



# Public Involvement Program (PIP) Plan for Heritage Wind Farm

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September 23, 2016

Case Number      - F-     

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# 1. Introduction

Heritage Wind LLC (“the Applicant”), a subsidiary of Apex Clean Energy, Inc., is proposing to submit an Application to construct a major electric generating facility under Article 10 of the Public Service Law (PSL). Pursuant to the rules of the New York State Board on Electric Generating Siting and the Environment (“Siting Board”), applicants proposing to submit an Application to construct a major electric generating facility under Article 10 must submit a Public Involvement Program (PIP) plan. Under 16 NYCRR § 1000.4, the PIP must be submitted to the Department of Public Service (DPS) for review at least 150 days prior to filing a Preliminary Scoping Statement (PSS). This document is intended to be the PIP for the Heritage Wind project (the “Project”). The Project is intended to be an approximately 200.1 megawatt (MW) wind-powered electric generating facility proposed by the Applicant to be located in the Town of Barre, Orleans County, New York. The proposed interconnection point for the Project is within the Town of Barre along the existing National Grid Shelby-Sweeden 115kv power line.

As required under 16 NYCRR § 1000.4, the Applicant’s PIP plan includes the following components:

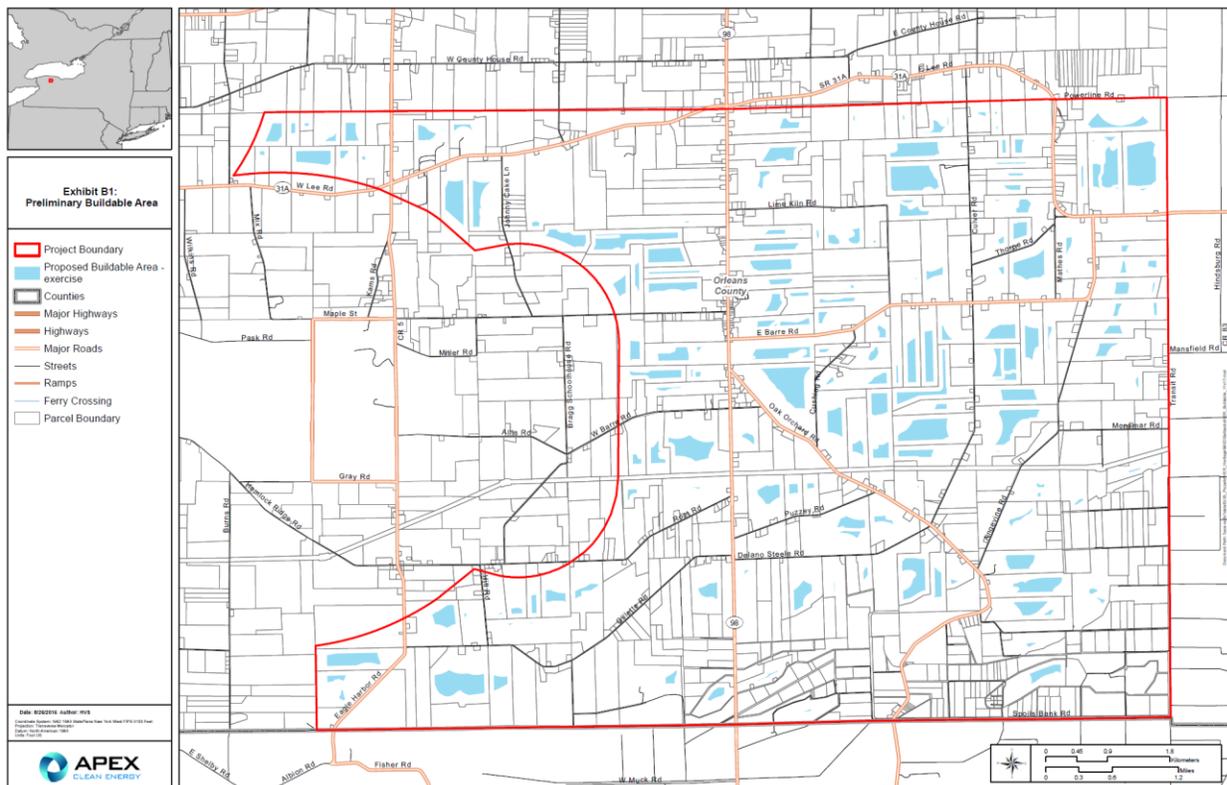
- (1) consultation with the affected agencies and other stakeholders;
- (2) pre-application activities to encourage stakeholders to participate at the earliest opportunity;
- (3) activities designed to educate the public as to the specific proposal and the Article 10 review process, including the availability of funding for municipal and local parties;
- (4) the establishment of a website to disseminate information to the public;
- (5) notifications to affected agencies and stakeholders; and
- (6) activities designed to encourage participation by stakeholders in the certification and compliance process.

# 2. Project Summary

Heritage Wind (the “Project”) is an approximately 200.1 MW proposed wind energy project located in the Town of Barre, Orleans County, New York. The Project is owned and is being developed by Apex Clean Energy Holdings, LLC (“Apex”). The approximate size of the Study Area is 21,000 acres.

It is expected that the Project will evolve during the development and study phases, and consequently an updated project boundary will be included in the subsequent Preliminary Scoping Statement (PSS) and the Application. The Project’s boundary and defined buildable area will develop and change based on site evaluation and assessment and parcel leasing.

Based on the preliminary data gathered, including setbacks and rules for wind development in the Barre town code, the map below shows the Project’s current modeling of potential areas where wind turbines could be constructed. The current model of potential buildable area will be refined throughout the course of project development. This map does not take into account landowner participation, environmental factors such as wildlife and wetlands, or additional setback considerations. Further, please note that this map is not intended to suggest that wind turbines would be placed on every location identified as potentially buildable. A larger version of this map is provided in Exhibit B1.



# 3. Identification of Specific Stakeholders

## a. Preliminary Stakeholder List

This section details a list of known parties that would reasonably be interested in the Project. Acquired contact information for each party is listed in Exhibit A: Stakeholder Register attached to this document. This list will be regularly updated based on public outreach and stakeholder feedback.

### i. Host Municipalities

The host municipality for the Project is the Town of Barre in Orleans County. Barre is governed by a Town Board and Orleans County is governed by a County Legislature.

### ii. Adjacent Municipalities

Although not included in the project boundary, adjacent municipalities were identified by using a five-mile buffer of the Study Area. See Exhibit B2a and Exhibit B2b for maps illustrating the footprint of the five-mile buffer applied to the Project boundary. Those municipalities are:

- Town of Alabama
- Town of Albion
- Village of Albion
- Town of Byron
- Town of Clarendon
- Town of Elba
- Village of Elba
- Town of Gaines
- Village of Holley
- Town of Shelby
- Town of Murray
- Town of Oakfield
- Village of Oakfield
- Town of Ridgeway
- Genesee County

### iii. Host Landowners

Host landowners are the landowners who have chosen to participate in the Project by means of a lease agreement, setback waiver, or other easements for the Project.

### iv. Adjacent Landowners

Adjacent landowners are parties owning parcels of land that abut, or fall within 500 feet of, parcels housing the permanent improvements associated with the Project. These landowners will be identified by use of GIS and parcel data available from Orleans County.

#### v. Other Affected Individuals, Groups, and Organizations

The Project will perform outreach to public interest groups in the Project's vicinity, including community groups, religious groups, business groups, and other such organizations, as they are identified or make themselves known. So far the project has identified the following groups as potentially interested in receiving information about the project:

- Albion Central School District
- Albion Rod & Gun Club
- Albion Rotary Club
- Barre Center Presbyterian Church
- Barre Fire Department
- Barre Planning Board
- Barre Zoning Board
- Cornell Cooperative Extension-Orleans County
- Genesee County Airport
- Genesee Valley Audubon Society
- Local Historians
- Medina Central School District
- Mercy Flight of Western New York
- National Grid
- Orleans County Chamber of Commerce
- Orleans County Emergency Management Office
- Orleans County Highway Department
- Orleans County Planning and Development Department
- Orleans County Sheriff
- Orleans County Soil and Water Conservation District
- Orleans Economic Development Agency
- Orleans Farm Bureau
- Rochester Birding Association
- Sierra Club Niagra Group-Western NY
- The Cobbelstone Museum
- The Nature Conservancy
- The New York Audubon Society
- The Pine Hill Airport
- West Barre United Methodist Church
- Western Erie Canal Alliance (Western Erie Canal Heritage Corridor)
- Western New York Skydiving

The Project has begun reaching out to these organizations and will continue to engage organizational leaders and representatives to ensure that community members are able to access information about the project through existing institutions.

#### vi. New York State Agency Stakeholders

- Empire State Development Corporation

- New York Department of Public Service
- New York Independent Systems Operator
- New York State Assembly (Assemblyman Stephen Hawley, 139th District)
- New York State Attorney General
- New York State Department of Agriculture and Markets (“Ag and Markets”)
- New York State Department of Environmental Conservation (NYSDEC)(on environmental issues, as well as in the Department’s capacity as manager of the Oak Orchard and Tonawanda Wildlife Management Areas)
- New York State Department of Health (NYSDOH)
- New York State Department of State (NYSDOS)
- New York State Department of Transportation (NYSDOT)
- New York State Division of Homeland Security and Emergency Services
- New York State Energy Research and Development (NYSERDA)
- New York State Office of Parks, Recreation, and Historic Preservation (OPRHP)
- New York State Senate (State Senator Robert Ort, 62nd District)

#### vii. **Federal Stakeholders**

- Friends of the Iroquois National Wildlife Refuge
- National Telecommunications and Information Administration
- The Tonawanda Seneca Nation
- United States Army Corp of Engineers
- United States Department of Defense Siting Clearinghouse
- United States Department of Fish and Wildlife
- United States Federal Aviation Administration
- United States Federal Energy Regulatory Commission
- United States House of Representatives (Representative Christopher Collins, 27th District)
- United States Senate (Senator Charles Schumer and Senator Kirsten Gillibrand)

#### viii. **Environmental Justice Communities**

Review of Environmental Justice community information available via New York State DEC confirm that there are no environmental justice communities in Orleans County, where the Study Area is located.

#### ix. **Early Outreach Activities**

Representatives of the Project contacted the following stakeholders via letter in April 2016:

- The Albion Town Board
- The Barre Fire Department
- The Barre Town Board
- The Barre Town Planning Board
- New York State Assemblyman Stephen Hawley
- New York State Senator Robert Ort
- The Orleans County Legislature

- The Orleans County Sherriff's Office
- The Pine Hill Airport
- West Barre United Methodist Church

Shortly thereafter, the Project sent letters via direct mail to each address within the proposed Study Area according to information available through county tax records. All of these stakeholders, including the general public, were invited to attend informational meetings at the Barre Town Hall and the Albion Hoag Library. Seven informational meetings were held between May 12, 2016, and July 6, 2016, and were advertised on the Project website and via correspondence as public information sessions. Community members and stakeholders have attended these meetings to learn about the Project's activities, plans, and potential impacts.

Project staff have engaged elected officials in public settings by attending Barre Town Board and Orleans County Legislature meetings and offering to meet with elected officials via letter and personal introduction in order to share information about the Project.

Project staff have also made every effort to engage individual community members directly through one-on-one interactions, mailings, and attendance at community events such as the 2016 Orleans County Fair and Metro 10 race.

These activities have led to continually evolving understanding of the civic and social organizations active in the proposed Study Area. The Project plans to continue this outreach campaign by seeking, identifying, and contacting interested stakeholders.

#### x. Methodology for Identifying Stakeholders

Stakeholders have been identified through discussions with the Barre Town Board members, community engagement by Project staff, assessment of local political organizations, and utilization of geographic information systems to determine the regions, districts, and territories covered by agencies, as well as town, county, and state representatives who are expected to take part or have interest in the Article 10 proceedings for the Project. A five-mile buffer of the Study Area was created to identify potential stakeholders by proximity. Throughout the permitting process, the Project will continue to build the project stakeholder list as community networks connect additional parties to the Project.

Please see Exhibit A: Stakeholder Register for our complete list of community and agency stakeholders.

## b. Required Airport/Heliport Outreach

The Project will consult with the owners and operators of area public and private airports and heliports regarding the Project. The project met with owners of the Pine Hill Airport in May 2016 to discuss the project and open channels of communication.

In addition to consulting with the Federal Aviation Administration (FAA) regarding potential impacts to airports and air resources generally, Project staff will provide these facilities with information about, and the location of, the proposed project prior to the submission of the Preliminary Scoping Statement, in accordance with 16 NYCRR §1000.4(f).

## 4. Language Access

### a. Languages Spoken Other Than English

The Project's preliminary Study Area is within five miles of fourteen five-digit ZIP code postal zones (14013, 14058, 14098, 14103, 14125, 14411, 14416, 14422, 14429, 14442, 14452, 14470, 14470, 14477, and 14571). This buffer is illustrated in Exhibit B2b: Five Mile Buffer – Zip Codes. According to U.S. Census data, languages other than English are not spoken by more than 5,000 people in any of these ZIP code postal zones. See Exhibit C: U.S. Census Languages Spoken at Home for detailed census data.

### b. Translation and Communication

Due to the fact that English is spoken in the vast majority of households, all Project communication will be conducted in English. If an individual community member requires assistance understanding Project documents or information, efforts will be made to ensure translation is provided as needed.

# 5. Proposed Implementation Plan

## a. Plan for Consultations

### i. Methods of Outreach

The Project development team will attend regular meetings of host municipalities, as identified in Exhibit A: Stakeholder Register, to keep local leaders informed and updated on development of the Project.

These meetings will offer local stakeholders the opportunity to ask specific questions and advise the Project on emerging issues in the community. It will also give local leaders the chance to share feedback with the Project as it is developed. These meetings will be scheduled over the phone, in person, or via email.

Project staff will also be available to answer questions from stakeholders throughout the development process via the contact information detailed in section 5(b)(iii) Outreach Contacts.

### ii. Schedule of Consultations (dates, times, locations)

The schedule of consultations will be set based on the availability and interest of local stakeholders. Whenever possible, these consultations will take place at a location that is convenient to the stakeholder. Consultations will be scheduled in conjunction with the following Project milestones:

Goal	Proposed Schedule
Introduce the project to stakeholders.	April 2016 to present
Inform all initially identified stakeholders via mail about the Project and where to find information regarding it.	Concurrent with submittal of final Public Involvement Program
Provide information about the project, the development process, and how siting is done.	Prior to submittal of Preliminary Scoping Statement
Provide information to update stakeholders on project plans, review of the Article 10 permitting process, and available avenues for stakeholders to answer questions.	Approximately one month prior to submittal of Application
Provide information to update stakeholders on the project plans, review the Article 10 permitting process, and available avenues for stakeholders to answer questions.	Approximately one month after submittal of Application

### iii. Outreach Contacts

Outreach to Project stakeholders will be conducted by Project Developer Ben Yazman and other the Project team members. The phone number listed below will be answered during business hours when possible and will accept messages after business hours.

Contact information:

Ben Yazman  
[info@heritagewindpower.com](mailto:info@heritagewindpower.com)  
(585) 563-5137  
310 4th Street NE, Suite 200  
Charlottesville, VA 22902

Additionally, the Project will establish a local office with posted office hours. The Project is currently assessing potential office locations in and around the Study Area. Once established, the office address and public hours will be posted to the Project website and announced via notice to Project repositories.

### iv. Desired Goal of Consultations with Identified Stakeholders

To update stakeholders with information about the project as it develops, to seek their input through the application process, to identify local stakeholders and interests, and to ensure availability of information to interested parties.

### v. Measuring Success

The goal of each consultation will be to make sure stakeholders are informed about the Project, to answer any questions they may have, and to gather information that may improve the Project. Consultation will be deemed successful if the information described in section 5(a)(ii) Schedule of Consultations is provided to stakeholders, information is gathered to help advance the Public Involvement Plan (“PIP”) process and preparation of the Application, stakeholder consultation enables the Project sponsors to identify local interests and issues of concern, and follow-up meetings or consultations are scheduled.

## b. Project Office

The Project intends to open an office as close to the center of the Barre community as practical. Due to the fact that Barre’s community is spread across farmland, the only available commercial real estate will likely be in towns or villages neighboring the Study Area, such as Albion or Medina. The Project will communicate the opening of the Project office via the Project website and direct mailing to the Barre Town Board and the Orleans County Legislature.

# 6. Tracking Public Involvement Program Activities

Heritage Wind will work with an online database tool to collect, monitor, and respond to public feedback. This database platform is integrated into the Heritage Wind website, making it possible to leverage social media, text messaging, and email to increase public involvement. Because not all stakeholders will be online, they will also be provided with opportunities to comment via mail, in-person meetings, and phone. In those cases, the written data will be entered into our online system manually by Heritage Wind staff.

## a. Plan for Maintaining and Sharing Monthly Feedback Tracking Report

On a monthly basis, the Project will provide two kinds of updated tracking reports for posting in the Project case file and on our Project website and will submit it to the docket site.

The first report will list meetings and events that have taken place since the last tracking report was submitted, as well as an updated list of upcoming or planned meetings and events. An example of this report can be found in Exhibit D: Heritage Wind Outreach Log.

The second report will share all of the feedback we have received from stakeholders and the public since the previous tracking report was submitted. Public feedback will receive a response within five business days, or, if a full response is not possible at that time, they will receive a message to let them know when they can expect a full response.

These reports will be submitted on a monthly basis for posting in the Project case file and will be posted on the Project website.

## b. Website

### Description

The Project website is [www.heritagewindpower.com](http://www.heritagewindpower.com). The website is currently active and is used to communicate relevant information about the project's development. The website will be updated on a regular basis.

Information that is (or will be) on the website includes:

- Project description
- Project benefits and need
- Summary of permitting requirements
- Links to the Siting Board Article 10 Public Information Coordinator, the Siting Board home page, how to become a party or join the service list, and case-specific documents

- Information on the Article 10 process
- Summary of the Intervenor Funding process and how to apply
- Project layout figures and photo simulations/renderings (when available)
- Project contact information, including email address and toll free telephone number
- Copies of Article 10 and related licensing documents
- A schedule that lists dates/times/locations for outreach events and key milestone dates, such as when the application will be filed
- Addresses of local document repositories

# 7. Public Consultations, Outreach, and Activities to Encourage Participation

## a. Outreach Activities

The following outreach activities, or similar activities, may be implemented prior to submittal of application:

### i. Local Office/Office Hours

- Regularly scheduled office hours, during which a Heritage Wind staff member is present to respond to questions about the Project, accept feedback, and share information with the public. Office hours will be posted once the project office is established.
- Project-related informational materials will be available at the office during staffed hours.
- Feedback forms and a computer terminal will be made available during office hours to help those without access to a computer explore the Project website.

### ii. Dissemination of Preliminary Scoping Statement

- The PSS will be provided to state and municipal agencies, state and local officials, and local libraries.
- The PSS will be posted on the Project's website.
- A notice containing a summary of the PSS submission will be posted in newspapers, such as the *Batavia Daily News*, the *Orleans Hub*, and the *Lake Country Pennysaver*.
- Paper copies of the statement will be available with feedback cards at local office.

### iii. Intervenor Fee

- Information about the intervenor process is available at [www.heritagewindpower.com](http://www.heritagewindpower.com).

All projects must pay \$350 per MW of generating capacity into the fund, up to \$200,000, during the Pre-Application Stage. Funds will be awarded to municipalities and local parties on an equitable basis, when it is determined that the funds will be used to contribute to a complete record leading to an informed decision as to the appropriateness of the site and the facility, and will facilitate broad participation in the proceeding. Half of the Intervenor Funds must be available for municipal parties and half to local parties to hire expert witnesses, consultants, or lawyers.

### iv. Additional Public Events

4. Office open house: A kickoff event to invite people to the Heritage Wind office space in town and introduce local contacts.
5. Information sessions to educate the community on wind energy and the Project. Topics may include:
  - i. Introduction to [www.heritagewindpower.com](http://www.heritagewindpower.com) and instructions on how to give online feedback.
  - ii. Turbine Technology: This session would include the basics of how a wind turbine works, a synopsis of changes over the past 15 years, a list of some projects and turbine types, and then a review of the specifications of selected current models.
  - iii. The Grid: How the grid works and how power is purchased.
  - iv. Wind/Meteorology: How we measure the wind, why some locations are better than others, and how this information contributes to siting.
  - v. Studies, Impacts, and Mitigation: This session would explain the studies that we will be performing, what they will show us, and how we will make modifications to accommodate the results.
  - vi. Siting: An interactive session that informs the public on what considerations go into siting wind turbines.
  - vii. Construction and Operations: A presentation about what the community will see during construction and after construction is complete. This session will feature pictures and visual aids to help the public understand what to expect from construction and operations.
6. Sponsorship or attendance at local public events, identified during the outreach and permitting process.

## **b. Activities to Promote Participation in Certification**

### **i. Goals**

- Ensure that interested stakeholders and members of the public are aware of certification process and how they can participate.
- Ensure that interested stakeholders and members of the public are informed of all relevant dates and deadlines for participation in the certification process.
- Engage in stakeholder consultations in order to listen to and collect stakeholder input as discussed more fully in Section 5.

### **ii. Methodology for Disseminating This Information**

Information about the certification process, participation opportunities, and dates and deadlines for participation will be disseminated according to the Dissemination Plan for Event Information described below.

iii. **Measuring Success**

This effort will be deemed successful if all interested parties have access to information about the certification process, opportunities to participate and provide feedback on the Project, and dates and deadlines for participation.

iv. **Schedule**

Notifications of opportunities to participate in the certification process will be posted as required by statute.

**c. Activities to Promote Participation in Compliance**

i. **Goals**

- Ensure that interested stakeholders and members of the public are aware of compliance process and how they can participate.
- Listen to and collect stakeholder input on the project.
- Ensure that interested stakeholders and members of the public are informed of all relevant dates and deadlines for participation in the compliance process.

ii. **Methodology for Disseminating This Information**

Information about the compliance process, participation opportunities, and dates and deadlines for participation will be disseminated according to the Dissemination Plan for Event Information described below.

iii. **Measuring Success**

This effort will be successful if all interested parties have access to information about the compliance process and Heritage Wind’s complaint resolution and emergency response plans for the construction and operation stages, as well as opportunities to participate and provide feedback on the Project following Certification and throughout operation.

Notifications of opportunities to participate in the compliance process will be posted as required by statute.

**d. Dissemination Plan for Event Information**

The Project will seek to post all public events and meetings on [www.heritagewindpower.com](http://www.heritagewindpower.com) whenever possible. The Project will also strive to have Project events included in the event calendars of the local newspapers listed below. In many cases, the Project also advertise upcoming meetings in these newspapers. The Project will follow the Town of Barre in the use of the *Batavia Daily News* as the newspaper of record for project announcements.

Additionally, such announcements will be provided to the town and county should they choose to include them on their event calendars.

<i>Batavia Daily News</i>	<a href="http://www.thedailynewsonline.com/">http://www.thedailynewsonline.com/</a>
<i>Orleans Hub</i>	<a href="http://www.orleanshub.com/">http://www.orleanshub.com/</a>
<i>Lake Country Pennysaver</i>	<a href="http://www.lakecountrypennysaver.com">http://www.lakecountrypennysaver.com</a>

## **e. Educational Materials to Educate the Public About the Project**

Public information about the project will be provided in many formats. These will include:

- One-page informational sheets about common wind energy topics, wind energy in New York, and the Heritage Wind project. Please see Exhibit E: Project Information Sheets for samples.
- Regularly updated website, featuring news and blogs ([www.heritagewindpower.com](http://www.heritagewindpower.com)).
- Short videos about Apex Clean Energy and our work with landowners (also available online at [www.heritagewindpower.com](http://www.heritagewindpower.com)).
- Large-format informational boards to be displayed at community events and Project open houses.

## **f. Educational Materials for Article 10, the Public Involvement Plan, and Intervenor Funding**

The Project will also provide materials describing the Article 10 process, the Public Involvement Plan, and the Intervenor Funding Process. These materials will include:

- Informational sheets describing each of the items above and specifying how the public can get involved with these processes. Please see Exhibit F: Article 10 Educational Materials for a sample.
- A dedicated page on the Project website ([www.heritagewindpower.com/article\\_10](http://www.heritagewindpower.com/article_10)) describing each of the items above and specifying how the public can get involved with these processes.
- Descriptions of each of the items above, including how the public can get involved with these processes, presented at public meetings.

## **g. Notifications**

Notifications will be provided for upcoming public meetings and forthcoming opportunities to comment or present feedback. Notices will be issued:

- According to regulations and guidelines of the Article 10 process
- Via email to all individuals who have provided an email address to us for this purpose\*
- In local newspapers whenever practical
- On our website (in the blog or events section or on the home page)

- Occasionally via direct mail to those who have given us their mailing addresses for this purpose\*

\*The project website gives visitors the option to select text, email, and/or mail notifications.

#### i. Content of Notices

Notices will vary, depending on their purpose and medium. However, the following items will be included in every notice issued:

- Purpose of event or deadline
- Relevant date or deadline
- Location (if applicable)
- Time (if applicable)
- Phone number for more information
- Brief description (if possible to include)
- Website where additional information will be available (if possible to include)

#### ii. Who Will Receive Notices

Notices will be sent to anyone who chooses to participate in the Project’s email program by providing their email address to us via the project website. Public notices will also be available in local newspapers and on the website whenever practical.

#### iii. Publications and Media Outlets for Notifications

<i>Batavia Daily News</i>	<a href="http://www.thedailynewsonline.com/">http://www.thedailynewsonline.com/</a>
<i>Orleans Hub</i>	<a href="http://www.orleanshub.com/">http://www.orleanshub.com/</a>
<i>Lake Country Pennysaver</i>	<a href="http://www.lakecountypennysaver.com">http://www.lakecountypennysaver.com</a>

#### iv. Languages of Notifications

Notifications will be posted in English, because there are few non-English speakers in the Study Area.

#### v. Local Document Repositories

Document repositories will be established to ensure the public has access to Project documents and information. Updates will be provided to repositories as additional information is available.

Once a project office is established, it will serve as a document repository. The project is currently working to establish document repositories at the following locations:

Barre Town Hall  
14317 West Barre Road  
Albion, NY 14411

Hoag Library  
134 S. Main Street  
Albion, NY 14411

Lee-Whedon Memorial  
Library  
620 West Ave.  
Medina, NY 14103

## 8. Required Agency/Municipal Pre-Application Consultations

The Project will be reaching out to agency stakeholders via official channels as required by the study scopes, which are yet to be defined.

A detailed discussion of municipal pre-application consultations is included at Section 3(a)(ix), above.

Please see Exhibit A: Stakeholder Register for a detailed listing of stakeholders.

## 9. Conclusion

The final version of this document will be submitted in accordance with 16 NYCRR § 1000.4. Copies are expected to be filed on the NYDPS website ([www.dps.ny.gov](http://www.dps.ny.gov)) and the project website ([www.heritagewindpower.com](http://www.heritagewindpower.com)).

For current information please contact a Project team member by reaching out to us by phone at (585) 563-5137 or by email at [info@heritagewindpower.com](mailto:info@heritagewindpower.com).