



December 15, 2015

H. Bruce Russell
Town Supervisor
Town of Belmont
PO Box 35
Brainardsville, NY 12915

Reference: Jericho Rise Wind Farm – Waiver Request

Dear Mr. Russell:

Pursuant to Article V of the Town’s Wind Energy Local Laws (Town of Belmont Local Law #2 of 2006), as set forth in the Supplement to the Wind Energy Permit Application (“WEPA”) and in the Supplemental Environmental Impact Statement (SEIS) previously submitted to the Town, Jericho Rise Wind Farm, LLC (the Applicant) is requesting a waiver from two requirements of the local laws regarding maximum wind turbine height (as indicated in Section 12.A.13) and construction hours (as indicated in Section 12.A.14). This letter is intended to provide further support and explain the rationale for the waiver requests.

In regard to maximum turbine height, Jericho Rise Wind Farm, LLC is requesting a waiver of the 400 foot maximum height requirement, to allow construction of 492 foot tall turbines. This request is based on the fact that the taller height proposed is sufficient to capture greater wind speeds and thus results in significantly greater power generation. This also allows reduction in the total number of turbines proposed, thereby reducing potential environmental impacts. Jericho Rise Wind Farm, LLC proposes to generate approximately 78 MW of renewable energy, and with receipt of a waiver on the turbine height restriction, can accomplish this through the use of fewer taller turbines. As illustrated in the visual simulations included in the SEIS prepared for the Jericho Rise Wind Farm, the greater turbine height results in a minimal change to the visibility or visual effect of the turbines, and does not substantially change the character of the proposed project. In fact, the proposed height of the turbines is consistent with the size of the turbines operating at the Marble River Wind Farm. Use of the taller turbines decreases the overall number of proposed turbines from 53 to 37 which will likely reduce the overall visual impact of the Project. Detriments to nearby property owners have been minimized through the implementation of the siting criteria explained in the WEPA and SEIS and through compliance with setback requirements prescribed in the Town’s Wind Energy Local Laws. As described in the SEIS, birds and bat mortality from collision with the operating turbines is anticipated to be relatively low. Other impacts, such as disturbance to forest land, wetlands and agricultural land will be reduced through the use of fewer taller turbines, due to a smaller overall footprint of disturbance, which not only reduces turbine site impacts but also impacts



from ancillary project components such as access roads and interconnection lines. Thus, the proposed waiver will not have an adverse effect on the physical or environmental conditions in the community (see additional discussion in Section 2.13.2.1.2 of the SEIS). Since it maintains the energy produced by the Project through a small Project footprint and fewer turbines, the waiver is in the best interests of the Town. Although an even taller turbine might allow still fewer turbines and further reduce physical impacts associated with the project, the height increase proposed is considered the minimum necessary to achieve the desired benefits, while still protecting the character of the community.

In regard to hours of operation, Jericho Rise Wind Farm, LLC is requesting a waiver from the requirement that construction activity be limited to the hours of 7:00 a.m. to 7:00 p.m., and is requesting that construction be allowed to occur outside these hours (i.e., from 5:30 a.m. to 10:00 p.m.) on an as-needed basis. Because Jericho Rise Wind Farm, LLC is seeking to have the project in operation by the end of 2016, the schedule may require extended construction hours at certain times, or for certain activities, such as crane movements, substation construction, or turbine installation and commissioning which require low wind speed conditions. Although the specific hours and activities are not known at this time, the extension of construction hours is anticipated to be limited, and would not be conducted without advanced notice to the Town. To avoid adverse impacts to the adjacent residents and the larger community, activities to be conducted outside normal construction hours will generally be limited to those that do not result in the generation of excessive noise or traffic. It is important to note that, while increasing construction hours on a limited basis may result in some potential disturbance, the waiver is in the interests of the Town because this will allow the construction schedule to be shortened, thereby reducing overall potential construction impacts. As indicated in the SEIS, Jericho Rise Wind Farm, LLC will implement a complaint resolution plan that provides a mechanism to address any complaints that may result from extended construction hours. Consequently, limited extension of construction hours, or an as-needed basis, is not anticipated to have an adverse impact on the community.

Regards,

Aron Branam
Project Manager, Jericho Rise Wind Farm LLC