

MEMORANDUM

TO: Ann Rider, Supervisor, and Town of Enfield Town Board Members

FROM: Kathy Spencer, Principal Environmental Analyst

DATE: December 14, 2016

SUBJECT: Black Oak Wind Farm – Plans in Support of Wind Permit Application

I have initiated a review of the plans received from Marguerite Wells via email one week ago on 12/7/16. In this regard I have reviewed the Decommissioning Plan, the Fire and Emergency Preparedness Plan, and the Landscaping Plan. I have not had a chance to take a second look at the Invasive Species Plan, as I still believe that this Plan should be correlated with the SWPPP and the construction plans prepared in support of the wind permit application. We should discuss this further at some point in the future. I have also not had time to review the Lighting Plan, nor the Community Relations and Complaint Resolution Plan, nor the Preliminary Blasting Plan.

Comments are as follows:

Decommissioning Plan

My review on the Decommissioning Plan does not have the advantage of prior involvement in the various discussions and background negotiations taking place during the formulation of this plan. Also, I am assuming that the financial basis for the decommissioning fund has been thoroughly evaluated by the involved attorneys (Frank Pavia and Guy Krogh). On such a basis, my reading of the Plan did not identify any outstanding issues of significant concern.

One recommendation I can suggest is that the Decommissioning Plan appears to lack substance when it comes to road use during decommissioning. I offer the following text as a possible addition or replacement of the last paragraph on page 3 of the Decommissioning Plan.

In the event that operating, maintaining or decommissioning of the Project requires use by the Company of over-sized or overweight vehicles, prior to entry upon Roads with such vehicles, the Company shall inspect the affected Roads and produce to the Town an Updated Post-Construction Report. In the event of subsequent damage caused by operating, maintaining or decommissioning of the Project (measured against the Updated Post-Construction Report), the Parties agree that the terms of the Town of Enfield Road

Use Agreement would be incorporated within the present agreement, re-instated, and/or otherwise enforced for a term necessary to repair such damage.

Fire and Emergency Preparedness Plan

The Project Sponsor has adopted the recommendations for the re-organization of this Plan offered in my previous review (11/7/16). In general, sections which needed additional information have been updated. Note that the plan does not offer specific information about emergency evacuation of residents in the area, if it were needed, but simply states that in the event of fire, local fire professionals will be responsible for keeping the public at a safe distance. If it can be assumed that such emergency evacuation procedures are included in Tompkins County emergency preparedness planning, I find this plan acceptable to support the Wind Permit application.

Landscaping Plan

The Landscaping Plan appears acceptable to support the Wind Permit application. I would recommend the addition of the following sentence at the end of the last paragraph:

Note, in keeping with the Project's Invasive Species Control Plan, seed mixes will be selected to avoid the introduction of invasive species when re-vegetating disturbed areas.