



*FINAL ENVIRONMENTAL IMPACT STATEMENT*  
**Florida Wind 1, LLC YMCA Road Wind Turbine Project**  
153 YMCA Road  
Town of Florida, New York 12010

Sept 11, 2024

Project Sponsor: Florida Wind 1, LLC  
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Project Location: 153 YMCA Road  
Florida, New York 12010

Tax Parcel Number: 102.-1-19

Lead Agency: Planning Board, Town of Florida  
214 Fort Hunter Road  
Amsterdam, New York 12010  
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Final EIS Issuance Date	September 11, 2024

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Visual Simulations	Saratoga Associates 21 Congress Street, Suite 201 Saratoga Springs, NY 12866
Community Plans and Character	LaBella Associates D.P.C. 300 State St #201 Rochester, NY 14614
Wetlands Evaluation and Permitting	GEI Consultants, Inc. PC 1301 Trumansburg Road, Suite N Ithaca, NY 14850
Microwave Study	Comsearch 19700 Janelia Farm Blvd. Ashburn, Va 20147
Sound Level Monitoring Report and Shadow Flicker Evaluation	Epsilon Associates, Inc. 3 Mill & Main Place, Suite 250 Maynard, MA 01754
RF Evaluation	Smith and Fisher, LLC 4791 Wintergreen Court Woodbridge, Va 22192
Transportation Evaluation	Creighton Manning Engineers 2 Winners Circle Albany, NY 12205

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# I. EXECUTIVE SUMMARY

## A. Introduction

This Final Environmental Impact Statement (FEIS) was prepared pursuant to 6NYCRR Part 617 for actions associated with the proposed Florida Wind 1, LLC Wind Turbine Project (the "Project") in the Town of Florida, New York (the "Town"), proposed by Florida Wind 1, LLC (the "Applicant"). The Draft Environmental Impact Statement (DEIS) was accepted as complete by the Town of Florida Planning Board on February 8, 2024. A public hearing was held on March 4, 2024, and comments were accepted until March 15, 2024.

The DEIS was prepared in accordance with the Final Scope adopted by the Town of Florida Planning Board (the "Lead Agency" and "the Planning Board") on April 6, 2023. This FEIS responds to substantive comments on the DEIS as more fully described on page 13.

The DEIS conformed to requirements for preparation and content of environmental impact statements as stipulated in 6 NYCRR 617.9, which include but are not limited to the following:

- A description of the proposed Project and its environmental setting;
- A statement of the environmental impacts of the proposed Project as identified in the Positive Declaration adopted by the Lead Agency on December 5, 2022, including its short- and long- term impacts, cumulative impacts, and other associated environmental impacts;
- An identification of any significant adverse environmental effects that cannot be avoided if the proposed Project is implemented;
- A description of mitigation measures proposed to minimize or avoid any significant adverse environmental impacts of the proposed Project;
- A discussion of alternatives to the proposed Project; and
- An identification of any irreversible and irretrievable commitments of resources that would be involved of the proposed Project should it be implemented.

The Applicant for the Project, Florida Wind 1, LLC is a wholly owned subsidiary of New Leaf Energy, LLC ("New Leaf") which was formerly the development business under Borrego Solar Systems, Inc. ("Borrego"). All Borrego rights and obligations have been transferred to Florida Wind 1, LLC and any future owner will be bound by any conditions placed on the Project, including SEQRA mitigation requirements.

Approval of the Project by the Town, as proposed, requires two distinct components, or actions, under the State Environmental Quality Review Act ("SEQRA"):

- 1) Special Use Permit Approval from the Town of Florida Planning Board – The subject property is located within the Town's Agriculture (A) District. According to the Town of Florida Zoning Ordinance (the "Zoning Ordinance," the proposed action is a wind energy conversion system ("WECS") that is classified as a 'WECS, Commercial,' which is defined as a "*WECS that generate(s) original power on a site to be transferred to a transmission system for distribution to customers*". According to Section 45.4 of the Town's Zoning Ordinance, Wind Turbine Facilities Law, subsection (b), non-roof mounted WECS shall require a special use permit issued by the Town Planning Board, pursuant to compliance with all special permit criteria and special permit application procedures listed in the Town Zoning Ordinance.

- 2) Site Plan Approval from the Town of Florida Planning Board – Article VII, Section 18, of the Town Zoning Ordinance, states that development projects "*other than Single Family Residential in all Districts*" as well as "*Agricultural in the Agricultural District require site plan review.*" Site plan review and special permit review are conducted jointly by the Town of Florida Planning Board.

The Town of Florida Planning Board will issue a special use permit approval and site plan approval for the Project. The Project received a height variance allowing construction of a 650-foot tower from the Town of Florida Zoning Board of Appeals on December 13, 2021. Additional approvals for various components of the Project are summarized in Section I.C below.

The Project is situated on a 135± acre property accessed from YMCA Road in the Town of Florida, New York. Full build-out of the Project is anticipated in 2024. If approved, the Project will include:

Temporary Features during Construction:

- Construction staging area;
- Stockpile;
- Blade lay down area; and
- Truck route around the turbine.

Permanent Features:

- 4.5 MW, 650-foot-tall wind turbine;
- Gravel access road off YMCA Road;
- Turbine foundation;
- Electrical collection system (ground mounted electrical equipment and utility poles, the wind turbine, and a gravel pad around foundation and crane pad);
- Overhead utility lines; and
- Utility poles.

The Project will accomplish the following objectives:

- Promote renewable energy in the region;
- Supply nearby residential and commercial areas with energy if they sign up;
- Support the local economy during construction phase;
- Create temporary jobs;
- Generate tax revenue;

The Project will address the following needs:

- Put 4.9 acres of the property into productive use;
- Create temporary jobs;
- Energy from the project will be delivered into the local power grid and made available for purchase locally if residents sign up;

The Project and the Applicant's objectives are recognized by Section 45.4 of the Town Zoning Ordinance dated 23 May 2016 as follows:

1. Meets increased demand for alternative energy sources

2. Promotes the need for more inexpensive power that wind turbine facilities may provide;

The proposed Project coincides the Town's planning objectives, as energy from the Project will be delivered into the local power grid and made available for purchase locally.

## **B. Description of the proposed Project**

Florida Wind 1, LLC proposes development of a 4.5 MW, 650-foot-tall wind turbine on a +/- 135-acre vacant and undeveloped property accessed from YMCA Road in the Town of Florida, New York. Energy from the Project will be delivered into the local power grid and made available for purchase locally. The property consists of tax parcel 102.-1-19. The property is owned by Martin Milano and will be leased by Florida Wind 1, LLC. Once approvals are obtained, the Project will be transferred to an operator who will construct and operate the wind turbine in accordance with the conditions of the special permit and all other approvals. The Project will include construction of an access road, an electrical collection system to include ground mounted electrical equipment and utility poles, the wind turbine, and a gravel crane pad.

Permanent features of the Project include a wind turbine, turbine foundation, gravel pad around the foundation, crane pad, gravel access road off YMCA Road, overhead utility lines and utility poles. Temporary features needed during construction include a construction staging area, stockpile, blade lay down area and truck route around the turbine. The staging area and truck route will be constructed of gravel, but following the turbine installation, the stone will be removed and the area de-compacted and restored with topsoil and seeding. The remaining areas will remain pervious but will require de-compaction and reseeding following turbine construction.

The wind turbine and associated infrastructure will result in the conversion of approximately 4.9 acres of vacant, undeveloped land to productive energy generation use. The proposed gravel access drive and, crane pad, and turbine and foundation, will result in an increase in impervious area on the Project site and the potential for soil erosion. Mitigation measures include soil and erosion control measures installed pursuant to a Stormwater Pollution Prevention Plan (SWPPP) which has been prepared pursuant to the New York State Department of Environmental Conservation ("NYSDEC") General State Pollution Discharge Elimination System (SPDES) requirements. The anticipated loss of land for non-agricultural use is not a significant impact as there are approximately 176,000 acres in Agricultural Districts in Montgomery County which will not be impacted by the Project. In addition, the site will be restored to its original condition after the wind turbine facility is decommissioned. Although the property has not been in agricultural use since the 1950's, agricultural operations could commence in the future after the wind turbine is decommissioned.

With respect to potential impacts to subsurface and surface water resources, the Project access road will cross a Federally regulated wetland. Thus, a wetland delineation report was completed for the Project and a Federal Wetland Permit has been obtained. The Applicant purchased wetland mitigation credits to offset any potential impacts to wetlands.

With respect to potential impacts to vegetation and wildlife, Environmental Design & Research, D.P.C. (EDR) conducted avian field surveys in 2020 and 2021. While Bald Eagle and northern harrier were documented in the Project area, no occupied habitat was observed on

site. The NYSDEC issued a letter on July 6, 2022, indicating that in the event that the Project results in the taking of a bald eagle, the Applicant has committed to work with the NYSDEC to develop appropriate mitigation actions that will result in a net conservation benefit to the species. In regard to the Northern long-eared bats, and to minimize impacts to the maximum extent practicable, the NYSDEC indicated in their letter dated July 6, 2022, that the facility must curtail operations at wind speeds less than 5.5 m/s between July 1 to October 1 every night from half an hour before sunset to half an hour after sunrise when ambient temperatures are greater than or equal to 50 degrees Fahrenheit (10 degrees Celsius). Remote operational controls will be used to facilitate this and to document speed reductions. This letter is part of the project record before the Town of Florida Planning Board, but was not included in the DEIS because these issues were not deemed significant by the Town of Florida Planning Board in its role as SEQRA Lead Agency.

With respect to traffic, transportation, pedestrians and transit, temporary, short-term impacts to ground transportation are anticipated during the construction of the wind turbine. The transportation of the wind turbine parts (i.e., blades) to the Project site will require improvements to the routes used to transport the large components of the turbine. Once operational, there will be no impacts to transportation routes. In addition, potential impacts to air transportation routes used by small airplanes, emergency medical transport helicopters, and drones may occur as a result of the proposed project. The Federal Aviation Administration (FAA) reviewed the potential impacts to flight patterns and routes as a result of the proposed wind turbine and has issued a Determination of No Hazard.

With respect to historic and cultural resources, Phase 1A and 1B Cultural Resource Surveys were conducted and no significant impacts to historic or cultural resources were identified. These studies are a part of the project record before the Town of Florida Planning Board, but were not included in the DEIS because these issues were not deemed significant by the Town of Florida Planning Board in its role as SEQRA Lead Agency.

Lastly, in regard to construction impacts, there is potential for temporary noise, dust, odors and traffic. Hence, a construction plan will be prepared which addresses such impacts.

The Project is a Type 1 SEQRA Action because, pursuant to 6 NYCRR Part 617.4(b)(8), it involves the physical alteration of more than 2.5 acres in an agricultural district. The Florida Zoning Board of Appeals conducted an uncoordinated SEQRA review pursuant to 6 NYCRR 617.6(b)(4) and issued a Negative Declaration for the height variance on December 13, 2021.

The Planning Board declared itself Lead Agency for the Action under its jurisdiction, issuance of the special use permit, on February 7, 2022, and on December 5, 2022, it issued a Positive Declaration requiring the preparation of the DEIS. Potentially significant impacts identified by the Planning Board in its Positive Declaration include:

- Aesthetic resources;
- Visual (including shadow flickering);
- Radio and over-the-air TV communications services in the immediate and surrounding area;
- Community plans; and
- Community character.



**C. List of Involved and Interested Agencies and identification of local, county, state, and other approvals required.**

Below is a list of all involved agencies and the required approvals and permits they are responsible for granting with respect to the Proposed Project.

<b>Table 1. INVOLVED AGENCIES, PERMITS AND APPROVALS</b>	
<b>Involved Agency</b>	<b>Type of Approval</b>
Town of Florida Planning Board	Special Use Permit Approval Site Plan Approval
Town of Florida Zoning Board of Appeals (ZBA)	Height Variance issued December 13,2021
Montgomery County Highway Department	Possible improvements to county roadways
NYS Department of Environmental Conservation – Region 4	Stormwater Prevention Protection Plan (SWPPP) GP-0-10-001 General SPDES Permit
NYS Office of Parks, Recreation and Historic Preservation	Cultural Resources Consistency Determination
New York State Department of Agriculture and Markets (NYSAM)	Notice of Intent
New York State Department of Transportation	Possible improvements to state roadways
New York State Energy Research and Development Authority (NYSERDA)	NYSERDA Approval

The following agencies have been identified as interested agencies who may review and comment on the proposed Project:

**Montgomery County Sheriff's Office**

Jeffery T. Smith, Sheriff  
 Montgomery County Sheriff's Office and Jail  
 200 Clark Drive  
 P.O. Box 432  
 Fultonville, NY 12072  
 (518) 853-5500

**New York State Police**

Amsterdam City Hall, Floor 1  
 61 Church Street  
 Amsterdam, NY 12010  
 (518) 843-3210

**Florida Volunteer Fire Department**

6252 NY-30,  
 Amsterdam, NY 12010  
 (518) 843-6286

**City of Amsterdam Planning Commission**

Elaine Santiago, Chair

Amsterdam City Hall  
61 Church Street  
Amsterdam, NY 12010  
(518) 841-4319

**Montgomery County Planning Board**  
Casey Anderson, Planning Board Chair  
9 Park Street  
Fonda, NY 12068  
(518) 853-8155

**United States Army Corps of Engineers**  
Civil Works Office  
U.S. Army Engineer District, New York  
26 Federal Plaza  
New York, NY 10278-0090  
Contact: Mary Ann Miller  
General Number: (917) 790 – 8414

**United States Department of Interior**  
US Fish and Wildlife Service  
David Stillwell  
Field Supervisor  
3817 Luker Road  
Cortland, NY 13045  
(607) 753 – 9334

**D. Statement of project purpose and need.**

The Project will accomplish the following objectives:

- Promote renewable energy in the region;
- Supply nearby residential and commercial areas with energy if they sign up;
- Support the local economy during construction phase;
- Create jobs during construction phase;
- Generate tax revenue; and
- Put 4.9 acres of the property into productive use.

**E. Summary of potential significant adverse environmental impacts and mitigation measures identified in each subject area**

The following table provides a summary of the significant adverse environmental impacts and mitigation measures as identified in each subject area of the DEIS.

Table 2. SUMMARY OF POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS AND PROPOSED MITIGATION MEASURES			
DEIS Chapter		Potential Impact(s)	Mitigation Measure(s)
A.	Visual/Aesthetic Impacts	The proposed wind turbine will change the visual character of the surrounding area due to its appearance and height.	The nearest property line is more than 850' away and the nearest house is more than 1900' away. The wind turbine will be painted white to minimize visibility. Tree clearing will be minimized so that intervening vegetation will screen views of the tower to the maximum extent practicable.
B.	Over the Air Radio and Television Communications	The proposed wind turbine could create RF interference with surrounding communications towers both civilian and commercially operated. Wind turbine could interfere with antenna reception of the community as well as cell phone service.	Once the wind turbine is operational the operator will be required to conduct follow-up measurements of the non-ionizing electromagnetic environment at the same locations as the existing conditions analysis. Any complaint received regarding RF interference will be made in writing to the current owner of the wind turbine with a copy of the correspondence addressed to the Town of Florida Planning Board. A response from the turbine owner will be made within 30 days of the initial complaint. The evaluation of complaints regarding RF interference to wireless radio communications will be made by a third-party contractor with all costs being borne by the current owner of the wind turbine.
C.	Community Character	The proposed wind turbine will change the character of the surrounding area.	Planting of trees to minimize visual impacts. Provide residents with window shades to avoid shadow flicker and viewing the wind turbine. Painting the wind turbine

			white to minimize visual impacts.
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**F. Description of alternatives analyzed and a table comparing the impacts of the proposed Project with the impacts of the various alternatives.**

- 1.) The "No Action" Alternative – The no action alternative would leave the property in its current condition. While visual, site disturbance and temporary transportation impacts would be eliminated, the benefits of the Project such as increased renewable energy contributions to the local grid, would not occur. Under this alternative, the parcel would be left vacant and unused.
- 2.) Alternative tower height (400 feet) – It would reduce the visual impact of the proposed wind turbine. The Town of Florida Zoning Board of Appeals granted a height variance in 2021.
- 3.) Alternative location – There are no other sites under the control of the Applicant that could be used as an alternative location to the project site. Therefore, this is not a viable alternative as there is no other site to evaluate for the purpose of situating the proposed wind turbine facility.

Table 3 Summarizes the impacts of each of the alternatives.

<b>Table 3. COMPARISON OF ALTERNATIVES</b>			
	The No-Action Alternative	400' Turbine Height Alternative	Alternative Site
Production of Renewable Energy	No renewable energy would be produced	Less renewable energy would be produced	Not a viable alternative
Site Disturbance/Stormwater Management	No impacts to the site and no additional stormwater runoff	Impacts would be identical to the proposed Project	Not a viable alternative
Visual Impacts	No impact	Less visual impact	Not a viable alternative
Wetland Impacts	No impact	Impacts would be identical to the proposed Project	Not a viable alternative
Impacts to Microwave Transmission	No impact	Impacts would be less to the proposed Project	Not a viable alternative
Noise Impacts	No impact	Impacts would be identical to the proposed Project	Not a viable alternative
Impacts to RF Transmission	No impact	Impacts would be slightly less to the proposed Project	Not a viable alternative
Transportation Impacts Construction phase	No impact	Impacts would be slightly less to the proposed Project	Not a viable alternative

## II. DRAFT EIS COMMENTS AND RESPONSES

This section provides responses to written comment letters received on the Draft EIS and verbal comments offered at the March 4, 2024 public hearing. For each subject area, a general response is given first, followed by responses to each specific comment. In many cases the specific response refers to the general response.

Certain written and verbal comments provided during the Draft EIS public review involve resource categories not included in the adopted Scope and Draft EIS document because the Project, as designed, is not anticipated to result in a significant adverse impact to these categories. These certain public comments do not raise any additional, significant issues not already addressed by the Draft EIS document. However, for completeness, this section of the Final EIS provides responses to comments that are outside of the adopted Draft EIS scope.

Copies of the written comment letters are provided in Appendix 1 and a copy of the March 4, 2024 public hearing transcript is provided in Appendix 2. The written comment letters and the public hearing transcript provided in these appendices are marked and enumerated to identify the specific comments that are addressed in this Final EIS. These comments and the specific responses that follow are organized by the resource category or concern addressed in each comment.

### A. VISUAL & AESTHETICS IMPACT COMMENTS

#### Visual Impact General Response:

*The visual and aesthetic impacts of the Project have been extensively studied and evaluated throughout the Town's review process. In November and December 2021, the Town of Florida Zoning Board of Appeals (ZBA) reviewed the requested height variance for the 650-foot wind turbine. A public hearing was held at the December 13, 2021, ZBA meeting. Four members of the public spoke at the meeting. Based on the comments received at the public hearing and the ZBA's review of information provided by the Applicant, the ZBA granted the height variance on December 13, 2021.*

*The Project site is located on rural land that was last used for agricultural purposes in the 1990's. There are no residential structures on the Project site. The only structure is a collapsed barn. The surrounding areas consist of agricultural land and low density rural residential land. The closest residences to the Project are located approximately 1,900 feet to the east on YMCA Road, and 2,100 feet to the north on Bean Hill Road.*

*The proposed wind turbine is a single tower with three blades attached to the hub via a nacelle. The turbine will be constructed of steel and will be painted white to minimize its visibility. To comply with Federal Aviation Administration (FAA) aviation visibility standards for wind turbines, there will be one pulsing red (FAA L-864) obstruction light at the top of the nacelle. No other lighting is proposed.*

*The primary method employed to minimize visual impacts is the Project siting. The Project location is sited as far from the nearest residences as is feasible. Line-of-sight cross-section profiles are provided in the Draft EIS that extend from the top of the turbine to each of these nearest residences. Both of these profiles illustrate that the view of the top of the tower will be blocked by intervening vegetation. Tree clearing for the Project will be minimal so that intervening vegetation will screen views to the maximum extent practicable for nearby residents. This will reduce the visibility of the turbine, especially for nearby residents whose line of sight to the turbine will be screened by intervening vegetation and may provide some screening effect depending on viewpoint and topography.*

*The Visual Impact Study provided in the Draft EIS includes a visibility analysis and photo-simulations from 27 viewpoint locations surrounding the Project Site (refer to Section III.A and Appendix 9 of the Draft EIS). The viewpoint locations were selected by the Planning Board to be generally representative of a majority of the potential views from the surrounding area. Figure 1 (Viewshed/Photo Location Map) included in Appendix illustrates the locations where the Project will be visible within a five-mile radius of the Study Area, including those locations where the existing topography and/or vegetation will either partially or fully block or obscure the view of the proposed wind turbine. The photo-simulations included in Appendix 9 show leaf off conditions from public-accessible viewpoint locations within and surrounding the Study Area. As noted in Section III.A.2.a. of the Draft EIS, the Project will be fully visible from 11 of the viewpoint locations, partially visible from 8 viewpoint locations, and not visible from 8 of the viewpoint locations.*

*The Project site does not coincide with any designated Scenic Resources of Statewide Significance. Areas of local significance within the Study Area consist of the Erie Canalway Trail (refer to viewpoint location VP13) and the Mohawk Valley Gateway Overlook (refer to viewpoint location VP14). These two areas of local significance are situated nearly five miles from the Project site, and the proposed single wind turbine is expected to be minimally visible from these two locations due to distance and topography.*

*With the*

**A-1 Deanna DeLuke Comment #1:** Please provide visual impact photos from the following coordinates. The community would like to see a more thorough representation of the visual impact of the proposed turbine - particularly the community members residing in the immediate radius of the turbine on Bean Hill Rd., Shellstone Rd, Millers Corners Rd., and Youngs Corners Rd. Since this turbine is a "community wind project" and you have spoken of your interest in working with the community, I trust that this request from the community will be honored. (NOTE: See Attachment 1 for visual coordinates.)

*Response:* The commenter identified 102 locations for the preparation of additional photo-simulations (refer to Attachment 1 in the Draft EIS). Figure 2 of

*the Draft EIS illustrates the 102 requested photo-simulation locations, while Figure 1 of the Draft EIS indicates the location of the 27 Photo-simulation viewpoints provided in the Draft EIS. As these two figures demonstrate, the 102 additional photo-simulation locations requested by the commenter are clustered along roadways that are in the closest proximity to the Project Site. As indicated in the viewshed map provided on Page 1 of the Draft EIS Visual Assessment, ground level views of the Project from the requested locations in some of the requested photo-simulations locations along these roadways would be obscured or partially obscured by existing topography and vegetation. The Draft EIS provides 27 photo-simulations from viewpoints identified by the Planning Board.*

- A-2 **Mark and Lori Rulison Comment #5:** The project is actually detrimental to the town residents in many aspects such as - Significant visual impact. The nearest wind turbine this massive in height is near Binghamton, NY. Siting at 650 ft. turbine on Bean Hill, the tallest point in the town, will have a huge, unavoidable visual impact.

*Response:* See Visual Impact General Response.

- A-3 **William Bonner & Mary Donohue Comment #2:** Visual impact - it is clear that a 650 foot tower would have a negative impact on the view shed of surrounding homes, businesses, our community as a whole, and surrounding communities. While some of the smaller wind turbines might fit into the landscape better and not provide such a negative impact, the 650 foot variance already provided was certainly premature. Documentation has shown that there is nothing in our area that even comes close to something that massive. It is our belief that this tower is not suitable for our community.

*Response:* See Visual Impact General Response. As noted in the General Response, the Town Zoning Board of Appeals granted a height variance for the proposed wind turbine in 2021. The proposed height is consistent with current wind turbine design and market availability. The proposed wind turbine height provides greater efficiency and energy production than smaller wind turbines according to the applicant.

- A-4 **Brian and Kristeen Jaracz Comment #2:** Visual Impact study did not truly represent the size in contrast to the visible landscape points. When pictures are taken against a wall/object, of course no visual impact is noted. However, a 650' wind turbine, stationed on one of the highest points in the TOF, will have a significant negative visual impact and cannot be obscured.

*Response:* See General Response.



A-5 Phil Johnson Comment #2: Environmental Impacts, Short term - an ugly visage in our beautiful town, noisy and harm to wildlife.

*Response: See Visual Impact General Response, Noise General Response, and Ecological, Wildlife & Vegetation Impact General Response*

A-6 Alliance for Florida Farmland Comment #6: The environmental impact greatly outweighs any revenue that may be generated by a turbine that is statistically about 30% efficient in producing electricity. Visual impact cannot be mitigated for our residents or the residents of nearby towns. This device would be visible from two of our serene town parks, as well as from a large portion of town. This would be the largest turbine in NY set at the highest point in our county.

*Response: See Visual Impact General Response.*

A-7 Ken & Becky Maritz Comment #5: The picture below is an approximate scaled depiction of the total height that the wind turbine will have when placed above Bean Hill. The picture demonstrates that the total height of the turbine on top of Bean Hill will be higher than One World Trade Center in New York City. This will be seen for many miles around us. Another fact to consider is the wind turbine alone is greater than two times the height of the Statue of Liberty! This is a fact that is impossible to dispute.

A Wind turbine of this size, height (650') and magnitude is visual pollution. We came upon one of lesser height on the Mass Turnpike. When in the distance it appeared out of place. Then as we approached *it* the appearance was overwhelming. It will make an open landscape appear more developed and less rural. This in turn will alter the natural landscape's harmonious relationships between different characteristics and elements of aesthetic importance. The movement of the rotors can create a "disquieting" effect in the landscape and disturb the natural tranquility.

*Response: See Visual Impact General Response.*

A-8 Vanessa Kirby March 4, 2024 Public Hearing Comment #5: Also, the significant lights of impact to the Town is the siting of the 650-foot turbine at the highest point, not just in the Town of Florida but all of Montgomery County. Although the zoning ordinance of Montgomery County allowed the height variance, they cannot make a vote to complete SEQRA or DEIS which provided additional insight and scrutinize the visual impact related to the site of a turbine of this size at this site. The additional insight available to this Board shows not only an impact of one that cannot be mitigated and would impact not only our Town, but other Towns as well.

*Response: See Visual Impact General Response.*

A-9 Scott Neff March 4, 2024 Public Hearing Comment #5: I always marvel at how this part of the Town -- I live down on 5S down by the river -- just how beautiful it is. In the last couple of years -- hell, in the last six months, just watching the solar projects going on -- even tonight, driving up here, I can see the sunset fading out. I can see a couple of houses at the lower end of Bulls Head Road where you cross there and I thought to myself, that is one beautiful sunset. If I was in their house looking at it just over the knoll, I can see all the stupid solar panels ruining the beauty of this Town. They say that this is one tower going up. Well, that project over on Route 30 by the diner, that was just one solar project too. Now look at our Town. It always starts with one.

*Response: See Visual Impact General Response.*

A-10 Ken Maritz March 4, 2024 Public Hearing Comment #4: The next area is the visual turbine. There have a very nice picture of this little thing in the background. I did pretty much an approximate scale and you have it in the handout that you have in front of you, but I referred to it. The picture below is an appropriate scale depiction of the total height that the wind turbine will have when placed on that hill. The picture demonstrates that the total height of the turbine on the top of the hill would be higher than 1 World Trade Center in New York City. This will be seen for many miles around us. Another fact to consider is the wind turbine alone is two times the height of the Statute of Liberty. This is a fact that is impossible to dispute. A wind turbine of this size - 650 feet - and magnitude of this is visual pollution. We came upon one of the lesser heights on the Mass Turnpike on our way to Boston and when it appeared in the distance, it appeared out of place. Then, as we approached it, the appearance was overwhelming. It will make an open landscape appear more developed and less rural. This, in turn, will open a natural landscape and harmonious relationships between different characteristics and elements of aesthetic importance.

*Response: See Visual Impact General Response.*

A-11 Kristine Varacz March 4, 2024 Public Hearing Comment #1: Much of the available research that has been done are based upon wind turbines that are 200 and 400 feet. There are no studies out there on 650-foot turbines. New Leaf has confirmed themselves that they've never built one this large. So, that alone should be alarm for all of us here. The visual impact study did not truly represent the size and contrast to physical landscapes. Many of the pictures that they proposed in the DEIS were against a wall or against an object - right up against it. To think that a 650-foot wind turbine stationed on one of the highest points in the Town of Florida will not have a significant negative visual impact - you're just kidding yourselves. It cannot be obscured with anything that you put up. There are no 650-foot trees and there is no 650-foot fencing that you can put up.

*Response:* See Visual Impact General Response, and the Comment A-3 response.

- A-12 **Timothy Gregson March 4, 2024 Public Hearing Comment #1:** Those arguments are so compelling that I have very little to add to them, but I just want us to get a visual. I really appreciate comparison of this windmill compared to the World Trade Center and Statue of Liberty. We see here a turbine, or a portion of a turbine, but it's from a distance and it looks so innocent and so unthreatening. But as you imagine, picturing the lighthouse in Buxton, North Carolina - it is the largest lighthouse on the east coast. When we follow Route 12 - look for the lighthouse. I can see it out there and its light is on, and we can see the light being flickered around. We drive closer and closer and closer and then we walk to it until we're finally at the base and we're looking way up there 210 feet. This is 650 feet. That's not accurate at all from what we will actually have to endure. This will no longer be rural county with a monumental thing right there before us for all to see. Wings will have to be flying high when it's foggy. They may run into it like they did the Empire State Building. The whole concept is just inappropriate for the Town of Florida. Just visualize and you'll know how to vote.

*Response:* See Visual Impact General Response.

- A-13 **Deanna DeLuke March 4, 2024 Public Hearing Comment #1:** So, I agree with what many of my neighbors have said about the photos. I think that they were taken very creatively from these angles to make it look like this cute little thing that blends into the clouds. So, I would really love it if we could see more photos from locations that are more relevant to us. I'm not really concerned with what it looks like from the Auriesville Shrine or the cemetery or the Schoharie Preserve, which is where a lot of those photos were taken. I would like to know what it will really look like from Youngs Corners Road, Millers Corners Road, Shell Stone Road. I would love to see that. I think that one photo is from Youngs Corners, but it was the only one. Most of the others are from locations that were farther removed and also as one of my neighbors said, if your screening a house, use trees - things that of course if you're standing right in front of will block the view, but if you look to the left or the right a little, there is the turbine.

*Response:* See Visual Impact General Response.

- A-14 **Deanna DeLuke March 4, 2024 Public Hearing Comment #2:** I also want to add - just to establish what 650 feet looks like - I was looking into it and if the turbine, is built, would actually be the tallest structure in the state, north of New York City. It would be taller than all of the buildings in Albany including the Erastus Corning Tower, Rochester, Syracuse, Buffalo. So, if we were to look at a list of the tallest buildings in New York State, we would have buildings in New York City and then we would have the Town of Florida's wind turbine and then the

Erastus Corning Tower and that all the other urban buildings in our state. So, when you say is inappropriate, I can agree with that.

*Response: See Visual Impact General Response.*

A-15 Clinton Detrick March 4, 2024 Public Hearing Comment #1: I want to keep the property and the surrounding areas at its historic glory and keep this area as beautiful as it always has been. If I were to take a photo once this project goes through, if it goes through - I hope to God it doesn't, it's going to take away that serenity and that historic feel that this area still has. That's what I wanted to say.

*Response: See Visual Impact General Response.*

## B. COMMUNITY CHARACTER IMPACT COMMENTS

### General Response:

*As described in the Draft EIS, Montgomery County and the Town of Florida are characterized by their traditional agricultural history and land uses. Within the Town of Florida, land located south of the NY Thruway is primarily within the Town's Agricultural zoning district. Near the Project, most of the land is current or former farmland. Other nearby land uses include vacant woodland and low-density single-family residences. Commercial business and local government facilities occur along the NYS Route 30 and County Route 145 corridors, approximately 1-2 miles to the north and east. More intensive land use development occurs along NYS Interstate I-90 and within the City of Amsterdam, approximately 4 miles to the north. To the southwest and southeast are state forests Lost Valley State Forest, Charleston State Forest, and Featherstonehaugh State Forest, within approximately 4 to 8 miles of the Project site.*

*The Project site property is vacant and is a mix of open and wooded land. It is agricultural land currently in use and has not been since the 1990's. There is a collapsed barn on the property. The nearest building to the Project Site in use is a farm building with multiple sheds, located approximately 650 feet to the west of the Project Site. The nearest residence is 1904 feet to the northeast. Rulison Honey Farms, is approximately one mile south of the Project site.*

*The Town of Florida's 1996 Comprehensive Plan and 2011 Comprehensive Plan Amendments recognize the importance of supporting agricultural character within the Town. These planning documents also address the challenge of balancing environmental concerns and economic development, although they do not provide guidance specific to renewable energy within the Town.*

*The regulations for wind energy facilities in the Town were established in Local Law 1 of 2008 and codified in Section 45.4 of the Town's Zoning Ordinance. This law stipulates the following Intent and Purpose:*

*"Increasing global, national, regional, and local energy demands have led to a corresponding increase in the demand for alternative energy sources. The Town Board of the Town of Florida recognizes the increased demand for such alternative energy sources and the need for more inexpensive power that wind turbine facilities may provide. The purpose of this local law is to protect and promote the community's safety, health, and welfare by properly siting wind turbine towers in a manner consistent with sound land use planning while also allowing private and commercial providers to meet their power generating objectives."*

*As defined in Section 45.4 of the Town Zoning Ordinance, the Project is a Wind Energy Conversion Systems (WECS), Commercial development that will generate original power on site to be transferred to a transmission system for distribution to customers that sign up.*

*If project is approved, decommissioning of the Project, the Project site would be restored to allow future agricultural use.*

*To address the visual change associated with wind energy, Section 45.4 requires that: "No WECS shall be installed in any location that would substantially detract from or block view of a portion of a recognized scenic view shed, as viewed from any public road right-of-way, public body of water or publicly owned land within the Town of Florida or beyond". As previously noted, the Project consists of a single wind turbine. The single wind turbine will be colored white as a mitigation measure in order to reduce the visibility of the Project.*

*The proposed wind turbine is a fully self-contained and locked structure that would be inaccessible to unauthorized personnel. There are no rungs or apparatus for climbing on the exterior of the turbine. Due to its remote location and the significant distance (approximately 1,493 feet) to the nearest public roadway the Applicant requests the Planning Board waive the requirement in Section 45.4 of the Zoning Ordinance for a 6 foot-tall perimeter security fence. The Applicant proposes to install a gate on the driveway to restrict access. The exact location of the gate will be decided in consultation with the landowner and National Grid to ensure no interference with access to existing electrical utility poles.*

*The Project requires site plan review and a special use permit from the Town of Florida Planning Board. Except for the requested fencing waiver and the previously granted height variance, the Project complies with the provisions of the aforementioned Local Law 1 of 2008.*

*The utilization of this Project site property for a wind energy project would result in the potential loss of 4.9 acres of agricultural activity.*

**B-1** **Sara Cato Comment #1:** Allowing this type of project to take place will no doubt forever alter the town of Florida and the greater Mohawk Valley. A turbine project of this scale will be a slippery slope, opening the door to similar capital ventures, changing the community to an industrial landscape, with an irreversible footprint and unknown long term consequences. Although on the surface there might be short term financial gains for some, this project will directly and negatively impact the area's rich historical, agricultural, ecological and unique landscape that so many affectionately call home. Aside from the commonly known cons of a wind energy project, including short and long term impacts to the greater community, such as changes to the landscape aesthetics, impacts to wildlife, such as but not limited to bird and bat deaths, disruptions to the land, water and the overall ecological framework.

***Response:** See Community Character Impact General Response. The Applicant is seeking Planning Board approval for the single wind turbine and is not pursuing any other wind infrastructure project in the Town.*

B-2 Maria Ernest Comment #1: I object to the installation of the wind turbine on Bean Hill because I do not want it to be a test experiment as to its effect on the surrounding environment. Once done, it can't be undone. The whole process is so destructive to the centuries' old farming community.

*Response: See Community Character Impact General Response.*

B-3 Brian and Kristeen Jaracz Comment #1: Much of the available research, if any, are based upon wind turbines 200 to 400' tall. There are NO available studies that address a 650' wind turbine and all of their effects/impacts on a rural community.

*Response: Wind turbines have become more efficient and cost effective to operate. A key improvement is the blades, which are more sophisticated and can reach higher wind speeds with less noise at the typical receptor. The blades have increased in length, and this increases the overall height of the turbine per applicant.*

B-4 Wayne A. Neznek Comment #1: As a life-long resident of the Town of Florida and after reading the article, I have to ask, with at least more than 1000 acres of solar panels devastating our farmlands and the rural character of our Town, hasn't the Town of Florida contributed more than our fair share to renewable energy?

*Response: See Community Character Impact General Response.*

B-5 Alliance for Florida Farmland Comment #1: No one in the Town of Florida has spoken favorably for this project. In fact numerous people have said they don't want it. 230 people have signed a petition against industrial wind turbines in our town. The same project has been proposed and rejected/withdrawn in Glen, Middleburgh, and other NY towns.

*Response: See Community Character Impact General Response.*

B-6 Alliance for Florida Farmland Comment #7: Community character will be forever altered.

*Response: See Community Character Impact General Response.*

B-7 Karen Anne Bara March 4, 2024 Public Hearing Comment #4: Another thing that I question is the very name of the sponsor of this project. Florida Wind Number 1. The turbine proposed would utilize 4.9 acres of a 135-acre plot. If and should the plan be approved, does that now pave the way for Florida Wind Number 2, then Number 3, then Number 4 and so on? If my math is correct, on that 135-

acre plot - at least another 20 turbines could go up and be improved. Hey, once one is approved, why not more, right? That turns that whole area up on Bee Hill into a wind farm. What assurances are the residents of this Town going to get from elected officials that turbines 2, 3 and 4 and however many more aren't going to be part of the future of our Town? On Page 11 of the revised DEIS, they actually use the plural of the word turbine to describe the topography of the site. They already know that the site could and would be a benefit for them to put more than just one turbine.

*Response: This Project involves only the one proposed wind turbine. No expansion of this Project is planned or contemplated by the Applicant. In fact, there is insufficient space to site more than one turbine on this parcel and maintain compliance with industry standards and Town Code requirements. The name of the project company is due in part to name availability from New York State Department of State, and the name of the Project LLC has no bearing on future projects.*



## C. TRANSPORTATION, TRAFFIC, and SAFETY IMPACT COMMENTS

### General Response:

*In accordance with SEQR, the Town of Florida Planning Board, acting as the Lead Agency, conducted a public scoping process for the Draft EIS that included input from the public, Involved Agencies, and Interested Parties. The resulting scope of the Draft EIS adopted by the Planning Board identified resource categories with foreseeable impacts and issues to be addressed in the Draft EIS document (e.g., visual impacts, community character, etc.). The Planning Board's acceptance of the Draft EIS affirms that the relevant resource categories for the Project were addressed.*

*Certain written and verbal comments provided during the Draft EIS public review involve resource categories not included in the adopted Scope and Draft EIS document because the Project, as designed, is not anticipated to result in a significant adverse impact to these categories. These certain public comments do not raise any additional, significant issues not already addressed by the Draft EIS document. However, for completeness, this section of the Final EIS provides responses to comments that are outside of the adopted Draft EIS scope.*

*The Transportation Study included the Draft EIS was prepared to assess delivery route options for the wind turbine project components, including the blades. The analysis identifies load capacities and restrictions of roads, bridges and culvert crossings. Temporary improvements to intersections are identified and quantified. The selected route will be driven by certified professionals prior to the turbine delivery to confirm safe and effective access. The turbine and blades will be delivered by specialized drivers and vehicles.*

*The following three routes were identified. Route A is the one route that can accommodate vehicles heights greater than 15 feet.*

- *Route A: utilizes I-88 to Exit 24, then NY-7, NY-395 (Main Street), NY-20 (Western Turnpike), NY-30, CR-147 (Eaton Corners Road), CR-149 (Mill Point Road), CR-140 (Peck Road), McKinney Road, CR-142 (Millers Corners Road), Bean Hill Road and YMCA Road.*
- *Route B: utilizes I-90 to Exit 27, NY-161 (Mill Point Road), CR-143 (Youngs Corners Road), Bean Hill Road and YMCA Road.*
- *Route C: utilizes I-90 to Exit 28, NY-920P (Riverside Road), NY-5S, CR-164 (Noelfner Road), NY-161 (Mill Point Road), CR-143 (Youngs Corners Road), Bean Hill Road and YMCA Road.*

*The Transportation Study provides detailed information on the road conditions for the potential delivery routes. The study analyzes and recommends a feasible delivery route*

*for the turbine and components that prioritizes New York State roadways, avoids underpasses and overhead obstructions, and minimizes acute angle turns. Based on this evaluation, Bean Hill Road is the only Town road expected to be utilized. The remainder of the roadways to be used are county or state roads.*

*The Transportation Study included a field evaluation to confirm the feasibility of the routes, identify potential road obstructions and features that could interfere with transport, and document potential temporary roadway improvements and/or widening required to accommodate large delivery vehicles.*

*The Applicant will enter into a Host Community Agreement (HCA) with the Town of Florida Town Board to fund any expenses associated with the delivery of the Project components and construction related traffic. The Road Use Agreement will ensure that the Town will not incur any costs for road usage or repair related to the Project. The development of a mutually acceptable HCA will be necessary for the Project to be developed. It is anticipated that an accepted HCA will be required as a condition for the issuance of a Town Building Permit. A summary of the anticipated HCA is provided in Appendix C.*

**C-1 Lynne Bruning Comment #1:** New Leaf's construction traffic plan provides Route A which goes through the Town of Duanesburg, Schenectady County. Careful review of the Town of Duanesburg town council and planning board meeting minutes does not provide any information on New Leaf's proposed Route A from Interstate 88 exit 24, west on Route 7, north on Main Street through the Village of Delanson, West on Route 20 and North on Route 30. Has the applicant communicated with the Town of Duanesburg and the Duanesburg Highway Supervisor?

Concerns for the Town of Duanesburg and its taxpayers may include, but are not limited to:

- damage and maintenance to roadways
- safety of students and *staff* at the High School
- railroad crossing on Main Street in Delanson
- safe entry of construction vehicles from Main Street to west bound Route 20
- burden on volunteer emergency responders, and
- respectful, timely, and accurate communication from the developer to the Town of Duanesburg

As a taxpayer and a fifth-generation landowner in the Town of Duanesburg that learned of the proposed construction route on March 3, 2024, I Believe that New Leaf should route their construction traffic through the county that may profit from the permit, construction, and operation of the wind facility.

***Response:** The Town of Duanesburg does not own any roads proposed on the preferred route. These roads are owned and maintained by the New York State Department of Transportation. Coordination with the Town of Duanesburg will be conducted through the appropriate channels.*

C-2 Sara Cato Comment #2: In addition, there will be increased use and stress to local infrastructure, increase in traffic, related pollution and heavy machinery traffic on local roads increasing safety risks.

*Response: See Transportation, Traffic, and Safety Impact General Response.*

C-3 Mark and Lori Rulison Comment #6: The project is actually detrimental to the town residents in many aspects such as - Road damage and the traffic disruption from heavy, oversized trucks and equipment.

*Response: See Transportation, Traffic, and Safety Impact General Response.*

C-4 Brian and Kristeen Jaracz Comment #5: Roadways/Infrastructure will be eroded and destroyed with the weight of these 267' long trucks/trailers. The residents should not have to incur the costs that will be required to fix and maintain these roads. New Leaf should be required to issue the TOF a multimillion dollar bond to fix roads/infrastructure not only for the install, but for remaining existence of the wind turbine.

*Response: See Transportation, Traffic, and Safety Impact General Response.*

C-5 Ken & Becky Maritz Comment #4: And then there are the commonly associated "wind turbine disasters" - Blade failure, structural-failure, fire and ice throw. Leading edge erosion can occur from the first year after wind turbine installation. Lightning strikes are typically observed in high peak areas. If any one of these disasters occur during the life expectancy of the wind turbine can the town recover from the damage caused?

*Response: Section 45.4 of the Town Zoning Ordinance specifies safety requirements and setback distances for wind turbines. The Project complies with these design requirements.*

C-6 Kristine Varacz March 4, 2024 Public Hearing Comment #5: Roadways and infrastructures: They will be eroded and destroyed. They talked about these trucks that are 267 feet long with over weight limits. If you have gone up through that path, which I have, I have taken their maps and I've gone through there - there are roads that have to be cut away and there are power lines that have to be removed. There are people's lands that they are going to have eminent domain on. All of that is going to be a cost.

*Response: See Transportation, Traffic, and Safety Impact General Response. The Project will not require any eminent domain or taking of private property. Easements will be obtained as necessary.*

C-7 Deanna DeLuke March 4, 2024 Public Hearing Comment #3: I think another thing that has been rather made in the study is the impact of the transit – the truck loads coming in. Since there isn't really a lot of research on what it takes to build a 650-foot turbine, I looked into some of the existing turbines of that size and there's one in Canyon, Texas. To build that turbine took 100 loads of truck parts - so huge, huge semi-trucks - 100 loads back and forth, 80 loads of cement trucks full of concrete to just establish the foundation of the structure. So, I don't think that the draft EIS really addresses what is all of that transit, all of that noise, commotion in general.

*Response: See Transportation, Traffic, and Safety Impact General Response.*

C-8 Karen Anne Bara March 4, 2024 Public Hearing Comment #2: The DEIS talks about 4.9 acres of land that's going to be disturbed on the site, but it doesn't mention much about the acres of land is going to be disturbed along with those trucks. How is New Leaf going to handle those disturbances? Are they going to replant the trees and vegetation that they remove?

*Response: See Transportation, Traffic, and Safety Impact General Response. The Transportation Study identifies the following locations where a minimal amount of vegetation clearing is anticipated:*

- *Southwest Corner of NYS Route 30 and County Route 147 intersection*
- *McKinney Road, sharp right turn at 850 feet north of Lost Valley Road*
- *McKinney Road (both sides) at County Route 142 intersection.*
- *West side and Southeast corner of County Route 142 at Bean Hill Road intersection.*
- *Bean Hill Road, left bend, 2,375 feet east of Count Route 142*
- *Bean Hill Road, left bend, 2,650 feet east of Count Route 142*

*All Project-related work at these locations will be funded through the Host Community Agreement and the Road Use Agreement.*

## D. ECONOMIC IMPACT COMMENTS

### General Response:

*In accordance with SEQR, the Town of Florida Planning Board, acting as the Lead Agency, conducted a public scoping process for the Draft EIS that included input from the public, Involved Agencies, and Interested Parties. The resulting scope of the Draft EIS adopted by the Planning Board identified resource categories with foreseeable impacts and issues to be addressed in the Draft EIS document (e.g., visual impacts, community character, etc.). The Planning Board's acceptance of the Draft EIS affirms that the relevant resource categories for the Project were addressed.*

*Certain written and verbal comments provided during the Draft EIS public review involve resource categories not included in the adopted Scope and Draft EIS document because the Project, as designed, is not anticipated to result in a significant adverse impact to these categories. These certain public comments do not raise any additional, significant issues not already addressed by the Draft EIS document. However, for completeness, this section of the Final EIS provides responses to comments that are outside of the adopted Draft EIS scope.*

*The Project is anticipated to have a net economic benefit for the residents of the Town of Florida and Montgomery County. This includes short-term benefits resulting from construction jobs and related local expenditures, as well as long-term gains from discounted electrical billing rates for customers that sign up, increased municipal and county tax revenue from the Project, and funding provided to the Town through the Host Community Benefit Agreement (HCA). The HCA will establish financial surety to the Town to address the following:*

- A Road-Use Agreement for construction-related roadway repairs or improvements.*
- Radio frequency or electromagnetic disruptions resulting from the Project operation.*
- Decommissioning expenses associated with the removal of the Project and restoration of the Project site.*

*The Road Use Agreement will address all Project-related construction and delivery activities affecting local roads and public Right-of-Ways. The Road Use Agreement will ensure that the Town will not incur any costs for road usage or repair related to the Project. The Road Use Agreement will provide an agreed upon funding amount for all anticipated expenses.*

*The Applicant proposes to provide the Town a bond in an amount to be determined to study and remedy any radio frequency or electromagnetic disruptions that result from the Project. While the applicant believes the project is not anticipated to cause these types of impacts, the availability of this bond will provide the Town with funding to take immediate steps to address any issues. Should additional funding be required to study and/or address this type of impact from the Project, the Applicant is committed to engage with*

the Town to identify a mutually acceptable remedy in accordance with a Complaint Management Plan to be established with the Town Board as a component of the Host Community Agreement.

The Applicant provided the Town a draft Decommissioning Plan and Bond estimate. The Bond will establish a financial surety for the removal of the Project and restoration of the Project site. A Decommissioning Plan details the Bond amount and the process to ensure scheduled adjustments to cover any price escalations associated with decommissioning. The Decommissioning Plan and Bond will be finalized prior to the issuance of a Town building permit and in advance of any development activity at the Project Site. This timing is designed to ensure that the Decommissioning Plan and Bond reflects all final selections for Project components and equipment.

The development of a mutually acceptable HCA that incorporates a Road Use Agreement, a Bond for radio frequency and EM disruptions and Decommissioning Plan and Bond will be necessary for the Project to be developed.

D-1 **Sara Cato Comment #3**: In addition to these commonly known issues as listed above, one area for serious discussion and consideration by all outside investors and for directly affected community members to seriously consider is the downside of wind energy projects, impact to local home values.

*Response: See Economic Impact General Response.*

D-2 **Mark and Lori Rulison Comment #1**: Despite what the developers say, this project will not benefit town residents in any way-no local jobs will be created.

*Response: See Economic Impact General Response. As described in the Draft EIS: "The community will benefit from increased tax revenue from the Project, the creation of construction employment and of jobs associated with long-term operation and the production of locally sourced clean energy."*

D-3 **Mark and Lori Rulison Comment #3**: Our electric rates will NOT be reduced but rather increased as NYS forces their Climate Leadership and Community Protection Act (CLCPA) agenda on us. Offering a 10 percent reduction on rising electric costs as incentive for the wind turbine is a deceptive tactic.

*Response: See Economic Impact General Response. As indicated in the Draft EIS, the Project will offer electrical rate reductions to local residents:*

*"This small-scale wind project will generate clean energy and local subscribers will receive clean energy at a discounted rate. Local residents and businesses will have access to affordable clean energy by opting into the Owner's Customer Retention Option at the time of interconnection,*

*keeping the clean energy in their community. Once the turbine is interconnected to the grid, customers will be offered credits from the system according to the Public Service Commission's mandated value of distributed energy resources (VDER) program*

- D-4 Phil Johnson Comment #1: Subsidies - We all know without government "help" most wind and solar projects would not occur. Subsidies pervert market economics. If wind power is viable it should stand on its own economic feet.

*Response: Comment Noted. See Economic Impact General Response.*

- D-5 Phil Johnson Comment #4: Inefficient - the power density of wind is low, a low power density form of energy requires more infrastructure and maintenance.

*Response: Comment Noted. See Economic Impact General Response.*

- D-6 Ken & Becky Maritz Comment #7: New Leaf has proposed providing our town residents with a 10% discount on their electric bill. This nominal gesture can be attained by joining up with any of the local solar consortiums. We suggest that the town's electricity be provided by the wind turbine throughout its life expectancy. This way the benefit can directly impact the taxpayers of the Town of Florida. This has been done for the residents of Green Island NY.

*Response: The Town of Florida can participate in Community Distributed Generation programs if it chooses to do so.*

- D-7 Ken & Becky Maritz Comment #8: Additionally, the \$100,000 bond recommended by the applicant for possible frequency issues is greatly insignificant. In addition, who and how will the bond be managed. When you consider the total risk assessment with our local farms, businesses, and town, we suspect the potential losses to be significantly higher. This is why we strongly recommend evaluation of the potential losses and seek a catastrophic insurance policy to cover ongoing and future losses to the town. Why should we as taxpayers take on the risk of potential lawsuits that may increase our tax burdens significantly.

In conclusion we recommend that the application for this wind turbine be rejected. The impacts and risks are too many!

*Response: See Economic Impact General Response.*

- D-8 Scott Neff March 4, 2024 Public Hearing Comment #2: Additionally, you said that the Town would receive \$30,000 a year for the life of the project, as well as

taking care of the damage to the roads - at no point did you mention what that term is - the life of the project.

*Response:* See Economic Impact General Response. The life of the project is until the turbine is decommissioned.

- D-9 **Scott Neff March 4, 2024 Public Hearing Comment #3:** I also have concerns about what happens if this company goes belly up and files for bankruptcy and starts up under a new name. Is all that stuff out the window, as well as the one you provided in terms of taking care of the roads?

*Response:* See Economic Impact General Response. The Decommissioning plan provides the Town with financial surety for contingencies.

- D-10 **Scott Neff March 4, 2024 Public Hearing Comment #4:** My wife and I were on a flight within the last year and she asked a guy that was sitting next to us what he did for a living because he had a hard hat with him on the flight. He said he was a project manager for wind turbine project. I said oh, I've got a lot of questions for you, based on the things that I have been researching and about how valuable I think that it is. I basically said that I thought it was an industry full of corruption with government and big money and they have been taking over rural areas that don't have the money. Without the subsidies, propping it up, it is basically useless. He said, well, I make a good living at it, but I can't tell you that anything you just said is wrong. I have had area of concerns about that from that point forward. He initially said that truth be known, at the point that they power down the grid to tie in the wind project for however long they have to or whatever is involved with that, he said it's actually cheaper to just keep - money would be saved if you just kept going with the grid as it currently stands, not trying to bring in the wind energy into the scenario.

*Response* Comment noted See Economic Impact General Response.

- D-11 **Ken Maritz March 4, 2024 Public Hearing Comment #5:** I'll wrap it up with the benefits. They talk about the benefits to the Town - that the Town residents will get about a 10% discount on their electric bill. This nominal gesture can be gotten by any local solar company out there today. You don't need a wind turbine out there to get it. We suggest that the Town's electricity be provided by a wind turbine throughout the life expectancy. This way, the benefit can directly impact the taxpayer of the Town of Florida. This has been done for residents of Green Island. I don't know if people are familiar with the Green Island.

*Response:* See Economic Impact General Response. The Town of Florida can decide to participate in Community Distributed Generation programs.



D-12 Ken Maritz March 4, 2024 Public Hearing Comment #6: It's supposed to be \$100,000 bond put on this. I think that is very insignificant. We start getting lawsuits not only from frequency issues, but the five-generation bee farms - I don't think they would sustain this. I think we need to have catastrophic insurance. Catastrophic insurance should cover us throughout the life expectancy.

*Response: See Economic Impact General Response. The Project will be fully insured throughout the life of the Project to address all foreseeable contingencies.*

D-13 Mark Rulison March 4, 2024 Public Hearing Comment #1: We'd like to specifically voice our concern that our own family farm may be impacted. Rulison Honey Farm has been here for over 130 years; four generations. We have worked here, lived here, paid our taxes, raised our families, spent our money doing business here. We have children and grandchildren who will hopefully continue to live and carry on farming here.

*Response: See Economic Impact General Response.*

D-14 Kristine Varacz March 4, 2024 Public Hearing Comment #2: The radio frequency resolution of offering \$100,000 bond is not even close to being sufficient. That would maybe cover one resident. If you had hundreds of residents, where is that money coming from to hire a lawyer to try to find another source, if there even is another source. So, I think that a \$100,000 bond is way understated for that.

*Response: See Economic Impact General Response.*

D-15 Kristine Varacz March 4, 2024 Public Hearing Comment #4: Nobody knows the long-term effects on bees, wildlife habitat here or plantation. New Leaf's resolution of roll reseed was in their comments - is useless after negative effects have already occurred. An existing 130-year old bee farm already exists. Are they willing to put up a multimillion dollar bond that is named to the Town of Florida if they go bankrupt, or go out of business or the thing gets decommissioned or doesn't work, that the bee farm is going to get and the Town of Florida residents are covered on?

*Response: See Economic Impact General Response.*

D-16 Kristine Varacz March 4, 2024 Public Hearing Comment #6: They talked about a bond. The bond - it's not just one and done. These roads and infrastructures are going to have to remain for the existence of this wind turbine on top of it decommissioning. New blades, motors, decommissioning of this wind turbine and eventually the removal. This is, again, a multimillion dollar bond that should be in the Town of Florida in case anything happens.

*Response:* See Economic Impact General Response.

D-17 Karen Anne Bara March 4, 2024 Public Hearing Comment #3: Are they going to protect the Town of Florida from lawsuits when they arise because of damage down to the roads and properties that don't lie within the boundaries of our Town? Will the residents of the Towns themselves be compensated for any losses due to property damage, or power outages that occur when the electrical lines need to be moved?

*Response:* Road Use Agreement will be in place to cover any necessary repairs to roadways and will include all appropriate municipalities. No property damage or power outages related to the project is anticipated.

D-18 Valerie Shaarland March 4, 2024 Public Hearing Comment #4: It's going to severely reduce our property values.

*Response:* See Economic Impact General Response.

## E. HONEYBEE IMPACT COMMENTS

### General Response:

*Habitat research was conducted in July, 2023 during foraging, and determined minimal habitat for honeybees. Population studies were done in October 2023 during sunny 75F degree weather, before the first frost of the season, as per the National Protocol (Draft EIS, Appendix C of the population study) and found minimal use by honeybees. There were 12 flowering species still in bloom at the time of the survey, as documented in the Appendix A, Table 7 of the report in the Draft EIS, including several goldenrods and several species of aster. Observations were made to determine presence/absence and relative abundance at time of year with no factors, values, or assumptions about impacts on honeybees or local farms. Neither the Habitat Report nor the Population Study were meant to assess or determine impacts to honeybee farms from wind turbine operation. The honeybee studies were meant to assess habitat value and presence along with general abundance and diversity of species to determine habitat use by foraging bees. The honeybee studies determined that the site is poor habitat for honeybees and that honeybees from managed colonies are unlikely to be using the site in large numbers. A study of longer duration, before the installation of wind turbines, would simply improve the confidence values associated with the habitat value and the presence and abundance results and would not address the impacts of concern.*

*There is no established research on impacts of wind turbine operation on honeybees. The conclusion that honeybees are not using the site in high numbers is supported by the findings listed in the habitat report along with the abundance analysis from the population report. The research provided and discussed in the conclusion of the population report refers to and is meant to help alleviate some of the concerns mentioned in the preceding paragraph and is not contradictory. Since 1980, over 70,800 turbines at over 1,500 wind farms have been installed across 44 states. Only a few studies on impacts of insects and wind turbines have been documented, with even less studies on impacts to managed honeybee farms, specifically.*

*As noted in the Draft EIS, the Project includes reseeded disturbed areas of the Project Site with native pollinator species that would benefit numerous wildlife and insect species, including honeybees.*

**E-1** Mark and Lori Rulison Comment #10: We would specifically like to voice our concern that our own family farm may be affected.

Rulison Honey Farm has been here for 130 years and four generations. We have worked here, lived here, paid our taxes here, raised our family here, and spent our money doing business here. We have children and grandchildren who will hopefully continue to live and carry on farming here.

We appreciate that the planning board addressed our concerns to New Leaf during the Environmental Impact Survey, however, we still feel that the DEIS Honey Bee Study is inadequate and inconclusive in their findings.

Their follow-up study was conducted during the first week of October 2023. Protocol for habitat research is recommended between June – August at peak foraging, brood rearing, and honey production. While the weather was exceptionally warm last October, allowing the bees to be flying, we spoke to the research scientist, Mr. Jacob Johnston, and stressed that the foraging season had ended. The single floral source in bloom was purple aster. The bees had completed their honey production for the year, and we were preparing hives for the winter. This is a huge factor that would skew any observations they made.

LaBella Associates were more careful to record their statistics and procedures in their follow-up survey, but it was simply another 3 day period of observation. We feel this short survey at the wrong time of the year is inadequate to draw the conclusion that, *"If honeybees from nearby managed colonies are using the Project Site for habitat resources, it is not likely in high numbers."*

The LaBella report (page 32) goes to state, *"there may still be concerns with the effects of wind turbines on bee health and mortality in proximity to the infrastructure as well as possible modifications or impairments to their dance based communication methods."*

A few paragraphs later they conclude, *"Research on direct effects of renewable energy turbines on honey production and hive health, however, have shown no impact on mortality, navigation, reproduction, or hive functions."*

The next paragraph of the LaBella report then states, *"There is no established research on the impacts of wind turbine operation on honey bees."*

These statements in the report directly contradict each other and are clearly an indication that (pun intended) they are grasping at the wind!

Also, the report anonymously cites *"another honeybee farm situation within half a mile of (unidentified) wind turbines that has not experienced any effects on hive health or honey production."* We feel this is not only poor research but unacceptable to make unverifiable statements as research which is used as "PROOF" that turbines have no impact on honeybees.

Some research links below show otherwise:

<https://www.windconcerns.com/big-winds-assault-on-insects/>

<https://docs.wind-watch.org/Interference-of-Flying-Insects-and-Wind-Parks.pdf>

It is very troubling that such a major concern which may affect our farm and livelihood can be so easily discounted by New Leaf. Re-seeding the turbine area with pollinator friendly flowers is not any kind of mitigation if we are no longer able to keep bees alive and produce honey at our Shellstone Road farm. We urge the Planning Board to reject this project.

*Response: See Honeybee Impact General Response.*

- E-2 William Bonner & Mary Donohue Comment #1: Rulison Honey Farms - The environmental study was in no way adequate in its determination of the impact to our local honey bee farmers. Approval of this wind turbine application is in essence providing approval to another corporation to experiment with an industrial sized wind turbine to determine the actual effects on honey-bees. The original DEIS volume II response states in part in the summary of findings: "...there may still be concerns with the effects of wind turbines on bee health and mortality in proximity to the infrastructure as well as possible modifications or impairments to their dance-based communication methods." It would be negligent to approve this application and allow the applicant to experiment with a cornerstone and well respected family farm in our town.

*Response: See Honeybee Impact General Response.*

- E-3 Brian and Kristeen Jaracz Comment #4: Bee study was done over a 3 day intermittent period, within 5 hours total time, at the incorrect time of year. No studies have been concluded on a 650' wind turbine and the long term effects on bees, habitat wildlife, and plantation. New Leaf's solution of "We'll Reseed" is useless after negative effects have already occurred. An existing 130 year old TOF bee farm, requested a proper bee study be performed over years to be properly vetted. This existing bee farm supports 5+ families, New Leaf should be required to guarantee no negative impacts to these families with a multimillion dollar bond in case any negative impacts occur.

*Response: See Honeybee Impact General Response.*

- E-4 Alliance for Florida Farmland Comment #11: The Honeybee study and follow-up study was merely a habitat report, with no conclusive data or information regarding potential turbine impact on honeybees as requested.

*Response: See Honeybee Impact General Response.*

- E-5 Ken & Becky Maritz Comment #1: The applicants provided a Bee Study that has been rejected by our local Bee Farm owners. The Bee Farm owners have

expressed concerns about the amount of time and periods when the study was conducted. To properly evaluate the impact and reduce the risk a more comprehensive study during the appropriate times should be conducted by an independent expert. As part of the study there should be a catastrophic assessment performed to evaluate the risk and financial losses that might occur. This is just one of our town's long-standing farms that supports 5 families with future generations.

*Response:* See Honeybee Impact General Response.

- E-6 Vanessa Kirby March 4, 2024 Public Hearing Comment #2: Secondly, the observation completed on the bee population along with the research provided is a poor excuse of scientific method. The research was conducted during a time when the area is less forested by these because of the available plant life at the site and completed only during one season through the year.

*Response:* See Honeybee Impact General Response.

- E-7 Vanessa Kirby March 4, 2024 Public Hearing Comment #3: The applicants also said they would address any concerns by foraging planting flowers. How is that a good idea if we don't have the data on how a 650-foot turbine would affect people in the first place? Being a bee expert is not needed to assure the quality of the study completed. The risks to multiple families' lives, if this project were to be detrimental to the bee population, it would be devastating to a century-old established Town business. The study used to justify your researcher's rationale is based on a study where 410-foot turbines were the focus of study and there is only one supporting study that is referenced.

*Response:* See Honeybee Impact General Response.

- E-8 Ken Maritz March 4, 2024 Public Hearing Comment #1: From a local farm business perspective, there is a study that has been rejected by our local bee farm owners. One of them is sitting right next to me. The bee farm owners have expressed concerns about the amount of time and period which the study was conducted to properly evaluate the impact and reduce the risk, a more comprehensive study during the appropriate times should be conducted by an independent expert. As part of the study, there should be a catastrophic assessment performed to evaluate the risk and financial losses that might occur. This is just one of our Town's long-standing farms that support five families for future generations. There are many farms near the proposed site where animals and insects may be affected. Dairy cows, as an example, as sensitive to environmental structures, including noise.

*Response:* See Honeybee Impact General Response.

E-9 **Mark Rulison March 4, 2024 Public Hearing Comment #2:** We appreciate that the Planning Board addressed our concerns to New Leaf during the environmental impact survey. However, we still feel that the DEIS honey bee study is inadequate and inconclusive in their findings. Their follow-up study was conducted during the first week of October, 2023. Protocol for habitat research is recommended between June and August and peak foraging. While the weather was exceptionally warm last October, a lot of the bees were out flying, we spoke to the research scientist, Mr. Jacob Johnston, and stressed that the foraging season had ended. The only floral source in bloom was purple Astor. The bees had completed their honey production for the year and we were preparing hives for winter. This is a huge factor that would skew any observations they made. LaBella Associates were more careful to report their statistics and procedures in their follow-up study, but was simply another three-day period of observation. We feel that this short survey at the wrong time of year is inadequate to draw conclusions. As stated - this is a quote from them.

*"If honey bees from nearby managed colonies are using the project site for habitat resources, it's not likely in high numbers."*

The LaBella report -- it's actually page 32 - goes on to state, there may still be concerns with the 2 effects of wind turbines on health and mortality and proximity to the infrastructure, as well as possible modifications or impairments to their base communication methods.

A few paragraphs later they conclude: Research on direct effects of renewable energy turbines, on honey production and hive health have shown no impact on mortality, navigation, reproduction or hive functions.

The next paragraph of the LaBella report then states, quote, there is no established research on the impacts of wind turbine operation on honey bees. These statements in the report directly contradict each other and are clearly indicating that this is - pun intended - their grasping at the wind. The report anonymously sites, quote, another bee honey farm situated within a half-mile of the wind turbines has not experienced any effects on hive health or honey production. We feel that it's not only poor research, but unacceptable. It's unverifiable statements has research which is then used as, quote, proof that turbines have no impact on honey bees. It is very troubling that a major concern that effects our own livelihood can be easily dismissed by New Leaf. Reseeding the turbine area with pollinator friendly flowers is not any kind of mitigation, if we were no longer to keep bees alive and produce honey at our honey farm. We urge the Planning Board to reject this project.

*Response: See Honeybee Impact General Response.*

E-10 **Kristine Varacz March 4, 2024 Public Hearing Comment #3:** The bee study was done over a three-day intermittent period within five hours total time at the incorrect time of year, as an active bee farmer has stated. No studies have been

concluded on a 650-foot wind turbine. When they actually came in and did the study, they did it off a 410-foot wind turbine. There was a significant difference in that short period of time.

*Response:* See Honeybee Impact General Response.

E-11 Deanna DeLuke March 4, 2024 Public Hearing Comment #4: What is that going to do to our bee farm, or our cows, or our soil or our neighbors? If you could address that a little more thoroughly, I would greatly appreciate it.

*Response:* See Honeybee Impact General Response.

E-12 Karen Anne Bara March 4, 2024 Public Hearing Comment #9: I also question how one bee study is enough. What assurances and protections are going to be afforded to the Rulisons if in a few years that there is a negative impact on their bees?

*Response:* See Honeybee Impact General Response.



## F. AGRICULTURAL IMPACT COMMENTS

### General Response:

*In accordance with SEQR, the Town of Florida Planning Board, acting as the Lead Agency, conducted a public scoping process for the Draft EIS that included input from the public, Involved Agencies, and Interested Parties. The resulting scope of the Draft EIS adopted by the Planning Board identified resource categories with foreseeable impacts and issues to be addressed in the Draft EIS document (e.g., visual impacts, community character, etc.). The Planning Board's acceptance of the Draft EIS affirms that the relevant resource categories for the Project were addressed.*

*Certain written and verbal comments provided during the Draft EIS public review involve resource categories not included in the adopted Scope and Draft EIS document because the Project, as designed, is not anticipated to result in a significant adverse impact to these categories. These certain public comments do not raise any additional, significant issues not already addressed by the Draft EIS document. However, for completeness, this section of the Final EIS provides responses to comments that are outside of the adopted Draft EIS scope.*

*The Project site property has not been utilized for agricultural since the 1990's. The development of the Project will result in the potential loss of 4.9 acres of agricultural land. Upon decommissioning, the Project site could be restored to allow for potential future agricultural use on the property. The Project is not anticipated to result in adverse impacts to surrounding agricultural resources or farming activities.*

**F-1 Mark and Lori Rulison Comment #9:** Projects such as the wind turbine are presented as environmentally progressive and good for the community by people that have no interest or connection to the residents who live here. Protecting our town agricultural resources and farming should not be overlooked.

*Response:* Comment Noted. See Agricultural Impact General Response.

**F-2 Ken & Becky Maritz Comment #2:** There are many farms near the proposed site where animals and insects may be affected. Dairy cows as an example are sensitive to environmental stressors, including noise. A study published in the Journal of Dairy Science found that cows near wind turbines have a lower milk yield than cows in locations with less exposure to noise. Other reports have described problems with dairy cows near wind farms, including:

- Reduced milk yield and quality
- Behavioral problems
- Increased mortality
- Sudden death among cattle
- Inability to stand
- Inability to walk

- Premature birth

Some farmers in France believe that the electromagnetic fields from wind turbines, power lines, and telephone antennae could be causing low productivity and high rates of mortality.

*Response:* Comment noted about France. The noise study provided in the Draft EIS indicates that operational sound levels generated by the Project would be less than 50 dBA at the Project site property line. This complies with the Town regulations for wind energy projects. These sound levels will further attenuate with distance from the Project. The projected sound levels from the Project are below a magnitude that could reasonably be expected to cause stress in farm animals.

F-3 **Ken Maritz March 4, 2024 Public Hearing Comment #2:** The study published in the Journal of Dairy Science found that cows near wind turbines have a lower milk yield than cows in locations with less exposure to noise. Other reports have described problems with dairy cows near wind farms including reduced milk yield and quality, behavioral problems, increased mortality, sudden death among cattle, inability to stand, inability to walk and premature birth. Some farmers in France believe that the electromagnetic fields from wind turbines, power lines and telephone antenna can be causing low productivity and high rates of mortality. Wind turbines can also generate low frequency infrasound and audible noise. The U.S. Fish and Wildlife Service recommends taking precautionary measures to ensure that noise impacts at wind facilities are thoroughly investigated before development.

*Response:* See Response to Comment F-2 above.

## G. ECOLOGICAL, WILDLIFE, and VEGETATION IMPACT COMMENTS

### General Response:

*In accordance with SEQR, the Town of Florida Planning Board, acting as the Lead Agency, conducted a public scoping process for the Draft EIS that included input from the public, Involved Agencies, and Interested Parties. The resulting scope of the Draft EIS adopted by the Planning Board identified resource categories with foreseeable impacts and issues to be addressed in the Draft EIS document (e.g., visual impacts, community character, etc.). The Planning Board's acceptance of the Draft EIS affirms that the relevant resource categories for the Project were addressed.*

*Certain written and verbal comments provided during the Draft EIS public review involve resource categories not included in the adopted Scope and Draft EIS document because the Project, as designed, is not anticipated to result in a significant adverse impact to these categories. These certain public comments do not raise any additional, significant issues not already addressed by the Draft EIS document. However, for completeness, this section of the Final EIS provides responses to comments that are outside of the adopted Draft EIS scope.*

*The wind turbine and associated infrastructure will occupy approximately 4.9 acres (3.6 percent) of the 135-acre Project site parcel. The remainder of the parcel will remain in its current condition and continue to provide habitat for wildlife and vegetation. The Applicant is seeking relief from a perimeter fencing requirement. This relief would benefit terrestrial wildlife species that utilize or traverse the Project Site property.*

*An avian survey conducted in 2020 and 2021 did not observe occurrences of the Bald Eagle or the Northern harrier at the Project Site property. The NYSDEC was consulted, and if necessary, the Applicant is committed to adhering to the permitting process to ensure a net conservation benefit to the Bald Eagle. The Applicant has stated they are committed to following the NYSDEC requirements to protect the Northern long-eared bat. Specifically, the wind turbine must curtail operations at wind speeds less than 5.5 m/s between July 1 to October 1 every night from half an hour before sunset to half an hour after sunrise when ambient temperatures are greater than or equal to 50 degrees Fahrenheit (10 degrees Celsius). Remote operational controls will be used to facilitate this and to document speed reductions.*

**G-1** Mark and Lori Rulison Comment #8: The project is actually detrimental to the town residents in many aspects such as - Wildlife death and loss of rural habitat.

*Response* Comment noted. See Ecological, Wildlife, and Vegetation Impact General Response.

**G-2** Scott Neff March 4, 2024 Public Hearing Comment #1: I did not hear mentioned in the report, given just before the comments opened, anything about a study on the effect of raptors, Bald Eagle and Red Hawk population in this area.

*Response: See Ecological, Wildlife, and Vegetation Impact General Response.*

- G-3 Karen Anne Bara March 4, 2024 Public Hearing Comment #7: I have questions concerning the landscaping that is outlined in the DEIS. Again, my husband and I live just outside of the 4,000-foot radius that is going to be covered and protected by this application.

*Response: As noted above, only 3.6 percent of the 135-acre parcel would be disturbed by the Project. The remainder of the Project site would remain in its current state. No additional landscaping or screening is proposed.*

- G-4 Valerie Shaarland March 4, 2024 Public Hearing Comment #1: Our 110-acre property borders the proposed site. I spent a lot of time walking, skiing, four-wheeling up on our property over into that site. There is a lot of wildlife there. Lots of hawks. Last year our neighbor who bought our old home was walking his dogs up on our property and right at the edge of that they disturbed a bear who came out at this dog. We have that on video. There is beautiful wildlife. Lots of deer. I know that some of you shot deer up on our land. We don't want them disturbed. We want that beautiful area preserved. It's a gift from God.

*Response: See Ecological, Wildlife, and Vegetation Impact General Response and Draft EIS Page 4.*

## H. PROJECT NEED COMMENTS

### General Response:

*In accordance with SEQR, the Town of Florida Planning Board, acting as the Lead Agency, conducted a public scoping process for the Draft EIS that included input from the public, Involved Agencies, and Interested Parties. The resulting scope of the Draft EIS adopted by the Planning Board identified resource categories with foreseeable impacts and issues to be addressed in the Draft EIS document (e.g., visual impacts, community character, etc.). The Planning Board's acceptance of the Draft EIS affirms that the relevant resource categories for the Project were addressed.*

*Certain written and verbal comments provided during the Draft EIS public review involve resource categories not included in the adopted Scope and Draft EIS document because the Project, as designed, is not anticipated to result in a significant adverse impact to these categories. These certain public comments do not raise any additional, significant issues not already addressed by the Draft EIS document. However, for completeness, this section of the Final EIS provides responses to comments that are outside of the adopted Draft EIS scope.*

*The Project will generate renewable energy that would benefit the local community that signs up, contribute to the realization of the New York State's clean energy goals and help to combat global climate change. The Project is consistent with the New York State goals to achieve 70 percent renewably sourced electricity by 2030 and a zero-emission electrical grid by 2040. Wind energy is a proven technology that currently provides 3.7 percent of the state's electricity and 10.3 percent of the total utility-scale electricity generation in the United States.*

H-1 Mark and Lori Rulison Comment #2: Ninety percent of electricity delivered to upstate NY is from hydropower which is already a "clean, green" renewable resource so why should we be interested in a costly, unreliable wind energy project?

*Response:* See Project Need Comments General Response.

H-2 Alliance for Florida Farmland Comment #2: New Leaf states that their #1 objective is promoting renewable energy in the region. Montgomery County and all of upstate NY get over 90% of our energy from renewable resources (hydropower and nuclear power). WE also have 2 large scale solar farms in our town. So the Town of Florida already meets the NY State objective without adding a turbine. Why should we be targeted for a renewable energy project that is unneeded?

*Response:* See Project Need Comments General Response.

H-3 **Alliance for Florida Farmland Comment #3:** Also, New Leaf has not provided the requested Met Mast data and interpretations of that data to show the estimated benefit this project would provide in meeting the state's current energy goal (DIES Page 273 - a minimal chart of generalized information was all that was included).

*Response: The Met Mast data is the Applicant's proprietary information.*

H-4 **Brian Varacz March 4, 2024 Public Hearing Comment #1:** Everything that has been said is what I was going to say, other than saying that we should turn it down. Other Towns are turning this down and I think that we should, too. There is really no benefits to it that I can see, or that 95% of the people in this room can see. Thank you.

*Response: Commentor's opinion noted. See Project Need Comments General Response.*

H-5 **Becky Moritz March 4, 2024 Public Hearing Comment #1:** I think that listening to all that the residents had to say, it comes down to one very simple question. Why? Why are we even contemplating this? Why did it even get to this point? What does it do for us? Does it give us anything except aggravation? That's it.

*Response: Commentor's opinion noted. See Project Need Comments General Response.*

## I. NOISE IMPACT COMMENTS

### General Response:

*In accordance with SEQR, the Town of Florida Planning Board, acting as the Lead Agency, conducted a public scoping process for the Draft EIS that included input from the public, Involved Agencies, and Interested Parties. The resulting scope of the Draft EIS adopted by the Planning Board identified resource categories with foreseeable impacts and issues to be addressed in the Draft EIS document (e.g., visual impacts, community character, etc.). The Planning Board's acceptance of the Draft EIS affirms that the relevant resource categories for the Project were addressed.*

*Certain written and verbal comments provided during the Draft EIS public review involve resource categories not included in the adopted Scope and Draft EIS document because the Project, as designed, is not anticipated to result in a significant adverse impact to these categories. These certain public comments do not raise any additional, significant issues not already addressed by the Draft EIS document. However, for completeness, this section of the Final EIS provides responses to comments that are outside of the adopted Draft EIS scope.*

*The noise study provided in the Draft EIS indicates that operational sound levels generated by the Project would be less than 50 dBA at the Project site property boundaries and the highest noise level at a nearby residence is 41 dBA. These sound levels comply with the Town regulations for wind energy projects. For context, it should be noted that a 50 dBA sound level is comparable to a quiet rain, and a 60 dBA sound level is comparable to a normal conversation<sup>1</sup>. Because sound energy attenuates with distance, even lower Project-related sound levels would be expected at residences in the vicinity of the Project Site.*

I-1 **Mark and Lori Rulison Comment #4:** The project is actually detrimental to the town residents in many aspects such as – Noise.

*Response:* See Noise Impact General Response.

I-2 **William Bonner & Mary Donohue Comment #4:** Noise Levels - It has been clearly stated by the applicant that the wind turbine would at times have a sound level of a washing machine and/or lawn mower. With the proximity to homes, this is a clear and simply unacceptable externality of any perceived economic benefit.

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<sup>1</sup> Source: Occupational Safety and Health Administration.  
[https://www.google.com/search?sca\\_esv=354005c37d90d315&sca\\_upv=1&rlz=1C1GCEU\\_enUS1102US1102&sxsrf=ACQVn08KjyP7LUgK3b9rejzofx9n6iexQ:1712864864775&q=osha+noise+level+categories&tbm=isch&source=lnms&prmd=ivnsmbtz&sa=X&ved=2ahUKewimnMDu9rqFAX0MVkFHVc7DFkQ0pQJegQIDBAB&biw=777&bih=402&dpr=2#imgrc=HSvmN5R1t0bZLM](https://www.google.com/search?sca_esv=354005c37d90d315&sca_upv=1&rlz=1C1GCEU_enUS1102US1102&sxsrf=ACQVn08KjyP7LUgK3b9rejzofx9n6iexQ:1712864864775&q=osha+noise+level+categories&tbm=isch&source=lnms&prmd=ivnsmbtz&sa=X&ved=2ahUKewimnMDu9rqFAX0MVkFHVc7DFkQ0pQJegQIDBAB&biw=777&bih=402&dpr=2#imgrc=HSvmN5R1t0bZLM) Accessed: April 11, 2024.

*Response: See Noise Impact General Response.*

- I-3 Ken & Becky Maritz Comment #3: Wind turbines can also generate low-frequency infrasound and audible noise. The US Fish & Wildlife Service recommends taking precautionary measures to ensure that noise impacts at wind facilities are thoroughly investigated before development.

*Response: See Noise Impact General Response.*

- I-4 Joe Welk March 4, 2024 Public Hearing Comment #1: I live on upper Shell Stone and I'm one of the closest ones that lives to that tower. Most nights I can hear half of my neighbors on their porches talking. It's not clear, but I can hear them. It's a nice quiet road. Now you're telling me that I'm going to have constant decibel drone for the rest of my life. That's just not acceptable. How are you going to mitigate that other than pack up and leave when you're tired of the noise? I didn't move out there to have New York City noises just constantly 50 decibels of thump. How would you mitigate that?

*Response: See Noise Impact General Response.*

- I-5 Karen Anne Bara March 4, 2024 Public Hearing Comment #1: I also did research on what the decibels are. They say it sounds like a lawnmower or a vacuum cleaner. That's what this 50 decibels sounds like. I also live on Shell Stone and that's what we would be listening to constantly. I, for one, do not want to be able to hear that.

*Response: See Noise Impact General Response.*

- I-6 Valerie Shaarland March 4, 2024 Public Hearing Comment #3: Also, we will be greatly affected by ... noise.

*Response: See Noise Impact General Response.*

- I-7 Valerie Shaarland March 4, 2024 Public Hearing Comment #5: Also something I was thinking about when we're talking about the decibels - as a registered nurse to special needs kids, I know the effect that noise has on young people, on babies. Our autistic population is out of bounds right now. Do we know what this does to autistic children? They are totally dependent on sensory. Alzheimer patients - what is this going to do to our population? It's a danger.

*Response: See Noise Impact General Response.*



## J. RADIO FREQUENCY AND EMF IMPACT COMMENTS

### General Response:

*Once the Project is operational, the Applicant will be required to conduct follow-up measurements of the non-ionizing electromagnetic environment at the same locations as the existing conditions analysis. The Applicant will address any valid complaints through strengthening signals and filtering technologies as applicable. The Applicant proposes to provide a bond to the Town to ensure that funding is in place to study and implement remedies should any EMF-related concerns occur that are the result of the Project. If complaints are brought to the Town Board a 3<sup>rd</sup> party company will confirm issues at the cost of the Florida Wind 1 LLC. .*

J-1 Mark and Lori Rulison Comment #7: The project is actually detrimental to the town residents in many aspects such as - Radio frequency disruption.

*Response: Comment noted. See Radio Frequency and EMF Impact General Response.*

J-2 William Bonner & Mary Donohue Comment #3: EMF interference - nothing in the EIS has assuaged concerns regarding potential negative impact on electromagnetic transmissions. No amount of money would be adequate if the proposed tower interrupts vital emergency, civil, personal, and/or any other related wireless-type communications. Again, the Town of Florida does not need to be an experimental site for a 650 foot industrial wind turbine. .

*Response: Comment noted. See Radio Frequency and EMF Impact General Response.*

J-3 Brian and Kristeen Jaracz Comment #3: Radio Frequency resolution of a \$100,000 bond is not sufficient if negative impacts occurred. New Leaf has concurred they have never conducted a R/F study, therefore does not truly know all of the negative ramifications that could occur. A \$100,000 bond would not potentially cover 1 resident, none the less 100s', if negatively impacted. .

*Response: Comment noted. See Radio Frequency and EMF Impact General Response.*

## K. HUMAN HEALTH IMPACT COMMENTS

### General Response:

*In accordance with SEQR, the Town of Florida Planning Board, acting as the Lead Agency, conducted a public scoping process for the Draft EIS that included input from the public, Involved Agencies, and Interested Parties. The resulting scope of the Draft EIS adopted by the Planning Board identified resource categories with foreseeable impacts and issues to be addressed in the Draft EIS document (e.g., visual impacts, community character, etc.). The Planning Board's acceptance of the Draft EIS affirms that the relevant resource categories for the Project were addressed.*

*Certain written and verbal comments provided during the Draft EIS public review involve resource categories not included in the adopted Scope and Draft EIS document because the Project, as designed, is not anticipated to result in a significant adverse impact to these categories. These certain public comments do not raise any additional, significant issues not already addressed by the Draft EIS document. However, for completeness, this section of the Final EIS provides responses to comments that are outside of the adopted Draft EIS scope.*

*Wind energy is the largest provider of clean renewable energy in the United States with over 72,000 turbines currently in operation, and many more in development or planned. Renewable energy greatly benefits the public health by displacing air pollutants and greenhouse gases that would otherwise be emitted by fossil-fuel burning power facilities.<sup>2</sup> The Project is a permitted use in the Town, and development of wind energy is endorsed by the state and federal governments. The Applicant is not aware of significant adverse human health effects due to wind energy.*

*The Applicant has taken every measure to site and design the project to prudent industry standards and to comply with all Town ordinance requirements to ensure that the Project is safe from a public health perspective.*

**K-1** Sara Cato Comment #4: ...and most importantly the negative health impacts that wind turbine projects will have on overall human health. Many of the negative human health impacts due to wind turbine projects are just now beginning to be realized by other communities with similar wind turbine projects.

*Response:* The commentor's opinion is noted. See Human Health Impact General Response.

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<sup>2</sup> World Economic Forum. <https://www.weforum.org/agenda/2022/12/wind-energy-healthier-human-us/#:~:text=The%20renewable%20energy%20source%20benefits,%2Dfuel%2Dbased%20power%20plants>. Accessed April 11, 2024.

## L. DECOMMISSIONING-RELATED COMMENTS

### General Response:

*In accordance with SEQR, the Town of Florida Planning Board, acting as the Lead Agency, conducted a public scoping process for the Draft EIS that included input from the public, Involved Agencies, and Interested Parties. The resulting scope of the Draft EIS adopted by the Planning Board identified resource categories with foreseeable impacts and issues to be addressed in the Draft EIS document (e.g., visual impacts, community character, etc.). The Planning Board's acceptance of the Draft EIS affirms that the relevant resource categories for the Project were addressed.*

*Certain written and verbal comments provided during the Draft EIS public review involve resource categories not included in the adopted Scope and Draft EIS document because the Project, as designed, is not anticipated to result in a significant adverse impact to these categories. These certain public comments do not raise any additional, significant issues not already addressed by the Draft EIS document. However, for completeness, this section of the Final EIS provides responses to comments that are outside of the adopted Draft EIS scope.*

*The Applicant will provide the Town a formalized Operation and Maintenance (O&M) Plan that provides information relating to the anticipated servicing schedule and procedures with respect the Project equipment and components at the time of the Town Building Permit.*

*As described in the Draft EIS, the wind turbine generator typically requires preventive maintenance semi-annually. One of these maintenance outages is typically designated as "minor scheduled maintenance" and is completed in one working day per unit. The other is "major scheduled maintenance" and usually takes one to two working days to complete. For a typical wind energy facility, each semi-annual maintenance cycle is scheduled to be performed outside of high-wind season (usually spring or fall) and a crew or crews will work on individual units until the entire project maintenance cycle is completed. Turbine operators O&M responsibilities and contracting typically include:*

- a) Ensure Turbine O&M service providers are fulfilling contractual obligations including but not limited to: availability guarantees, maintenance schedule, manpower requirements, turbine repairs, safety, etc. Typical contract services provided by the Turbine Supplier consists of an all- inclusive service (schedule and unscheduled repairs, all parts, labor, and ancillary equipment or tooling necessary to perform the work).*
- b) Contract typically includes a warranty period for serial defects*
- c) Turbine Contractor typically performs two Schedule Services each year at 6-month intervals. This consists of replacement of consumables, torque checks, equipment testing, and housekeeping.*
- d) Monitoring security and safety lighting to ensure appropriate function*

Additionally, the Applicant provided the Town a draft Decommissioning Plan and Bond estimate information. The Decommissioning Plan and Bond will establish a financial surety for the projected costs associated with the removal of the Project and restoration of the Project site. The Decommissioning Plan details the process to be followed to remove the Project, and the anticipated quantities of equipment materials to be disposed, recycled, or resold.

The O&M Plan and the Decommissioning Plan and Bond will be finalized prior to the issuance of a Town building permit and in advance of any development activity at the Project Site. This timing is designed to ensure that the O&M Plan and the Decommissioning Plan and Bond reflects all final selections for Project components and equipment.

L-1 Brian and Kristeen Jaracz Comment #6: As maintenance, new blades/motors, and then decommissioning for removal of the wind turbine will be required.

*Response: See Decommissioning-Related General Response.*

L-2 Phil Johnson Comment #3: Environmental Impacts, Long term – what do you do with the thing when it reaches its lifespan?

*Response: See Decommissioning-Related General Response.*

L-3 Alliance for Florida Farmland Comment #8: Infrastructure and decommissioning costs have not been addressed.

*Response: See Decommissioning-Related General Response.*

L-4 Vanessa Kirby March 4, 2024 Public Hearing Comment #4: ...the Board has scrutinized the communications impacts. The funds for individual impacts are not enough to address this. The Board should mandate that three or more justified complaints would be lead to decommissioning of the turbine.

*Response: Comment noted. The Applicant has committed to providing the Town a \$100,000 bond to investigate any EMF impacts resulting from the Project. If such impacts occur, the Applicant is committed to engage with the Town to identify appropriate remedies.*

## M. PROJECT APPLICANT & DRAFT EIS-RELATED COMMENTS

### General Response:

*In accordance with SEQR, the Town of Florida Planning Board, acting as the Lead Agency, conducted a public scoping process for the Draft EIS that included input from the public, Involved Agencies, and Interested Parties. The resulting scope of the Draft EIS adopted by the Planning Board identified resource categories with foreseeable impacts and issues to be addressed in the Draft EIS document (e.g., visual impacts, community character, etc.). The Planning Board's acceptance of the Draft EIS affirms that the relevant resource categories for the Project were addressed.*

*Certain written and verbal comments provided during the Draft EIS public review involve resource categories not included in the adopted Scope and Draft EIS document because the Project, as designed, is not anticipated to result in a significant adverse impact to these categories. These certain public comments do not raise any additional, significant issues not already addressed by the Draft EIS document. However, for completeness, this section of the Final EIS provides responses to comments that are outside of the adopted Draft EIS scope.*

*In accordance with the New York State SEQR requirements, the Town of Florida Planning Board acting as the Lead Agency approved the scope of the Draft EIS on April 6, 2023, following a review of comments received during a public scoping meeting on March 6, 2023 and input from Involved Agencies, Interested Parties and residents.*

*On February 8, 2024, the Planning Board accepted the Draft EIS as complete and adequate for public review. As required under SEQR, a Draft EIS public hearing was held on March 4, 2024 and a written comment period was established until March 15, 2024. The Draft EIS review process conforms with the SEQR requirements, and is consistent with the Planning Board's procedures during a Site Plan and Special Use permit review, as stipulated in the Town Code.*

*The Final EIS document is where the Lead Agency addresses the verbal and written comments on the Draft EIS. At the conclusion of the SEQR process, the Lead Agency is required to evaluate in context any identified significant adverse impacts and make a decision that balances environmental, social, and economic factors. The Planning Board has and will continue to diligently follow the SEQR review process for this proposed Project.*

**M-1** Brian and Kristeen Jaracz Comment #7: New Leaf's responses have been very standardized responses that they do not represent the magnitude or negative

impacts of a 650' wind turbine. Nor how could they, they have readily admitted, they have never done one this large.

*Response:* The Applicant has retained environmental and engineering consultants with specialized experience to evaluate the Project. The Town has retained its own qualified consultants to review all project-related information.

M-2 **Alliance for Florida Farmland Comment #4:** This project was initially promoted by **Borrego Energy**, then transferred to **New Leaf Energy**, and now, the DEIS refers to the project developer as **Florida Wind 1, LLC**. This is an example of just how inconsistent and ever changing the project is. New Leaf/Florida Wind 1 has no experience in wind turbine construction.

*Response:* The project has always been Florida Wind 1, LLC and creating a company specific to the project is standard in development. Borrego Energy sold the development arm of its company and it became a stand-alone company, New Leaf Energy. The experience and expertise remain, and New Leaf Energy is a highly reputable renewable energy developer.

M-3 **Alliance for Florida Farmland Comment #5:** Florida Wind 1 AND Florida Wind 2 are already registered with NY Department of State Division of Corporations. Assurances made by New Leaf that they will only build ONE turbine on YMCA property does not preclude future turbines on nearby properties. The fact that Florida Wind 2, LLC is registered strongly suggests that this is their intent.

*Response:* This Project involves only the one proposed wind turbine. No expansion of this Project is planned or contemplated by the Applicant.

M-4 **Alliance for Florida Farmland Comment #9:** Noise, shadow flicker, reduction of property values, loss of trees, birds, bats, bees, and wildlife habitat, along with safety concerns such as blade failure, fires, contaminants, impact to nearby neighbors, and impacts to residents' well water cannot be mitigated.

*Response:* See Project Applicant and Draft EIS-Related General Response. Information regarding these topics is provided as follows:

- Noise: Draft EIS, Appendix 15
- Shadow flicker: Draft EIS, Appendix 10
- Reduction of property values: Final EIS Economic Impacts General Response
- Loss of trees: Draft EIS, Page 14, #6
- Birds: Final EIS, Ecology, Vegetation, and Wildlife General Response
- Bats: Draft EIS, Page 4
- Bees: Draft EIS, Page 34, C., Appendices 16 & 17
- Wildlife habitat: Final EIS, Ecology, Vegetation, and Wildlife General Response

- Blade failure: Draft EIS, Page 31 b, (1)
- Fires: Draft EIS, Appendix 8
- Contaminants: Draft EIS, Appendix 8
- Impact to nearby neighbors: Draft EIS, Page 25, 3, a, ii
- Impacts to residents' well water: Draft EIS, Page 25, 3, a, ii

M-5 **Alliance for Florida Farmland Comment #10**: The DEIS studies were inadequate and sub-standard. Many of the documents were generic materials and/or previously submitted information:

- Transportation Study was previously provided for Borrego Energy, April 2022
- SWPPP was from July 22, 2021 and continuously refers to Borrego as the project owner. The storm water discharge permit included was issued Jan 29, 2020
- SWPPP Notice of Intent (pages 185-196) no answers provided - incomplete
- County Soil Report-(Pages 201-241) is a report for OTSEGO COUNTY
- Microwave Study prepared July 16, 2021
- Noise Study prepared May 24, 2022
- The Shadow Flicker Report is a previous report from Borrego, May 2022.

*Response: The Commentor's opinion is noted. The various studies cited in the comment were requested by the Planning Board prior to its issuance of a Positive Declaration. These studies were reviewed by the Planning Board and its consultants. Following the conclusion of the Draft EIS public scoping process, the Planning Board determined that the topics covered in these studies were adequately addressed and did not rise to the level of a potential significant adverse impact.*

*See Project Applicant and Draft EIS-Related General Response.*

M-6 **Alliance for Florida Farmland Comment #12**: The Vestas 150-4.3 model wind turbine, frequently referred to in the DEIS as the model to be built, has numerous reports of structural and mechanical failures. When the Zoning Board requested turbine failure data at their meeting on December 13, 2021, Mr. David Strong said there was no data available. Several reports can be read here:

- <https://www.rechargenews.com/wind/wind-turbine-maker-vestas-halts-batch-of-v150s-after-sweden-collapse-probe/2-1-945232>
- <https://www.windpowermonthly.com/article/1694007/vestas-edpr-investigate-why-v150-blade-broke-off-ohio-site>
- <https://energywatch.com/EnergyNews/Renewables/article12690965.ece>
- <https://stopthesethings.com/2020/12/09/turbines-tumble-another-230-metre-300-tonne-whirling-wonder-bites-the-dust/>

*Response: The Commentor's opinion is noted. The referenced reports are news articles that describe instances where V150 turbines experienced blade breakoff, both abroad and in the United States. The Applicant is not aware of*

any formal investigations of these incidents. Furthermore, these referenced instances occurred three or more years ago, and blade technology continues to advance. The Project complies with all Town Code WECS safety requirements. These requirements were enacted to provide public safety protection in the unlikely event of a blade defect incident. These include the following relevant Special Permit requirements stipulated in Section 45.4 of the Town Code:

*c. The minimum required setback distance between each WECS and all surrounding property lines, centerlines of public roads, overhead utility lines, other WECS end above ground generation facilities shall be no less than 1.5 times the proposed structure height plus the rotor radius. These setback requirements may be waived where the applicant submits a signed waiver from the owner(s) of the neighboring property or properties, overhead utility lines or other structure is relation to which the applicant does not meet the setback requirements set forth above. Where an applicant proposes to locate one or more WECS on a site consisting of multiple contiguous parcels owned or leased by the applicant, the term "property lines" shall mean the exterior boundaries of the contiguous parcels which adjoin parcels not owned or leased by the applicant.*

*d. The minimum required setback distances between each WECS and any dwelling or other buildings for occupancy shall be no less than 1,000 feet without written permission of the owner and the granting of a waiver, by the Town Planning Board. Once the WECS is constructed, a dwelling or other building for occupancy may be constructed within the 1,000 feet if an application is made to the Town Planning Board by the WECS owner and the landowner and a waiver is granted by the Town Planning Board. Waivers may be granted based on information provided by the applicant that public safety will not be jeopardized.*

*j. No WECS shall be permitted that lacks at automate braking, governing or feathering system to prevent uncontrolled rotation, over speeding, and excessive pressure on the tower structure, rotor blades, and turbine components.*

*k. The minimum distance between the ground and any part of the rotor blade system shall be 30 feet.*

*l. All power transmission lines from the WECS to on-site substations shall be underground. A substation is defined as a structure at which electricity from various WECS locations is collected and sent to existing transmission line.*

*m. Procedures acceptable to the Planning Board for emergency shutdown of power generation units shall be established and posted prominently and*



*permanently on at least one location on the road frontage of each individual unit site.*

*It should also be noted that the Applicant would be financially responsible to implement appropriate corrective measures if such an incident occurs.*

- M-7 Kristine Varacz March 4, 2024 Public Hearing Comment #7: New Leaf's response has been very standardized for the wind turbine. The turbines at 650 feet are not established in the U.S. yet and especially in New York State. We hope that the Planning Board recognizes the numerous concerns brought forward by the letter and our concerns and all the residents of the Town of Florida.

*Response: See Project Applicant and Draft EIS-Related General Response.*

- M-8 Karen Anne Bara March 4, 2024 Public Hearing Comment #11: I feel that there are still so many unanswered questions, that the DEIS haven't answered and I propose that the Planning Board make a recommendation to the Board for an indefinite moratorium on the application and all future applications until all of these questions as well as any public questions that the residents of this Town have can be addressed.

*Response: See Project Applicant and Draft EIS-Related General Response.*

## N. PROJECT DESIGN COMMENTS

### General Response:

*In accordance with SEQR, the Town of Florida Planning Board, acting as the Lead Agency, conducted a public scoping process for the Draft EIS that included input from the public, Involved Agencies, and Interested Parties. The resulting scope of the Draft EIS adopted by the Planning Board identified resource categories with foreseeable impacts and issues to be addressed in the Draft EIS document (e.g., visual impacts, community character, etc.). The Planning Board's acceptance of the Draft EIS affirms that the relevant resource categories for the Project were addressed.*

*Certain written and verbal comments provided during the Draft EIS public review involve resource categories not included in the adopted Scope and Draft EIS document because the Project, as designed, is not anticipated to result in a significant adverse impact to these categories. These certain public comments do not raise any additional, significant issues not already addressed by the Draft EIS document. However, for completeness, this section of the Final EIS provides responses to comments that are outside of the adopted Draft EIS scope.*

**N-1 Vanessa Kirby March 4, 2024 Public Hearing Comment #1:** My first concern is that we still have not been provided with the information on the expected kilowatts produced by it. The applicants have not provided any in depth projections.

*Response: The Project will have a design capacity to generate up to 4.5 Megawatts of electricity. This equates to 4,500 Kilowatts.*

**N-2 Vanessa Kirby March 4, 2024 Public Hearing Comment #6:** Another item that goes against our regulations is not surrounding the site with a fence, and I have not seen any items from the Zoning Board of Appeals that waives this.

*Response: The fencing waiver request was made to the Planning Board as part of the Site Plan review and Special Use Permit application. The fencing waiver is proposed because the wind turbine will not require that additional level of security. The interior of the structure will be secured from unauthorized access, and the turbine cannot be climbed from the exterior. A security fencing would not provide any visual screening benefit, but it would be an impediment to wildlife that use or traverses the Project site parcel.*

**N-3 Ken Maritz March 4, 2024 Public Hearing Comment #3:** They are commonly associated with wind turbine disasters like blade failure, structural failures, fire, ice. Leaving corrosion and lightning strikes are the two most often observed damage mechanism leading into the first year after wind turbines installation. Lightning strikes are typically observed in higher peak areas. If any one of these

disasters occurs during the life expectancy of a wind turbine, can the Town recover from the damage?

*Response: The Project will have insurance coverage to address these types of events and there would be no financial burden placed on the Town. The Project is designed to comply with the safety requirements stipulated in Section 45.4 of the Town Code which ensures that any safety situation involving a structural or component failure would be confined to the Project site.*

**N-4 Karen Anne Bara March 4, 2024 Public Hearing Comment #5:** Another question I have concerns the special outfitting that a turbine up on Bee Hill would need. My husband and I live on the top of Shell Stone. Our land is close in height and proximity to the proposed site. In 2021 Texas suffered a rare winter storm with freezing temperatures. The wind turbines froze. This is a rarity in Texas, but not in the Town of Florida. In Florida, in order for a turbine to operate in freezing temperatures, it needs to be outfitted with a special cold weather equipment. Equipment that requires special maintenance, special lubricants and special heaters. There is absolutely nothing in the DEIS that discusses any of this.

*Response: The selected wind turbine for the Project will be designed to be suitable for the climate in New York State as is the case for all turbines constructed in cold weather climates.*

**N-5 Karen Anne Bara March 4, 2024 Public Hearing Comment #6:** I have questions regarding the fact that the applicant is requesting a waiver in the DEIS for the fencing requirement. Why? It's obviously not to keep something from getting in. What is it that they don't want anybody to see that could possibly be contained within a fence?

*Response: The fencing waiver is proposed because the wind turbine will not require that additional level of security. The interior of the structure will be secured from unauthorized access, and the turbine cannot be climbed from the exterior. A security fencing would not provide any visual screening benefit, but it would be an impediment to wildlife that use or traverses the Project site parcel.*

**N-6 Clinton Detrick March 4, 2024 Public Hearing Comment #2:** I would like to pose one additional question. How, if the top of this thing where the motor and lubricants catches fire - how is that fought? Everything that I've ever heard about it is if they catch fire at the top, which is where the only place where I've ever seen video of them on fire - they have to fight it with a helicopter. Where is that coming out of? What's the response time? Are they even trained to fight a fire at a 650-foot device like that?

*Response: The turbine will be equipped with a fire detection system and aerosol suppression equipment. In the unlikely event of an incident, electrical power would be cut to the impaired component, the turbine operations would halt, the internal fire suppression system would be activated, and the system operator would notify the local fire department. External firefighting measures do not typically occur on wind turbines. The standard protocol is to let the turbine burn out and prevent any spread beyond the site.*

## O. WELL WATER IMPACTS

### General Response:

*In accordance with SEQR, the Town of Florida Planning Board, acting as the Lead Agency, conducted a public scoping process for the Draft EIS that included input from the public, Involved Agencies, and Interested Parties. The resulting scope of the Draft EIS adopted by the Planning Board identified resource categories with foreseeable impacts and issues to be addressed in the Draft EIS document (e.g., visual impacts, community character, etc.). The Planning Board's acceptance of the Draft EIS affirms that the relevant resource categories for the Project were addressed.*

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- O-1 **Karen Anne Bara March 4, 2024 Public Hearing Comment #8:** What about my well water? What if my well water is affected by the blasting? What if any of the other residents that live outside of this 4,000 square foot radius is affected by the blasting? Are they going to be protected?

***Response:** Should blasting be required, the Applicant will follow the Blasting Plan protocol described in the Draft EIS that includes pre and post well water testing for properties within 4,000 feet of the blast site. The 4,000 feet range provides a conservative distance that complies with industry and regulatory standards.*

## P. ENFORCEMENT CONCERNS

### General Response:

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**P-1** **Karen Anne Bara March 4, 2024 Public Hearing Comment #10:** And lastly, my question - who is going to be watching to be sure that all the Town Codes are being followed? The Town does not currently have a code enforcement officer. My husband and I know this first hand - the ramifications of this problem. Who is going to be watching to make sure that the applicant complies with the codes?

***Response:** The Applicant will fund an engineer that represents the Town to oversee the Project to ensure the Project is in compliance with all relevant Codes and regulations, as per the Host Community Agreement.*

## Q. STORMWATER IMPACTS

### General Response:

*In accordance with SEQR, the Town of Florida Planning Board, acting as the Lead Agency, conducted a public scoping process for the Draft EIS that included input from the public, Involved Agencies, and Interested Parties. The resulting scope of the Draft EIS adopted by the Planning Board identified resource categories with foreseeable impacts and issues to be addressed in the Draft EIS document (e.g., visual impacts, community character, etc.). The Planning Board's acceptance of the Draft EIS affirms that the relevant resource categories for the Project were addressed.*

*Certain written and verbal comments provided during the Draft EIS public review involve resource categories not included in the adopted Scope and Draft EIS document because the Project, as designed, is not anticipated to result in a significant adverse impact to these categories. These certain public comments do not raise any additional, significant issues not already addressed by the Draft EIS document. However, for completeness, this section of the Final EIS provides responses to comments that are outside of the adopted Draft EIS scope.*

**Q-1 Valerie Shaarland March 4, 2024 Public Hearing Comment #2:** Also, we will be greatly affected by stormwater disruption...

***Response:** A Stormwater Pollution Protection Plan was prepared. The Project will require coverage under the NYSDEC General Stormwater Permit for Construction activities. The Project would affect 4.9 acres on the 135-acre parcel of which 1.7 acres will be new impermeable surfaces. As designed, the Project complies with applicable NYSDEC stormwater regulations and is not anticipated to result in any off-site adverse stormwater impacts because all stormwater will be collected and treated on site.*

ATTACHMENT 1  
Visual and Aesthetics Impact Comments,  
A-1, Deanna DeLuke Comment #1:

1. 42.86298° N, 74.24964° W
2. 42.86432° N, 74.24979° W
3. 42.86739° N, 74.25018° W
4. 42.86800° N, 74.25018° W
5. 42.85877° N, 74.24906° W
6. 42.86143° N, 74.24940° W
7. 42.85465° N, 74.24695° W
8. 42.84987° N, 74.24255° W
9. 42.86751° N, 74.25020° W
10. 42.86982° N, 74.24995° W
11. 42.86618° N, 74.25013° W
12. 42.86988° N, 74.24992° W
13. 42.87071° N, 74.24976° W
14. 42.87022° N, 74.24921° W
15. 42.86985° N, 74.24762° W
16. 42.86955° N, 74.24607° W
17. 42.86923° N, 74.24472° W
18. 42.86873° N, 74.24270° W
19. 42.86831° N, 74.24129° W
20. 42.86879° N, 74.23994° W
21. 42.86971° N, 74.23878° W
22. 42.87015° N, 74.23841° W
23. 42.87055° N, 74.23798° W
24. 42.87115° N, 74.23746° W
25. 42.87183° N, 74.23704° W
26. 42.87282° N, 74.23571° W
27. 42.87346° N, 74.23416° W
28. 42.88005° N, 74.24848° W
29. 42.88187° N, 74.24736° W
30. 42.87683° N, 74.25072° W
31. 42.87657° N, 74.25169° W
32. 42.87603° N, 74.25339° W
33. 42.87496° N, 74.25492° W
34. 42.87350° N, 74.25763° W
35. 42.88027° N, 74.24818° W
36. 42.88151° N, 74.24750° W
37. 42.88240° N, 74.24706° W
38. 42.88293° N, 74.24651° W
39. 42.88317° N, 74.24622° W
40. 42.88365° N, 74.24545° W
41. 42.88418° N, 74.24459° W



42. 42.88467° N, 74.24395° W  
43. 42.88429° N, 74.24398° W  
44. 42.88361° N, 74.24331° W  
45. 42.88241° N, 74.24209° W  
46. 42.88113° N, 74.24097° W  
47. 42.87973° N, 74.23975° W  
48. 42.87925° N, 74.23928° W  
49. 42.87853° N, 74.23859° W  
50. 42.87754° N, 74.23770° W  
51. 42.87663° N, 74.23655° W  
52. 42.87602° N, 74.23591° W  
53. 42.87504° N, 74.23497° W  
54. 42.87408° N, 74.23418° W  
55. 42.87365° N, 74.23403° W  
56. 42.87377° N, 74.23158° W  
57. 42.87374° N, 74.22874° W  
58. 42.87362° N, 74.22778° W  
59. 42.87403° N, 74.22627° W  
60. 42.87384° N, 74.22593° W  
61. 42.87349° N, 74.22622° W  
62. 42.87304° N, 74.22633° W  
63. 42.87249° N, 74.22539° W  
64. 42.87260° N, 74.22445° W  
65. 42.87263° N, 74.22423° W  
66. 42.87320° N, 74.23487° W  
67. 42.87185° N, 74.23697° W  
68. 42.87131° N, 74.23739° W  
69. 42.87070° N, 74.23784° W  
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71. 42.86996° N, 74.23859° W  
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73. 42.86862° N, 74.24018° W  
74. 42.86830° N, 74.24132° W  
75. 42.88513° N, 74.24325° W  
76. 42.88534° N, 74.24292° W  
77. 42.88605° N, 74.24087° W  
78. 42.88632° N, 74.23966° W  
79. 42.85955° N, 74.24921° W  
80. 42.86095° N, 74.24936° W  
81. 42.86591° N, 74.25003° W  
82. 42.86669° N, 74.25017° W  
83. 42.86844° N, 74.20742° W  
84. 42.86691° N, 74.20645° W  
85. 42.86381° N, 74.20542° W  
86. 42.86327° N, 74.20657° W

87. 42.86308° N, 74.20701° W
88. 42.86260° N, 74.20803° W
89. 42.86222° N, 74.20884° W
90. 42.86108° N, 74.21086° W
91. 42.86039° N, 74.21178° W
92. 42.85988° N, 74.21356° W
93. 42.85983° N, 74.21375° W
94. 42.85940° N, 74.21538° W
95. 42.85923° N, 74.21616° W
96. 42.85939° N, 74.21816° W
97. 42.85967° N, 74.22153° W
98. 42.85926° N, 74.22379° W
99. 42.85881° N, 74.22515° W
100. 42.85862° N, 74.22565° W
101. 42.85781° N, 74.22768° W
102. 42.85538° N, 74.22669° W

Accepted on 9 September 2024

Town of Florida Planning Board

Signed Planning Board Chairman

Stephen Viele