

Supplemental Permit Application Marble River Wind Farm

Town of Ellenburg
Clinton County, New York



Prepared for: Ellenburg Town Board

Owner: Marble River, LLC





January 5, 2006

Town of Ellenburg Town Board
Attn. Mr. James McNeil, Supervisor
Town of Ellenburg
106 West Hill Road, P.O. Box 21
Ellenburg Center, New York 12934

**RE: Marble River, LLC
Supplemental Application for Wind Energy Permits for Wind Energy Conversion Systems
(WECS)**

Dear Mr. McNeil:

The following constitutes a supplement to the joint application for creation of a Wind Overlay Zone and a Special Use Permit for the proposed Marble River Wind Farm that was submitted on November 11, 2005. This supplement is provided in response to the Notice of Incomplete Application dated December 19, 2005. We have provided an executed original and eight (8) copies of this supplement. Although much of the material attached is unchanged from the November 11th application, for ease of review, this supplement includes a complete revision of the previously submitted application. Thus all of the following narrative and attached exhibits should be considered a replacement for the previously submitted material. Revised exhibits are numbered as they were in the initial submittal, with the addition of the letter R. New exhibits have been assigned new numbers. With submittal of this supplemental information, we believe this application is in full accordance with the requirements of Article II, Section 11 of the Wind Energy Facilities Law of the Town of Ellenburg, New York (Local Law No. 4 of 2005). The information required by the Local Law is presented below in the order (and according to the numbering) listed in Article II, Section 11 of the Local Law.

1. Applicant: Marble River, LLC
3 Columbia Place
Albany, NY 12207
(518) 426-1650
Contact: Patrick Doyle
2. Names and addresses of participating landowners are presented in Exhibit 1R, attached. Letters of permission from participating landowners indicating their understanding of the project and authorizing submission of the application are attached as Exhibit 2R.
3. Tower location data, including tax parcel information, is included in Exhibit 7R.
4. Project description: Marble River, LLC is proposing a wind-powered electric generating project in the Towns of Clinton and Ellenburg in Clinton County, New York. The project will occur on approximately 17,000 acres of leased land located off of State Routes 11, 189, and 190, Gagnier Road, Clinton Mills Road, Campbell Road, Patnode Road, Lagree Road, Looby Road, Whalen Road, Merchia Road, Robare Pond Road, Liberty Pole Road, Soucia Road, Rogers Road, Bohon Road, Number 5 Road



and Moore Road. The land is primarily in forest and agricultural use, but also includes significant wetland acreage. Farms and rural residences occur along the public roads within the project area. The project will include up to 109 wind turbines, each with a generating capacity of 2.0 megawatts (MW). 89 of these turbines are proposed to be located in the Town of Clinton and 20 in Ellenburg. Each wind turbine will include a 90 meter (295 foot) diameter, three-bladed rotor mounted on a 78 meter (256 foot) tall steel pole tower (total maximum height not to exceed 125 meters [410 feet]). Other project components include approximately 41 miles of gravel access road, 55 miles of underground electric line, an Operation and Maintenance (O&M) building to be constructed on the "Clookey Farm" on State Route 189, and a new substation to the north of Star Road (State Route 190) at the Town of Ellenburg/Clinton town line.

One Point of Interconnection (POI) Station, approximately 267 feet x 690 feet in size, is proposed to be located within the New York Power Authority (NYPA) 230 kV transmission line easement area. Adjacent to this station to the north, the Applicant proposes to construct two 34.5 kV collector stations, each approximately 136 feet x 173 feet. Each collector station will have four collector bays, plus a spare, laid out so as to accommodate seven collector circuits, including one spare bay. Each collector station includes a 34.5kV/230kV step-up transformer and associated equipment. There will be a control house and parking area between the two collector stations, which will be accessed from Star Road to the south via a new access road. The POI Station will have four 230 kV breakers (although laid out to accommodate six) pending final approval by NYPA and the New York Independent System Operator (NYISO) of the Facility Study mandated by the Federal Energy Regulatory Commission (FERC) tariff.

The proposed project layout is illustrated in Exhibit 3R. Please note that all proposed project components will occur on properties listed in Exhibit 1R and, pursuant to permit, collector lines will be installed under Whalen Road in the Town of Clinton and along State Route 190 in the Town of Ellenburg.

5. Detailed project plans are included as Exhibits 3R-9R and described below:

- (1) Property lines and project area boundaries are presented in Exhibit 3R.
- (2) Existing residential structures within 500 feet of the proposed Wind Overlay Zone (i.e., project area) are shown in Exhibit 4R. Coordinates of individual residences are listed in Exhibit 5R. These and other structures in the vicinity of proposed access roads and turbines are also shown in Exhibit 6R, and their coordinates listed in Exhibit 9R.
- (3) The location of each proposed WECS is shown on the individual site plans included as Exhibit 6R.
- (4) The locations of above-ground utility lines within 500 feet (i.e., in excess of one radius of the total height of the WECS) are shown in Exhibit 6R. The coordinates of these lines are listed in Exhibit 9R.
- (5) Structures over 35 feet in height within 500 feet of the WECS are shown in Exhibit 6R. Their coordinates are included in Exhibit 9R.



- (6) Properties included in the proposed Wind Overlay Zone are in the Rural Use (RU) and Rural Arterial (RA) zoning districts.
 - (7) The Applicant proposes that the boundary of the Wind Overlay Zone should be congruent with the project area boundaries as shown in Exhibit 3R. It should be noted that within this proposed Wind Overlay Zone, project components will be located only on those specific properties referenced in paragraph 4 of this letter.
 - (8) Set-backs of 1000 feet, 500 feet and 1.5x tower height (i.e., 615 feet) around each tower site are shown in Exhibit 4R. This exhibit also includes landowner names and the location of houses and property lines.
 - (9) The nearest on-site and off-site residences are shown in Exhibits 4R and 6R. The coordinates of these structures are listed in Exhibit 5R. Please note that all of these structures are at least 1200 feet from the nearest turbine.
 - (10) The general location of all proposed facilities is illustrated in Exhibit 3R. Detailed site plans showing the more precise location of these facilities are included as Exhibit 6R.
6. To-scale drawings and specifications for the Gamesa G90 wind turbine proposed for use on this project are presented in Exhibit 11R.
 7. A landscaping plan for the substation is not being proposed. The substation site is in a wooded area approximately 2,500 feet east of Patnode Road. The nearest home is approximately 3,000 feet from this site. The distance of the substation from potential viewers, and the screening provided by surrounding trees, will minimize substation visibility and visual impacts.
 8. A proposed Federal Aviation Administration (FAA) lighting plan is attached as Exhibit 14. This plan was prepared as if the Marble River Wind Farm was the only such facility to be constructed in the area, but if another Wind Energy Facility were to be constructed close by it is anticipated that less of the Applicant's WECS would need to be lit. This plan has not yet been approved by the FAA as such approval is typically issued later in the SEQR process, but it fully complies with current FAA lighting guidelines. A copy of the FAA determination will be provided to the Town once it is available.
 9. A list of property owners within 500 feet of the proposed project area/Wind Overlay Zone is included as Exhibit 12R.
 10. A decommissioning plan is attached as Exhibit 15. This plan addresses all of the issues listed in Article II, Section 11(10) of the Local Law.
 11. A proposed complaint resolution process is described in Exhibit 15.
 12. Information relating to project construction, as it is known at this time, is presented below:
 - (1) Project construction is scheduled to start in the Spring of 2007 and to be completed by the Fall of 2007.



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- (2) A draft construction routing study is in the process of being finalized. At this time, State Routes 11, 189 and 190 are anticipated to be the primary construction routes. The county and local highways listed in the project description will also be used. Tractor-trailers up to 160 feet long and 16 feet high, and loads up to 100 tons in weight, are anticipated. The Applicant requests that the Town Board waive the requirement for a completed study until the DEIS is submitted.
13. Completed Part One of a long Environmental Assessment Form (EAF) is included as Exhibit 13R.
14. No application for additional wind measurement towers are included with this submittal.
15. Specific information/specifications regarding the noise characteristics of proposed G90 wind turbine are provided in Exhibit 11R. Also included in Exhibit 11R is Material Safety Data Sheet documentation from Gamesa for the type and quantity of materials used in the operation of Gamesa wind turbine equipment.
16. The Applicant acknowledges that the issuance of a positive declaration under the State Environmental Quality Review Act (SEQRA) is appropriate for this project. Accordingly, the studies listed in Article II (§11)(17) of the Local Law will be included in the Draft Environmental Impact Statement.
17. Proof of a three-party Interconnection Agreement with the New York Independent System Operator and the New York Power Authority will be provided prior to submitting a building permit application. In accordance with the NYISO Large Generator Interconnection Procedures, such Interconnection Agreements will be signed only after the completion of a Facility Study.
18. I certify under penalties of perjury that the information included in this application is true and accurate.

Sincerely,

Authorized Representative for Marble River, LLC
By Patrick Doyle

