PUBLIC HEARING SCRIPT

Erie Wind, LLC and/or Individual(s) or Affiliate(s), Subsidiary(ies), or Entity(ies) formed or to be formed on its behalf Project

Public Hearing to be held on November 18, 2019 at 9:30 a.m., at the City of Lackawanna City Hall, 714 Ridge Road (Council Chambers), Lackawanna, New York 14218

ATTENDANCE:

Kevin McAuliffe – Barclay Damon Jeff Basty – Citizen John Kwasniewski – Taxpayer Ben Wolcott – Terra Form Janet Lenichek – Sierra Club of Niagara Group Faith Jordan – Citizen Frank Krakowski – City Assessor Thomas Halligan

<u>1. WELCOME: Call to Order and Identity of Hearing Officer.</u>

Hearing Officer: Welcome. This public hearing is now open; it is 9:45 a.m. My name is Karen Fiala. I am the Manager of Tax Incentives of the Erie County Industrial Development Agency, and I have been designated by the Agency to be the hearing officer to conduct this public hearing.

<u>2. PURPOSE: Purpose of the Hearing.</u>

<u>Hearing Officer:</u> We are here to hold the public hearing on the Erie Wind, LLC and/or Individual(s) or Affiliate(s), Subsidiary(ies), or Entity(ies) formed or to be formed on its behalf project. The transcript of this hearing will be reviewed and considered by the Agency in determination of this project. Notice of this hearing appeared in <u>The Buffalo News</u> on Friday, November 8, 2019.

3. PROJECT SUMMARY: Description of Project and Contemplated Agency Benefits.

Hearing Officer: The proposed project (the "Project") consists of: (i) the acquisition by the Agency of a leasehold interest in two (2) parcels of land located at 2303 Hamburg Turnpike in the City of Lackawanna, Erie County, New York (the "Land") together with two (2) 2.5 megawatts wind turbines (the "Existing Improvements"), (ii) the replacement and upgrading of the

Existing Improvements without changing the existing towers, foundations and electrical equipment (the "Improvements"), and (iii) the acquisition and installation by the Company of certain items of machinery, equipment and other tangible personal property necessary for the operation of the wind energy generation facility (the "Equipment", and collectively with the Land, the Existing Improvements and the Improvements, the "Facility").

The Agency will acquire a leasehold interest in the Facility and lease the Facility back to the Company. The Company will operate the Facility during the term of the lease. At the end of the lease term, the leasehold interest will be terminated. The Agency proposes to provide financial assistance to the Company in the form of a lease for a term of fifteen (15) years and a partial tax abatement of real property taxes for the term of the lease. The proposed financial assistance deviates from the Agency's UTEP in the following respect:

Payments under the PILOT Agreement deviate from the UTEP as they will be based upon megawatts generated by the Facility in connection with the operation thereof and not based upon the assessed value of the Project. The Agency proposes to deviate from the UTEP given the nature of the Project and that the Project will provide a benefit not otherwise available within the locale of the Facility.

4. FORMAT OF HEARING: Review rules and manner in which the hearing will proceed.

Hearing Officer: All those in attendance are required to register by signing the sign-in sheet at the front of the room; you will not be permitted to speak unless you have registered. If you have a written comment to submit for the record, you may do so. Written comments may also be delivered to the Agency at 95 Perry Street, Suite 403, Buffalo, New York 14203 until the comment period closes on November 19, 2019. There are no limitations on written comments.

5. PUBLIC COMMENT: Hearing Officer gives the Public an opportunity to speak.

Hearing Officer: If anyone is interested in making a comment, please raise your hand, state your name and address; if you are representing a company, please identify the company. I request that speakers keep comments to 5 minutes, and if possible, 3 minutes.

My name is Jeff Basty. This is my second comment. I would like to make one thing perfectly clear. I am totally in favor of what this young lady has stated. I am in full agreement with future growth of these wind towers. Its just that the technology has progressed so far from the initial time that these units were installed. I think that there are too many people involved; lawyers, companies, that are making this more than it should be. Again, the technology has progressed. If you do some research, for example, down in New Orleans there is GE. There are 10 manufacturers of wind farms. The reason it's big in New Orleans is because they have the

exposure to offshore oilfields and how the structure and platforms are built and are sunk into the water which I can see in the future will happen in Lake Erie. We are not going to like it but its going to come down to, maybe not our generation, but eventually we will have to utilize this type of energy and why private companies have to come in and request tax incentives and Industrial Development Agencies to give them favors on the taxpayers dime remains a mystery to me because the profitability is there for generating power. And I think that Erie County and the Development Agencies should do their homework and look more into the actual fabrication of these wind farms, who's building them, the research & development that has happened since the initial installation of these wind farms and somebody should step up and take hold of the research and development and what's going on with wind farms instead of just handing all of this potential profitability over to some private contractor when Erie County could utilize the energy and the City of Lackawanna could use the energy to cut back on energy costs.

We need somebody to step up and take hold of research & development of wind farms. This can't be delegated to some half baked what ever you want to call it and let this happen. I say let the lease expire. I am in favor of the wind farms, but who owns them, that's what my concern is. We should be the owners; the people, the City of Lackawanna or Erie County. We should own these wind farms because we have a prime location for development which was previously stated and the only thing that is going to happen with wind farms is that there is going to be more growth. But we need somebody to step up in the County, in the IDA to do a lot more research before we step forward with this situation that we are in right now.

Janet Lenichek, The Sierra Club of Niagara Group – I just want to reiterate that New York State passed the Climate Leadership and Community Protection Act just this year. It was signed into law by Governor Cuomo in June. This commits New York State to obtaining 70% of electricity from renewables by 2030. This is a very short timeframe. I know some people here voiced their opinion that Erie County should somehow own these wind turbines rather than letting private industry come into this. Quite frankly that would take too long at this point. We don't have the money in Erie County to fund this. We need to partner with private industry. So, the Sierra Club Niagara Group feels that Steel Winds needs to continue. It's a perfect site, it's a brownfield site. Nobody wants this site except wind energy developers at this point and there is a possibility down the road that we could have solar on the site.

This is a perfect site. We don't harm anybody's farm, we are not near anybody's house. It's a perfect site so we need to continue with the lease whether you want better terms of the lease so that Lackawanna and Erie County benefit a little bit more financially I get that. But I still feel we need to renew the lease and continue with Steel Winds.

6. ADJOURNMENT:

As there were no further comments, the Hearing Officer closed the public hearing at 10:00 a.m.

SIGN IN SHEET PUBLIC HEARING

November 18, 2019, at 9:30 a.m. at the City of Lackawanna City Hall, 714 Ridge Road (Council Chambers), Lackawanna, New York 14218 regarding:

Erie Wind, LLC and/or Individual(s) or Affiliate(s), Subsidiary(ies), or Entity(ies) formed or to be formed on its behalf

Project Location: 2303 Hamburg Turnpike, Lackawanna, New York 14218

Name	Company and/or Address	X box to speak/ comment
Kevin M'Auliffe	Barclay Damon	
Jeff Basty	Citizen	X
John Kwasniewski	Taxpayer	
Ben Wolcott	Terra Form	
Janet Lenichek	Sierra Club of Niagara Group	X
Faith Jordan	Citizen	
Frank Krakowski	City Assessor	
Thomas Halligan		



OFFICE OF THE MAYOR CITY OF LACKAWANNA



Hon. Geoffrey M. Szymanski ~ Mayor

November 15th, 2019

Steve Weathers Chief Executive Officer Erie County Industrial Development Agency Suite 403 95 Perry Street Buffalo, NY 14202

Re: Erie County Industrial Development Agency Execution of PILOT Agreement to Facilitate Repowering of Existent Wind Turbines at Bethlehem Steel Site

Dear Mr. Weathers,

Please accept this letter as a statement of the City of Lackawanna's support for the attached proposed Resolution which authorizing the ECIDA to enter into a PILOT Agreement with Erie Wind LLC, Niagara Wind Power LLC, and/or TerraForm Power, subject to the terms set forth in the proposed Resolution

We appreciate the efforts of your staff in working with all involved municipalities, prior to reaching the terms of the proposed PILOT Agreement.

Very truly yours, Geoffred Szymansk

Hon. Geoffrey M. Szymanski ~ Mayor City of Lackawanna, Rein Pork 714 Ridge Road ~ Room 301 ~ Lackawanna, New York 14218 ~ (716) 827-6464 ~ FAX (716) 827-6678 http://www.lackawannany.gov ~ mayor@lackny.com

From: Sent: To: Subject: ECIDA Customer Service Monday, November 18, 2019 1:02 PM Hocieniec, Carrie FW: Steel Winds

-----Original Message-----From: Janet Lenichek <janetlenichek@yahoo.com> Sent: Monday, November 18, 2019 12:49 PM To: ECIDA Customer Service <info@ecidany.com> Subject: Steel Winds

Erie County IDA:

I am a resident of Erie County and a member of the Executive Committee of the Sierra Club (Niagara Group). The Sierra Club is supportive of renewable energy projects that are properly sited and have passed strict environmental reviews.

Steel Winds development is a good example of such a project. Not only is it located on a brownfield that has a somewhat limited development potential, it is sited far from most residences. Additionally it has already been approved in terms of its possible effects on the environment.

The fact that millions of dollars will be put into these wind turbines to make them operable and efficient tells me that private industry stands to benefit from this project. In my view, Erie County will also benefit by signing whatever agreements are necessary to ensure that Erie Wind and Niagara Wind follow through with upgrades to the Steel Winds project.

I support the Steel Winds project and want to see it continue for at least another 15-20 years, with the technology upgrades that are necessary for efficient operation. Please sign new agreements to help to keep the Steel Winds development in Erie County. Thank you.

Sincerely,

Janet Lenichek Executive Committee Member Sierra Club (Niagara Group)

716-310-1036 (mobile) 256 Callodine Avenue Amherst, NY 14226

From:	ECIDA Customer Service
Sent:	Monday, November 18, 2019 1:05 PM
То:	Hocieniec, Carrie
Subject:	FW: Yes to wind repowering in Lackawanna and Hamburg

From: Bill Nowak <billnowa@gmail.com>
Sent: Monday, November 18, 2019 1:04 PM
To: ECIDA Customer Service <info@ecidany.com>
Subject: Yes to wind repowering in Lackawanna and Hamburg

Dear ECIDA

I urge you to approve both the Erie and Niagara Wind Power, LLC repowerings of the 14 wind turbines in Lackawanna and Hamburg.

I am well aware of and frightened by the climate emergency we all face and know it is crucial that we transition at full speed to renewable energy to avoid the worst impacts of global warming.

New York faces an uphill climb to reach its goals for carbon free electricity generation under the Climate Leadership and Community Protection Act.

It is crucial that we build on the renewable resources already in place in addition to rapidly increasing renewable resources.

I am encouraged by the positive aspects of the proposed repowering, including increased production from the new turbines, improved bat and bird protection, a \$21 million investment and the increased revenues the turbines will provide for Erie County, Lackawanna, Hamburg and the Frontier Central and Lackawanna City school districts

Please approve this proposal.

Thank you.

Bill Nowak 716-316-7674

From:	ECIDA Customer Service
Sent:	Monday, November 18, 2019 1:52 PM
То:	Hocieniec, Carrie
Subject:	FW: Say YES to Wind repowering in Lackawanna & Hamburg

From: Karen Alongi <kalongi1@verizon.net>
Sent: Monday, November 18, 2019 1:39 PM
To: ECIDA Customer Service <info@ecidany.com>
Subject: Say YES to Wind repowering in Lackawanna & Hamburg

Dear ECIDA

I strongly support the repowering of the 14 wind turbines in Lackawanna and Hamburg operated by Erie and Niagara Wind Power, LLC .

This supports the reduction of CO2 that is important for meeting the the goals of the NYS CLCPA and of course the continuing functioning of our planet.

Not supporting this project will be step back for NYS CLCPA climate goals - that will already be challenging to meet..

There are many positive aspects of the project - increased production from the new turbines, improved bat and bird protection, increased revenues the turbines will provide for Erie County, Lackawanna, Hamburg and the Frontier Central and Lackawanna City school districts.

Best,

Karen Alongi 716-316-7674

From:ECIDA Customer ServiceSent:Monday, November 18, 2019 2:13 PMTo:Hocieniec, CarrieSubject:FW: Wind TurbinesExpires:Saturday, May 16, 2020 12:00 AM

From: Larry Beahan <larry_beahan@roadrunner.com> Sent: Monday, November 18, 2019 1:59 PM To: ECIDA Customer Service <info@ecidany.com> Subject: Wind Turbines

Dear ECIDA

I urge you to approve both the Erie and Niagara Wind Power, LLC repowering's of the 14 wind turbines in Lackawanna and Hamburg.

I am well aware of and frightened by the climate emergency we all face and know it is crucial that we transition at full speed to renewable energy to avoid the worst impacts of global warming.

New York faces an uphill climb to reach its goals for carbon free electricity generation under the Climate Leadership and Community Protection Act.

It is crucial that we build on the renewable resources already in place in addition to rapidly increasing renewable resources.

I am encouraged by the positive aspects of the proposed repowering, including increased production from the new turbines, improved bat and bird protection, a \$21 million investment and the increased revenues the turbines will provide for Erie County, Lackawanna, Hamburg and the Frontier Central and Lackawanna City school districts

Please approve this proposal.

Thank you.

Laurence T Beahan MD

PUBLIC COMMENT REGARDING STEEL WIND UPGRADE PROPOSAL

Being that "The Irish Electricity Supply Board (ESB) National Grid study of installed wind power in Ireland (2004) concluded: 'The evidence shows that as the level of wind capacity increases, the CO2 emissions actually INCREASES as a direct result of having to cope with the variation of wind-power output" as presented by Keith Stelling 29 March, 2019 in "A GUIDANCE DOCUMENT FOR DECISION MAKERS Regarding the siting of industrial wind turbines in the Great Lakes" and that all these chaotic wasteful wind energy projects suck rate payers and tax subsidy monies, tear these things down and move on. \$1.52 million per turbine to upgrade is outrageous. The higher capacity from more wind generators even causes grid failures as parts of the world have gone full wind ahead with these things. The public has mostly been scammed into believing that wind energy is "saving the planet" from a changing climate on Earth and it's the most absurd pitch ever. Bill Gates even says we need to stop fooling around with renewables. They depend on subsidies. They are tied to the grid using fossil fuels to brake the massive rotors, they draw power FROM THE GRID routinely. They cannot function without using fossil fuels in the reliable grid so all fantastical claims being made about renewables is mostly disingenuous sales pitch and pure delusion. They cause stand by power to be used more often. Disposal costs are high for used materials, has this been factored into that cost? Casper, Wyoming will get paid \$675k to handle the disposal. This cost is passed on to all ratepayers. It's just more energy transfer with those managing it all taking their cuts of course. This is not energy efficiency. To continue forward with supporting wind farms is wasting money/energy, basis of which this whole fake climate change con game. The Earth has no trouble cooling itself. It has no air blankets up there that get stuck. Convection, frigid space, heat from The Sun, and massive quantities of water vapor are to blame for climate change, that's all folks. Carbon dioxide is 4/10,000ths of the atmosphere, water vapor 10,000% more THE CAUSE. The poor and lower to middle classes would get hurt by this upgrade more as they pay higher percentage of their income on utilities as the rates increase. For example the low income family might see a 1% of income rise in their electric bill, whereas the well to do would see maybe a .2% of income rise. Meanwhile those with investment portfolios might see their investments in utility or renewable companies increase 10% so their energy cost increase is even less of a percentage of their income plus their total net worth that soars high into the stratosphere to sit on imaginary carbon dioxide clouds looking down at everyone beneath them. STOP THIS WASTE OF OUR ENERGY.

Kenneth Wegorowski

From:
Sent:
To:
Subject:

ECIDA Customer Service Tuesday, November 19, 2019 8:48 AM Hocieniec, Carrie FW: `Contact ECIDA` Submission [d094a25dff39445251145ce9e68251db]

From: ECIDA <no-reply@ecidany.com> Sent: Tuesday, November 19, 2019 12:39 AM To: ECIDA Customer Service <info@ecidany.com> Subject: `Contact ECIDA` Submission [d094a25dff39445251145ce9e68251db]

www.ecidany.com **Contact ECIDA'** Submission Contact ECIDA First Name : Charley Last Name : Bowman Company : Environmental Justice Taskforce of the WNY Peace Center, Inc. Company Address : 1272 Delaware Ave Buffalo NY 14209 7169088227 Phone : Email: renewableenergy@wnypeace.org (Corrected..) Steel Winds I Comment I am writing in support of the Steel Winds I Replacement Project upgrading eight 2.5 MW wind turbines located on the former Bethlehem Steel site in Lackawanna NY. Niagara Wind Power is applying for a custom PILOT agreement to help fund the \$17,171,429 upgrade. The shore-based land upon which Steel Winds I sits on one of New York State's best onshore wind sites in New York State. During the past 7 years, Steel Winds I ranked between 2 and 5 in capacity among all other wind farms in NY State (see NYISO Goldbook reports for 2012 - 2019). This means Steel Winds I ranks near the top of all wind farms in NY State in terms of hours per year generating electricity. The reason for Comments : Steel Winds I phenomenal capacity is the higher frequency summer winds caused by heating of the lands east of Lake Erie. Such heating causes uplift which evokes onshore winds off Lake Erie. These onshore winds drive Steel Winds I turbines. Wind turbines located far inland, such as central NY, are at a disadvantage relative to Steel Winds I. Wintertime winds are stronger and more frequent than summertime winds, but all NY State wind farms take advantage of wintertime winds. It would be bad policy for the ECIDA not to invest money in upgrading the 20 MW wind turbine facility. Thank you. Charley Bowman Chair, Environmental Justice Taskforce of the WNY Peace Center 1272 Delaware Ave Buffalo NY 14029 716-908-8227 RenewableEnergy@wnypeace.org

From:	ECIDA Customer Service
Sent:	Tuesday, November 19, 2019 8:48 AM
To:	Hocieniec, Carrie
Subject:	FW: `Contact ECIDA` Submission [969e13d1cb3694d104d10db7e0aa1db8]

From: ECIDA <no-reply@ecidany.com> Sent: Tuesday, November 19, 2019 12:34 AM To: ECIDA Customer Service <info@ecidany.com> Subject: `Contact ECIDA` Submission [969e13d1cb3694d104d10db7e0aa1db8]

<u>www.ecidany.com</u> `Contact ECIDA` Submission	
Contact ECIDA	
First Name :	Charles
Last Name :	Bowman
Company :	Environmental Justice Taskforce of the WNY Peace Center, Inc.
Company Address :	1272 Delaware Ave
Phone :	716-908-8227
Email :	renewableenergy@wnypeace.org
Comments :	Steel Winds I Comment I am writing in support of the Steel Winds I Replacement Project upgrading eight 2.5 MW wind turbines located on the former Bethlehem Steel site in Lackawanna NY. Niagara Wind Power is applying for a custom PILOT agreement to help fund the \$17,171,429 upgrade. The shore-based land upon which Steel Winds I sits on one of New York State's best onshore wind sites in New York State. During the past 7 years, Steel Winds I ranked between 2 and 5 in capacity among all other wind farms in NY State (see NYISO Goldbook reports for 2012 - 2019). This means Steel Winds I ranks near the top of all wind farms in NY State in terms of hours per year generating electricity. The reason for Steel Winds I phenomenal capacity is the higher frequency summer winds caused by heating of the lands east of Lake Erie. Such heating causes uplift which evokes onshore winds off Lake Erie. These onshore winds drive Steel Winds I turbines. Wind turbines located far inland, such as central NY, are at a disadvantage relative to Steel Winds I. Wintertime winds are stronger and more frequent than summertime winds, but all NY State wind farms take advantage of wintertime winds. It would be bad policy for the ECIDA not to invest money in upgrading the 20 MW wind turbine facility. Thank you. Charley Bowman Chair, Environmental Justice Taskforce of the WNY Peace Center 1272 Delaware Ave Buffalo NY 14029 716-908-8227 <u>RenewableEnergy@wnypeace.org</u>

From: Sent: To: Subject: ECIDA Customer Service Tuesday, November 19, 2019 8:47 AM Hocieniec, Carrie FW: Niagara Wind LLC - Public Comment submission

From: John Szalasny <jszal5976@hotmail.com> Sent: Monday, November 18, 2019 11:05 PM To: ECIDA Customer Service <info@ecidany.com> Subject: Niagara Wind LLC - Public Comment submission

I am submitting my comments through email as there was no link to the comment form that was noted on the public hearing notice from the ECIDA website.

I am wholly in favor of the proposal to have the ECIDA acquire a leasehold interest in the facility in order for the above noted LLC to make significant upgrades to improve both the power output as well as to reduce the intermittency of its operations due to aging equipment. We need this carbon free energy project (and many more like this) to slow down the warming of our planet due to the burning of fossil fuels.

But, I am speaking as an environmentalist who is concerned with the world my children will inherit. There are two nonenvironmental reasons to approve this proposal. First, wind is already the cheapest source of electricity. New equipment will drive down the price even further. Both the low price and the renewable energy credits for businesses make wind power extremely easy to contract for long-term power purchase agreements, making your investment nearly risk free. Second, is a non-economic, quality of life issue. The Steel Winds project has become as iconic a sight as Niagara Falls and Shark Girl in the Buffalo-Niagara region. Not allowing these turbines to be upgraded would send the wrong message to our local residents, both from the iconic viewpoint stated above, but also how we are adhering to New York State's recently passed CLCPA legislation, which has a goal of creating a carbon net zero electric grid.

The risks to wildlife and other quality of life issues are already known at this site. Steel Winds has been a good neighbor to the residents in Lackawanna and Hamburg. If anything, newer technologies should make the upgraded project safer to birds and bats, and quieter for local residents. Please approve the proposal to become a leaseholder for this project.

John S Szalasny 344 Teakwood Ter Williamsville, NY 14221 716-858-0517

Sent from Mail for Windows 10

From: Sent: To: Subject: ECIDA Customer Service Tuesday, November 19, 2019 8:47 AM Hocieniec, Carrie FW: Comment Regarding Niagara Wind LLC Proposal

From: DStrablow <dstrablow@gmail.com> Sent: Monday, November 18, 2019 6:19 PM To: ECIDA Customer Service <info@ecidany.com> Subject: Comment Regarding Niagara Wind LLC Proposal

Dear ECIDA

I urge you to approve both the Erie and Niagara Wind Power, LLC repowerings of the 14 wind turbines in Lackawanna and Hamburg.

I am deeply concerned about the climate emergency the world is facing and know it is crucial that we all transition to renewable energy as rapidly as possible to avoid the worst impacts of global warming.

New York faces an uphill climb to reach its goals for carbon free electricity generation under the Climate Leadership and Community Protection Act.

It is crucial that we update and maintain the renewable resources already in place in addition to rapidly increasing further renewable resources.

The proposed upgrade and maintenance plan is positive, including increased production from the new turbines, improved bat and bird protection, a \$21 million investment and the increased revenues the turbines will provide for Erie County, Lackawanna, Hamburg and the Frontier Central and Lackawanna City school districts

Please approve this proposal.

Thank you. Diana Strablow Erie County Resident <u>dstrablow@gmail.com</u>

From: Sent: To: Subject: ECIDA Customer Service Tuesday, November 19, 2019 8:47 AM Hocieniec, Carrie FW: Steel Wind II Replacement Project

From: Sara Schultz <healplanet2018@gmail.com> Sent: Monday, November 18, 2019 5:29 PM To: ECIDA Customer Service <info@ecidany.com> Subject: Steel Wind II Replacement Project

To: ECIDA November 18, 2019

I recently read about the Steel Winds Replacement Project. In light of the IPCC (Intergovernmental Panel on Climate Change) Report and the subsequent reports both from the U.S. and global scientists it is important to repair these wind turbines to lower our carbon output as much as possible. The company that wants to take over the turbines must understand that new technology will give these turbines, already in place, greater potential for energy production. Progress has also been made to mitigate bird and bat kills. Power plants, whether coal or methane, as well as nuclear are no longer an option if we are to meet our clean and safe energy goals stated in the CLCPA (Climate Leadership and Community Protection Act). Dirty energy is also a much greater threat to wildlife than renewable energy ever could be.

It is logical and smart to repair and use what already exists than to waste that resource already in place. Please approve this replacement project and bring this iconic, groundbreaking wind project back to life. The public is constantly hearing false narratives on wind energy from people who are afraid of a future they don't understand. If this project gets up and running and proves successful it will be easier to sway those in rural and

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lake communities who are anti-wind. We desperately need this project as a model in our community. It's a win/win for the county as well as for Erie Wind, LLC. Most importantly, it's a win for the planet! Thank you for your attention, Sara Schultz

Sara Schultz Sierra Club Niagara Chair Amherst Energy Conservation Citizens Advisory Committee Chair 716-913-9941