



**Department of Public Service**  
**Office of Renewable Energy Siting**  
**and Electric Transmission**

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May 6, 2025

Valcour Altona NewCo, LLC  
23 Lost Nation Road  
Churubusco, NY 12923  
Attn: Nathan Grosse  
nathan.grosse@aes.com  
Mitch Dangler  
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**RE: Matter No. 23-03029 – NOTICE OF INCOMPLETE APPLICATION**

Public Service Law Article VIII Permit Application of Valcour Altona NewCo, LLC, for the proposed Altona Wind Repowering Project Wind Facility, located in the Town of Altona, Clinton County, New York (107.5 MW)

Dear Mitch Dangler and Nathan Grosse:

Based upon review of the above Permit Application submitted by Valcour Altona NewCo, LLC (Applicant) on March 7, 2025, the Office of Renewable Energy Siting and Electric Transmission (the Office or ORES) has determined that the Application, as submitted, is incomplete. A list of the areas of incompleteness and description of the specific deficiencies is identified in Attachment A to this letter, pursuant to 16 NYCRR § 1100-4.1(d).

The Applicant should review the attached information and provide a supplemental response to the Office. The supplement should include both a clean and redline version of all updated exhibits, a full set of plans submitted electronically with revisions clouded and associated Geographic Information Systems (GIS) spatial data as requested in Attachment B. Additionally, please provide a Table of Contents with names of corresponding PDF files in tabular format. The Permit Application shall remain incomplete until all requested information is received by the Office, and a partial submission of the requested material shall not change the incomplete status in compliance with 16 NYCRR § 1100-4.1(e). Failure to respond in writing to the Office's notice of incomplete application may result in the Application being deemed withdrawn without prejudice in compliance with 16 NYCRR § 1100-4.1(f).

Additional information that the Office requests to be included in a supplemental filing is identified in Attachment C. While not required for completeness, providing this information will assist with review pursuant to Public Service Law § 142.

Please note that the Applicant is required to serve a copy of its supplemental response on all entities entitled to receive a copy of the Application pursuant to 16 NYCRR § 1100-1.6. The Office is committed to responding as expeditiously as possible to your complete supplemental response.

cc: Service List

**ATTACHMENT A****Areas of Incompleteness and Description of Specific Deficiencies****ORES Matter No. 23-03029 Altona Wind Repowering Project Wind Facility**

Pursuant to 16 NYCRR § 1100-4.1(d), this notice includes a listing of all identified areas of incompleteness and a description of specific deficiencies requiring a written response from the Applicant.

Without limitation, the additional analyses and information requested herein are necessary to make findings and determinations as to whether the proposed Altona Wind Repowering Project Wind Facility (Facility), together with applicable Uniform Standards and Conditions (USCs), site specific conditions, and pre-construction and post-construction compliance filings, would: a) comply with Public Service Law Article VIII and applicable provisions of the Office's regulations at 16 NYCRR Part 1100; b) comply with substantive provisions of applicable State laws and regulations; c) comply with substantive provisions of applicable local laws and ordinances; d) avoid, minimize, or mitigate, to the maximum extent practicable, potential significant adverse environmental impacts of the Facility; e) achieve a net conservation benefit with respect to any impacted threatened or endangered species; and f) contribute to New York's Climate Leadership and Community Protection Act (CLCPA) targets by providing the estimated additional megawatts (MW) of renewable energy set forth in the Application, and provide the environmental benefits of offsetting the estimated number of tons of CO<sub>2</sub> and other emissions per year set forth in the Application.

**Exhibit 4 - Real Property**

1. 16 NYCRR §§ 1100-2.5(a) and (c) require a map of the facility site and a demonstration that the applicant has or can obtain property rights for the facility site. There are several discrepancies between the information provided in Table 4.3-1 and Figure 4-2 regarding the owners of record and participation status of parcels. Please ensure that all parcels identified as participating in Exhibit 4 are mapped as such on Figure 4-2.

**Exhibit 5 - Design Drawings**

2. 16 NYCRR § 1100-2.6(a) requires submitted design drawings to be prepared by or at the direction of a professional engineer that is licensed and registered in New York State and whose name shall be clearly printed on the drawings. Please update all design drawings (Appendices 5-A through 5-D) to incorporate this requirement.
3. 16 NYCRR § 1100-2.6(f)(2)(i)(a) requires wind turbine elevations drawn to scale, for each proposed wind turbine model under consideration, including maximum blade tip height and turbine blade specifications with descriptions of the blade installation process. Please revise the Application to provide these drawings and specifications for each proposed turbine model. Please annotate all dimensions in both US Customary "Feet" and Metric "Meters."

4. 16 NYCRR § 1100-2.6(f)(1)(ii)(c) and 1100-2.6(2)(iv) require site plan drawings for electric collection corridors and detail drawings for typical overhead electric transmission and collection lines. Please update Exhibit 5 Appendices to include the following:
  - a. Drawings at a legible scale and distinguishing each medium voltage AC circuit, such as by labeling or using color, to allow Staff to understand the proposed routing. Drawings should also be sufficiently detailed and scaled to clearly depict system elements such as splice boxes and junction boxes and identify any circuits running in parallel.
  - b. Details for typical overhead electric transmission and collection lines, including a profile of the centerlines at an exaggerated vertical scale and typical elevation plans including height above grade and structure layouts. Minimum and maximum grade separation should be clearly shown. Additionally, please update the drawings to distinguish between new pole locations versus existing pole locations.
  - c. Ensure that drawings depict existing conditions surrounding collection line routing, including public roads (annotated with route name/number), topography (such as existing and proposed contours at one or two foot intervals), any adjacent distribution or transmission lines, parcel boundaries, and any other known utility locations (such as fiber optic, pipelines, etc.).
5. 16 NYCRR § 1100-2.6(f)(1)(ii)(d) requires site plan drawings of the collection substation outline and any applicable local setbacks.
  - a. Page 5-4 of Exhibit 5 states that the design drawing appendices include the “[e]xisting collector substation and proposed expansion, and existing Point of Interconnection (POI) switchyard, including local setbacks (Appendix 5-A, C-061, Appendix 5-C, BLS-06-01).” The Office is unable to locate drawings C-061 or BLS-06-01. Please provide these drawings and/or revise this statement to correctly identify where this information is provided.
  - b. Please address the following regarding Drawing C-055 which depicts the existing project substation and surrounding parcels:
    - i. Confirm the participation status of all parcels depicted on this drawing.
    - ii. Confirm that all existing property lines are shown and reflect any subdivisions. For example, the parcel data provided in the project geodatabase is inconsistent with Appendix 5-A for parcels 133.-1-4.2 and 133.-1-4.11.
    - iii. Clearly depict and identify all applicable Town setbacks.
    - iv. Clearly depict and distinguish between limits of disturbance associated with construction of the existing substation and any new disturbance associated with the Application. The limits of disturbance shown in the GIS geodatabase is inconsistent with the limits shown in this drawing. Please confirm whether there will be disturbance to parcels 119.-1-13, 133.-1-4.2, and/or 133.-1-4.11, including any tree clearing, and revise as necessary.

6. 16 NYCRR § 1100-2.6(f)(1)(ii)(h) requires drawings showing the approximate limits of all tree and vegetation clearing for all facility components. Please review all Application materials and confirm the accuracy of tree clearing limits as depicted throughout the Application. For example, drawing C-014 currently depicts tree clearing with no corresponding components and drawing C-051 currently depicts tree clearing for a new collection line on a non-participating property. Please review and explain the routing of facility infrastructure shown on these drawings and revise depictions and drawing legends if needed.
7. 16 NYCRR § 1100-2.6(f)(1)(ii)(i) requires drawings or figures showing proposed wind turbine setbacks represented by radii (setback circles) offset from turbine locations, demonstrating compliance with manufacturers' setbacks or those in 16 NYCRR § 1100-2.6(b) Table 1, whichever is more stringent; and showing participating residences. The figures in Appendix 5-H do not meet the requirements of this regulation. Please provide a figure(s) that complies with the regulatory requirement and shows "Article VIII and Local Law" setbacks as concentric circles offset from each proposed turbine. See also item 42, below.
8. 16 NYCRR § 1100-2.6(f)(1)(ii)(l) requires drawings to depict permanent meteorological towers and any applicable local setbacks. Please confirm that MET towers and ADLS towers are shown consistently across all exhibit materials and the project geodatabase. Please include a discussion of any applicable local setbacks or provide a statement that none exist in Exhibit 5. If such setbacks do exist, please include a figure illustrating compliance.
9. 16 NYCRR § 1100-2.6(f)(2)(iii) requires drawings for typical underground infrastructure section details including single and multiple circuit layouts with dimensions of separation requirements between circuits. Please clarify and correct the following discrepancies:
  - a. Note 3 on Appendix 5-B drawing CS04-01GE Typical Underground MV Cable Detail states parallel circuit trenches shall maintain a minimum separation of 12 feet while Exhibit 21 at page 21-4 states that parallel trenches will be spaced 3 feet or more apart.
  - b. Appendix 5-B drawing CS04-01GE Typical Underground MV Cable Detail dimensions indicate a cable burial depth of 3'-6" while Exhibit 21 at page 21-4 states that cables will be buried a minimum of 48" in all areas.

#### **Exhibit 6 - Public Health, Safety and Security**

10. 16 NYCRR § 1100-2.7(c)(2) requires a Safety Response Plan (SRP), including emergency response measures. Please update the SRP to include a map with clearly labeled facility components (e.g., all points of access and access road IDs, substation, switchyard, turbine IDs), including GPS coordinates and/or addresses of all access points, suitable for use in navigation by emergency responders in the event of an emergency.

#### **Exhibit 7 - Noise and Vibration**

11. In compliance with 16 NYCRR § 1100-2.8(o)(1)(i), please confirm the design shall use less than half of the maximum noise reduction operations (NROs) available for each turbine model.

12. 16 NYCRR § 1100-2.8(p)(4) requires sound information from the manufacturers for all wind turbines, transformers and any other relevant noise sources. Please revise Exhibit 7 and any relevant appendices as follows:
  - a. Include the manufacturer data for the substation transformer, HVAC, and capacitor bank. If the manufacturer information is not available, but was obtained with a test, please provide a copy of the test report indicating whether it corresponds to the same equipment proposed for the Facility and any other relevant information of the test (e.g., and without limitation, technical specifications of the equipment tested, description of standards followed, sound instrumentation, testing conditions, and derivation of results).
  - b. Provide a clear derivation of sound power levels for the transformers where sound power levels were estimated based on standards and/or algorithms.
13. 16 NYCRR § 1100-2.8(p)(4)(iii) requires that “[s]ound power level information shall include specifications for normal operation, noise reduced operations and low-noise or serrated trailing edges, or any other noise reduction measures...” Please revise Exhibit 7 and any relevant appendices as necessary:
  - a. Exhibit 7 at page 7-18 states: “[t]o achieve compliance with the design goals, noise mitigation will be required. GE has provided technical documentation outlining available NRO modes included in Appendix 7-H.” Appendix 7-H does not include any information regarding NRO modes for the GE Wind Turbines. Please provide this information as stated in Exhibit 7.
  - b. For the other two wind turbine models being considered (i.e., Vestas and Nordex), please confirm if mitigation (NRO’s) will be required. If mitigation is required for the other models, please provide details.

#### **Exhibit 8 - Visual Impacts**

14. 16 NYCRR § 1100-2.9(a)(7) requires a description of the nature and degree of visual change resulting from the construction of the facility. Exhibit 8 at page 8-6 indicates that concrete trucks will be used during construction but Appendix 8-B: Shadow Flicker Analysis shows use of a concrete batch plant. Please confirm if a concrete batch plant is proposed, and if so, revise and supplement Exhibit 8 as necessary, including but not limited to a description of any visual changes or impacts which will result from the plant during and after construction.
15. 16 NYCRR § 1100-2.9(a)(10) requires a description of all visual resources that would be affected by the facility. Please revise Table 7 of the Appendix 8-1: Visual Impact Assessment as follows:
  - a. Remove VSR 2 from the table; it is not listed on or eligible for the State and National Registers of Historic Places (S/NRHP).
  - b. Correct the USNs for VSR 5, 10, and 11 to 01901.000050, 01901.000054, and 01901.000053, respectively, for consistency with the Office of Parks, Recreation, and Historic Preservation/State Historic Preservation Office (OPRHP/SHPO) CRIS database.

- c. If updated visual analysis results in any new potential visibility at visually sensitive resources, please update the table accordingly.
16. 16 NYCRR § 1100-2.9(b)(1) requires viewshed mapping depicting areas of facility visibility and line of sight profiles for all resources of statewide concern within the study area. Please provide the following:
- a. Viewshed mapping depicting all visibility of the proposed facility within the entire visual study area, including participating parcels. Mapping should distinguish between the Newly Visible area, Formerly Visible Area and Jointly Visible Area. Provide complete visibility statistics based on the analysis. Ensure that the methodology and mapping are consistent.
  - b. A viewshed analysis for the proposed ADLS and MET towers.
  - c. Line of sight profiles for all resources of statewide concern within the study area, including but not limited to all Visually Sensitive Resources identified in Appendix 9-A VIA, Table 7: Visually Sensitive Resource Inventory.
17. 16 NYCRR § 1100-2.9(b)(2) requires that the Visual Impact Assessment include a description of the methodology used to develop the viewshed maps. Please provide a description of the steps taken to verify viewshed results in the field to confirm visibility from viewpoints, particularly from those on the NYS Route 190 Military Turnpike Scenic Byway.
18. 16 NYCRR § 1100-2.9(c)(1) requires that simulations be prepared from selected viewpoints to demonstrate the post-construction appearance of the facility. Due to poor photo quality, it is difficult for Staff to discern details in the provided photos. Please provide the following:
- a. Updated photolog images of a higher resolution and exposure. Please also replace the low light/low contrast background used for photosimulations, including VP19.
  - b. Where possible, provide leaf-off updated images pursuant to 16 NYCRR § 1100-2.9(c)(1).
  - c. Provide wireframe overlays for photosimulations where facility components are minimally or not visible, such as VP33.
19. 16 NYCRR § 1100-2.9(b)(4)(iii) requires that viewpoint selection be based on, among other things, an analysis of the level of viewer exposure based on the frequency of viewers or relative numbers, including residential areas and high-volume roadways. Please provide an analysis of the level of exposure for road-based viewers in the visual study area, e.g., provide mapping and traffic data.
20. 16 NYCRR § 1100-2.9(d)(2) through (4) establish design measures for overhead electrical collection systems that must be incorporated into the Visual Impacts Minimization and Mitigation Plan (VIMMP). Please provide a brief description, photographs, and a map with locations of the existing overhead electrical lines which will be reused for the Facility. Clarify which, if any, portions of the overhead electric line will be upgraded or modified as part of the repowering project and confirm that non-specular conductors are in current use or planned for future use.

21. Please provide a copy of the supporting documentation of the relevant filings with the Federal Aviation Administration and Department of Defense in compliance with 16 NYCRR § 1100-2.9(d)(9)(iii)(c).

### **Exhibit 9 - Cultural Resources**

22. 16 NYCRR § 1100-2.10(a)(1) requires a summary of the nature of the probable impact on any archeological/cultural resources identified, addressing how those impacts shall be avoided or minimized. Please address the following:
  - a. Revise Exhibit 2, Exhibit 9, and applicable appendices to reflect the completion of cultural resources consultation, including, but not limited to, OPRHP/SHPO's review of the Phase IB, supplemental archaeological surveys, and Exhibits 8 and 9.
  - b. Provide copies of all correspondence with the St. Regis Mohawk Tribe.
  - c. Provide the final effect/impact determination from OPRHP/SHPO.
23. 16 NYCRR § 1100-2.10(a)(5) requires an Unanticipated Discovery Plan (UDP). Please revise the Appendix 9-D UDP to address the following:
  - a. Include DPS and the Office in the list of agencies in Section 5.3 that will be contacted within 24 hours of a discovery.
  - b. Section 5.4 (Additional Archaeological Study) references a "recommended plan" on page 4. Provide a further description of this plan to include avoidance strategies.
  - c. Provide a copy of the Advisory Council on Historic Preservation's Policy Statement (2007) referenced in Attachment B.
  - d. In addition, please include a note in Appendix 5-A stating: "In the event that archaeological materials, human remains, or evidence of human burials are encountered during construction, all work in the vicinity of the find will be immediately halted and the Unanticipated Discovery Plan will be implemented."

### **Exhibit 11 - Terrestrial Ecology**

24. 16 NYCRR § 1100-2.12(b) requires an analysis of the temporary and permanent impact of the construction and operation of the facility and the interconnections on the vegetation identified, including a mapped depiction of the vegetation areas showing the areas to be removed or disturbed. Impacts within forested community types are considered temporary if the forested community type revegetates back to existing conditions (e.g., same tree trunk diameter at breast height) within the life of the facility. Mature forested areas (i.e., hemlock-northern hardwood forest) that are deforested during construction and require a revegetation period beyond the life of the Facility are considered a permanent conversion. Please revise Exhibit 11 to reflect the total amount of permanent impacts to forested area from the Facility.
25. 16 NYCRR §§ 1100-2.12(a) and (c) require an identification and description of the type of plant communities present on the Facility site and an evaluation of avoidance measures or, where

impacts are unavoidable, minimization measures, including the use of alternative technologies, regarding vegetation impacts identified. Please include the New York Natural Heritage Program (NYNHP) State/Global Conservation Status Ranks for all identified ecological communities within the Facility Site in Exhibit 11.

#### **Exhibit 12 - NYS Threatened or Endangered Species**

26. 16 NYCRR § 1100-2.13(f) requires that a Net Conservation Benefit Plan (NCBP) be submitted in compliance with 16 NYCRR § 1100-6.4(o) “[f]or a facility that would adversely impact any NYS threatened or endangered species or their habitat...” Please supplement the NCBP to document (e.g., with current photographs) that the previously conducted mitigation activity that the Applicant is relying on to achieve a net conservation benefit is still functional.

#### **Exhibit 13 - Water Resources and Aquatic Ecology**

27. 16 NYCRR § 1100-2.14(5) requires “a demonstration of avoidance and minimization of impacts to such NYS protected waters...” Project drawing sheets C-003 and C-029 show new culvert installations across NYS-protected streams S-JMP-1, S-JMP-2, and S-MJR-2. However, Exhibit 13 does not describe these proposed impacts. Please update the exhibit to describe these impacts and how they have been minimized to the maximum extent practicable.
28. 16 NYCRR § 1100-2.14(b)(6)(ii) requires that “[e]xcavation, grading, or placement of fill shall only occur for access roads at locations in compliance with uniform standards and conditions set forth in Subpart 1100-6 of this Part.” Please provide a description of how the proposed road crossings of NYS-protected streams S-JMP-1, S-JMP-2, and S-MJR-2, will comply with the standards and conditions of 16 NYCRR Subpart 1100-6.

#### **Exhibit 15 - Agricultural Resources**

29. In accordance with 16 NYCRR § 1100-2.16(a), please provide a table to quantify the total acreages of active agricultural lands within Mineral Soil Groups (MSGs) 1-4 within the limit of disturbance, facility site, 5-mile study area, Town, County, and New York State as well as a figure and corresponding spatial data depicting these areas within the facility site.
30. 16 NYCRR § 1100-2.16(c) requires an Agricultural Plan consistent with the New York State Department of Agriculture and Markets (AGM) Guidelines. Appendix 15-D: Agricultural Plan, page 1, states "The proposed Facility will be reviewed under Article VIII and as such, this Plan will apply only to active agricultural lands as defined by Article VIII within NYS MSG 1-4." Please revise this statement to reflect that the Agricultural Plan will apply to construction areas for wind power construction projects impacting all agricultural land consistent with the AGM Guidelines.

#### **Exhibit 16 - Effect on Transportation**

31. 16 NYCRR § 1100-2.5(a) requires a map of the facility site showing public and private roads on or adjoining or planned for use as access to the facility site. The jurisdictional limits for Purdy Road are inconsistent between Exhibit 4, Appendix 5-A, and Appendix 16-A. Please provide a figure illustrating the jurisdiction/ownership of all road segments surrounding the facility (private, Town, County, and State).

32. In accordance with 16 NYCRR § 1100-2.17(a)(2) and 2.17(d)(3), please address the following regarding the Applicant's proposed haul routes:
  - a. Although identifying separate "Primary" and "Secondary" haul routes is acceptable, in accordance with the regulations please demonstrate a viable route extending from a logical Point of Origin to the final turbine location. Please provide mapping, consistent between exhibits and the project geodatabase, showing a single complete route for turbine component delivery meeting the aforementioned requirements (GIS should distinguish between primary routes and, if applicable, secondary routes).
  - b. Please provide detailed drawings similar to Sheets G-011 through G-014 showing the intersection improvements required for the primary route to each turbine.
33. 16 NYCRR § 1100-2.17(b)(3) requires “[a]n identification of potential approach and departure routes to and from the facility site for police, fire, ambulance and other emergency vehicles.” Please provide a discussion on winter access for emergency responders, including but not limited to, whether discussions with local emergency responders included a commitment to clear access roads after snow events.
34. 16 NYCRR § 1100-2.17(b)(4) requires “a review of available load bearing and structural rating information for expected facility traffic routes.” Exhibit 16 at page 16-3 notes that there are several restricted bridges along roadways within the study area as well as noting that "Clinton County Route 16 (Devils Den Road) has a restriction noting: No Windmill [sic] Moved On This Road." Please revise or supplement Appendix 16-A: Figures to clearly depict these restrictions in relation to the proposed haul route(s).
35. 16 NYCRR § 1100-2.17(f)(3) requires a detailed description of the responses received and the reviews/consultations required by 16 NYCRR § 2.17(f)(2). Exhibit 16 at page 16-13 states that a letter and detailed map was sent to Plattsburgh International Airport and that “Consultation is ongoing.” Please provide a copy of the letter and maps sent or cross reference to where in the Application this information has been provided.

#### **Exhibit 18 - Socioeconomic Effects**

36. 16 NYCRR § 1100-2.19(f) requires identification of all relevant taxing jurisdictions. Please revise Exhibit 18 to include the applicable fire district(s) and any other taxing jurisdiction(s), as applicable.

#### **Exhibit 20 - Effect on Communications**

37. 16 NYCRR § 1100-2.21(b)(9) requires an identification of all “[d]oppler/weather radar (all affected sources, not limited to a two (2)-mile radius)” affected by the facility. Appendix 20-E: Doppler Weather Radar Study at page 4 indicates that line of sight interference conditions could exist between the KCXX and Blainville radar stations and the proposed wind turbines. Please supplement Appendix 20-E as follows:
  - a. Provide additional information and details on the potential for interference, clarify the potential impacts, and the potential mitigation measures if impacts should occur.

- b. Provide information on impacts, if any, to Doppler radar systems caused by the existing Facility, and how those impacts have been mitigated.
- c. Please clarify how the Federal Aviation Administration (FAA) and National Telecommunication and Information Administration (NTIA) assessments and determinations could impact the Facility design or conclusions of Appendix 20-E.

**Exhibit 23 - Site Restoration and Decommissioning**

38. 16 NYCRR § 1100-2.24(a)(1) requires a decommissioning and site restoration plan that includes an analysis of safety and the removal of hazardous conditions. Please expand Exhibit 23 Section 23.1.1 to further describe the “Felling” method being proposed in Appendix 23-A: Decommissioning Plan, Section 3.1.3, and a description of all work necessary for the removal of turbine components.
39. 16 NYCRR § 1100-2.24(c) requires a gross and net decommissioning and site restoration estimate. Please revise or supplement Appendix 23-A as follows:
  - a. Add a line item to the decommissioning estimate in Attachment A for a Project Manager and confirm that the estimate accounts for “full time support staff” consistent with Appendix 23-A, page 10.
  - b. Supplement the Attachment A cost calculations with an analysis of total man-hours per turbine required for collection and disposal of debris resulting from the blades fracturing upon impact with the ground, to assist the Office in reviewing the proposed method of turbine removal.
  - c. The “MET/ADLS Towers” section only accounts for 2 towers. The drawings in Appendix 5-A, Exhibit 5, and the project geodatabase appear to show 3 MET towers and an ADLS tower. Please confirm these details and revise any relevant application materials for accuracy.

**Exhibit 24 - Local Laws and Ordinances**

40. 16 NYCRR § 1100-2.25(a) requires a list of all local laws applicable to construction or operation of the facility. Appendix 24-A: Local Laws provides a copy of the Town of Altona Rural Zoning Law (Local Law No. 1 of 2004), which includes Article 5, Section 510: General Standards for all Special Permit Uses. However, Section 510 is not identified as substantive and applicable. Please revise Exhibit 24 to include these provisions or demonstrate why these local law requirements do not apply to the proposed Facility.
41. 16 NYCRR § 1100-2.25(c) requires the Applicant to provide a statement of justification, with facts and analysis, for any local laws from which the Applicant is seeking relief to support a finding that such local laws or ordinances are unreasonably burdensome. Please address the following:
  - a. Town of Altona Wind Energy Facilities Law § 1213(B) Wind Overlay Zone (WOZ) - The Applicant requests limited relief to allow T01, T21 and T22 to be sited outside the WOZ. Figure 3-5: Zoning Map depicts the Wind Overlay Zone (WOZ), however, proposed

turbine and component locations are not symbolized. Please provide a figure depicting parcel boundaries for 119.-1-5.11 and 148.-2-4, proposed turbine and component locations, the existing WOZ, and any constraints that would prevent the subject turbines from being sited within the WOZ.

- b. Town of Altona Wind Energy Facilities Law § 1226(E)(4) Participating Structure Setback  
- The Applicant requests limited relief for a participating non-residential "structure" within the setback of T05. Please provide the parcel number on which the encroachment is proposed and provide a figure depicting ORES and local setbacks.
42. 16 NYCRR § 2.25(d) requires a discussion or other showing demonstrating the degree of compliance with local substantive requirements. Please provide a figure demonstrating compliance with setbacks set forth in Town of Altona Wind Energy Facilities Law § 1126(E) for each proposed turbine and the corresponding spatial data or provide a cross reference to where this information is found elsewhere in the record.

#### **Exhibit 25 - Other Permits and Approvals**

43. 19 NYCRR § 1100-2.26(a) requires a list of any Federal or federally-delegated, or federal or state recognized Indian Nation, permit, consent, approval or license that will be required for the construction or operation of the facility. Please supplement Exhibit 25 with information regarding the permits, consents, or approvals required from the New York State Department of Transportation.

**ATTACHMENT B****GIS Spatial Data Requests****ORES Matter No. 23-03029 Altona Wind Repowering Project Wind Facility**

Please provide a complete file geodatabase (FGDB) and updated index of GIS data sources containing all project GIS data, including but not limited to any exhibit with new or modified spatial data. Data should be organized by individual feature datasets for each exhibit. Office staff will consider all feature layers contained within the most recently submitted FGDB to be the authoritative data for the Facility. Without limitation, please provide spatial data and any applicable source references as described below:

<b>16 NYCRR Reference</b>	<b>Requested Spatial Data</b>
§ 1100-2.6(d)	Provide GIS layers depicting all setbacks in effect for the proposed Facility (Article VIII and Town of Altona). For example, a single layer depicting the ORES 250 ft setback from nonparticipating occupied residences.
§ 1100-1.2(bb) and 1100-2.6(b)	Provide polygons consistent with the "Participant Parcel" symbology in Appendix 5-H. Please include attributes distinguishing parcels with signed agreements from potentially participating parcels.

**ATTACHMENT C**

**While not required for completeness, this information will facilitate Staff's review and inform our decision pursuant to § 142 of the New York State Public Service Law:**

**Exhibit 3 – Location of Facilities and Surrounding Land Use**

1. Revise the figures in Appendix 3-A to label the turbines.
2. Update the Glossary and Section 3.0 narrative in Exhibit 3 to include the acreages for the following: "Existing Facility;" "Facility Site;" "LOD;" "Study Area;" and "Fenced Area."

**Exhibit 5 – Design Drawings**

3. Please identify the source for the "Town of Altona Special Use Permit Notes" included in Appendix 5-A General Notes sheet G-002.
4. Several drawing notes specify procedures for sub-soil mixing using cement but no such subgrade preparation is shown elsewhere in the Appendix 5-A drawings or Exhibit 10. Ensure that final design drawings submitted prior to construction have been revised for consistency with other Exhibits and comply with Part 1100.
5. Label State Highway 190/Military Turnpike on Drawing C-055.

**Exhibit 8 – Visual Impacts**

6. Please supplement Appendix 8-C or Appendix 2-B with a list of all parties which received visual outreach and copies of cross-references to relevant correspondence from the Town of Altona, ORES, and other parties pursuant to 16 NYCRR § 1100-2.9(b)(4).
7. The following revisions for the Visual Impacts and Mitigation Plan are recommended at this stage:
  - a. Provide a discussion of the addition of screen plantings at the POI and changes to the lighting, if any, as discussed in items 8 and 9, below.
  - b. On page 3 of Attachment 8H of Appendix 8-A, in the section on minimizing earthwork, provide a discussion of the reuse of existing roadways, underground collection lines, and, where possible, crane pads.
  - c. Provide a discussion of improvements, if any, to the existing overhead collection system.
  - d. Screen planting plans, lighting plans, and a final shadow flicker report should be included with the final VIMMP during compliance.
8. 16 NYCRR § 1100-2.9(d)(8) requires that the VIMMP include planting plans for the facility substation and the POI Switchyard. The existing substation complex is sited in a highly visible location and is currently unscreened from an important visually sensitive resource (NYS Route 190 Military Turnpike Scenic Byway). Please consider a screen planting plan to soften the appearance of the complex.

9. 16 NYCRR § 1100-2.9(d)(9) requires that the VIMMP include a lighting plan demonstrating that exterior lighting design is limited to what is required for health, safety, and security; that outdoor lighting output is based on the lowest allowable OSHA limits; and that all fixtures are full cutoff. Please provide information about lighting at existing facilities that will be incorporated into the repowered Facility to confirm that it meets these regulations.

**Exhibit 15 – Agricultural Resources**

10. Exhibit 15, page 15-8 states “Appendix 15-B provides a copy of the 14-question survey mailed to 40 landowners. Responses were received relating to 14 parcels.” Please supplement Appendix 15-B with any responses to landowner surveys received to date.

**Exhibit 16 - Effect on Transportation**

11. Exhibit 16 - Effect on Transportation Please provide an additional “Keymap” figure illustrating each intersection analyzed within the context of the facility using the same naming scheme that was used in Appendix 16-C so that the Office may easily locate the intersections that were analyzed.

**Exhibit 23 - Site Restoration and Decommissioning**

12. Please label each line/task within Attachment A.
13. Please provide examples of felling being used successfully in similar project settings (similar turbine size, northeast US, heavily wooded, similar population density, etc.).

**Exhibit 24 - Local Laws and Ordinances**

14. Exhibit 24, page 24-2 states "The Applicant delivered a letter to the Town of Altona on December 20, 2025, identifying substantive local laws..." The correspondence is dated December 4, 2024. Please correct this error and provide any updated records of local law consultations and any responses received to date.
15. Town of Altona Wind Energy Facilities Law § 1213(B) Wind Overlay Zone (WOZ) - Exhibit 24, page 24-8 states that adverse impacts potentially associated with the granting of the request would be mitigated to the maximum extent practicable, citing to setbacks, noise limits and measures proposed in the VIMMP. Please provide specific examples of measures that would be implemented to avoid, minimize, and/or mitigate potential impacts associated with T01, T21, and T22. (see Town of Altona Wind Energy Facilities Law § 1212(A)).
16. Town of Altona Wind Energy Facilities Law § 1223(A)(13) Maximum Turbine Height - Exhibit 24, page 24-10 states "the Applicant is using more efficient technology that reduces the overall environmental impacts of the Existing Facility." Please substantiate this statement with specific facts and analyses that demonstrate the reduction in overall environmental impacts that would result from a utilizing a turbine model taller than 400 feet.