazardous to my health when you put them across the street from my home.
15:16:51	01 May 2015	Todd	Kroh	Taylor Quarles	Todd,  I appreciate your message notifying us of the mistake. I will send another copy to Holly at the address you mentioned. Please let me know if you have any questions on the newsletter or on our proposed Lighthouse project. I am in the area quite frequently, and happy to talk in person or over the phone.  Thank you,  Taylor Quarles <b>Note by Apex: This message is in response to a comment left by Mr. Kroh regarding a correction for mailing address.</b>
02:27:22	06 May 2015	Don	Lewicki	Don Lewicki	I don't see a specific feedback link on your site. Also, when are you going to open a local office. Thanks Don Lewicki  Sent from my iPad
17:32:11	09 Jun 2015	Don	Lewicki	Taylor Quarles	Don,  Pardon the delay in responding to this note.  We are receiving feedback through our info@lighthousewind.com email address. All messages and our responses are logged with the Public Service Commission.  We have opened an office on Main Street in Barker. We are in the same building as Somerset Sails, and directly to the right of the Keybank. At this time we have not posted our regular office hours, but we hope to do this soon, and will advertise on the website. Until then, please don't hesitate to send an email and we can schedule a time for you to stop by. You could also call me directly at 434-328-2293.  Sincerely,  Taylor Quarles
23:21:19	23 Jun 2015	Don	Lewicki	Taylor Quarles	Mr Lewicki, I am writing you in response to our phone conversation we had recently mainly regarding the Attorney Generals (AGs) code.  As you may know, the code was promulgated prior to Article 10 being the law, so there are numerous issues with the code that don't fully mesh with Article 10. We continue to work with the AG to address these issues and sign the code at their request. We already substantively complying with the code by asking if any participating landowners are municipal officials within our leasing documents. If they are, we expect that they will recuse themselves from any vote on matters involving the project.  When we launched the Public Involvement Plan (PIP) for the project back at the end of October, the New York State Attorney General's Office was contacted as part of our stakeholder outreach. That started a conversation that has been ongoing in regard to the code of conduct, including a letter from Apex to the AG's office explicitly stating that Apex is willing to sign the code. This specific letter was sent April 1st, 2015. This letter represents only a portion of the communication we have had with the AGs office on this issue since October 2014. Apex will continue working with the AGs office as we develop Lighthouse Wind.  Regardless of the status of the Code, Apex has a high internal standard for ethics in development and has and will continue to ensure that it avoids conflicts of interests in development of all of its Projects. As I mentioned by phone, I am open to continuing our discussion of the project in person at our office in Barker if you are in the area.  Sincerely, Taylor Quarles
23:21:38	28 Jun 2015	Donald	Lewicki	Donald Lewicki	Hello, I have the following questions regarding Apex's work so far with the Lighthouse wind project.  1. Has APEX offered or provided any type of monetary/gift/donation to any stakeholder listed in the PIP (other than a host landowner) at any time since 1/2014?  2. Has APEX conducted any kind of survey to gather public opinion and feedback of the project? Can you send me the content of these surveys and methodology of administering them?  3. Has APEX offered legal advice to any stakeholders listed in the PIP? Has APEX offered to pay legal fees to any town board in the project scope area?  4. Can you provide me a map of the project area which shows which tracts of land have been leased by APEX so far?  5. Can you provide me with analytics of the lighthousewind.com website?  6. Have you made contact with all listed stakeholder organizations listed in the PIP?  7. Have you MAILED at least one notice of the project to all Landowners in the proposed affected area of the project? If you did, how did you obtain the mailing addresses?

23:21:38	28 Jun 2015	Donald	Lewicki	Donald Lewicki	<p>8. Can you provide me a copy of your ethics code?</p> <p>9. Can you give me the name of the primary contact you are working with in the state's attorney general's office? (I asked for this on June 12th but did not receive an answer to this question-- although I was promised an answer).</p> <p>10. Can you tell me how many questions were handled in total during the recently conducted telephone town halls?</p> <p>Thank you.</p> <p>Don Lewicki 9099 Lakeshore Drive Somerset, NY</p> <p>[<a href="https://docs.google.com/uc?id=0B95XJiYIMDYoMEVYVRETxdDS0U&amp;export=download">https://docs.google.com/uc?id=0B95XJiYIMDYoMEVYVRETxdDS0U&amp;export=download</a>]</p> <p>Don Lewicki Associate Professor of Computer Information Systems &amp; Technology Program Director - Computer Information Systems and Technology Director - Computing, Telecommunications, and Media Services University of Pittsburgh at Bradford office +1 814-362-0988</p>
	08 Jul 2015	Don	Lewicki	Taylor Quarles	<p>Mr. Lewicki, Please find our response to each of your questions below. I have included your original questions for clarity. Contact me if you have any additional questions. I am available to meet in person in Barker, and would appreciate the opportunity to sit down with you in person if you are in the area.</p> <p>1. Has APEX offered or provided any type of monetary/gift/donation to any stakeholder listed in the PIP (other than a host landowner) at any time since 1/2014? • No. The only fees paid to any stakeholder would be administrative application or other permit fees, and rental fees for events.</p> <p>2. Has APEX conducted any kind of survey to gather public opinion and feedback of the project? Can you send me the content of these surveys and methodology of administering them? • Lighthouse Wind has conducted some phone polling in the project area to assess support for the project in the area. At this time the information is being used internally to determine maximize potential approaches to outreach and to assess the effectiveness of PIP activities.</p> <p>3. Has APEX offered legal advice to any stakeholders listed in the PIP? Has APEX offered to pay legal fees to any town board in the project scope area? • Lighthouse Wind cannot and does not offer legal advice to stakeholders. It is very common in New York for applicants to agree to assist the municipality with the engineering and legal costs associated with litigation on approvals issued by the municipality. Due to the references to litigation by certain individuals at recent public meetings, Lighthouse Wind LLC discussed an escrow agreement with the Town of Yates so that litigation costs would not be borne by taxpayers of the Town.</p>
	08 Jul 2015	Don	Lewicki	Taylor Quarles	<p>4. Can you provide me a map of the project area which shows which tracts of land have been leased by APEX so far? • Due to the dynamic nature of development at this stage in the process, including the ongoing stakeholder consultation, resource review and public outreach process and nature of ongoing landowner discussions, this information is not available. Once the layout is finalized, it will be identified in detail in a submission to the Siting Board, including identification of all participating landowners.</p> <p>5. Can you provide me with analytics of the lighthousewind.com website? • This information is proprietary and is not related to the Article 10 process.</p> <p>6. Have you made contact with all listed stakeholder organizations listed in the PIP? • Initial letters were sent to all stakeholders and many follow-up meetings were held in-person or via phone. As part of the ongoing Public Involvement Program Plan, we continue to identify new stakeholders and try to meet with them. If you know of any stakeholder groups that we should contact, please let us know.</p> <p>7. Have you MAILED at least one notice of the project to all Landowners in the proposed affected area of the project? If you did, how did you obtain the mailing addresses? • A newsletter was mailed to all landowners within the project area informing them of the project and updating them on the status. The addresses were obtained from county tax data.</p>
	08 Jul 2015	Don	Lewicki	Taylor Quarles	<p>8. Can you provide me a copy of your ethics code? • Apex has a high internal standard for ethics in development and has and will continue to ensure that it avoids conflicts of interests in development of all of its Projects. We do not have a formal written policy but adhere to all applicable ethics laws.</p> <p>9. Can you give me the name of the primary contact you are working with in the state's attorney general's office? (I asked for this on June 12th but did not receive an answer to this question-- although I was promised an answer). • Please find attached to this email a copy of the letter we sent to the Attorney General's office on April 1st, indicating that we would sign the code of conduct. This letter is only one example of ongoing communication with the Attorney General's office.</p> <p>10. Can you tell me how many questions were handled in total during the recently conducted telephone town halls? • During our most recent telephone town hall 7 questions were answered. These answers came from 5 separate individuals, some of which asked their question(s) directly, and some who had their questions relayed through operators.</p> <p>Sincerely, Taylor Quarles</p>
15:29:41	01 May 2015	Alan	Lockwood	Taylor Quarles	<p>Alan,</p> <p>I did see your piece, and very much appreciate your efforts in this matter. We are working hard to get our message out to folks in the area.</p> <p>I will certainly be in touch in the future as we work diligently to get the truth out about wind energy and our proposed lighthouse wind project. Sincerely, Taylor Quarles</p> <p>Note by Apex: This response is to a message Mr. Lockwood sent on April 12th, 2015, and is included in the previously submitted March-April Email Tracker.</p>

13:04:17	04 May 2015	Glenn	Maid	Taylor Quarles	<p>Glenn,</p> <p>I appreciate your patience in this matter.</p> <p>In regards to your questions on wind turbine decommissioning, the details you request will be included in parts of both our preliminary scoping statement and in our application per Article 10 requirements, some of which I have listed below. The submittal of these documents will be at a time determined by Apex. As to your questions 5 and 6: Apex has not built any turbine that has been decommissioned. Decommissioning costs account for numerous factors, including the scrap value of the turbine to be taken down. In fact, on several wind farms going into operation in the next few years, it is estimated that the value of the turbine infrastructure is greater than the cost to remove these machines and restore the landscape.</p> <p>We intend to have a decommissioning bond in place with a reputable third party surety company prior to operations of the project, as required by article 10 and our agreement with landowners. Furthermore it is our intention, which is stated clearly in our agreements with landowners, to revisit this bond amount every five years to ensure that this amount is correct.</p> <p>The questions you asked regarding "abatement" relate to requirements of the NYS article 10 law. Below I have copied excerpts from this law, which includes requirements for our submittals throughout the application process. I do not intend for these excerpts to be a comprehensive list of the sections of the article 10 law which deal with your questions, but instead to provide you with some background on the detail required regarding Operations/Maintenance and Decommissioning. I encourage you to explore the text of article 10 yourself for more detail. In my opinion, NYS has some of the most comprehensive and transparent permitting requirements of any state. I have a copy of this law on my desk, and refer to it frequently.</p> <p>...</p> <p>1000.5 Pre-Application Procedures</p> <p>...</p>
13:04:17	04 May 2015	Glenn	Maid	Taylor Quarles	<p>(3) an identification of all other state and federal permits, certifications, or other authorizations needed for construction, operation or maintenance of the proposed facility;</p> <p>(4) a list and description of all state laws and regulations issued thereunder applicable to the construction, operation or maintenance of the proposed facility and a preliminary statement demonstrating an ability to comply;</p> <p>...</p> <p>1001.5 Exhibit 5: Electric System Effects</p> <p>Electric System Effects Exhibit 5 shall contain:</p> <p>...</p> <p>(f) A description of criteria, plans, and protocols for generation and ancillary facilities design, construction, commissioning, and operation, including as appropriate to generation technology:</p> <p>(1) engineering codes, standards, guidelines and practices that apply;</p> <p>(2) generation facility type certification;</p> <p>(3) procedures and controls for facility inspection, testing and commissioning; and</p> <p>(4) maintenance and management plans, procedures and criteria.</p> <p>...</p> <p>(i) Facility maintenance and management plans, procedures and criteria, specifically addressing the following topics:</p> <p>(1) turbine maintenance, safety inspections, and tower integrity; and</p> <p>(2) electric transmission, gathering and interconnect line inspections, maintenance, and repairs, including:</p> <p>(i) vegetation clearance requirements;</p> <p>(ii) vegetation management plans and procedures;</p> <p>(iii) inspection and maintenance schedules;</p> <p>(iv) notification and public relations for work in public right-of-way; and</p>
13:04:17	04 May 2015	Glenn	Maid	Taylor Quarles	<p>(v) minimization of interference with electric and communications distribution systems.1001.29</p> <p>...</p> <p>Exhibit 29: Site Restoration and Decommissioning</p> <p>Exhibit 29 shall contain:</p> <p>(a) A statement of the performance criteria proposed for site restoration in the event the facility cannot be completed and for decommissioning of the facility, including a discussion of why the performance criteria are appropriate. Among other things, the statement shall address:</p> <p>(1) safety and the removal of hazardous conditions;</p> <p>(2) environmental impacts;</p> <p>(3) aesthetics;</p> <p>(4) salvage and recycling;</p> <p>(5) potential future uses for the site; and</p> <p>(6) the useful life of the facility</p> <p>(b) A plan for the decommissioning and restoration of the facility site including how such decommissioning and restoration shall be funded and a schedule for the conduct of decommissioning and site restoration activities.</p> <p>(c) For wind-powered generation facilities and other facilities to be located on lands owned by another, a description of all site restoration, decommissioning and guaranty/security agreements between the applicant and landowner, municipality, or other entity, including provisions for turbines, foundations, and electrical collection, transmission, and interconnection facilities.</p> <p>...</p> <p>Thank You.</p> <p>Taylor Quarles</p>

13:33:26	04 May 2015	Glenn	Maid	Taylor Quarles	<p>Glenn,</p> <p>As I expect you already know, contractors and subcontractors are given the right to file liens to help ensure that they get payments they think they are owed. While in some cases, liens may be filed due to a failure of a customer or contractor to pay, in many cases, liens are filed when there is a dispute between contractors about the value of the payment the lienholder is entitled to. In a large construction project, it is not uncommon for disputes between contractors and their subcontractors to arise, resulting in the filing of liens.</p> <p>Apex has an excellent track record of paying its bills. In fact, no lien has ever been filed for failure of Apex or any of its project companies to pay their bills when the situation did not involve a dispute over how much was owed.</p> <p>No matter when or why liens are filed during the construction of an Apex facility, Apex makes sure that the project's landowners are protected. Apex leases contain a provision stating that Apex will not permit liens arising from construction of an Apex facility to be enforced against the landowner's property. If a lien is placed on a landowner's property, Apex may contest the validity of the lien, but must bond against the lien or indemnify the landowner against enforcement of the lien in a way that satisfies the landowner. In most states, Apex can ensure liens are swiftly released from landowner property by requiring contractors to post bonds to cover the value of the lien if a lien is ever filed. Apex includes the legally binding requirement to post such bonds in our contracts with our contractors. In New York, the posting of a bond that covers the value of a lien automatically releases that lien from the real estate in question. In this way, Apex ensures that its landowners are protected from any payment disputes that may emerge between contractors and their subcontractors over the course of construction.</p> <p>Taylor Quarles</p>
13:27:17	05 May 2015	Glenn	Maid	Glenn Maid	<p>Mr Quarles,</p> <p>I too have a copy of Article 10 on my desk, and refer to it often. Since APEX has not filed it's PSS and subsequent application, your response means nothing to me TODAY, or 5 weeks ago as it may be.</p> <p>Maybe I need to clarify them to make them easier for you to answer, with out you copying and pasting more parts of Article 10. The community wants answers now, not later.</p> <p>Questions 1-4, Will APEX follow Yates Local Law #1, and the Somerset equivalent, which have specific provisions regarding these topics ? If not, what are your answers?</p> <p>Question #5 I realize APEX hasn't decommissioned any turbines yet....you haven't been in business that long. Ok, let's make this easier: What will your decommissioning bond, funding amount be for each turbine placement be for the Lighthouse Wind Project. Since you tend to refer every question back to Article 10, you'll be needing this number for the PSS, Application , and for the Town's of Somerset and Yates Special Use Permit Process. How much per unit ?</p> <p>Question #6 Like #5, yes I know you haven't decommissioned any yet. It's not 2045 either. But it will be. What will it cost then ? Our community wants to know how much money APEX has to put up to ensure proper and complete decommissioning be done when our children take over our properties. Who will check with the landowners every 5 years ? APEX? Whomever buys the project ? An independent party ? What happens if the land owner, or municipality disagrees with the amount ?</p> <p>The community wants to know NOW, not if / when APEX files the PSS. Actually, they needed to know a month ago. Simple questions. Simple answers. Maybe you'll answer them this time.</p> <p>Best Regards, Glenn Maid</p>
16:53:55	06 May 2015	Glenn	Maid	Glenn Maid	<p>Mr Quarles,</p> <p>Your response, which took nearly 6 weeks to get, is four paragraphs of your policies and processes, yet did not in any way answer the original, specific question:</p> <p>Since it's inception in 2009, how many liens have been placed on projects of APEX and it's subsidiaries, with dollar values, and how many are still in place as of today's date ?</p> <p>Whether it was a failure to pay a bill, or it is the result of the bill amount being contested, a lien against property owners is still a lien, for which the land owners are responsible until said bill is paid, or true amount settled upon, the debt is paid, and the lien released. Indemnification and bonding to protect landowners in NYS ? Are you sure that language is in the Lighthouse Wind lease contracts ?</p> <p>Your response indicated that "In fact, no lien has ever been filed for failure of Apex or any of its project companies to pay their bills when the situation did not involve a dispute over how much was owed" Ok, since you know this, you have the data I am requesting, so why are you withholding it ? Regardless of why a lien was filed, it was still filed. Give me the answers.</p> <p>In the Ambassador Steel lien, Vermillion County IL, filed 12/17/14, the lien was for \$1.4M, balance due that was unpaid. Apex had paid \$600K, with the "dispute over what is owed" being \$1.4M ? Your contractor was off by %1.4M ? And Christensen Electric overcharged Apex by \$1.3M ? Again, a lien is a lien.</p> <p>...</p>
16:53:55	06 May 2015	Glenn	Maid	Glenn Maid	<p>Regardless of the reason for the filing, I still want an answer to the original questions. I ask again: Since it's inception in 2009, how many liens have been placed on projects of APEX and it's subsidiaries, with dollar values, and how many are still in place as of today's date (that date being March 28th, 2015)?</p> <p>You are obligated by law to answer these question, and so far, have refused to do so. Please refrain from replying with policies and contract language again. They are simple questions. Just answer them; in a more timely fashion if you would.</p> <p>Best Regards, Glenn Maid</p>

20:45:39	08 May 2015	Glenn	Maid	Taylor Quarles	<p>Mr. Maid,</p> <p>In response to your question on liens: This email address has been established to address stakeholder comments and questions in regard to the proposed Lighthouse Wind Project. There are no liens involved with the Lighthouse Wind Project.</p> <p>As previously stated, no matter when or why liens are filed during the construction of an Apex facility, Apex makes sure that the project's landowners are protected. Apex leases contain a provision stating that Apex will not permit liens arising from construction of an Apex facility to be enforced against the landowner's property. If a lien is placed on a landowner's property, Apex may contest the validity of the lien, but must bond against the lien or indemnify the landowner against enforcement of the lien in a way that satisfies the landowner. Specifically, the lease provides as follows: "Lighthouse Wind will pay when due all claims for labor and material furnished to the Premises, and will not permit any mechanic's, materialmen's, contractor's, or other claims of liens arising from any construction, maintenance, repair, or alteration of improvements by Lighthouse Wind to be enforced against the Premises or any part thereof."</p> <p>Regarding the Article 10 requirements, please refer to section 1000.4 "Public Involvement", which states:</p> <p>(b) To ensure that the public and interested parties are fully assisted and advised in participating in the Article 10 process, an office of public information coordinator has been created within DPS. Public information coordination shall include:</p> <ol style="list-style-type: none"> <li>(1) implementing measures that assure public participation in matters before the Board;</li> <li>(2) responding to inquiries from the public for information on how to participate in matters before the Board;</li> <li>(3) assisting the public in requesting records relating to matters before the Board;</li> <li>(4) ensuring all interested persons are provided with a reasonable opportunity to participate at public meetings relating to matters before the Board;</li> <li>(5) ensuring that all necessary or required documents are available for public access on the DPS website; and</li> <li>(6) any other duties as may be prescribed by the Board, after consultation with DPS.</li> </ol> <p>...</p>
20:45:39	08 May 2015	Glenn	Maid	Taylor Quarles	<p>Our PIP states: "public feedback will receive a response within ten business days, or, if a full response is not possible at that time, they will receive a message within that time to let them know when they can expect a full response."</p> <p>In regards to the response time, I have striven to respond to every question or comment received within 10 days, however, due to the high level of public involvement in the process at this early stage, there have been instances where this was not possible, and we are taking steps to address that issue. Moving forward it is our intention to abide by our response times stated in our PIP. These responses, or "public information coordination", as stated in 1000.4 are referring to "matters before the board". As stated earlier, this email address has been established to address stakeholder comments and questions in regard to the proposed Lighthouse Wind project, which in our case is "the matter before the board". In cases where question or comments are not related to the proposed Lighthouse Wind project, our responses will focus on answering the question as they relate to this project and the Article 10 process.</p> <p>Sincerely,</p> <p>Taylor Quarles</p>
20:48:03	08 May 2015	Glenn	Maid	Taylor Quarles	<p>Mr. Maid,</p> <p>In response to your questions on decommissioning:</p> <p>As previously stated, the details you request will be included in parts of both our Preliminary Scoping Statement (PSS) and in our Application per Article 10 requirements. I listed some pertinent sections of these requirements in my last email to illustrate the level of detail required. The submittal of these documents will be at a time determined by Apex based upon the project development process.</p> <p>If a permit is issued through Article 10, it will contain numerous requirements to build the project, including requirements relating to decommissioning. My previous email listed some of these requirements. Apex will not make the final determinations on the requirements of a permit issued through Article 10. The requirements of the permit will be determined according to the siting board, and we expect that they will take local laws into consideration throughout this permitting process.</p> <p>The answers to many of your questions are not yet available due to the fact that the proposed Lighthouse Wind project is in only the early stages of permitting process. The project plans are being developed based upon information currently being gathered. More detail will be available in the PSS and Application. Both the PSS and Application have public comment periods which will allow you and other stakeholders to review the information and make comment. Both periods of comment will occur prior to any determination by the siting board.</p> <p>Sincerely,</p> <p>Taylor Quarles</p>
15:36:49	09 May 2015	Glenn	Maid	Glenn Maid	<p>Mr Quarles,</p> <p>"The matter before the board" is the Lighthouse Wind Project, owned and developed by APEX Clean Energy.</p> <p>Every filing document at the DPS, without exception is on APEX Clean Energy letterhead.</p> <p>The PIP, and both amended versions, on the very first page, in approximately 200 font, prominently displayed, is APEX CLEAN ENERGY. And excerpt from page #1 the PIP; "The Lighthouse Wind farm(the "Project")is a proposed 201MW wind energy project, located in the Town of Somerset, Niagara County, New York and the Town of Yates, Orleans County, New York, owned and developed by Apex Clean Energy Holdings, LLC ("Apex")"</p> <p>A web search for Lighthouse Wind takes you to the APEX CLEAN ENERGY website. The mailing address for Lighthose Wind is exactly the same as APEX CLEAN ENERGY.</p> <p>EVERY memorandum of lease for this "The matter before the board" filed in Orleans and Niagara Counties to date lists c/o APEX CLEAN ENERGY and signed by it's CEO Mr. Goodwin or a designated representative.</p> <p>Your assertion that questions be limited to Lighthouse Wind is ridiculous. Lighthouse Wind IS APEX CLEAN ENERGY. "There are no liens involved with the Lighthouse Wind Project." No kidding. You haven't built anything yet. But APEX CLEAN ENERGY has, and there have been liens filed. And we are entitled to know what they are.</p>

15:36:49	09 May 2015	Glenn	Maid	Glenn Maid	<p>The community has the right to know the track record of the owner and developer of a project in "The matter before the board". That owner and developer is APEX Clean Energy, written by APEX CLEAN ENERGY and filed with the DPS.</p> <p>I ask you for the 3rd time; Since it's inception in 2009, how many liens have been placed on projects of APEX and it's subsidiaries, with dollar values, and how many are still in place as of today's date (that date being March 28th, 2015)?</p> <p>And again, you can save some megapixels as cease references to, and cutting pasting from, Article 10. I've read it. You're wasting your time, and my time, with that when you should just be answering my questions, as required by law.</p> <p>Your continued baseless arguments in a effort to avoid this topic creates an inference that you are hiding something.</p> <p>Glenn Maid</p>
16:01:54	09 May 2015	Glenn	Maid	Glenn Maid	<p>Gentlemen,</p> <p>Based on SEC filings, APEX CLEAN ENERGY, INC has sold approximately \$54M of equity ( and some debt ) since 2009. Equity means ownership; other firms, groups, organization and people own part of the company.</p> <p><a href="http://www.formds.com/issuers/apex-clean-energy-holdings-llc">http://www.formds.com/issuers/apex-clean-energy-holdings-llc</a></p> <p>The leaders of the involved municipalities have to show that they have no conflict of interest with the developer, and now other part owners of APEX. This is expressed in the NYS Code of Conduct agreement.</p> <p>Additionally, potential land leasers also need to know with whom they are entering into a land lease contract, to determine if they too have a conflict of any type, either legal or ethical.</p> <p>Who bought said equity and debt ?</p> <p>Glenn Maid</p>
05:31:15	18 Jun 2015	Glenn	Maid	Glenn Maid	<p>Mr. Quarles,</p> <p>I'm still waiting for your answers. It's been since March. You meeting log entries, like your responses to my emails, are vague, incomplete, and clearly do not come close to answering the very simple questions I've asked you.</p> <p>Lets me help you. Here's a start. Just fill in the list and don't stop until they are all there.</p> <ol style="list-style-type: none"> <li>1. Ambassador Steel \$1.4 million</li> <li>2. Chtistensen Electric \$1.3 million</li> <li>3.</li> <li>4.</li> <li>5.....</li> </ol> <p>I'm not going away. You are now failing to respond to my questions, in clear violation of Article 10. Our community has the right to know this information, and you have the legal obligation to truthfully and thoroughly provide it.</p> <p>Glenn Maid</p>
05:34:41	18 Jun 2015	Glenn	Maid	Glenn Maid	<p>Gentlemen,</p> <p>Like two other topics I have emailed you about, you have failed to respond to this question. According to Article 10, and your own website, you are required to thoroughly, truthfully and promptly answer these questions. You have not.</p> <p>It has now been 5 weeks. Answer my question, again, without cutting and pasting from Article 10. I've read it. Who are the part owners of APEX Clean Energy ?</p> <p>Glenn Maid</p> <p>☐</p>
05:50:51	18 Jun 2015	Glenn	Maid	Glenn Maid	<p>Gentlemen,</p> <p>On Monday June 8th, 2015, during the Yates Town Board workshop meeting, the Board discussed the possibility that APEX / Lighthouse Wind will fund an escrow account to pay for the Town's retained lawyer Dan Spitzer, retroactively back to January 2015.</p> <p>Is this true ?</p> <p>How much money will be placed in escrow ?</p> <p>Why wasn't this money placed in escrow at the filing of the PIP, or when Mr Spitzer was initially hired ?</p> <p>Why was this offer presented just prior to the Town Board's vote on your MET Tower application, a vote that resulted in a favorable outcome for the Lighthouse Wind project?</p> <p>Glenn Maid</p>

13:06:07	20 Jun 2015	Glenn	Maid	Glenn Maid	<p>Mr. Quarles,</p> <p>I have specifically asked you about liens filed against APEX and it's subsidiaries, and you have failed to answer me. Our community, where you continue to seek land leases, needs to know the history of the company they may do business with.</p> <p>Since you refused to provide the information to me, can I assume that you have not, and will not provide such information to land owners when you continue your endeavor to lease more land ?</p> <p>Again, let me help you. Just fill in the list and don't stop until they are all there.</p> <p>1. Ambassador Steel \$1.4 million</p> <p>2. Chtistensen Electric \$1.3 million</p> <p>3. NCSG Crane and Heavy Haul Service \$2.4 million ( New )</p> <p>4.</p> <p>5.....</p> <p>Here's the link, in case your own people aren't telling you.  <a href="http://edgarcountywatchdogs.com/2015/06/more-liens-against-hoopeston-wind-apex/">http://edgarcountywatchdogs.com/2015/06/more-liens-against-hoopeston-wind-apex/</a></p>
	07 Jul 2015	Glenn	Maid	Taylor Quarles	<p>Mr. Maid,</p> <p>Pardon my delay in responding to your comment regarding liens. Please allow me to outline and offer an update on this situation.</p> <ul style="list-style-type: none"> <li>• Liens at Apex's Hoopeston Wind Project emerged due to disputes between subcontractors working on the project.</li> <li>• Apex has been working hard to get these liens released as quickly as possible and to ensure that landowners are protected from inconvenience in the meantime.</li> <li>• The situation at Hoopeston Wind is unique to Illinois and WILL NOT happen at Lighthouse, because the laws of the state are different. In most states, including NY, liens are automatically released when a bond is placed for the value of the lien. In Illinois, this is not the case, so even though bonds were placed for the value of the liens, the liens remained in place. Liens in Illinois are not released until all associated disputes have been settled or resolved.</li> <li>• No new liens have been filed in the last month.</li> <li>• Several liens have been released since this issue was initially reported, and only two remain. The disputes associated with these two liens are still in the process of being resolved.</li> <li>• We stand by our landowners, and we are doing everything we can to ensure they are not impacted by subcontractor disputes.</li> </ul> <p>Sincerely, Taylor Quarles</p>
	07 Jul 2015	Glenn	Maid	Taylor Quarles	<p>Mr. Maid,</p> <p>Traditionally under previous permitting processes such as the State Environmental Quality Review Act (SEQRA), it was customary for developers to provide escrow funds for costs of legal work to be performed by the lead agencies which was often the towns. With the change Article 10, it was not originally anticipated that such funds would be necessary, and that the intervenor funds would be available to cover such costs incurred by towns in their review of wind projects. However, it was recently determined that the Town of Yates may incur some legal costs as a result of early permitting studies, and, therefore, the establishment of an escrow account was discussed.</p> <p>How much money will be placed in escrow?</p> <ul style="list-style-type: none"> <li>• Lighthouse Wind LLC has agreed to enter into an escrow agreement with the Town of Yates and deposit monies to reimburse the Town for its engineering and legal costs incurred for aspects of the Project that may be beyond the scope of the review under Article 10.</li> </ul> <p>Why wasn't this money placed in escrow at the filing of the PIP, or when Mr Spitzer was initially hired ?</p> <ul style="list-style-type: none"> <li>• Any escrow agreement between the Town of Yates and Lighthouse Wind LLC would not include reimbursement for activities under Article 10. Moreover, Article 10 does not provide for an intervenor fund for PIP activities.</li> </ul> <p>Why was this offer presented just prior to the Town Board's vote on your MET Tower application, a vote that resulted in a favorable outcome for the Lighthouse Wind project?</p> <ul style="list-style-type: none"> <li>• We are not certain about the timing you suggest in your question, but it is likely that the escrow agreement was discussed near in time to the approval of the MET tower application due to the number of litigation threats that the Town received in the public meetings prior to approval of the MET Tower application.</li> </ul> <p>Please don't hesitate to reach out with any additional questions.</p> <p>Sincerely, Taylor Quarles</p>
12:47:15	28 Jun 2015	Joseph	Pellegrino		<p>If it's so good put it in your own back yard. Stop preying on economically depressed areas. We need real jobs with a living wage. Just like the internal combustion engine if there was something better it would be in use today</p>
13:06:11	10 Jun 2015	Natalie	R		<p>Does the money you make help towards the good of the towns nearby your windmills?</p>

15:42:17	11 Jun 2015	Natalie	R	Taylor Quarles	<p>Natalie,</p> <p>I saw the feedback you left for us which asked if the windmills would provide economic benefits for the towns.</p> <p>The proposed Lighthouse Wind Farm could have a very large positive economic benefit for the towns of Yates and Somerset, their schools, and the counties of Orleans and Niagara. We anticipate that the economic benefit package we would enter into would total over \$1.6 million yearly to these taxing jurisdictions if we build the full 200 MW project. This agreement will be negotiated in the future, and be a stipulation of the ultimate permit we receive to build the project.</p> <p>In addition to this benefit package, which would likely come in the form of a Payment in Lieu of Taxes (PILOT) and a Host Community Agreement (HCA), we will be making substantial lease payments for the landowners who have chosen to participate in the project. This participation could be in the form of hosting a turbine, underground collection lines, or roads. These landowner payments for the full 200 MW project would likely total close to \$2 million per year.</p> <p>So, while this project is still in a very early stage of development, we are excited at the possibility of working with the residents of Yates and Somerset to develop a project that is good for business, good for the environment, and good for your this community.</p> <p>Please don't hesitate to contact me with any additional questions. We have an office on main street in Barker, so are also happy to sit down in person to discuss the project.</p> <p>Sincerely,</p> <p>Taylor Quarles</p>
02:50:37	10 May 2015	John	Riggs	John Riggs	<p>Greetings Mr. Quarles, We have exchanged numerous communications regarding the Bane/APEX Special Use Permit Application for the erection of a Meteorological Tower in Yates, near the intersection of Marshall and Lakeshore Roads:</p> <ul style="list-style-type: none"> <li>- March 14, 2015 – SOS to APEX</li> <li>- March 27, 2015 – APEX to SOS</li> <li>- April 5, 2015 – SOS to APEX</li> <li>- April 16, 2015 – SOS to APEX</li> <li>- April 17, 2015 – APEX to SOS</li> </ul> <p>In those exchanges (March 14th and April 5th), SOS requested the following, twice, to no avail: "... SOS formally requests APEX to forward The APEX MET Tower Plan, as the plan is not included as an attachment to the Lighthouse Wind Public Information Plan (PIP). SOS needs to review this plan in order to understand:</p> <ul style="list-style-type: none"> <li>- The need for an additional MET tower in this area of Western New York</li> <li>- The need for 2 additional MET towers (total of 4 MET towers) in this area of Western New York</li> <li>- Why this additional MET tower is needed at the location identified in the Special Use Permit Application"</li> </ul>
02:50:37	10 May 2015	John	Riggs	John Riggs	<p>"Additional information such as: the extrapolatory mathematics used to analyze data gleaned from a 190ft. MET tower and then translated 570ft height estimates." "Frankly, unless "mathematics" is an opinion, Save Ontario Shores, Inc. sees no reason for the APEX position that "specific details of this analysis are sensitive and proprietary". While APEX may be concerned about damage to the company, Save Ontario Shores, Inc. is committed to the safety of human health, wildlife, environment and the quality of life and property at ground zero. As such, it is critical to understand the mathematical model APEX is using to extrapolate data obtained at the height of the MET Tower to any kind of validated, verified results at the proposed height of the Industrial Wind Turbines APEX is proposing." "Save Ontario Shores, Inc. proposes and agrees to signing a non-disclosure agreement with APEX." APEX responses communicated the following as excerpted: March 27, 2015 "Please note that no "meteorological tower plan" is required for the public involvement program." "It is unclear how the information you have requested regarding the project's need for meteorological towers and the "mathematics" used to analyze data received from the towers relates to any potential impacts the project may have on Save Ontario Shores. Specific details of this analysis are sensitive and proprietary to the business of Apex, and as such damaging to the company if shared with our competitors via public documents." April 17, 2015 "16 NYCRR 1001.6(d) requires that the Article 10 application include wind meteorological analyses." To date APEX has refused to forward the requested information on the MET Tower project. APEX is not being forthright in communicating pertinent information to stakeholders. SOS is, again, demanding the requested MET Tower Plan information. SOS also, again, offers to sign a Non-Disclosure Agreement with APEX regarding this information. Mr. Quarles, this behavior on the part of APEX is not in keeping with the Wind Industry Code of Ethics. SOS understands that APEX is awaiting a code re-assessment in as per the requirements of Article 10 and may sign at that point.</p>
02:50:37	10 May 2015	John	Riggs	John Riggs	<p>My concern is that, at this time, APEX is not compliant to the current code. Non-compliance with the code, by definition, renders APEX unethical. How will you prove to the residents of Somerset and Yates that you are acting in an ethical manner? SOS would like an immediate response to this question. The residents of Yates/Somerset and Western New York require appropriate responses from APEX. SOS is looking forward to APEX's response. Best Regards, John Riggs, President, Save Ontario Shores, Inc. PS: In order to assist recalling communications to date, the communication string (in its entirety) is included below:</p> <p>On Saturday, March 14, 2015 4:23 PM, DONN RIGGS wrote: To info@lighthousewind.com Greetings Mr. Fitzgerald, Save Ontario Shores (SOS) has been informed of an application by Ms. Donna Bane (Marshall Rd, Lyndonville, NY) for a Special Use Permit. SOS has also been informed that APEX has paid for this permit. SOS has also been informed that APEX/Ms. Bane desire this permit (if approved) to allow the erection of a Meteorological Tower near the intersection of Marshall Road and Lakeshore Road in the Town of Yates, NY. Lastly, SOS has learned that APEX plans a total of 4 MET towers at locations in and around the proposed location of the Industrial Wind Turbine Project also known as Lighthouse Wind. Considering the importance of MET Towers (and the data generated) to the proposed Lighthouse Wind Project, SOS is confident that there is an overall plan and scientific base for this activity. As such, SOS formally requests APEX to forward The APEX MET Tower Plan, as the plan is not included as an attachment to the Lighthouse Wind Public Information Plan (PIP). SOS needs to review this plan in order to understand:</p> <ul style="list-style-type: none"> <li>- The need for an additional MET tower in this area of Western New York</li> <li>- The need for 2 additional MET towers (total of 4 MET towers) in this area of Western New York</li> <li>- Why this additional MET tower is needed at the location identified in the Special Use Permit Application</li> </ul>
02:50:37	10 May 2015	John	Riggs	John Riggs	<p>Additional information such as: the extrapolatory mathematics used to analyze data gleaned from a 190ft. MET tower and then translated 570ft height estimates. The mathematics are important, so please ensure that all proposed calculations are attached to the APEX response. Please forward this information to: riggs53@verizon.net and Mr. John B. Riggs, Save Ontario Shores, Inc. PO Box 57 Lyndonville, NY 14098 Thank you for your time. Sincerely, John B. Riggs, President, Save Ontario Shores On Friday, March 27, 2015 11:45 AM, "info@lighthousewind.com" wrote: Greetings Mr. Riggs, I am writing in response to your email regarding meteorological towers for the proposed Lighthouse Wind project. Please note that no "meteorological tower plan" is required for the public involvement program. Section 1000.4 of the Article 10 regulations specifies that the public involvement program must include: (1) consultation with the affected agencies and other stakeholders; (2) pre-application activities to encourage stakeholders to participate at the earliest opportunity; (3) activities designed to educate the public as to the specific proposal and the Article 10 review process, including the availability of funding for municipal and local parties; (4) the establishment of a website to disseminate information to the public; (5) notifications; and (6) activities designed to encourage participation by stakeholders in the certification and compliance process. Apex is happy to provide project stakeholders such as Save Ontario Shores with information to evaluate potential impacts, in keeping with its duty under Article 10 to consult with such stakeholders regarding such impacts. It is unclear how the information you have requested regarding the project's need for meteorological towers and the "mathematics" used to analyze data received from the towers relates to any potential impacts the project may have on Save Ontario Shores. Specific details of this analysis are sensitive and proprietary to the business of Apex, and as such damaging to the company if shared with our competitors via public documents. The special use permit in question is being submitted to the town of Yates per their zoning ordinance sections 591.21 and 591.22 for approval by the town board. As such, we are prepared to discuss this particular special use permit application with the town board in order to fully satisfy the requirements of the applicable local laws. It and other meteorological tower approvals are governed by the towns in which they are to be placed, and not the article 10 process. Sincerely, Taylor Quarles</p>

02:50:37	10 May 2015	John	Riggi	John Riggi	<p>On Sunday, April 5, 2015 6:52 PM, DONN RIGGI wrote: To info@lighthousewind.com Taylor Quarles Mr. Quarles, Hope all is well. Thank you for your response. It is unacceptable. You have not appropriately responded to our questions. In fact, it seems that APEX is avoiding our questions and seem to be acting in a non-transparent manner. I feel that I must remind you that NYS Article 10 was promulgated into law as a means to improve transparency to the siting process. We take especial issue with the following statement from your e-mail of March 27th: "It is unclear how the information you have requested regarding the project's need for meteorological towers and the "mathematics" used to analyze data received from the towers relates to any potential impact the project may have on Save Ontario Shores. Specific details of this analysis are sensitive and proprietary to the business of Apex, and as such damaging to the company if shared with our competitors via public documents." Given the fact that Save Ontario Shores, Inc. is an advocacy group comprised of the citizenry of the Towns of Somerset and Yates (the very location of Ground Zero for this Industrial Wind Turbine Placement Project), it is imperative that APEX forward this information. Frankly, unless "mathematics" is an opinion, Save Ontario Shores, Inc. sees no reason for the APEX position that "specific details of this analysis are sensitive and proprietary". While APEX may be concerned about damage to the company, Save Ontario Shores, Inc. is committed to the safety of human health, wildlife, environment and the quality of life and property at ground zero. As such, it is critical to understand the mathematical model APEX is using to extrapolate data obtained at the height of the MET Tower to any kind of validated, verified results at the proposed height of the Industrial Wind Turbines APEX is proposing. Given your concerns regarding the "proprietary" nature of the "mathematics", Save Ontario Shores, Inc. proposes and agrees to signing a non-disclosure agreement with APEX. Please forward the agreement for processing. Lastly, we still have not received any response from APEX on the other requests made in the March 14, 2015 request: "Considering the importance of MET Towers (and the data generated) to the proposed Lighthouse Wind Project, SOS is confident that there is an overall plan and scientific base for this activity. As such, SOS formally requests APEX to forward The APEX MET Tower Plan, as the plan is not included as an attachment to the Lighthouse Wind Public Information Plan (PIP). SOS needs to review this plan in order to understand: The need for 2 additional MET towers in this area of Western New York- The need for 2 additional MET towers (total of 4 MET towers) in this area of Western New York- Why this additional MET tower is needed at the location identified in the Special Use Permit Application" We are sure this is an oversight, so please forward this information to</p>
02:50:37	10 May 2015	John	Riggi	John Riggi	<p>On 2015-04-16 T16:43:16-04:00, DONN RIGGI wrote: To info@lighthousewind.com Taylor Quarles Mr. Quarles, I have not received a response from you via e-mail, nor have I heard from you via phone to my e-mail from April 5, 2015, stated below in its entirety: "Mr. Quarles, Hope all is well. Thank you for your response. It is unacceptable. You have not appropriately responded to our questions. In fact, it seems that APEX is avoiding our questions and seems to be acting in a non-transparent manner. I feel that I must remind you that NYS Article 10 was promulgated into law as a means to improve transparency to the siting process. We take especial issue with the following statement from your e-mail of March 27th: "It is unclear how the information you have requested regarding the project's need for meteorological towers and the "mathematics" used to analyze data received from the towers relates to any potential impact the project may have on Save Ontario Shores. Specific details of this analysis are sensitive and proprietary to the business of Apex, and as such damaging to the company if shared with our competitors via public documents." Given the fact that Save Ontario Shores, Inc. is an advocacy group comprised of the citizenry of the Towns of Somerset and Yates (the very location of Ground Zero for this Industrial Wind Turbine Placement Project), it is imperative that APEX forward this information. Frankly, unless "mathematics" is an opinion, Save Ontario Shores, Inc. sees no reason for the APEX position that "specific details of this analysis are sensitive and proprietary". While APEX may be concerned about damage to the company, Save Ontario Shores, Inc. is committed to the safety of human health, wildlife, environment and the quality of life and property at ground zero. As such, it is critical to understand the mathematical model APEX is using to extrapolate data obtained at the height of the MET Tower to any kind of validated, verified results at the proposed height of the Industrial Wind Turbines APEX is proposing. Given your concerns regarding the "proprietary" nature of the "mathematics", Save Ontario Shores, Inc. proposes and agrees to signing a non-disclosure agreement with APEX. Please forward the agreement for processing. Lastly, we still have not received any response from APEX on the other requests made in the March 14, 2015 request: "Considering the importance of MET Towers (and the data generated) to the proposed Lighthouse Wind Project, SOS is confident that there is an overall plan and scientific base for this activity. Assuch, SOS formally requests APEX to forward The APEX MET Tower Plan, as the plan is not included as an attachment to the Lighthouse Wind Public Information Plan (PIP). SOS needs to review this plan in order to understand: The need for an additional MET tower in this area of Western New York- The need for 2 additional MET towers (total of 4 MET towers) in this area of Western New York- Why this additional MET tower is needed at the location identified in the Special Use Permit Application" We are sure this is an oversight, so please forward this information to riggi53@verizon.net. Best Regards, John" Mr. Quarles, when might I be receiving a response? Best Regards, John Riggi</p>
02:50:37	10 May 2015	John	Riggi	John Riggi	<p>On Friday, April 17, 2015 9:13AM "info@lighthousewind.com" wrote: To riggi53@verizon.net Apr 17, 2015 John, Good morning. 16 NYCRR 1001.6(d) requires that the Article 10 application include wind meteorological analyses. Specifically, this details that "Exhibit 6: Wind Power Facilities" contains the following: "Wind meteorological analyses demonstrating adequate wind conditions supporting the estimated capacity factor for the facility. It is my understanding that there is a necessity for meteorological tower data implicit in this requirement to proceed with a full and complete application under Article 10 in order to demonstrate that the wind conditions support the estimated capacity factor. Use of meteorological towers at the proposed Lighthouse Wind project will therefore be implemented to serve both our own high internal standards at Apex as well as the standards established under Article 10. Sincerely, Taylor Quarles</p>
04:06:49	20 May 2015	John	Riggi	John Riggi	<p>Greetings Mr. Quarles, We are extremely disappointed that you have not yet responded to my latest, repeated request for the following:</p> <ul style="list-style-type: none"> <li>- The need for an additional MET tower in this area of Western New York</li> <li>- The need for 2 additional MET towers (total of 4 MET towers) in this area of Western New York</li> <li>- Why this additional MET tower is needed at the location identified in the Special Use Permit Application</li> </ul> <p>- Additional information such as: the extrapolatory mathematics used to analyze data gleaned from a 190ft. MET tower and then translated 570ft height estimates. Unless Math is an opinion, there should be no need for concern in providing your mathematical model. As stated, SOS will sign a Non-disclosure agreement in order to allow for study of the proposed mathematical model. The mathematics are important, so please ensure that all proposed calculations are attached to the APEX response. SOS needs this information to understand APEX's desire to locate a MET tower in the Town of Yates. SOS does not understand the need for a MET tower in the Town of Yates due to the lack of acreage obtained in Yates and APEX's imminent departure from the Town of Yates. SOS now also harbors concerns that APEX recalcitrant behavior regarding MET Tower information in addition to APEX's refusal to sign the Wind Industry Code of Ethics signals a pattern of action, objectionable to SOS and the residents of Yates. SOS concerns surrounding this noted pattern of objectionable action by APEX extends to the residents of Somerset as well. SOS would like to believe that APEX is acting in an open and honest way. Forwarding of the aforementioned MET Tower information is a step in the right direction. Looking forward to reviewing the information and to finally receiving an appropriate response from APEX on this issue. Best Regards, John Riggi President, SOS</p>
00:45:11	27 May 2015	John	Riggi	John Riggi	<p>Mr. Quarles, Need to understand why e-mail below (sent May 20, 2015) was not on your log for March-April 2015. Especially because there were communications listed on the log (DPS Filing 67 - Case Number 14-F-0485) dated May 22, 2015. Can APEX please explain unfortunate and concerning omission? Regards, John Riggi President, SOS The e-mail is as follows: "To Lighthousewind Info May 20 at 12:06 AM Greetings Mr. Quarles, We are extremely disappointed that you have not yet responded to my latest, repeated request for the following:</p> <ul style="list-style-type: none"> <li>- The need for an additional MET tower in this area of Western New York</li> <li>- The need for 2 additional MET towers (total of 4 MET towers) in this area of Western New York</li> <li>- Why this additional MET tower is needed at the location identified in the Special Use Permit Application</li> </ul> <p>- Additional information such as: the extrapolatory mathematics used to analyze data gleaned from a 190ft. MET tower and then translated 570ft height estimates. Unless Math is an opinion, there should be no need for concern in providing your mathematical model. As stated, SOS will sign a Non-disclosure agreement in order to allow for study of the proposed mathematical model. The mathematics are important, so please ensure that all proposed calculations are attached to the APEX response. SOS needs this information to understand APEX's desire to locate a MET tower in the Town of Yates. SOS does not understand the need for a MET tower in the Town of Yates due to the lack of acreage obtained in Yates and APEX's imminent departure from the Town of Yates. SOS now also harbors concerns that APEX recalcitrant behavior regarding MET Tower information in addition to APEX's refusal to sign the Wind Industry Code of Ethics signals a pattern of action, objectionable to SOS and the residents of Yates. SOS concerns surrounding this noted pattern of objectionable action by APEX extends to the residents of Somerset as well. SOS would like to believe that APEX is acting in an open and honest way. Forwarding of the aforementioned MET Tower information is a step in the right direction. Looking forward to reviewing the information and to finally receiving an appropriate response from APEX on this issue. Best Regards, John Riggi President, SOS"</p>

Lighthouse Wind Project Email Tracking Log May - June 2015

15:01:49	27 May 2015	John	Riggi	Taylor Quarles	<p>Mr. Riggi,</p> <p>The log we submitted, which was posted on the PSC docket website on 5/22/2015 was for communications received in March and April of 2015. The email you are referencing was sent to us on May 20th, 2015, thus falls outside of this range of coverage. The referenced 5/20/2015 communication, and this response will be included in the next log we submit to the PSC.</p> <p>Sincerely,</p> <p>Taylor Quarles</p>
18:30:30	27 May 2015	John	Riggi	John Riggi	<p>Mr. Quarles,</p> <p>You responded in your e:mail to my question regarding May e:mail entries in your reported March-April 2015 e:mail log (as submitted to the DPS Website): Today at 11:01 AM (May 27, 2015) "Mr. Riggi,</p> <p>The log we submitted, which was posted on the PSC docket website on 5/22/2015 was for communications received in March and April of 2015. The email you are referencing was sent to us on May 20th, 2015, thus falls outside of this range of coverage. The referenced 5/20/2015 communication, and this response will be included in the next log we submit to the PSC.</p> <p>Sincerely,</p> <p>Taylor Quarles"</p>
14:12:42	28 May 2015	John	Riggi	Taylor Quarles	<p>Mr. Riggi,</p> <p>I am writing you to address three concerns you raised in your last email. For clarity, you will find a copy of pertinent parts of your message, followed by my response. Your comments and my responses are numbered.</p> <p>1. It is clear that you have included May entries in your March-April E:mail log. You, sir, need to take another look at the log. There are numerous May 2015 entries. I'm trying to understand why you would respond without checking the log? Frankly, you don't seem to be taking any of this very seriously. Article 10 requires that APEX document all communications in a timely manner. My concern now is that you will not include the May communications listed in your March-April Log, thereby artificially reducing the communication levels in May-June. And again, I ask my question, why have you not included my entry from May 20th?</p> <p>#1 Response: The intention in our "Email Tracking Log March-April, 2015" which we submitted on May 22nd, was to include all questions received during the March-April time frame. The log also contains our responses to those comments, even if they were sent in May. We addressed this in the last paragraph of our Filing letter, also submitted on May 22nd:</p> <p>"Additionally, due to the volume of public participation and the nature of certain inquiries, there were some delays in the response to stakeholders. We have reviewed our processes and modified them to accommodate this volume going forward."</p> <p>Your entry from May 20th, my first response yesterday, and this response, will be included in our next email tracking log.</p>
14:12:42	28 May 2015	John	Riggi	Taylor Quarles	<p>2. I am also incredulous at APEX's recalcitrant behavior in refusing free access to information regarding the Bane/APEX Special Use Permit for a Met Tower near the intersection of Marshall and Lakeshore Roads. Why are you hiding this information?</p> <p>#2 Response: As I stated previously, it is my understanding that there is a necessity for meteorological tower data implicit in 16NYCRR 1001.6(d) in order to demonstrate that the wind conditions support the estimated capacity factor. Our upcoming Article 10 submissions will include "Wind meteorological analyses demonstrating adequate wind conditions supporting the estimated capacity factor for the facility". These submissions will all be public knowledge, open to review by the permitting body and general public. Use of meteorological towers at the proposed Lighthouse Wind project will be implemented to serve both our own high internal standards at Apex as well as the standards established under Article 10.</p> <p>3. In addition, why you have yet to sign the Wind Industry Code of Ethics?</p> <p>#3 Response: We continue to develop our Projects to all applicable ethical standards. At this time we are discussing the applicability of the Code of Conduct Agreement to Projects developed under Article 10. As you may know, the original Code of Conduct Agreement created in 2009 was primarily focused on and arose out of local municipal approvals for Projects. Article 10 was enacted in 2011 and regulations were developed in 2012, which preempt local municipal approvals for the construction and operation of applicable projects. As part of our obligations under Article 10, we continue to conduct our stakeholder consultations and have had discussions with the Attorney General's office about the applicability of the Code in light of Article 10. As we have stated before, Apex has informed the Attorney General's office that it would sign a Code of Conduct Agreement if the Attorney General's office still feels it is necessary in light of Article 10 and the preemption by the statute.</p> <p>Sincerely,</p> <p>Taylor Quarles</p>
17:57:50	31 May 2015	John	Riggi	John Riggi	<p>I have the same issue Peg. And when I do get a response, its a "non-response": Lots of words....No answers...APEX is not to be trusted.</p> <p>Best Regards, John</p> <p>Note by Apex: This comment is referring to message sent by Peg Schwabel on May 31 at 17:12:29. Mr. Riggi was cc'd on this message.</p>

19:59:20	31 May 2015	John	Riggi	John Riggi	<p>Mr. Quarles, Thank you for your response to Item 1. Regarding your responses to questions 2 and 3. You continue to obfuscate. You are not answering the questions.</p> <p>2. I am also incredulous at APEX's recalcitrant behavior in refusing free access to information regarding the Bane/APEX Special Use Permit for a Met Tower near the intersection of Marshall and Lakeshore Roads. Why are you hiding this information?</p> <p>#2 Response: As I stated previously, it is my understanding that there is a necessity for meteorological tower data implicit in 16NYCRR 1001.6(d) in order to demonstrate that the wind conditions support the estimated capacity factor. Our upcoming Article 10 submissions will include "Wind meteorological analyses demonstrating adequate wind conditions supporting the estimated capacity factor for the facility". These submissions will all be public knowledge, open to review by the permitting body and general public. Use of meteorological towers at the proposed Lighthouse Wind project will be implemented to serve both our own high internal standards at Apex as well as the standards established under Article 10.</p> <p>Regarding response #2: You still have not forwarded the mathematical model that you are proposing to use in your analysis of MET tower data. However, you do say that; "Our upcoming Article 10 submissions will include"Wind meteorological analyses demonstrating adequate wind conditions supporting the estimated capacity factor for the facility". " What exactly do you mean? You seem to indicate that you've already made the decision that the wind conditions are adequate. In addition, you seem to indicate that there will be "upcoming Article 10 submissions" What does this mean? Are you intimating that there will be a PSS submitted? When will the PSS be submitted? Also, given that APEX has not obtained 12,000 acres for the proposed the proposed project, are you attempting to remodel the project in a specific area? These questions are all pertinent to the Bane/APEX Special Use Permit and must be answered appropriately and clearly prior to consideration of the Bane/APEX Special Use Permit by the Yates Town Board.</p> <p>3. In addition, why you have yet to sign the Wind Industry Code of Ethics?</p>
19:59:20	31 May 2015	John	Riggi	John Riggi	<p>#3 Response: We continue to develop our Projects to all applicable ethical standards. At this time we are discussing the applicability of the Code of Conduct Agreement to Projects developed under Article 10. As you may know, the original Code of Conduct Agreement created in 2009 was primarily focused on and arose out of local municipal approvals for Projects. Article 10 was enacted in 2011 and regulations were developed in 2012, which preempt local municipal approvals for the construction and operation of applicable projects. As part of our obligations under Article 10, we continue to conduct our stakeholder consultations and have had discussions with the Attorney General's office about the applicability of the Code in light of Article 10. As we have stated before, Apex has informed the Attorney General's office that it would sign a Code of Conduct Agreement if the Attorney General's office still feels it is necessary in light of Article 10 and the preemption by the statute.</p> <p>Regarding response #3: Mr. Quarles, without objective evidence of APEX's commitment to meet the current Code of Ethics, APEX is (by definition) unethical. You may pass this on to senior APEX management. You should also ask your senior management why, they have not contacted any SOS personnel to understand the concerns surrounding the project. It is clear that your senior management and therefore APEX are not concerned with the people, wildlife, environment or the social destruction occurring, as we speak, to the these two - previously idyllic - towns. Frankly, APEX would be best served to sign and comply with the current code. This action on the part of APEX would silence the questions of your ability and desire to ethically conduct business. As I've stated, at this time APEX is considered to be conducting business in an unethical manner. This question must also be answered prior to consideration of the Bane/APEX Special Use Permit. Mr. Quarles, it is time to stop dodging these important questions and provide appropriate meaningful answers. Regards, John Riggi/President, Save Ontario Shores, Inc.</p>
23:24:57	09 Jun 2015	John	Riggi	Taylor Quarles	<p>Mr. Riggi,</p> <p>Pardon my delay in responding. Please allow me to address your response to my response to your original 2nd and 3rd questions.</p> <p>2. The quote I provide in my previous messages is directly from the article 10 regulation. I introduced this specific section to demonstrate that, in my opinion, there is an inherent requirement to provide meteorological data analysis to support our estimated project capacity factor, which will be included in our final application for permit. The project is still at an early stage, and development continues on all fronts. In our future submissions we will be providing much more specific information, including meteorological data which I hope will answer many of your questions. These submissions will all be available for public and agency scrutiny.</p> <p>3. Regarding a meeting with SOS, Lighthouse Wind has requested several meetings with SOS. At this point we have had no response by SOS to those requests. Regarding the code of conduct: Lighthouse Wind has been in consultation with the Attorney General's office since the filing of our PIP on October 31, 2014. At that time we sent a letter to their office specifically notifying them of our proposed project. Apex has successfully developed and permitted projects in many states and it prides itself on ensuring the development process adheres to a high standard of ethical conduct and avoidance of potential conflicts of interest. Please refer to my previous for some backstory on the code of conduct, and it's applicability with the new Article 10 process. Since our PIP filing we have been in communication with the Attorney General's office, and have explicitly stated, by letter, that we are willing to sign the code of conduct.</p> <p>Sincerely,  Taylor Quarles</p>

17:12:29	31 May 2015	Peg	Schwabel	Peg Schwabel	<p>Sent: Wednesday, May 13, 2015 12:59 PM  To: 'taylor.quarles@apexcleanenergy.com'  Cc: 'Shelley Reid Salmons'; 'Daniel Engert'  Subject: Questions Regarding the Lighthouse Wind Project</p> <p>The questions asked in that original message as shown below as are additional questions that have come to mind since May 13.</p> <ol style="list-style-type: none"> <li>1. The proposed boundary of your project, as shown in Figure #1 of your Public Involvement Program (PIP), includes the Somerset lakefront residential area and Route 18. The Somerset Local Waterfront Revitalization Program (LWRP) is posted on the town's website and has been approved and reviewed by various state and federal agencies. The LWRP states that "The Seaway Trail is the only National Scenic By-way in New York State. National Scenic By-ways are areas that possess outstanding qualities that exemplify the regional characteristics of our nation." This highway is within your project area: Why is it that you feel industrial turbines of the size you propose would be in accordance with our town's LWRP?</li> <li>2. You identify adjacent landowners as "parties owning parcels of land that either border land in the Project, or fall within 500 feet of the permanent improvements associated with the project." How does your definition of "adjacent landowners" relate to setback requirements? What measurement, in exact feet, will you use as setback for these turbines?</li> </ol>
17:12:29	31 May 2015	Peg	Schwabel	Peg Schwabel	<ol style="list-style-type: none"> <li>3. Communities across the country have (or are updating) policies regarding large wind turbine projects to reflect appropriate "setback." Many communities are requiring one-half mile or more in setback from a non-participating landowner's property. Do you believe such setbacks are appropriate? Why or why not?</li> <li>4. What sightline or view shed maps will you provide if this project takes additional steps towards completion?</li> <li>5. Would Apex be willing to place, as is required in Cheshire, MA, a "Balloon/Crane Test"? In this type of test "the applicant for a large wind energy facility is required to arrange for a balloon or crane to be placed at the proposed site to illustrate the height of the proposed wind energy facility." This would allow residents to see for themselves how the turbines would impact the view within the study area and its adjacent land.</li> </ol> <p>Additional Questions Being Asked With This Message:</p> <ol style="list-style-type: none"> <li>6. Apex has received a letter from the Fish and Wildlife Service dated May 6, 2015. In that letter Apex was advised that projects such as yours should be located three (3) miles from the shoreline. What are your plans following the receipt of that advice? Do you plan to ask for a "take" permit?</li> </ol>
17:12:29	31 May 2015	Peg	Schwabel	Peg Schwabel	<ol style="list-style-type: none"> <li>7. Do you hold land leases on property directly across from the New York State Park at Golden Hill?</li> <li>8. How will you address issues related to safe-fly zones for medical evacuation helicopters that might be needed in the event of serious auto accidents or other instances in the state park or in the narrow area shown on your maps for this project?</li> <li>9. The letter from Fish and Wildlife indicates "11 plots have been established in the project area and one along the shoreline." What is the proposed use of the one along the shoreline?</li> </ol> <p>Thank you.</p>
17:12:29	31 May 2015	Peg	Schwabel	Peg Schwabel	<p>On May 13, I e-mailed Mr. Quarles at his personal e-mail with questions. I have yet to receive any reply or inclusion in the last e-mail log submitted by Apex to the DPS. Here is a copy of the header of that message:</p>
23:32:12	09 Jun 2015	Peg	Schwabel	Taylor Quarles	<p>Ms. Schwabel,</p> <p>Please pardon my delay in response. The high level of public involvement in our proposed project has slowed response times. I will have a full response to you as soon as possible. Furthermore I am always available to speak in person or by phone. We have an office open on Main Street in Barker, which provides a good location to look at maps and discuss the project in detail. Please let me know if you want to schedule an in person meeting.</p> <p>Sincerely,</p> <p>Taylor Quarles</p>
03:29:25	10 Jun 2015	Peg	Schwabel	Peg Schwabel	<p>I received your message this evening. I will look for your full response via e-mail, hopefully within a few days. Thank you.</p>

00:21:05	24 Jun 2015	Peg	Schwabel	Taylor Quarles	<p>Ms. Schwabel,</p> <p>Thank you for your comments and questions regarding the project, and please accept my apology for the delay in response. I have striven to answer your nine questions below. Don't hesitate to reach out for any clarification if you have additional questions.</p> <ol style="list-style-type: none"> <li>1. We are still at an early stage in our development process. The LWRP is certainly an issue we will take into account as we consider this project. The Preliminary Scoping Statement (PSS) and Application for our project, both of which are pending, will be open for review by all NYS agencies and members of the public for comment. These documents should address this and other potential impacts.</li> <li>2. Specific setback distances have not yet been determined. Occupied homes, parcel boundaries and many of the other points of importance will have setbacks. Various setback distances for distance, noise level, and shadow flicker will be compiled based upon existing the specifications of the proposed wind turbine generator, local ordinances, consultation with various stakeholders such as the New York State Public Service Commission, New York State Department of Environmental Conservation, Army Corps of Engineers, and many other stakeholders consulted throughout the process. We are actively performing these consultations. The setback distances used will be included in the documents accompanying any layouts. Please look forward to upcoming preliminary scoping statement (PSS) and Application for more detail on our turbine layout and setbacks.</li> <li>3. As mentioned above, we are in active consultation with numerous agencies regarding our project and it's layout, and look forward to receiving public and agency review when we submit our PSS and Application.</li> <li>4. One aspect of our application will be the visual impact assessment study that you mentioned. The details of our visual impact study plan will be included in our PSS, and thus the specific locations we study will be open for suggestion by the public. This study will involve taking pictures from numerous points of interest within the project as well as within a certain project buffer. These pictures will then have digital representations of what it would look like with a turbine overlaid onto the landscape to give the agencies and public a better understanding of how the project will look.</li> </ol>
00:21:05	24 Jun 2015	Peg	Schwabel	Taylor Quarles	<p>5. Your suggestion for a "view shed/crane test" is acknowledged. This is certainly a suggestion you could make during the public comment period following the submission of the PSS and one we will take into consideration as we design our study protocols.</p> <p>6. Apex is in active consultation with the United States Fish and Wildlife Service region 5 and NYS Department of Conservation regions 8 and 9 on this project. We are currently performing avian and bat studies which follow protocols we have discussed with these agencies. The results of these studies will be available for these agencies and the public to review as they consider our eventual application.</p> <p>7. We have leased land in both Somerset and Yates. As you may know, we have a meteorological tower erected on a parcel across from the entrance to the state park. This tower is actively gathering wildlife and wind data that we intend to submit as part of our future application. This tower is located on land we have leased for our project.</p> <p>8. Aviation safety is an important issue as we develop this project. We have filed meteorological tower locations with the FAA in order that they show up on aviation maps. I have notified several crop dusters in the area by phone and email regarding these towers, and discussed our plans to build a wind project. I have also reached out to towns and emergency services in the area regarding our meteorological towers and proposed project plans to gather their input and offer any information I can to ensure their safe operation. Part of our future development process will be to file the exact location and height of our proposed turbines with the FAA in order that they are marked on aviation charts. We will also work with them regarding lighting of towers.</p>
00:21:05	24 Jun 2015	Peg	Schwabel	Taylor Quarles	<p>9. Apex is in active consultation with USFWS and NYSDEC regarding our study protocols. We are using third party consultants with wildlife biologists on staff to run the agency approved study protocols, and these study results will be presented in our application for public and agency review. The plots you mentioned are intended to determine avian presence and passage rate at different locations in the project study area. The specific locations of plots does not correlate with future turbine locations or other component locations, but are instead intended to develop a full understanding of the avian presence.</p> <p>Thank you for your questions and for your patience in my response. We now have an office open in downtown barker on main street. We are in between Somerset Sails and the Keybank. I encourage you to schedule a time to stop by and speak with me in person about an questions you may have. Sometimes it is easier speaking in person to folks because it allows us to both examine project study area maps, however we will continue to be responsive by email.</p> <p>Sincerely,</p> <p>Taylor Quarles</p>
21:56:04	04 May 2015	Alice	Sokolow	Alice Sokolow	<p>Dear Apex,</p> <p>More questions-</p> <p>Will both the turbine and project be certified?</p> <p>When you state local grid are you selling the electricity to the NYISO? If so, then you do not determine who receives the electricity...commercial verses residential....so why the use of the statement of powering 53000 houses?</p> <p>Will the energy be bottled along the way?</p> <p>Are the renewable qualities bundled or unbundled?</p> <p>What part of the Energy Plan does it qualify for? RGGI? NYSEDA PON or RFP? other?</p> <p>Will excess renewable energy be sold to other states or other RPS's? I noticed that is transpiring for other wind projects.</p> <p>Thanks for responding.</p> <p>Alice Sokolow</p>

13:25:50	04 May 2015	Alice	Sokolow	Daniel Fitzgerald	<p>Ms. Sokolow,</p> <p>Will both the turbine and project be certified? The project and its components will be reviewed and certified via the New York State Article 10 process by the Siting Board which includes the Public Service Commission.</p> <p>When you state local grid are you selling the electricity to the NYISO? If so, then you do not determine who receives the electricity...commercial verses residential...so why the use of the statement of powering 53000 houses? NYISO does not [purchase electricity, they manage the state electrical grid and operate the market. The electricity is purchased by utilities or other entities to distribute to their customers. An explanation of how the markets work can be found here: <a href="http://www.nyiso.com/public/about_nyiso/understanding_the_markets/energy_market/index.jsp">http://www.nyiso.com/public/about_nyiso/understanding_the_markets/energy_market/index.jsp</a></p> <p>Will the energy be bottled along the way? I assume that by "bottled" you mean that it would be constrained, that is, limited form getting to a delivery point. Constraints on the system are not an uncommon occurrence. It all depends upon how much load there is in a given area and how much generation there is in another. The Lighthouse Wind project will be connected to a regional grid system that supplies energy to all energy consumers hooked up to that grid. A regional electric grid functions like a water reservoir. In the case of a reservoir, several feeder streams may add water into the pool from multiple different locations. At the same time, multiple consumers may be drawing water out of the reservoir from different places along the reservoirs banks. The job of the reservoir manager is to ensure that there is enough water in the pool to supply all consumers, regardless of where that water originates from. When any given consumer draws water out of the reservoir, he cannot know which feeder stream the molecules in his water have come from, but the closer he is located to a feeder stream, the more likely it is that he has captured some of the water molecules that stream provided.</p>
13:25:50	04 May 2015	Alice	Sokolow	Daniel Fitzgerald	<p>Similarly, managers of the electric grid system ensure that no matter where on the grid a consumer (or utility in this case) is located, there is enough power in the system to allow that utility to supply all of its customers. To make sure there is enough power to serve all users, the grid operator can call on any electric generation facilities that feed into the grid system, regardless of where on the grid they are located. In this case, the utilities, which distribute electricity to residential and commercial customers, are responsible for ensuring that as their energy demand grows, an equal amount of new energy generation is added to the grid system. They must add new "water" to the reservoir by buying power from a new generation facility, even if they will not use any of the actual electrons produced by this facility themselves. Though it is impossible to know where any given electron will be used, it is more likely that electrons produced in Somerset and Yates will be used nearby, because they are closest to the source of that generation, just as described in the feeder stream example above.</p> <p>Are the renewable qualities bundled or unbundled? No contract for the output of the project has yet been discussed, and therefore, it is unknown whether or not the renewable energy credits (RECs) will be bundled with a contract for the output.</p> <p>What part of the Energy Plan does it qualify for? RGGI? NYSEDA PON or RFP? other? The New York State Energy Plan is an overall plan for energy in the state, and not a specific program. However, in regard to potential state incentive programs in which this project may participate, that is unknown at this time. The one potential program for in which the project may participate would be the Renewable Portfolio Standard (RPS) which holds requests for proposals for the RECs. This program is due to end in 2015, and no future program has yet been determined.</p> <p>Will excess renewable energy be sold to other states or other RPS's? I noticed that is transpiring for other wind projects. As stated before, we have not yet determined the off-taker for this output, and delivery will be into the New York grid.</p> <p>Thank you.</p>
01:55:54	28 Jun 2015	James	Tuk	James Tuk	<p>I am a resident of Lyndonville. From what I have read, this project means nothing to the Village. We pay a small amount of taxes to Yates but there is no guarantee of a benefit. If you are truly interested in convincing people to support this, the you need to supply estimates of savings to residents of the town, including what future electrical rates would be.</p> <p>I cannot figure out how you arrived at service to 53,000 homes. This project will provide for up to 10 jobs? How does that help the economy? Only the landowners will have cash to buy new cars, etc. I do not expect to survive to reap the expected benefits of the industrial wind turbines.</p> <p>If NYS wants these things, they will find a way to approve them. I do not expect these things to be all you tout them to be.</p> <p>James Tuk</p>
	30 Jun 2015	James	Tuk	Taylor Quarles	<p>Mr. Tuk,</p> <p>The project is still at an early stage of development. Our upcoming application will include specific details of the community benefits package, which will be a stipulation of our final permit. This package will be created and agreed upon by the taxing jurisdictions and Lighthouse Wind. The distribution of this money, and what the individual jurisdictions do with the money will be up to them. At this early stage, we anticipate the community benefits will be over \$1.6 million per year for at least 20 years based on a 200 MW project. Additionally the project will require around 300 construction jobs for the 10-12 month construction period, and 8-13 full time jobs for the life of the project. Additionally, the payments to landowners will provide good steady income while allowing them to continue to use their land as they see fit, in this case mostly for agricultural purposes. It is estimated that for every \$1 spent, \$3 of positive economic impact will be created, as the money will likely stay in the community.</p> <p>Luckily we have several other examples of operating wind farms in NY to which we can look for example. One farm I visited recently was the High Sheldon wind farm in the town of Sheldon in Wyoming County. I learned that Sheldon has eliminated their town tax in addition to using the money to improve their equipment and infrastructure. As for reducing electricity rates, we are exploring the possibility of this option, however this is a rather complex regulatory issue, and one which we have little control over. That said, we intend to continue exploring how to make this a reality as we continue other aspects of development. Your comment regarding electricity is one I hear quite frequently, and thus hope to figure a way to make this work. As with other details, this would be included in our final application for Article 10 permit.</p> <p>The estimate of 53,000 homes is developed by multiplying the proposed size of the project, 200 MW, by 8760 hours in a year, by an estimate for the net capacity factor for the project. This creates an estimate of the number of MW hours produced in one year. This is then divided by the energy consumption for the average home. As I mentioned before, in our final application we will be required to list our expected net capacity factor, supported by meteorological data. This will allow for accurate modeling of how the energy we produce will impact the grid.</p> <p>I am up in the area quite frequently, and we now have an office in Barker which provides a good place to meet with folks. Please reach out by phone or email with any additional questions, and let me know if you would like to talk in person.</p> <p>Sincerely, Taylor Quarles</p>