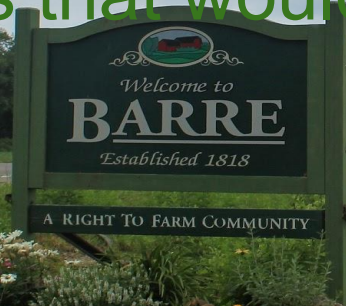


# Clear Skies Above Barre, Inc

Citizens concerned about the proposed Heritage Wind Project, working to **protect the health, safety, and welfare** of the residents of Barre, NY and surrounding communities that would be impacted by this **project**.



# About Us

Clear Skies Above Barre, Inc- is a not for profit organization

Funds- we have received \$30,000.00 Intervenor Funding only used in the Article 10 Process May 2018

Additional funding- solely through donations of concerned residents of this community and the adjacent communities.

Currently have over 100 members



Clear Skies Above Barre, Inc.

No paid members

Not contacted, nor been funded by any coal, or fossil fuel companies, etc.

Formed by residents of this community, and not by any other organization.



# Proposed Heritage Wind Project Information

“About” 33 Industrial Wind Turbines

650-680’ Tip Height

Nameplate Capacity: 147 MW

NYS ~1108 IWT’s Produced at 24.8%  
of their nameplate capacity in 2018

Capacity factor of 24.8% would  
equate to 45.8 MW

147 MW energy to power up to  
39,000 New York homes \*According  
to Heritage Wind Website



Reality 24.8% of 39,000 equals:  
9,672 homes

**Article 10:**  
**The developer does not have to state  
which turbine they will use until after  
certificate is approved.**



# About the Project continued

According to the Orleans County Clerk's Office Leases held by Heritage Wind LLC.

170 Leases covering about 8569.811 acres 25% of the Town of Barre

76 Leaseholders

52 Barre Residents

32% (24) Non Barre Residents

~55sq miles in the Town of Barre

Heritage Wind, LLC is proposing 33- 680' Industrial Wind Turbines, in an agricultural, residentially zoned area of less than 22 sq miles

Point of Reference:

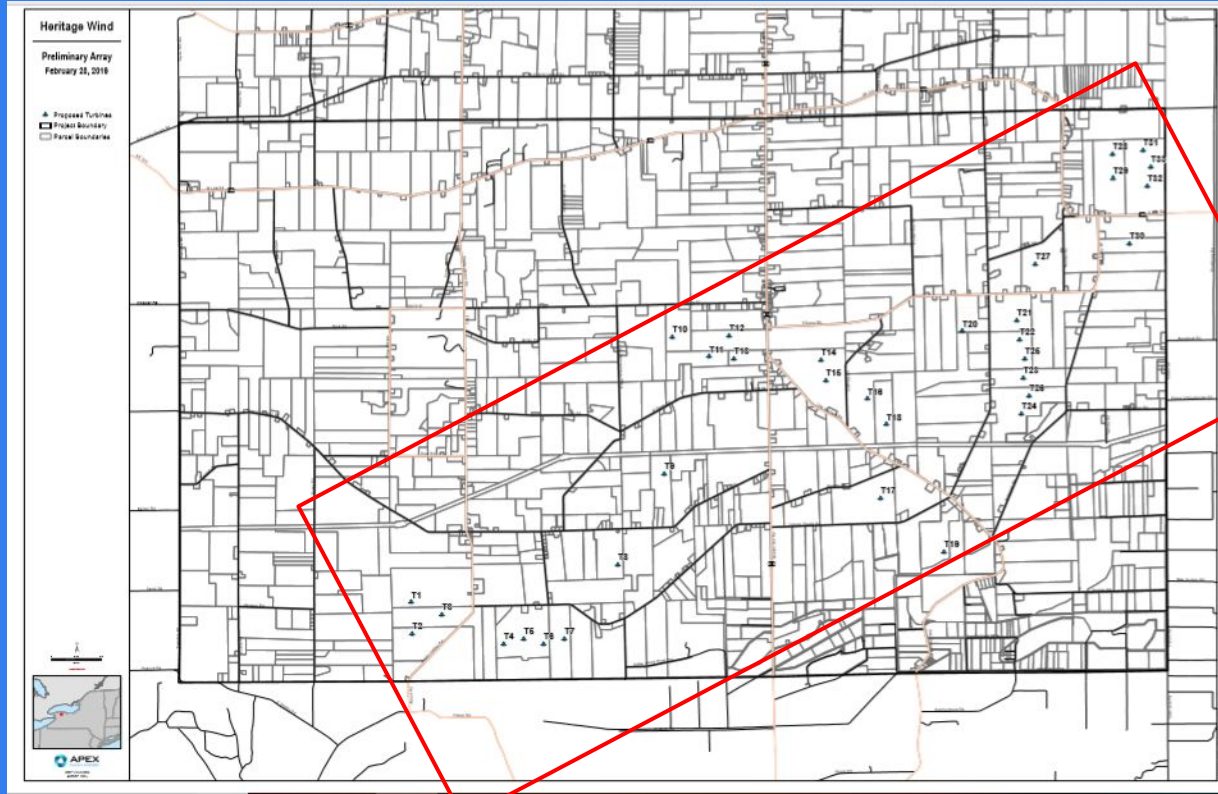
Tallest Building in Buffalo is 529'

Tallest Building in Rochester 443'

# Map of Proposed Project Article 10



Clear Skies Above Barre, Inc.



# Misinformation on Taxes

Some Leaseholders have shared:

“However, farmers pay 3/4 of taxes in this town. Farming has minimal profits. Why not support those who feed us? We Love Barre! Moved here 35 years ago for a better life. No regrets. If anyone in Barre does not want to be exposed to Wind Turbines, Ok! Just Relocate!”

“Here in the Town of Barre, 75% of property & school taxes are paid by farmers.”



Clear Skies Above Barre, Inc.

## TRUTH:

Lease Holders: total taxable value came to 12,236,294 or **11.40%** of the total taxable value of the Town.  
14.23% All Utilities Properties in Barre

**We all pay taxes**  
**Opposition to Industrial Wind does NOT correlate to not supporting agriculture**

Town Board



How much would this proposed project pay to our community annually without a PILOT/HCA?

Currently Heritage Wind LLC, is proposing \$8,000/MW at 147MW (according to their website) = \$1,176,000.00

# HCA/ PILOT



What are we sure of?

Locations of the Industrial Wind Turbines

Size of the proposed turbines

Amount of electricity that will be produced

Who will own and operate the proposed project

**None of these!**

When will we know?

When can what is said be trusted?



# Negotiation



“If you are not willing to walk away you can not negotiate.”

~Jim Salmon, Town of Barre, NY

## Lighthouse Project:

- Stronger Town Wind Ordinance and setbacks to protect the residents
- No PILOT or Host Community Agreement negotiated
- Strong Opposition at Public Hearings, Town Survey, and local elections
- Same Developer, same office, same staff
- Same County

Apex Clean Energy, Lighthouse project- No office, or Application in 2019

The project is still ALIVE

# How would you zone these properties?



- Car Dealership
- Walmart
- Wholefoods Warehouse
- Etc.

**What type of precedence does the Town of Barre, NY want to set for our agricultural residential area?**

How many acres of agricultural land would need to be developed for each of these businesses?



# Industrial Wind Turbines and Agriculture

## Industrial Wind Turbines

- Monitored by the Department of Public Service- not Agriculture and Markets
- Generate electricity from wind (which is not cultivated and therefore can not be harvested)
- Uses viable Agricultural land
- As their name implies are “Industrial”

## How much agricultural land will be developed?

- 33 wind turbines ( $\frac{1}{4}$  acre each= 8.25acres
- approx. 57 miles of associated 34.5 kilovolt (kV) collection lines (below grade),(1') 6.90 acres
- 15 miles of access roads,(12' road) 21.82 acres
- permanent meteorological tower(s), .1 acre
- one operation and maintenance (O&M) building 1.5 acres
- temporary construction staging/laydown areas. 15 acres which they will pack with gravel

From Preliminary Scoping Statement on Heritage Wind Website

53.57 est acres used

# 2019 Town of Barre Wind Ordinance

“The total tip height for each wind energy conversion unit cannot exceed 500 feet as measured from the base of the unit to the tip of the unit's longest blade.”

Current Town Board- January 2019



Clear Skies Above Barre, Inc.

Heritage Wind LLC, has offered the Town \$50,000.00 for Professional Fee Reimbursement Agreement.

What is Heritage Winds intent?

Who is holding the purse strings?

## Article 10:

- **Town of Barre Ordinances supercede the Article 10 laws.**
- **DPS does not want to override local laws.**



# Department of Public Service Comments

## Lessons Learned?

"Care must be taken by Article 10 applicants to avoid, and we as regulators must ensure against, giving in to the attitude of the pure entrepreneur, The pure entrepreneur only cares about closing the deal, its deal, today's deal, by hook or by crook, by trickery or intimidation, close a deal, cash out, move on. That's a dangerous attitude, which if taken too far will kill the Article 10 process."

Paul Agresta, general counsel at Public Service Commission

Shared at the Alliance for Clean Energy's annual fall conference at the Albany Capital Center

<https://www.politico.com/states/new-york/tipsheets/politico-new-york-energy/2017/10/13/renewables-siting-defense-008823>

# Department of Public Service Comments Cont.



Clear Skies Above Barre, Inc.

New York State Department of Public Service Commissioner John Rhodes responded when questioned about Article 10 ripping home rule from the people: “Not under this governor are we going to force people in a police state mode to do anything.”

Town of Barre Supervisor and Councilman: Say No to PFRA

Please actively stand up for our Town:

- By actively participating in ALL aspects and both sides of this discussion

- By doing your own research, and questioning what is handed to you

- By listening to the members of this community, taking every concern seriously

Please protect the residents of this community

Please do not let a large corporation with over 85 projects developed or in process, but REFUSED to share REFERENCES determine the future for our community

# NYS Putting the Cart before the Horse



The upstate grid is **87%** carbon emission free energy (Robert Moses Niagara hydro + St Lawrence hydro+ 4 nuclear reactors + solar + wind) while the downstate grid is only **28%** carbon emission free.



NYS is full of electric transmission bottlenecks that limit the flow of electricity from upstate to downstate. 80% of the state's transmission lines were built before 1980.

# NYISO already select WNY Transmission Project



“Even with the Western New York and AC Transmission projects already selected by the NYISO, congestion on the system will persist, complicating the state’s ability to meet its renewable energy goals. **The inability of the transmission system to deliver increasing amounts of renewable supply from upstate New York to downstate consumers jeopardizes achieving the state’s public policy goals.**”



**What does this mean?**



# Heritage Wind Supported by NYSERDA?



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In its most recent award of REC contracts announced in January 2019, NYSERDA noted that it was supporting 20 large-scale renewable projects representing 1,654 MW of installed capacity. **18.93% of the awarded capacity will be located upstate (in load zones A-E), where clean energy resources are already abundant and access to load centers in southeastern New York is heavily constrained.**



## Article 10:

### Who makes up the Siting Board:

- **Chair of the Department of Public Service**
- **Commissioner of Environmental Conservation**
- **Commissioner of Health**
- **Chair of the New York State Energy Research and Development Authority (NYSERDA)**
- **Commissioner of Economic Development**
- **Two ad hoc public members, both of whom shall reside within the municipality in which the facility is proposed to be located**

# So What?

“Absent investment to expand the transfer capability of the bulk power system, **investment in renewables in upstate load zones** runs the risk of bringing **diminishing returns** in terms of **progress toward both renewable energy production and carbon dioxide emissions reduction goals**. This is largely because nearly 90% of the energy produced in upstate New York already is derived from carbon-free resources. **Because load in the region is not projected to grow, the addition of new renewable resources increasingly displaces other sources of clean generation in the region.**” - 2019 Power Trends



Clear Skies Above Barre, Inc.

**WHICH MEANS:**  
**HIGHER STATE TAXES**  
**HIGHER ELECTRIC BILLS**

# Still not sure...



Ultimately, without market-based incentives for investment in renewable resources and a robust transmission system to move power to load, state policies could promote a resource mix where **new renewable resources increasingly displace the output from existing renewable or other zero-emitting resources.** Furthermore, additional renewable resources upstate will place downward pressure on wholesale energy prices, placing upward price pressure on the state's REC payments. This dynamic not only reduces the effectiveness of competitive markets as a mechanism to provide reliable service, it also jeopardizes the economic viability of resources lacking access to out-of-market revenues. Such resources may include generating capacity necessary for reliability as well as existing renewable resources whose REC contracts with NYSERDA have expired. These out-of-market contracts drive increasing amounts of revenue away from New York's efficient competitive wholesale markets, **shifting economic risks and costs from investors to ratepayers.**





# Why Barre NY according to Apex?

“Great Wind Resource”- Please look at the MET Tower Data

Ability to connect with electrical lines- Can you get it to the demand?

## “AN ECONOMIC OPPORTUNITY FOR ORLEANS COUNTY

From Heritage  
Wind LLC Website

- Heritage Wind would create jobs and generate an entirely new source of long-term revenue for schools, government, and landowners. The total direct financial impact to the region is likely to be in the millions of dollars over about 30 years, with additional indirect economic benefits greatly exceeding that number.
- Developed and constructed with private capital, the project is expected to enter a Payment in Lieu of Taxes (PILOT) agreement with the local tax jurisdictions and a Host Community Agreement (HCA) with the town. These payments to the taxing jurisdictions for a 147 MW project are projected to total over \$1.5 million per year.
- Landowners with wind facilities on their property would receive annual lease payments. These payments would continue over the projected **30-year lifespan** of the wind farm, injecting millions of dollars into the economies of **Niagara County** and Orleans County to support local merchants, contractors, equipment suppliers, auto dealers, and others.
- The power from Heritage Wind would be delivered into the New York electrical grid, which is managed by the New York ISO (NYISO).



# Is this a Property Rights Issue?

**Town of Barre Zoning Ordinance 350-29:** Purpose. The purpose of these regulations is to provide comprehensive time, place and manner restrictions on signage, including, but not limited to, controls on size, height, quantity, location, spacing, shape, lighting, motion, design and appearance for the purpose of promoting community aesthetics, traffic safety, economic development and the protection of property values.

B. Sign permit required. A sign permit is required for all outdoor advertising signs, subject to the following standards:

- (1) General advertising signs related to the permitted use of the premises are allowed, including secondary advertisement of products or services.
- (2) Brand name sponsored signs are permitted, provided that the brand name, logo, trademark (or the combination thereof) shall not exceed 25% of the square footage of the sign
- (3) Signs shall be informative, enhance the rural character of the community, and shall be consistent with the Town of Barre Comprehensive Plan. Signs that are manufactured from wood, or wood simulated products, or stone, or stone simulated products (with the appearance of natural wood or stone) are recommended.



# Additional Concerns to be addressed at a later time

- Health of our residents
  - Orleans County Legislature in a letter to Governor Cuomo:
    - “comprehensive health impact and environmental studies including consideration for the added potential for sleep disturbances from pulsating night noise dominated by low frequency and infrasound, especially under stable atmospheric conditions.”
  - Madison County Iowa- Number 2 in the Country for Industrial Wind Turbines (6,974MW)
    - “Resolved that the Madison County Board of Health determines that there is the potential for negative health affects associated with commercial wind turbines and that current setbacks are inadequate to protect the public health. The Board encourages those entities with jurisdiction within the County to require a one and one-half (1-1/2) mile setback from non-participating residences for future wind turbine projects.”
- Environmental Impact
- Property Value
- Ethics of Heritage Wind LLC, and their sole proprietor Apex Clean Energy

# Recap



Clear Skies Above Barre, Inc.

- **Industrial Wind Turbines are not an agricultural discussion**
- **Professional Fee Reimbursement Agreement is not in the best interest of the Town of Barre**
- **Town of Barre DOES have a say in the Article 10 Process and we need to use it**
- **Proposed project is not a wise investment for New York State**
- **Not a property rights issue**
- **HCA/ PILOT- what the Town should get should be determined without Heritage Winds input, what are our non-negotiables? WAIT until we know all the facts to make a deal, if a deal is the best move for ALL RESIDENTS**
- **Industrial Wind Turbines for the Town of Barre would be cost more than the Town would gain**



Clear Skies Above Barre, Inc.

# Thank you

Questions

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