

Heritage Wind Project

Orleans County, New York

NOTICE OF SUBMISSION OF APPLICATION

Heritage Wind, LLC ("Heritage" or "Applicant") is proposing to construct a major wind electric generating facility up to 184.8 megawatts (MW) in size in the Town of Barre, Orleans County, New York ("Heritage Wind Project" or "Facility"). Under Article 10 of the Public Service Law, the Applicant must obtain a Certificate of Environmental Compatibility and Public Need from the New York State Board on Electric Generating Siting and the Environment ("Siting Board") pursuant to Article 10 of the Public Service Law and the Siting Board's rules (16 NYCRR Part 1000). This notice announces that on or about January 31, 2020, the Applicant will file an Application pursuant to 16 NYCRR 1000.6 seeking a Certificate from the Siting Board authorizing the construction and operation of the Facility under Article 10.

The Facility is a proposed wind-powered electric generation project consisting of up to 33 wind turbines generating up to 184.8 megawatts (MW) of electricity to be located in the Town of Barre, Orleans County. The Facility will include wind turbines, access roads, electrical collection lines, substations, permanent meteorological towers, an operations and maintenance (O&M) building, and staging/laydown areas to be used during construction, which may include a potential temporary concrete batch plant. A point of interconnection substation will be placed in the Town of Barre, along the existing National Grid Lockport-Mortimer 115 kV power line, to deliver electricity generated by the Facility to the New York State electric grid.

The Facility is a zero-emission wind energy facility that will assist the State in meeting the goals of the State Energy Plan, which include obtaining 70% of energy generation from renewable sources by 2030 and significantly reducing greenhouse gas emissions. Other positive impacts of the Facility include diversification of energy supplies, new employment opportunities (both temporary construction employment and full-time jobs), and increased revenues to County and local tax bases, and purchase of local supplies, goods and services. In addition, the Applicant has attempted to minimize impacts to land associated with the Facility by limiting the disturbance to forested lands and wetlands to the maximum extent practicable. However, the construction and operation of the Facility may result in minor environmental impacts as more fully described in the Application, including, but not limited to: impacts on terrestrial ecology, including avian and bat species; minor impacts to forested land, wetlands and agricultural lands; and impacts to people, including noise, traffic and visual impacts.

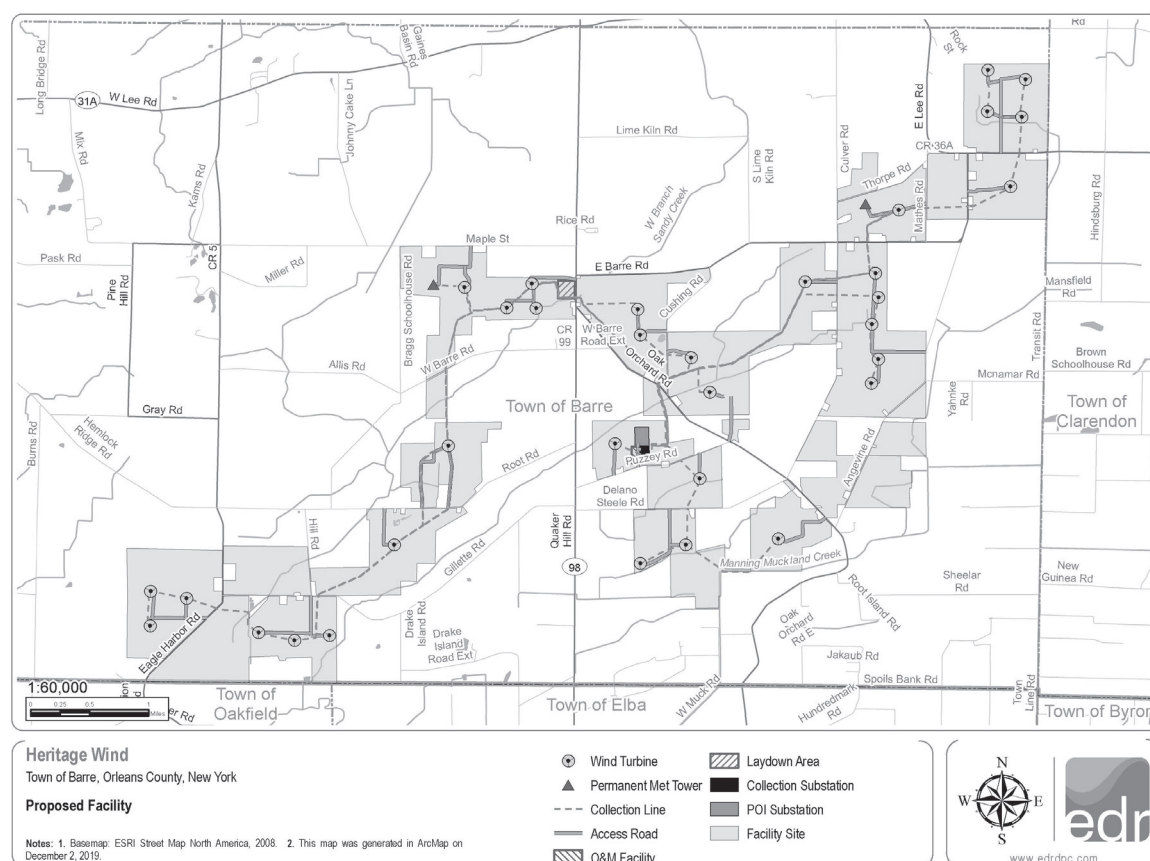
Pursuant to the Article 10 process, the Applicant filed a Preliminary Scoping Statement (PSS) on March 16, 2018 with the Siting Board. After the public comment period on the PSS, the Applicant prepared a reply to material comments that was submitted on June 8, 2018. On May 10, 2018, a pre-application conference to consider intervenor funding requests was held and the stipulation process was ordered to commence. Stipulations were then released for public comment on August 20, 2019. The Applicant is now ready to file an Application.

The Article 10 regulations outlining the required contents of the Application can be found at 16 NYCRR 1001.1 et seq. The Application includes, among other things: an analysis of the environmental setting of the Facility, a description of the Facility, including preliminary design drawings and related information; copies of reports, studies and plans submitted in support of the Application; and an assessment of impacts of construction and/or operation of the Facility relating to land use; consistency with State energy planning objectives, including climate change and renewable energy goals; public health and safety; terrestrial ecology, water resources and aquatic ecology, including avian and bat species and wetlands; communications, transportation and utilities; cultural, historical and recreational resources; visual, including shadow flicker; sound; electric magnetic fields; and impacts on the statewide electrical system.

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

Upon filing the Application, the Applicant will provide funding in the amount of \$184,800 to be disbursed by the Siting Board to municipalities and other local parties to help pay expenses, including attorneys and consultants, associated with participating in the Article 10 process during the application review phase. By law, at least fifty percent (50%) of these intervenor funds are reserved for municipalities. Following the filing of an Application, the Hearing Examiner or the Secretary will issue a notice of availability of Application-phase intervenor funds that provides a schedule and related information describing how interested local parties may apply for this funding. Requests for intervenor funds must be submitted to the Hearing Examiner within thirty (30) days after the issuance of the notice of the availability of application intervenor funds. Following the submittal of any intervenor funding requests, the Hearing Examiner may schedule a pre-hearing conference to consider funding requests.

The record of this proceeding, including the Application, may be examined during normal business hours at the Offices of the New York State Department of Public Service (DPS) at 3 Empire State Plaza, Albany, NY 12223, and may also be viewed at the local project office, 49 North Main Street, Albion, New York 14411, or at the following public repositories: Barre Town Hall, 14317 West Barre Road, Albion, NY 14411; Hoag Library, 134 South Main Street, Albion, NY 14411; Haxton Memorial Library, 3 N. Pearl Street, Oakfield, NY 14125; Holley Community Free Library, 86 Public Square, Holley, NY 14470; and Lee-Whedon Memorial Library, 620 West Ave., Medina, NY 14103. Libraries often have free internet access.



Contact Information

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The Application will also be available at the Siting Board's website at (<http://www.dps.ny.gov/>). To access documents, go to "Search" on the top of the webpage and search using the Case Number 16-F-0546, or visit the Project-specific website maintained by the Applicant: <https://www.heritagewindpower.com/>.

File a Request for Notices

Any interested member of the public may file a request with the DPS Secretary to receive copies of all notices concerning the Project. Written requests should be sent to the DPS Secretary at secretary@dps.ny.gov or sent by mail to the following address:

Honorable Michelle Phillips
Acting Secretary to the Commission
NYS Siting Board
Empire State Plaza
Agency Building 3
Albany, New York 12223-1350

