

Application  
To  
County of Lewis Industrial Development Agency  
For  
Financial Assistance

I. Applicant Information:

Company Name: Atlantic Wind LLC (or a project LLC to be formed \*)  
Address: 1125 NW Couch Street, Suite 700  
Portland, Oregon 97209  
Phone No: (p) 315.375.4316  
Fax No: (m) 315.529.3051  
Fed ID No: 76-0801145  
Contact Person: Jenny L. Burke

Principal Owners/Officers/Directors:

(list owners with 15% or more in equity holdings with percentage ownership)

Atlantic Wind LLC (the "Company") is a wholly-owned subsidiary of Iberdrola Renewables, Inc.

\* The Project (as defined in Section II) may be assigned to and developed by PPM Roaring Brook, LLC or another wholly-owned (but not yet formed) subsidiary of Iberdrola Renewables, Inc.

Corporate Structure (attach schematic if Applicant is a subsidiary or otherwise affiliated with another entity) See attached corporate organization chart.

Form of Entity:

- Corporation
- Partnership (General  or Limited ; number of general partners and, if applicable, number of limited partners ).
- Limited Liability Company/Partnership (number of members One (1))
- Sole Proprietorship

If corporation, partnership, limited liability company/partnership:

What is the date of establishment August 12, 2005,

Place of organization Oregon and,

If a foreign organization, is the Applicant authorized to do business in the State of New York? Yes. Atlantic Wind LLC was authorized to do

business in NY on November 17, 2005.

Applicant's Counsel

Name: Peter H. Swartz  
Address: 1583 East Genesee Street  
Skaneateles, New York 13152

Phone No: (p) 315.554.8166  
Fax No. (m) 315.412.2978

**II. Project Information**

A) Describe the proposed acquisitions, construction or reconstruction and a description of the costs and expenditures expected.

The project covered by this Application (the "Project") will consist of: (1) the acquisition of an interest in the Company's fee, leasehold, and easement interests in certain parcels of land located in the Town of Martinsburg, County of Lewis, New York (collectively, the "Land"), (2) the acquisition and installation of up to 80.0 megawatts ("MW") of wind turbine generators and construction or installation of meteorological towers and an operations and maintenance building (collectively with the wind turbine generators, the "Facility") on the Land, (3) the construction of associated access roads, electrical power collection infrastructure, and substation facilities (collectively, the "Infrastructure") on and under the Land, and (4) the acquisition and installation of certain machinery and equipment therein and thereon (collectively, the "Equipment"), all of the foregoing to constitute a wind energy facility (the Land, Facility, Infrastructure, and Equipment are collectively referred to as the "Project Facility").

**Cost Benefit Analysis:**

<u>Costs = Financial Assistance</u>		<u>Benefits = Economic Development</u>	
Estimated Sales Tax Exemption	<u>\$ 2,470,000</u>	Jobs created	<u>125 (constr.) / 6-8 (perm.)</u>
Estimated Mortgage Tax Exemption	<u>N/A</u>	Jobs retained	<u>N/A</u>
Estimated Property Tax Abatement	<u>\$ 2,960,000</u>	Private funds invested	<u>\$ 186,300,000</u>
Estimated Interest Savings IRB Issue	<u>N/A</u>	Other Benefits	<u>N/A</u>

B) Project Address: 7719 North State Street  
Lowville, New York 13367 \*  
\* Project to be constructed and located on various  
properties in the Town of Martinsburg.

C) Are Utilities on Site  
Water No Electric Yes  
Gas No Sanitary/Storm Sewer No

D) Present legal owner of the site See attached list of underlying property owners  
(as such list may be amended from time to  
time).

Of other than Applicant by what means will this site be acquired for this Project: Fee, leasehold, and easement interests

- E) Zoning of Project Site: Current: Forest District, primarily, and a small portion of a Rural Residential District Proposed: No change request proposed
- F) Are any variances needed: Setback variance obtained from Town of Martinsburg in connection with Kriwox easement
- G) Principal Use of Project upon completion: Electrical Power Generation
- H) Will the Project result in the removal of a plant or facility of the Applicant from one area of the State of New York to another? No  
 Will the Project result in the removal of a plant or facility of another proposed occupant of the Project from one area of the State of New York to another area of the State of New York? No  
 Will the Project result in the abandonment of one or more plants or facilities located in the State of New York? No
- I) Estimate how many construction/permanent jobs will be created or retained as a result of this Project:  
 Construction: 125 \* Permanent: 6-8 \*\* Retained: 0 \*\*\*

\* The Project will create approximately 125 construction jobs at the peak of construction and an average of 85 jobs over the 8-month construction period.

\*\* The Project will also employ approximately 10 turbine vendor technicians on site for three (3) or more years after start of operations.

\*\*\* Jobs created or retained with respect to local materials or equipment purchases, lodging, meals, or as a result of payments made to area landowners are not part of these estimates.

J) Financial Assistance being applied for:

		Estimated Value
<u>Yes</u>	Real Property Tax Abatement	<u>* \$ 2,960,000</u>
<u>No</u>	Mortgage Tax Exemption	<u>\$ 0</u>
<u>Yes</u>	Sales and Use Tax Exemptions	<u>\$ 2,470,000</u>
<u>No</u>	Issuance by the Agency of Tax Exempt Bonds	<u>\$ 0</u>

\* The real property tax abatement estimate is based on the portion of Project property that would qualify as either assessable or taxable real property and the cumulative abatement for the incremental term of the IDA PILOT (20-year term) over the Real Property Tax Law Section 487 PILOT (15-year term) available to wind-powered electric generating facilities in New York State – a 5-year differential. The actual amount of property tax due without a PILOT (assuming the Project could be built without a PILOT) would be dependent on judicial treatment.

The Applicant has negotiated PILOT business terms directly with the involved tax jurisdictions. A copy of the term sheet approved by all of the involved tax jurisdictions is attached as Exhibit 4.

**K) Project Costs (Estimates)**

<b>Land</b>	<b>\$ 1,500,000</b>
<b>Building</b>	<b>\$ 600,000</b>
<b>Equipment</b>	<b>\$ 149,000,000</b>
<b>Soft costs</b>	<b>N/A</b>
<b>Other</b>	<b>\$ 35,200,000</b>
<b>Total</b>	<b><u>\$ 186,300,000</u></b>

**III. Representations By The Applicant**

**The Applicant understands and agrees with the Agency as follows:**

**A) Job Listings.** In accordance with Section 858-b(2) of the New York General Municipal Law, the Applicant understands and agrees that, if the Project receives any Financial Assistance from the Agency, except as otherwise provided by collective bargaining agreements, new employment opportunities created as a result of the Project will be listed with the New York State Department of Labor Community Services Division (the “DOL”) and with the administrative entity (collectively with the DOL, the “JTPA Entities”) of the service delivery area created by federal job training partnership act (Public Law 97-300) (“JTPA”) in which the project is located.

**B) First Consideration for Employment.** In accordance with Section 858-b(2) of the New York General Municipal Law, the Applicant understands and agrees that, if the Project receives any Financial Assistance from the Agency, except as otherwise provided by collective bargaining agreements, where practicable, the Applicant will first consider persons eligible to participate in JTPA programs who shall be referred by the JTPA Entities for new employment opportunities created as a result of the Project.

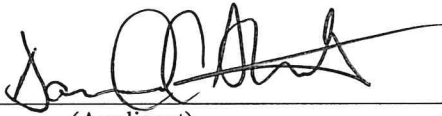
**C) Annual Sales Tax Filings.** In accordance with Section 874(8) of the New York General Municipal Law, the Applicant understand and agrees that, if the Project receives any sales tax exemptions as part of the Financial Assistance from the Agency, the applicant agrees to file, or cause to be filed, with the New York State Department of Taxation and Finance, the annual form prescribed by the Department of Taxation and Finance, describing the value of all sales tax exemptions claimed by the Applicant and all consultants or subcontractors retained by the Applicant.

**D) Annual Employment Reports.** The Applicant understands and agrees that, if the Project receives any Financial Assistance from the Agency, the Applicant agrees to file, or cause to be filed, with the Agency, on an annual basis, reports regarding the number of people employed at the project site, *provided, however*, the Applicant shall not be required to provide confidential information relating to individual employees (such as individual salaries or social security numbers).

**E) Absence of Conflicts of Interest.** The Applicant has received from the Agency a list of the members, officers and employees of the Agency. No member, officer or employee of the Agency has an interest, whether direct or indirect, in any transaction contemplated by this Application, except as hereinafter described: None.

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

The Applicant and the individual executing this Application on behalf of the Applicant acknowledge that the Agency will rely on the representations made herein when acting on this Application and hereby represent that the statements made herein do not contain any untrue statement of a material fact and do not omit to state a material fact necessary to make the statements contained herein not misleading.

  
\_\_\_\_\_  
(Applicant)

By: David C. Shadle  
Name:  
Title: Authorized Representative

This Application should be submitted with a \$250.00 Application Fee to: Rick Porter, Executive Director, County of Lewis Industrial Development Agency, P.O. Box 106, Lowville, New York 13367

The Agency will collect a fee at the time of closing based on the following formula.

1.000% of the first \$10,000,000 of the total Project Cost shown above;  
0.500% of the next \$10,000,000 of such Project Cost;  
0.375% of the next \$40,000,000 of such Project Cost; and  
0.250% of any remaining Project Cost.

\* Based on a Project Cost of \$186,300,000, the Agency fee would be \$615,750.

Hold Harmless Agreement

Applicant hereby releases County of Lewis Industrial Development Agency and the members, officers, servants, agents and employees thereof (the "Agency") from, agrees that the Agency shall not be liable for and agrees to indemnify, defend and hold the Agency harmless from and against any and all liability arising from or expense incurred by (A) the Agency's examination and processing of, and action pursuant to or upon, the attached Application, regardless of whether or not the Application or the Project described therein or the tax exemptions and other assistance requested therein are favorably acted upon by the Agency, (B) the Agency's acquisition, construction and/or installation of the Project described therein and (C) any further action taken by the Agency with respect to the Project: including without limiting the generality of the foregoing, all causes of action and attorney's fees and any other expenses incurred in defending any suits or actions which may arise as a result of any of the foregoing. If, for any reason, the Applicant fails to conclude or consummate necessary negotiations, or fails, within a reasonable or specified period of time, to take reasonable, proper or requested action, or withdraws, abandons, cancels or neglects the Application, or if the Agency or the Applicant are unable to reach final agreement with respect to the Project, then, and in the event, upon presentation of an invoice itemizing the same, the Applicant shall pay to the Agency, its agents or assigns, all costs incurred by the Agency in the processing of the Application, including attorney's fees, if any.

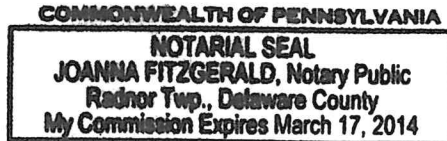
David C. Shadle  
(Applicant)

By: David C. Shadle  
Name:  
Title: Authorized Representative

Sworn to before me this

10 day of February, 2011.

[Signature]  
Notary Public



**Exhibits**

- 1. Corporate Organization Chart*
- 2. List of Underlying Property Owners*
- 3. Copy of Application Fee Payment*
- 4. Copy of Term Sheet negotiated with and approved by the involved tax jurisdictions.*


**HRABCHAK, GEBO & LANGONE, P.C.**

ATTORNEYS AT LAW

216 WASHINGTON STREET  
SUITE 300  
WATERTOWN, NEW YORK 13601  
(315) 788-5900  
TELECOPIER (315) 788-6085  
gebolaw@nnyonline.net  
**ROBERT R. HRABCHAK**  
(1957-1995)

MARK G. GEBO  
EUGENE J. LANGONE, JR.

February 20, 2008

RECEIVED  
FEB 20 2008  
BY: 

Lewis County Industrial Development Agency  
7642 N. State Street  
P.O. Box 106  
Lowville, New York 13367

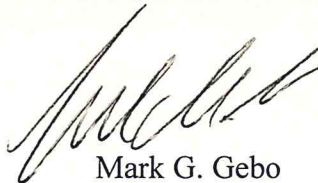
**Re: Application by Atlantic Wind LLC  
for the Roaring Brook Wind Power Project  
Notice of Completion of Draft/Final EIS**

Dear Sir/Madam:

Enclosed please find a copy of the SEQR Notice of Completion of Draft/Final EIS on the above referenced project. If you have any questions or comments, kindly contact the undersigned. Thank you.

Very truly yours,

**Hrabchak, Gebo & Langone, P.C.**



Mark G. Gebo  
Town Attorney  
Town of Martinsburg

Enclosure



State Environmental Quality Review  
**Notice of Completion of Draft / Final EIS**

**Project Number** \_\_\_\_\_

**Date:** 2/7/08

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

A  Draft or  Final (check one) Environmental Impact Statement has been completed and accepted by the Town of Martinsburg Planning Board as lead agency, for the proposed action described below.

If a Draft EIS: Comments on the Draft EIS are requested and will be accepted by the contact person until April 7, 2008

**Name of Action:**

Roaring Brook Wind Project

**Description of Action:**

The Applicant is proposing to develop the Roaring Brook Wind power Project (the Project) with a maximum generating capacity of approximately 78 megawatts (MW). The Project will be located on 26 parcels of leased private land (one landowner) totaling approximately 3,980 acres in the Town of Martinsburg, Lewis County. The current Project design consists of approximately 39 Gamesa G90 2.0 MW wind turbines (or similar) with a 90-meter (295 foot) rotor diameter mounted on 100-meter (328 foot) tall tubular steel towers. See annexed:

**Location:** (Include street address and the name of the municipality/county. A location map of appropriate scale is also recommended.)

Town of Martinsburg, Lewis County, New York. That area of the Town south Flat Rock Road and West Carey Road comprising approximately 4,080 acres.

**Potential Environmental Impacts:**

Temporary construction related impacts to soils including some areas of agricultural land along the electrical collection route.  
Short-term impacts on the local transportation system, air quality, and noise resulting from construction related activities such as movement and operation of construction equipment and vehicles.  
Conversion of successional forestland, and other natural communities, to built facilities including turbines/turbine foundations and access roads.  
Temporary and permanent impacts to wetlands resulting from the construction of project access roads and turbine construction workspaces.  
Impacts to birds and bats including incidental wildlife injury and mortality.  
Vegetation clearing resulting in disturbance of and displacement of wildlife species and loss or alteration of habitat.

**A copy of the Draft / Final EIS may be obtained from:**

Contact Person: Mary Kelley, Town Clerk

Address: PO Box 8, Martinsburg, New York 13404

Telephone Number: 315-376-2299

**A copy of this notice must be sent to:**

Department of Environmental Conservation, 625 Broadway, Albany, New York 12233-1750

Chief Executive Officer, Town/City/Village of Martinsburg

Any person who has requested a copy of the Draft / Final EIS

Any other involved agencies

Environmental Notice Bulletin, 625 Broadway, Albany, NY 12233-1750

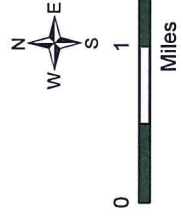
**Copies of the Draft/Final EIS must be distributed according to 6NYCRR 617.12(b).**



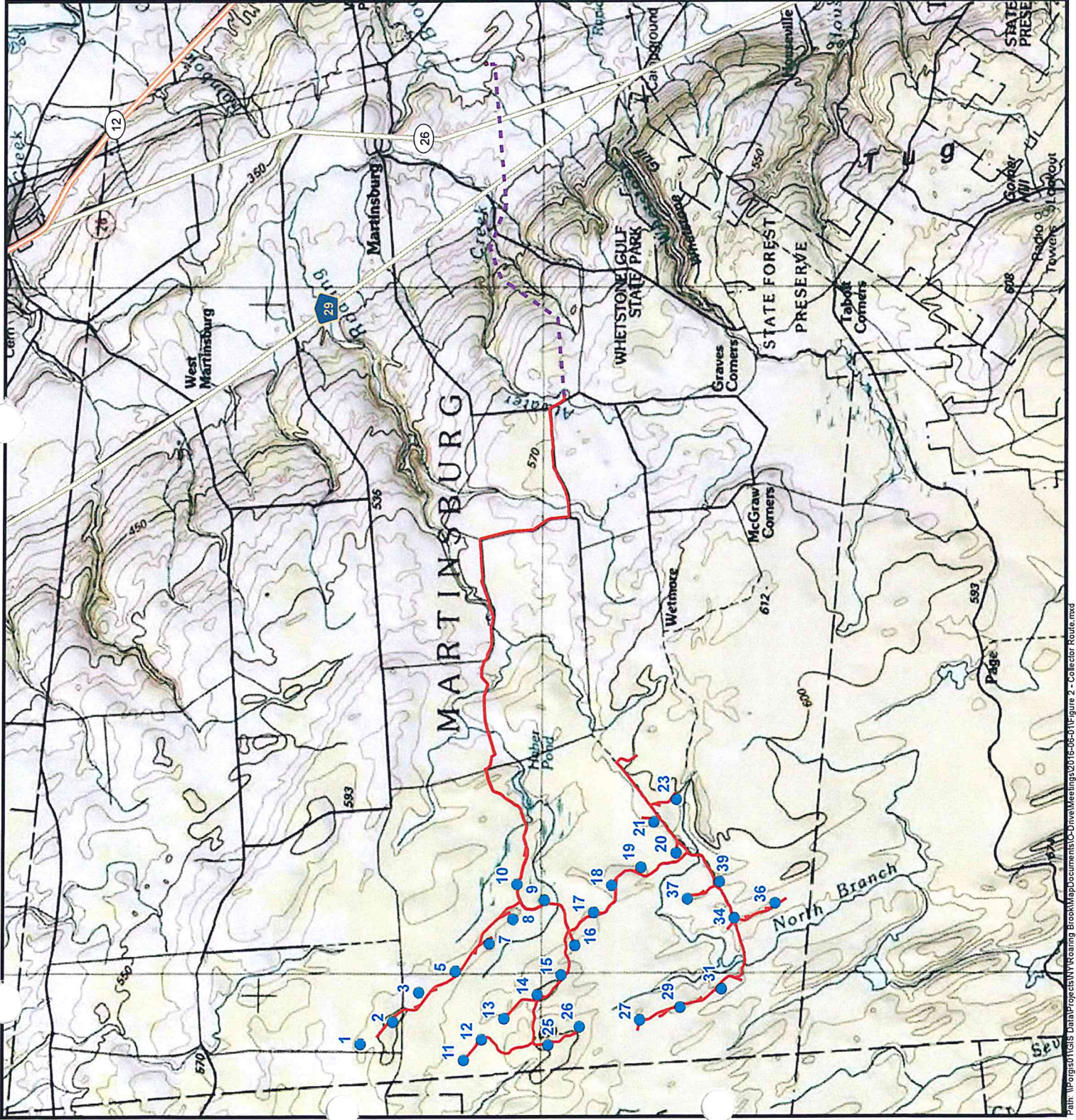
**Figure 2**  
Collector Route (Demko)

**Legend**

- Turbines
- UG Collector
- - - OH Collector
- Substation (Demko)



Modified Date: 6/7/2016



Path: I:\Programs\GIS\BrowMap\Documents\O:\hva\Meeting\2016-06-01\Figure 2 - Collector Route.mxd



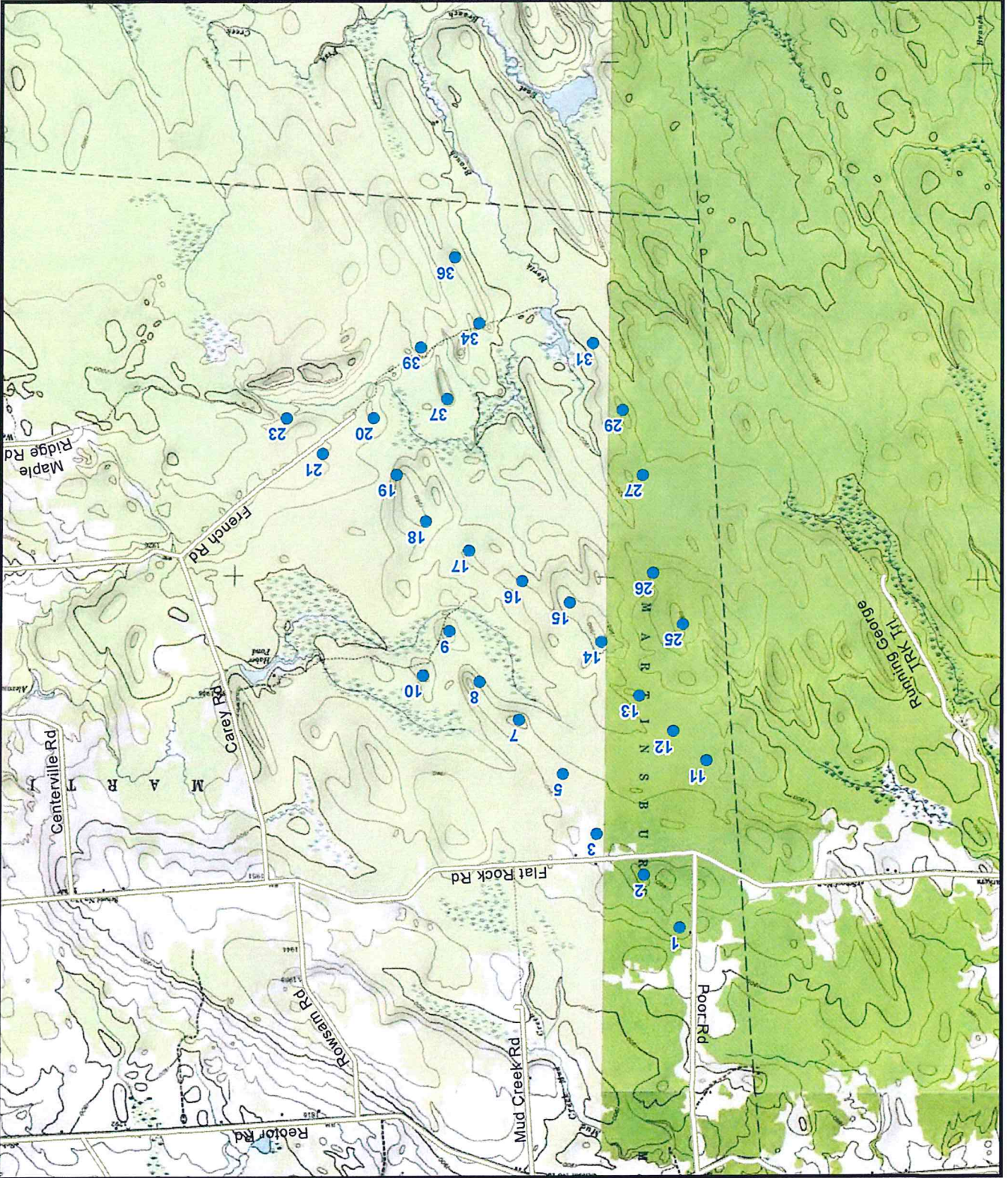
**AVANGRID RENEWABLES**

Figure 1  
Site Layout

Legend  
● Turbines

Miles  
0 0.5 1

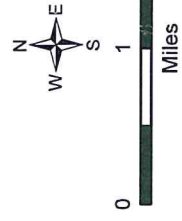
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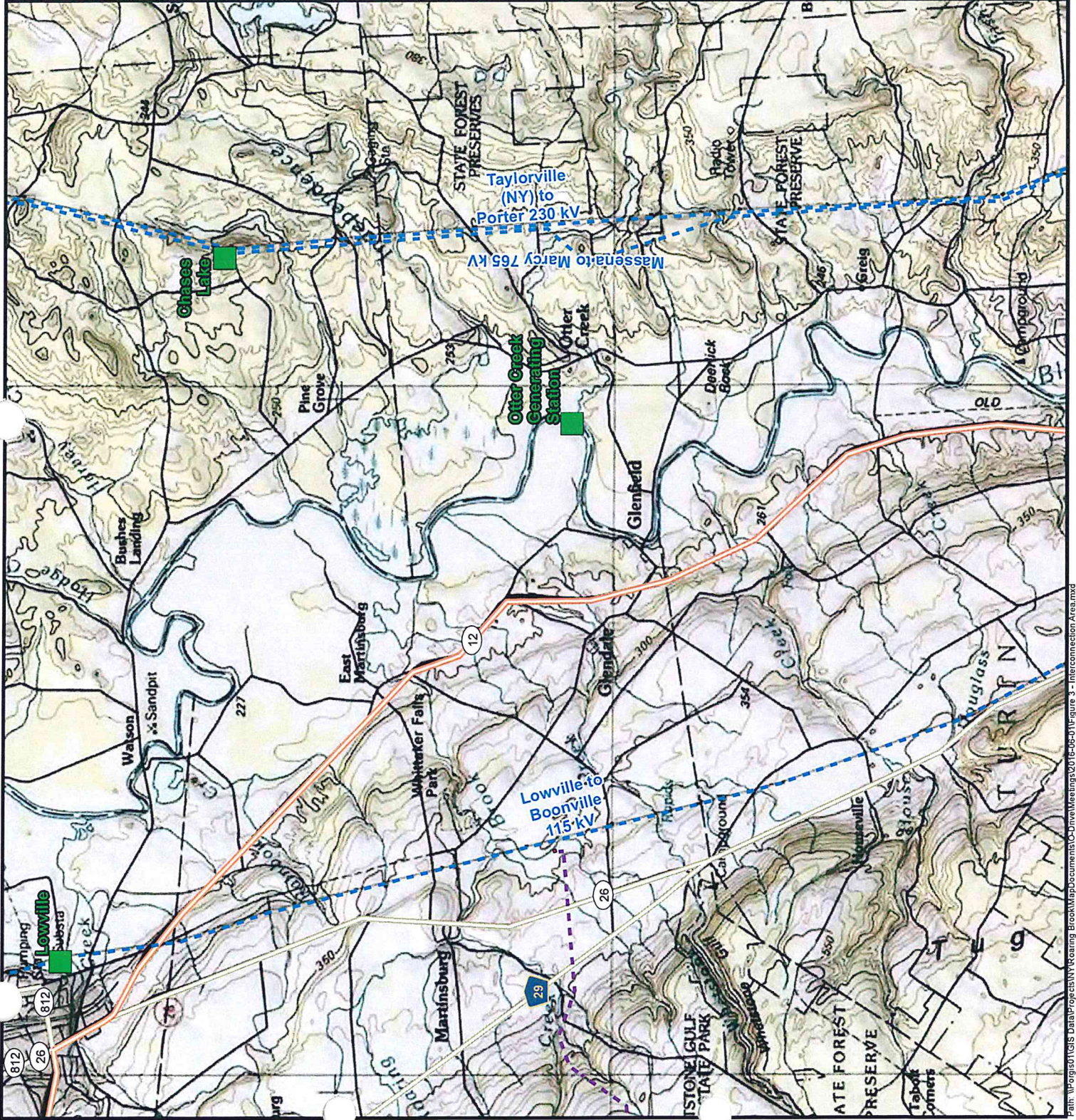


**Figure 3**  
Interconnection Area

- Legend**
- Existing Substation
  - Existing Transmission
  - OH Collector
  - Substation (Demko)



Modified Date: 6/17/2015



Path: \\p01s01\1\GIS Data\Projects\NY\Working BrookMap Documents\Drive Meetings\2015\6-17-15\Figure 3 - Interconnection Area.mxd