

**United States Army Corps of
Engineers Buffalo District
Region 9 NYSDEC
Joint Application for
Noble Ball Hill Windpark, LLC**

**Chautauqua County, New York
November 2008**



Prepared for:

**Noble Ball Hill Windpark, LLC
P.O. Box 72
7294 Centerville Road
Bliss, N.Y. 14024**

Prepared by:





New York State

JOINT APPLICATION FORM

For Permits/Determinations to undertake activities affecting streams, waterways waterbodies, wetlands, coastal areas and sources of water supply.



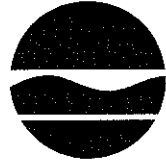
US Army Corps of Engineers (USACE)

Separate Permits/Determinations must be obtained from each involved agency prior to proceeding with work. Please read all instructions.

<p>1. Check All That Apply:</p> <p>NYS Department of Environmental Conservation</p> <p><input checked="" type="checkbox"/> Stream Disturbance</p> <p><input type="checkbox"/> Excavation and Fill in Navigable Waters</p> <p><input type="checkbox"/> Docks, Moorings or Platforms</p> <p><input type="checkbox"/> Dams and Impoundment Structures</p> <p><input checked="" type="checkbox"/> 401 Water Quality Certification</p> <p><input checked="" type="checkbox"/> Freshwater Wetlands</p> <p><input type="checkbox"/> Tidal Wetlands</p> <p><input type="checkbox"/> Coastal Erosion Management</p> <p><input type="checkbox"/> Wild, Scenic and Recreational Rivers</p> <p><input type="checkbox"/> Water Supply</p> <p><input type="checkbox"/> Long Island Well</p> <p><input type="checkbox"/> Aquatic Vegetation Control</p> <p><input type="checkbox"/> Aquatic Insect Control</p> <p><input type="checkbox"/> Fish Control</p> <p>US Army Corps of Engineers</p> <p><input checked="" type="checkbox"/> Section 404 Clean Water Act</p> <p><input type="checkbox"/> Section 10 Rivers and Harbors Act</p> <p><input checked="" type="checkbox"/> Nationwide Permit(s) - Identify Number(s): <u>12,14</u></p> <p>Preconstruction Notification - <input type="checkbox"/> Y / <input type="checkbox"/> N</p> <p>NYS Office of General Services (State Owned Lands Under Water)</p> <p><input type="checkbox"/> Utility Easement (pipelines, conduits, cables, etc.)</p> <p><input type="checkbox"/> Docks, Moorings or Platforms</p> <p>NYS Department of State</p> <p><input type="checkbox"/> Coastal Consistency Concurrence</p>	<p>2. Name of Applicant (use full name) Noble Ball Hill Windpark, LLC</p> <p>Street Address 7294 Centerville Road PO Box 72</p> <p>Post Office City State Zip Code Telephone (daytime) Email Bliss NY 14024 (585) 332-7675</p> <p>3. Name of Facility or Property Owner, if different than Applicant Same as Above</p> <p>Street Address</p> <p>Post Office City State Zip Code Telephone (daytime) Email</p> <p>4. Contact/Agent Name Kristin Hawley</p> <p>Company Name Noble Environmental Power</p> <p>Street Address 7294 Centerville Road PO Box 72</p> <p>Post Office City State Zip Code Telephone (daytime) Email Bliss NY 14024 (585) 332-7675 hawleyk@noblepowers.com</p> <p>5. Project / Facility Name Noble Ball Hill Windpark</p> <p>Property Tax Map Section / Block / Lot Number</p> <p>Project Location - Provide directions and distances to roads, bridges and bodies of waters: See Attached Figures 1.1-1 to 1.1-3</p> <p>Street Address, if applicable</p> <p>Post Office City State Zip Code Telephone, if applicable Email NY</p> <p>Town / Village / City County Towns of Villenova and Hanover Chautauqua</p> <p>Name of USGS Quadrangle Map Stream/Water Body Name Towns of Villenova and Hanover</p> <p>Location Coordinates: Enter NYTMs in kilometers, OR Latitude/Longitude in degrees, minutes, seconds</p> <p>NYTM-E NYTM- N Latitude 42.50281598 Longitude -79.15291784</p>		
<p>6. If applicant is not the owner, both must sign the application. I hereby affirm that information provided on this form and all attachments submitted herewith is true to the best of my knowledge and belief. False statements made herein are punishable as a Class A misdemeanor pursuant to Section 210.45 of the Penal Law. Further, the applicant accepts full responsibility for all damage, direct or indirect, of whatever nature, and by whomever suffered, arising out of the project described herein and agrees to indemnify and save harmless the State from suits, actions, damages and costs of every name and description resulting from said project. In addition, Federal Law, 18 U.S.C., Section 1001 provides for a fine of not more than \$10,000 or imprisonment for not more than 5 years, or both where an applicant knowingly and willingly falsifies, conceals, or covers up a material fact; or knowingly makes or uses a false, fictitious or fraudulent statement.</p>			
<p>Signature of Applicant</p> <p>Signature of Owner</p> <p>Signature of Agent</p>	<p>Printed Name <u>John M. Quicke</u></p> <p>Printed Name <u>Kristin Hawley</u></p>	<p>Title <u>Vice President</u></p> <p>Title <u>Project Mgr - Environmental</u></p>	<p>Date <u>11/5/08</u></p> <p>Date</p> <p>Date <u>11/3/08</u></p>

For Agency Use Only DEC Application Number:	USACE Number:
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PERMISSION TO INSPECT PROPERTY

The applicant (or the agent of the applicant), by submitting an application for a permit to the Department of Environmental Conservation ("DEC") and by signing this permission form, consents to inspection by DEC staff of the project site or facility for which a permit is sought and, to the extent necessary, the property owned by the applicant adjacent to the project site or facility. This consent allows DEC staff to enter upon and pass through such property in order to inspect the project site or facility, without prior notice, between the hours of 7:00 a.m. and 7:00 p.m. Monday through Friday. If DEC staff should wish to conduct an inspection at any other times, DEC staff will so notify the applicant and will obtain a separate consent for such an inspection.

Inspections may take place as part of the application review prior to a decision to grant or deny the permit(s) sought. By signing this consent form, the applicant agrees that this consent remains in effect as long as the application is pending, and is effective regardless of whether the landowner or agent are present at the time of the inspection. In the event that the project site or facility is posted with any form of "posted" or "keep out" notices, or fenced in with an unlocked gate, this permission authorizes DEC staff to disregard such notices or unlocked gates at the time of inspection.

The applicant further agrees that during an inspection in connection with this application, among other things, DEC staff may take measurements, may analyze physical characteristics of the site including, but not limited to, soils and vegetation (and may take samples for analysis), and may make drawings and take photographs.

Failure to grant consent for an inspection can be grounds for, and may result in, denial of the permit(s) sought by the application.

Kristin Hawley Kristin Hawley 11/3/08
Signature of Applicant Printed Name Date
or Agent

**United States Army Corps of
Engineers – Buffalo District
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Joint Application for
Noble Ball Hill Windpark, LLC**

November 2008

Prepared for:

NOBLE BALL HILL WINDPARK, LLC
PO Box 72
7294 Centerville Road
Bliss, New York 14024

Prepared by:

ECOLOGY AND ENVIRONMENT, INC.
368 Pleasant View Drive
Lancaster, New York 14086

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List of Abbreviations and Acronyms

AA	adjacent area
ATV	all-terrain vehicle
BMP	best management practice
BTS	bulk transmission system
CPCN	Certificate of Public Convenience and Necessity
DEIS	Draft Environmental Impact Statement
DOE	(United States) Department of Energy
ECL	Environmental Conservation Law
EIS	Environmental Impact Statement
FAA	Federal Aviation Administration
FEMA	Federal Emergency Management Agency
GE	General Electric
ISMP	Invasive Species Management Plan
kV	kilovolt
kWh	kilowatt hour
m/s	meters per second
MSDS	material safety data sheet
MTS	Modular Tower System
MW	megawatt
NEC	National Electric Code
NFPA	National Fire Protection Agency
Noble	Noble Ball Hill Windpark, LLC

List of Abbreviations and Acronyms (cont.)

NREL	National Renewable Energy Laboratory
NWI	National Wetland Inventory
NYISO	New York Independent System Operator
NYPA	New York Power Authority
NYS	New York State
NYSDAM	New York State Department of Agriculture and Markets
NYSDEC	New York State Department of Environmental Conservation
NYSERDA	New York State Energy Research and Development Authority
O&M	operations and maintenance
PEM	Palustrine Emergent
PFO	Palustrine Forested
PILOT	payments in lieu of taxes
PIP	Public Information Program
PSC	Public Service Commission
PSS	Palustrine Shrub/Scrub
ROW	right-of-way
RPS	Renewable Portfolio Standard
SECP	Sediment and Erosion Control Plan
SEQRA	New York State Environmental Quality Review Act
SPDES	State Pollutant Discharge Elimination System
SWPPP	Storm Water Pollution Prevention Plan
USACE	United States Army Corps of Engineers
USFWS	United States Fish and Wildlife Service
USGS	United States Geological Survey
WECS	wind energy conversion system