

1 16-F-0559 and 17-F-0182 Siting Board 8-31-2021

2 NEW YORK STATE BOARD ON  
3 ELECTRIC GENERATION SITING AND  
4 THE ENVIRONMENT

5 CASE 16-F-0559 - Application of Bluestone Wind, LLC for a  
6 Certificate of Environmental Compatibility and Public Need  
7 Pursuant to Article 10 for Construction of the Bluestone  
8 Wind Farm Project Located in the Towns of Windsor and  
9 Sanford, Broome County.

10 CASE 17-F-0182 - Application of Mohawk Solar LLC for a  
11 Certificate of Environmental Compatibility and Public Need  
12 Pursuant to Article 10 of the Public Service Law for  
13 Construction of a Solar Electric Generating Facility in  
14 the Towns of Canajoharie and Minden, Montgomery County.

15 Siting Board Meeting

16 Date: Tuesday, August 31, 2021 @ 10:30 am

17 TAMMY MITCHELL, alternate of the Chair

18 JAMES MCCLYMONDS, alternate of Basil Seggos, Department of  
19 Environmental Conservation

20 DR. ELIZABETH LEWIS-MICHL, alternate of Dr. Howard Zucker,  
21 Department of Health

22 VINCENT RAVASCHIERE, alternate of Kevin Younis, Empire  
23 State Development Corporation

24 JOHN WILLIAMS, alternate of Richard Kauffman, New York  
25 State Energy Research and Development Authority

BARBARA MIRCH, Ad Hoc Member for Case 16-F-0559

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2 (On the record 10:30 a.m.)

3 CHAIR DESIGNEE MITCHELL: Okay. We  
4 are at time. Good morning. My name is Tammy  
5 Mitchell. I'm the director of the Office of Electric  
6 Gas and Water at the New York State Department of  
7 Public Service. I've been designated to serve as the  
8 alternate representing the chair of the New York  
9 State Board on Electric Generation Siting and the  
10 Environment or as it is also known The Siting Board.  
11 I call this meeting of the siting board to order.

12 Before moving to the agenda I would  
13 like to introduce the alternates representing the  
14 permanent members of the siting board. Dr. Elizabeth  
15 Lewis-Michl alternate for Dr. Howard A. Zucker,  
16 Department of Health. Administrative Law Judge James  
17 McClymonds alternate of Basil Seggos, Department of  
18 Environmental Conservation. Vincent Ravaschiere  
19 alternate for Kevin Younis, New York State Department  
20 of Economic Development, chief executive officer and  
21 executive deputy commissioner. John Williams,  
22 alternate of Richard Kauffman, New York State Energy  
23 Research and Development Authority.

24 I would also like to introduce for  
25 Case 16-F-0559 the ad hoc member Barbra Mirch. I

1 16-F-0559 and 17-F-0182 Siting Board 8-31-2021  
2 note that John Mauro, who is also an ad hoc member of  
3 the siting board for Case 16-F-0559 is unable to join  
4 us today and therefore is excused. Secretary  
5 Phillips, are there any changes to the agenda?

6 SECRETARY PHILLIPS: There are no  
7 changes to the agenda.

8 CHAIR DESIGNEE MITCHELL: Thank you,  
9 Secretary Phillips. We will start with Case 16-F-  
10 0559 Application of Bluestone Wind, L.L.C. for a  
11 certificate of environmental compatibility and public  
12 need pursuant to Article 10 for construction of the  
13 Bluestone Wind Farm project located in the Towns of  
14 Windsor and Sanford, Broome County. Presented by  
15 Noreena Chaudari, assistant counsel, Department of  
16 Public Service. Robert Rosenthal, general counsel  
17 and Corey Strub, utility supervisor environmental are  
18 available for questions. Ms. Chaudari, please begin.

19 MS. CHAUDARI: Good morning, Chair  
20 Designee Mitchell and members of the board. Before  
21 you today is an order granting a petition for  
22 amendment of the board's December 16th, 2019 order  
23 granting a certificate of environmental compatibility  
24 with public need -- and public need with conditions  
25 to Bluestone Wind, L.L.C. The certificate authorized

1           16-F-0559 and 17-F-0182       Siting Board       8-31-2021  
2           Bluestone Wind to construct and operate a utility  
3           scale wind power project in the Towns of Sanford and  
4           Windsor, Broome County including the installation and  
5           operation of up to 27 wind turbines together with  
6           associated collection lines, access roads, 2  
7           permanent meteorological towers and an operations and  
8           maintenance building.

9                           On July 27th, 2021 Bluestone Wind  
10           filed a petition for amendment seeking approval to  
11           move the location of one of the towers from its  
12           original location southeast of Turbine T35 to a new  
13           location between Turbine T27 and T29. Bluestone Wind  
14           explained that following the issuance of the  
15           certificate it determined that only 26 turbines and 1  
16           met tower would be constructed.

17                           Accordingly, Turbine T35 was dropped  
18           from the layout. Bluestone Wind explains that it  
19           determined there could be significant benefit from  
20           moving the met tower to the location still within the  
21           layout following the change to Turbine T35. The  
22           secretary to the siting board consulted with  
23           Department of Public Service staff, the Department of  
24           Environmental Conservation and the Department of  
25           Agriculture and Markets before issuing an August 10,

1           16-F-0559 and 17-F-0182       Siting Board       8-31-2021  
2           2021 letter concluding that the proposed modification  
3           would not result in a significant, adverse increase  
4           to environmental impacts as compared to the  
5           certificated project.

6                               Therefore, the modification did not  
7           constitute a revision that would require a hearing  
8           under the regulations. The secretary's letter  
9           included a thorough review and addressed potential  
10          impacts of the proposed change for the project  
11          related to land use, cultural resources, local laws,  
12          safety and security, terrestrial ecology, threatened  
13          and endangered species, visual impacts and wetlands  
14          and streams.

15                              As summarized in the order before you,  
16          the proposed change will not result in significant  
17          adverse increase to environmental impacts as compared  
18          to the certificated project. Accordingly, the draft  
19          order before you approves the petition for amendment.  
20          This approval does not relieve Bluestone Wind of the  
21          need to comply with the terms, conditions,  
22          limitations or modifications of the construction and  
23          operation of the facility authorized in the  
24          certificate. That concludes my presentation and we  
25          are available for any questions you may have. Thank

1 16-F-0559 and 17-F-0182 Siting Board 8-31-2021

2 you.

3 CHAIR DESIGNEE MITCHELL: Thank you,  
4 Ms. Chaudari for your summary of this item before us.  
5 I have no questions on this item. Let me turn to my  
6 fellow board members for any comments or questions.  
7 Dr. Lewis-Michl?

8 DR. LEWIS-MICHL: No questions or  
9 comments.

10 CHAIR DESIGNEE MITCHELL: Judge  
11 McClymonds?

12 A.L.J. MCCLYMONDS: No comments or  
13 questions.

14 CHAIR DESIGNEE MITCHELL: Mr.  
15 Ravaschiere?

16 MR. RAVASCHIERE: No questions or  
17 comments.

18 CHAIR DESIGNEE MITCHELL: Mr.  
19 Williams?

20 MR. WILLIAMS: No questions or  
21 comments.

22 CHAIR DESIGNEE MITCHELL: Ms. Mirch?

23 MS. MIRCH: I just have one question.  
24 I saw that there were no comments made. I was  
25 wondering how the residents that were possibly

1 16-F-0559 and 17-F-0182 Siting Board 8-31-2021  
2 impacted on this change were informed of it.

3 MS. CHAUDARI: Yes, so pursuant to the  
4 regulations that provide for amendments to  
5 certificates, there are notification requirements.  
6 So there are requirements that notice of the  
7 amendment petition be published in the local  
8 newspapers. And so that would be in accordance with,  
9 you know, the newspapers that were in the public  
10 involvement plan that are, you know, referenced in  
11 the certificate.

12 MR. ROSENTHAL: And I'll just make one  
13 more point which is that we have a public, you know,  
14 website that we refer to as D.M.M. And so the  
15 amendment -- all the documents associated with the  
16 proposed amendment would have been filed through  
17 that. Every single stakeholder or party that, you  
18 know, signed up pursuant to D.M.M. would have gotten  
19 an automatic notice through their e-mail.

20 MS. MIRCH: Okay. Thank you.

21 CHAIR DESIGNEE MITCHELL: Thank you.  
22 I will now call for a vote. This is Tammy Mitchell  
23 and my own vote is in favor of the recommendation as  
24 just described. Dr. Lewis-Michl, how do you vote?

25 DR. LEWIS-MICHL: I vote in favor.

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2 CHAIR DESIGNEE MITCHELL: Thank you.

3 Judge McClymonds?

4 A.L.J. MCCLYMONDS: In favor.

5 CHAIR DESIGNEE MITCHELL: Thank you.

6 Mr. Ravaschiere?

7 MR. RAVASCHIERE: In favor.

8 CHAIR DESIGNEE MITCHELL: Mr.

9 Williams?

10 MR. WILLIAMS: In favor.

11 CHAIR DESIGNEE MITCHELL: Ms. Mirch?

12 MS. MIRCH: In favor.

13 CHAIR DESIGNEE MITCHELL: Thank you.

14 The order is confirmed and the recommendation is  
15 adopted. The next item is Case 17-F-0182 Application  
16 of Mohawk Solar, L.L.C. for a certificate of  
17 environmental compatibility and public need pursuant  
18 to Article 10 of the Public Service Law for  
19 construction of a solar electric generation facility  
20 in the Towns of Canajoharie and Minden, Montgomery  
21 County, again presented by Noreena Chaudari,  
22 assistant counsel, Department of Public Service.  
23 Robert Rosenthal, general counsel and Corey Strub,  
24 utility supervisor environmental are available for  
25 questions. Ms. Chaudari, please begin.



1 16-F-0559 and 17-F-0182 Siting Board 8-31-2021

2 MS. CHAUDARI: Thank you, again, Chair  
3 Designee Mitchell. Before you is an order granting a  
4 petition for amendment of the board's November 19,  
5 2020 order granting a certificate of environmental  
6 compatibility and public need with conditions to  
7 Mohawk Solar, L.L.C. The certificate authorized  
8 Mohawk Solar to construct and operate in the Towns of  
9 Canajoharie and Minden, Montgomery County a solar  
10 electric generating facility having a nameplate  
11 capacity of up to 90.5 megawatts consisting of up to  
12 529 acres of photovoltaic solar panels as well as  
13 buried collection lines, access roads, inverters,  
14 transformers, fencing, a temporary construction lay  
15 down area and a collection substation and point of --  
16 point of interconnection switch yard.

17 On July 9th, 2021 Mohawk Solar filed a  
18 petition for amendment seeking approval to move the  
19 location of the temporary lay-down area for the  
20 project from the location that was adopted by the  
21 siting board in the certificate order to a location  
22 across the street and directly southeast of the  
23 original location of the lay down area.

24 The secretary to the siting board  
25 consulted with Department of Public Service staff,

1           16-F-0559 and 17-F-0182       Siting Board       8-31-2021  
2           the Department of Environmental Conservation and the  
3           Department of Agriculture and Markets before issuing  
4           a July 23rd, 2021 letter concluding that the proposed  
5           modification would not result in a significant  
6           adverse increase to environmental impacts as compared  
7           to the certificated project.

8                               Therefore, the modification did not  
9           constitute a revision that would require a hearing  
10          under the regulations. The secretary's letter  
11          included a thorough review and addressed potential  
12          impacts of the proposed change for the project  
13          related to land use, cultural resources, threatened  
14          and endangered species, terrestrial ecology and  
15          wetlands, visual impacts and local laws.

16                              As summarized in the order before you  
17          the proposed change would not result in a significant  
18          adverse increase to environmental impacts as compared  
19          to the certificated project. Accordingly, the draft  
20          order before you approves the petition for amendment.  
21          This approval does not relieve Mohawk Solar of the  
22          need to comply with the terms, conditions,  
23          limitations or modifications of the construction and  
24          operation of the facility authorized in the  
25          certificate. That concludes my presentation and we

1 16-F-0559 and 17-F-0182 Siting Board 8-31-2021  
2 are available for any questions you may have. Thank  
3 you.

4 CHAIR DESIGNEE MITCHELL: Thank you  
5 once again, Ms. Chaudari for your thorough  
6 presentation. I have no questions. Let me turn to  
7 my fellow board members for any comments or  
8 questions. Dr. Lewis-Michl?

9 DR. LEWIS-MICHL: No questions or  
10 comments.

11 CHAIR DESIGNEE MITCHELL: Judge  
12 McClymonds?

13 A.L.J. MCCLYMONDS: No comments or  
14 questions.

15 CHAIR DESIGNEE MITCHELL: Mr.  
16 Ravaschiere?

17 MR. RAVASCHIERE: No questions or  
18 comments.

19 CHAIR DESIGNEE MITCHELL: Mr.  
20 Williams?

21 MR. WILLIAMS: No questions or  
22 comments.

23 CHAIR DESIGNEE MITCHELL: I will now  
24 call for a vote. My vote is in favor of the  
25 recommendation as described. Dr. Lewis-Michl, how do

1 16-F-0559 and 17-F-0182 Siting Board 8-31-2021  
2 you vote?  
3 DR. LEWIS-MICHL: In favor.  
4 CHAIR DESIGNEE MITCHELL: Judge  
5 McClymonds?  
6 A.L.J. MCCLYMONDS: In favor.  
7 CHAIR DESIGNEE MITCHELL: Mr.  
8 Ravaschiere?  
9 MR. RAVASCHIERE: In favor.  
10 CHAIR DESIGNEE MITCHELL: Mr.  
11 Williams?  
12 MR. WILLIAMS: In favor.  
13 CHAIR DESIGNEE MITCHELL: The order is  
14 approved and the recommendation is adopted.  
15 Secretary Phillips, is there anything further to come  
16 before us today?  
17 SECRETARY PHILLIPS: There is nothing  
18 further.  
19 CHAIR DESIGNEE MITCHELL: Thank you.  
20 We are adjourned.  
21 (Off the record 10:40 a.m.)  
22 (The proceeding concluded.)  
23  
24  
25

1           16-F-0559 and 17-F-0182       Siting Board       8-31-2021

2       STATE OF NEW YORK

3       I, ROBERT WURTZ, do hereby certify that the foregoing was  
4       reported by me, in the cause, at the time and place, as  
5       stated in the caption hereto, at Page 1 hereof; that the  
6       foregoing typewritten transcription consisting of pages 1  
7       through 12, is a true record of all proceedings had at the  
8       hearing.

9                               IN WITNESS WHEREOF, I have hereunto  
10       subscribed my name, this the 2nd day of September, 2021.

11

12       ROBERT WURTZ, Reporter

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A	C
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