

# ADVOCATES FOR STARK

P.O. Box 91  
Van Hornesville, New York 13475

August 2, 2006

Richard Jack, Supervisor  
Town of Warren  
Kingdom Road  
Jordanville, New York 13361

RE: Jordanville Wind Project DEIS

Dear Supervisor Jack:

We fear that we are trying your patience with all our correspondence about the Jordanville Wind Project DEIS. The problem we are encountering is that this document was prepared very quickly and we have had an equally short time to review its contents. Every time we re-read a section, another concern pops out at us. If we had more time, I am sure that more issues would arise and more sections would present themselves as not answering significant questions.

We know that your job as lead agency is to make sure that this DEIS is a thorough review and evaluation of the project. The measure of how well you perform your job is whether or not you have taken a "hard" look at the DEIS and determined that it successfully addresses all the issues and presents *legitimate* mitigation actions.

We fail to see how you can possibly conclude that this DEIS is complete. It has many holes that require more research, more data, more evaluation of options, accuracy, and more time. It is this last item (time) that has been short-changed. We (both you as lead agency and us as the public) need a more complete document to review and more time to digest its contents.

We believe that you should ask the sponsor to review the list of all the questions raised at the public hearings and revise the DEIS. It should not be accepted as a complete document and you should not have to use it to prepare a final environmental impact statement. It is inadequate to allow you to do your work properly.

Here are some examples:

1. There are no responses yet from the state agencies that are involved in the approval process. DOT, DEC, USFWS, SHPO, DPS and others have not yet responded to the DEIS. In addition, we would expect that you would have inputs from FAA and Army Corps of Engineers. Therefore, we do not know what information they find lacking for their own proper reviews. They may agree that the DEIS is not adequate. Without input from these agencies, we are short circuiting the very agencies responsible for safeguarding the environment.

2. The Delaware Otsego Audubon Society has submitted a white paper calling for onsite surveys of birds to replace the general data used in the DEIS. These recommended surveys should be conducted during different seasons over a period of time. Without this information, neither the DOAS nor your board as lead agency, cannot draw meaningful conclusions about the proposal.
3. Our own research into the area's hydrology points toward some serious concerns about the aquifer, protection of domestic water wells, the New York State Fish Hatchery, and impacts to nearby wetlands that were not identified in the DEIS. The applicant should complete its DEIS by performing a more thorough analysis of the area; should obtain missing data instead of presenting only five test bores for a 6,225 acre project area, and should map missing wetlands.
4. There is a total absence of information about the cultural aspects of the area that might be at risk if the project proceeds. The presentation on this point by Otsego 2000 leads us to believe that the project area may be eligible as an historic district. SHPO should be asked to comment on this presentation, and the sponsor should expand its analysis.
5. The visual impact analysis fails to take a regional approach and yet the impact will be seen in many surrounding towns (including areas of historical significance). The Advocates for Springfield have requested that the VIA be expanded to include more sites in their town. Likewise, the NYSDEC (letter dated January 4, 2006, DEIS Appendix B) and NYSPSC (letter dated January 4, 2006, DEIS Appendix B) have recommended a larger study area to assess impacts to sensitive receptors. These are reasonable requests and under SEQR guidelines should have been included in the DEIS.
6. The DEIS states that TV reception will be impaired and the mitigation will be to address the problem on a case by case basis. The sponsor's own consultant calls for additional research which has not been done. Especially in our rural area, where we have people of limited mobility, who live alone, the loss of television reception can be devastating. This effect should be more thoroughly presented and practical plans to mitigate its impacts set forth.
7. Despite the obvious conclusion that night lighting will have the greatest visual impact, the sponsor has made no attempt to review the project with the FAA. We are on a flight path both incoming and outgoing from Albany Airport. This missing information is particularly important. Data from other projects in the nation indicates there may also be problems with radar signal interference from the turbines. This pertains to the safety of air traffic, as well as Homeland Security. The DEIS does not even consider that issue. Meaningful communication with the FAA is critical.

8. The noise data presented in the DEIS are very suspect. The regularity of the concentric circles indicating decibel levels implies that the analyst failed to consider topographic features. They used an obsolete 1978 EPA standard of 45 decibels for Ambient Noise in rural areas. The EPA closed its sound unit twenty years ago. Since then, new industry standards have replaced the obsolete EPA standard.

In addition, the consulting firm, Superna Energy of New Jersey, has disappeared. A company by the same name, located in Chicago, denies any knowledge of Superna Energy of New Jersey. We believe the entire acoustic analysis should be repeated with a responsible and reliable consultant and specific instructions to take on-site measurements with validated data.

9. The Public Safety and Facilities section of the DEIS is little more than a web-based search of Herkimer County hospitals, coupled with a clear inventory of the inadequacies of volunteer fire departments to guarantee public safety if this project is implemented. The “mitigation” for a turbine fire is to stand by and put out spot fires, while allowing the turbine to burn itself out. It fails to contemplate the scope of such “spot fires” (we have seen hundreds of acres), as well as the safety of fighting “spot fires” beneath a burning tower. The carelessness of the medical facilities inventory implies an indifference to public safety, both in the construction and operational phases of this project. The obvious conclusion is, in an emergency, first responders will be helpless, and the public, especially surrounding homes, will be without protection.
10. There is no mention of Payment, Performance and Maintenance Bonding. These are common business practices which apply to almost all construction projects. Their absence reflects a failure of sound business practices.
11. There are numerous errors of fact, which speaks to the haste and carelessness in which this document was produced. For example, the New York State Fish Hatchery is located in Danube. Little Falls is said to be 2.5 miles from the project area. None of the parks in Van Hornesville is mentioned. The Paul Crim Cemetery is not mentioned. The Hoyer Hill Cemetery is not on the map of historically sensitive places, nor is it mentioned in the text.
12. The PILOT agreement covers fifteen years, but the contracts are for fifty years. There is no provision for taxation after Year Fifteen. If left unaddressed, this is a breach of responsibility to the public.
13. The dismantling funds are inadequate. In Warren the funding does not begin until Year Fifteen. In Stark, it begins in Year One, but there are no specifics as to how much will be funded in what years, or who will have control of that fund. This fund needs to be negotiated up front and funded up front.
14. Despite a large body of credible academic and medical literature on the Health Effects of long term exposure to excessive noise and turbine motion,

these effects are not mentioned at all. They include vertigo, epileptic seizures, cardiac arrhythmia, sleep disturbance, elevated resting blood pressure, elevated stress hormone levels, and poor cognitive performance. These are very serious human health effects which have been totally ignored.

15. The text repeatedly cites Maple Ridge (Tug Hill) as a standard for environmental protection. In fact, we have evidence that careless drainage during construction caused a complete die-off of a small business fish hatchery. We can't afford that standard of "environmental protection. There are 200,000 trout in the New York State Fish Hatchery in Van Hornesville.

For other issues see our prior correspondence and those comments supplied by other members of the public.

We truly believe that unless you request that the DEIS be revised and resubmitted, you will have failed to take the required hard look as specified under SEQR.

Sincerely yours,

Sue Brander  
For Advocates for Stark

cc: Town Clerk – Warren Anna K. Halkowich 383 Hogsback Rd., Richfield Spgs.13439.  
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