Section 1

Summary

1.0 SUMMARY

1.1 INTRODUCTION

This Final Environmental Impact Statement ("FEIS") has been prepared by the Town of Wethersfield (the "Town"), Wyoming County, New York, in accordance with the requirements of the New York State Environmental Quality Review Act ("SEQRA") and its implementing regulations, 6 N.Y.C.R.R. 617, for the Noble Wethersfield Windpark Project.

1.2 PROJECT DESCRIPTION

Noble has proposed the construction of a wind energy generating project in the Towns of Wethersfield and Eagle. The project will require the construction and use of access roads connecting the wind turbine to a town or county highway allowing equipment and vehicle access for construction and subsequent maintenance of the facilities, and the construction and use of an electrical collection system allowing delivery of electricity to a new substation. Where practicable, the electrical collection system will be installed along the same right of way (ROW) corridor as the access roads.

The wind turbines that will be installed at the Windpark will be General Electric 1.5 MW, SLE, 80 Meter, MTS, T-Flange wind turbine generators.[1] The turbine is a -bladed, upwind, horizontal-axis wind turbine with a rotor diameter of approximately 253 feet. The nacelle is located at the top of the tower and contains the electrical generating equipment. The turbine rotor and the nacelle are mounted on top of a tubular tower giving a rotor hub height of 262 feet. The maximum height for the turbine is 388 feet 9 inches when a rotor blade is at the top of its rotation. Once installed, the wind turbine will occupy a round, slightly exposed base approximately 18 feet in diameter.

The details of the project can be found in the DEIS prepared for the project, which is incorporated by reference into this FEIS.

1.3 SEQRA AND APPLICATION REVIEW PROCESS

This FEIS is a step in the Town's review of the proposed generating facilities in accordance with the SEQRA and the Local Laws of the Town. Previously the Town issued Positive Declarations for the Noble Project and required the preparation of a Draft Environmental Impact Statement ("DEIS"). Filing of the DEIS for the project commenced a 73-day comment period that ran until June 9, 2007.

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[1] 1.5MW refers to the maximum production capacity of the turbine, which is 1.5 megawatts. SLE is used to designate that the diameter size of the turbine rotor is 253 feet. The height of the tower is 263 feet or 80 meters. MTS designates the type of tower configuration, and T-Flange designates the type of flange used to connect the tower directly to the foundation.

Notice of the comment period was published in the Town's official paper, mailed to the Involved Agencies, and published in the *Environmental Notice Bulletin*. All of the referenced legal notices are contained in Appendices.

The Town received comments on the DEIS during the public comment period. Copies of all written comments are located in the FEIS, and a comment log that categorizes the comment by commenter, subject area and other categories is also provided.

1.4 CHANGES IN PROJECT SINCE DEIS

In response to comments by the public and various agencies, there have been a number of minor changes in the location of turbines, roads and collection lines for the of the project since the DEIS was published. Prior to incorporating changes to turbine location into the final design Noble verified that noise and setback requirements of the respective Wind Energy Facilities Laws were met. Additional wetland delineation surveys were conducted to quantify any change in impact to wetlands and streams. A revised Wetland and Stream Impact Table is included in Appendix C, Exhibit A and are also summarized below. The changes for the project are summarized in Table 1.

Table 1- Wethersfield Windpark Summary of Changes from the DEIS

Facility	Modifications Proposed
Roadway 3	The portion of the access road leading from T13 to T12 shifted south to minimize impact to the agricultural field.
Roadway 3	Entrance shifted south to follow existing access road.
Roadway 4	Access road split into two separate access roads (Roadway 4 & Roadway 29) in order minimize impacts to the agricultural field.
Roadway 11	The portion of the access road leading to T51 shifted west to minimize impacts to agriculture.
Roadway 16	Access road shifted slightly north to minimize indirect construction impacts to the neighboring property.
Roadway 17	Access road entrance shifted south to follow southern field edge.
Roadway 23	Access road leading to T80 redesigned at landowner request.

Turbine 57 and staging area	Turbine location and staging area shifted southeast at landowner request.
Staging Area of Turbine 17	Staging area shifted west in response to the redesign of Roadway 4.
Staging Area of Turbine 71	Staging area shifted east to avoid underground telephone line.
Collection between Roadway 6 & T34	Underground collection rerouted to minimize wetland impact at the request of the NYSDEC.
Collection between T82 & T86	Overhead collection across wetland 558 and stream 558 relocated underground to reduce visual impact at the request of the NYSDPS.

The proposed changes resulted in a slight increase in the acreage of wetlands impacted by the project. The total wetland impacts are:

Total impacts during construction: 1.115 acres
Total area to be restored: 1.004 acres
Total permanent impacts: 0.111 acres

The numbers above represent total wetlands including those believed to be isolated, however wetland boundaries delineated for the project have yet to be verified by the respective agencies. Total impacts to those wetlands believed to be jurisdictional are:

Total impacts to jurisdictional wetlands during construction: 0.795 acres
Total area to be restored: 0.730 acres
Total permanent impacts to jurisdictional wetlands: 0.065 acres

The impacts to streams have not changed from the DEIS.

1.5 ADDITIONAL MITIGATION MEASURES

As a result of the comments to the DEIS, including the input from involved agencies, and additional work by Noble and the Town's outside experts, the following additional mitigation measures will be completed:

- A post-construction mortality monitoring study protocol has been developed. The post-construction study will include bird/bat mortality monitoring during spring and fall migration periods for up to 3 years following construction. The studies will identify any specific turbines and weather conditions that result in increased collisions and potential mitigation measures for implementation if substantial mortality occurs. The post-

construction mortality results will be compared to the number of estimated collisions presented in the DEIS and to pre-construction radar study passage rates. The current proposed study protocol is presented in Appendix C: Exhibit I of the FEIS.

- To minimize construction related impacts to any state-referenced bird species, an Environmental Monitor will survey work areas that are considered suitable for nesting. If nesting threatened or endangered species are found in the immediate proximity of a construction area, construction in that area will be delayed until the young have fledged from the nest, and monitoring will continue during the initial construction period to ensure that the birds are not impacted.

- Active measures including reseeding or replanting of native species will be used to restore wetlands temporarily impacted by construction activities. Specific revegetation measures including invasive species controls will be required in the wetland permits that will be issued by the NYSDEC and USACE for this project. A draft Invasive Species Control Plan is included in Appendix C: Exhibit I of the FEIS.

- Wetland mitigation site will be constructed concurrently with the project construction. A Conceptual Mitigation Plan is included in Appendix C: Exhibit I of the FEIS.

- Noble will pay for an Environmental Monitor to ensure that all permit obligations are being met. The Environmental Monitor will monitor and document all construction activities in accordance with the approved compliance program and applicable permitting guidelines. A draft Environmental Monitoring Plan is provided in Appendix C: Exhibit I.

1. 6 FEIS CONTENTS

In addition to this Introduction, this FEIS consists of the responses to the substantive written and oral comments (Section 2 Responsiveness Summary), additional correspondence, notices, corrections to the DEIS, DEIS written comments, and updated reports (Appendices), and the original DEIS, which is incorporated by reference.