

Sample Letter for Extending the Comment Period

December 2, 2009

From: Local Impacted Property Owner

Mr. Alexander "Pete" Grannis  
Commissioner  
NYS Department of Environmental Conservation  
625 Broadway  
Albany, NY 12223-1750

Re: Hounsfield Wind Power Project – Galloo Island  
UPSTATE NY POWER CORPORATION  
NYSDEC Application ID 6-2238-00193/00001  
NYS DPS Case 09-T-0049

I am a property owner and concerned citizen living in the area directly affected by the Hounsfield Wind Power Project. I am writing to advise you of serious deficiencies in the SEQR review process and to request that the public comment period for the DEIS be re-opened to allow for adequate public input on matters that were either ignored or given inadequate attention in the DEIS. I am specifically seeking a written reply from DEC with regard to such deficiencies and whether the record will be re-opened.

The deficiencies include, but are not limited to:

1. The Draft Environmental Impact Statement for the Project does not consider a thorough analysis of the cumulative impacts of all five (5) planned projects in the affected area. Amongst other projects, the New York Power Authority has publicly announced its intention to construct a massive wind farm in the same region. Although the NYPA plan was announced prior to completion of the public comment period for the Hounsfield Wind Power Project DEIS the document fails to address this large project proposed by a sister state agency. The wind power projects currently proposed for the eastern end of Lake Ontario and the St. Lawrence River will collectively change the face of this important region forever. This is particularly true where the associated transmission lines are already segmented from the project by virtue of a legal technicality. The failure to address the cumulative impacts of the other large wind projects and the transmission lines renders the DEIS for the Hounsfield Wind Power Project an improper exercise of selective environmental review. The spirit and the letter of SEQR demand that DEC conduct an honest assessment of these projects on a cumulative basis.
2. The Draft EIS does not address the issue of Environmental Justice as it relates to the low income residents of Jefferson County, New York. If a major energy project were proposed for an urban area in downstate New York the DEC's environmental justice policies would be applied. This project and its associated projects and transmission lines will permanently deface a large swath of northern New York in order to provide power to largely downstate interests. If the tables were turned and a power generation project was proposed for Brooklyn, the Bronx, or Long Island in order to deliver power to Jefferson County the DEC would analyze the environmental justice issues during its SEQR review. Your failure to include this issue in the DEIS reveals a selective and discriminatory application of the DEC's environmental justice requirements and deprives the local community members of equal protection under the law.
3. The project as proposed is inconsistent with the petroleum and spill hazards presented in the DEIS. It is my understanding that each wind turbine may contain up to 320 gallons of a petroleum lubricant that is highly toxic to aquatic environments. The grouping of these petroleum storage devices in one small area surrounded by a sensitive aquatic habitat should, at a minimum, require permitting under the DEC's petroleum and/or chemical bulk storage regulations. On this basis alone, the project must be denied a permit outright. If any other business owner were to propose locating over 100 hundred 300+ gallon storage petroleum/chemical storage containers on Galloo Island it is inarguable that the DEC would deny

them the right to do so. There does not appear to be an exemption for wind turbines in the petroleum or chemical bulk storage regulations and yet the DEIS ignores the issue and no permits have been required.

4. Portions of Galloo Island are included in the NYSDEC Open Spaces Plan, as are close proximity islands, Little Galloo, and Gull Island. Several years ago, the NYSDEC considered a purchase of Galloo Island. During the NYSDEC review of such action, the island was considered to be "fragile and delicate" and the recommendation in the report was that the island should remain in its current state. Such analysis is highly inconsistent with the allowance of industrial wind turbine projects on the island and proximate to other islands in the Open Space Plan. This issue must be addressed in the DEIS and the public must be allowed to comment.
5. The socioeconomic impact section of the DEIS is highly misleading when compared to the actual intentions of the project sponsors. In discussions of the project and its associated transmission line the DEIS seems to indicate that the project will "negotiate" with land owners when in fact, as the sponsors have since confirmed, they intend to utilize the power of eminent domain to take land from its rightful owners against their will. The taking of property against the will of landowners would be a highly impactful event upon the socioeconomic make up of northern New York. The DEIS does not include an assessment of the impacts upon local people who have lived in the same view shed for generation upon generation, and which will now be changed forever without even a cursory discussion of those socioeconomic impacts by the New York DEC.

The residents of Jefferson and St. Lawrence counties do not oppose the development of renewable energy resources. In fact, the vast majority of all of the renewable power that has been, or ever will be, generated in New York State was generated at great cost to our local environment by virtue of the hydroelectric dams on the Great Lakes system. It is inappropriate for the DEC to abdicate its responsibilities to conduct a thorough and fair environmental review in the headlong rush to develop even more renewable power for the benefit of others on the backs of our region and its irreplaceable resources.

Please consider this letter to be a specific request to re-open the record to allow true public input into the DEIS process on the above and other issues. I also respectfully request that you respond to this letter in a timely manner and provide copies of your response to New York State Senator Darrel Aubertine.

Sincerely,

Impacted Property Owner

CC: NYSDEC – DEP  
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