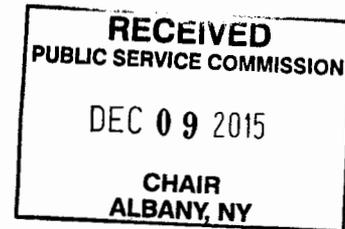


December 4, 2015

Honorable Kathleen H. Burgess  
Secretary to the Commissioner  
Public Service Commission  
90 Church Street  
New York, NY 10007



Dear Ms. Burgess:

The Genesee/Orleans and the Niagara County Boards of Health have recently been engaged in wide public interest and general concern over the proposal by APEX to construct a wind turbine farm along the southern shore of Lake Ontario in Niagara and Orleans Counties. This project plans for the erection of approximately seventy 600-foot tall wind turbines in the communities that our Boards of Health, under New York State Public Health Law, are charged with protecting our resident's health.

Classifying wind turbine projects under Article 10 allows them to be classified as Type II actions in the SEQRA regulations (6NYCRR Part 617). This classification allows standard environmental reviews under the Environmental Conservation Law, article 8 to be waived. Under the Article 10 legislation, our local boards of health's home rule ability to take steps to safe guard the health and wellness of our residents and protect the environment within our counties has been put at risk. What is the State's position and plan to ensure that our residents health is protected and the impact on our local environment have been reviewed and vetted through the standard state assessments for projects of this magnitude?

Neither Board of Health has currently taken a specific position on the project itself, but both boards believe strongly that any project of this nature and magnitude only be considered following a complete and transparent process including all the standard environmental and health impact studies and local input. Our Boards, lacking both the resource and expertise in this very broad matter, believe it is both reasonable and prudent to require a full SEQRA environmental review prior to any further consideration or action by the Article 10 Siting Board.

If you have any further questions on our position or wish to discuss further, we request that you contact us at: Niagara County Department of Health at (716) 439-7435 or the Orleans County Department of Health at (585) 589-3278.

Sincerely,

A handwritten signature in black ink that reads "Paul R. Grout".

Paul Grout  
President, Genesee ~ Orleans Board of Health  
14012 Route 31 West, Albion, NY 14411

A handwritten signature in black ink that reads "Susan DeLong".

Susan DeLong  
President, Niagara County Board of Health  
5467 Upper Mountain Road, Suite 100, Lockport, NY 14094

cc: Board of Health members  
Niagara County Legislature  
Orleans County Legislature