

**INVASIVE SPECIES CONTROL PLAN
STONY CREEK WIND FARM
WYOMING COUNTY, NEW YORK**

**Applicant: Stony Creek Energy LLC
Permit Application ID: TBD**

January 14, 2010

1 INTRODUCTION

The Stony Creek Wind Farm (the “Project”) is a wind energy facility being developed by Stony Creek Energy LLC (“Stony Creek”) in Wyoming County, NY. The Project could result in the disturbance to a small number of wetlands and riparian areas during construction and operation of the Project. Wetland habitats and riparian zones are susceptible to a variety of biological stressors and direct impacts as the result of disturbance to existing hydrology, soils, and vegetation. A major threat to these ecosystems are invasive species including purple loosestrife (*Lythrum salicaria*), common reed or phragmites (*Phragmites australis*) and Japanese knotweed (*Polygonum cuspidatum*). This plan is intended to minimize the chance of inadvertent introduction of these species into an area through the movement of topsoil, fill, and construction equipment.

This Invasive Species Control Plan (the “Plan”) describes the Best Management Practices (“BMPs”) that will be implemented to ensure that Project activities do not cause an introduction of, or an increase in the presence of, invasive species in wetlands, riparian areas, and NYSDEC-regulated freshwater wetland adjacent areas in the portions of the Project area that will be permanently or temporarily disturbed as a result of construction or operation of the Project. For the purposes of this Plan, the term “regulated areas” will be used to refer to those wetland, riparian, and NYSDEC-regulated adjacent areas that are specifically covered by NYSDEC and USACE permits, and that will be temporarily or permanently impacted as a result of constructing and operating the Project.

The Plan is designed to prevent the introduction and spread of invasive species to new locations within regulated areas impacted by construction and operational activities. The implementation of these BMPs will help ensure the success of the Plan.

2 BEST MANAGEMENT PRACTICES FOR INVASIVE SPECIES MANAGEMENT

2.1 Baseline Survey of Regulated Areas

As the first step in implementing the Plan, Stony Creek will conduct a baseline survey of regulated areas to document the presence and areal coverage of purple loosestrife, phragmites and Japanese knotweed. This survey will establish a pre-construction accounting of percentage areal coverage of identified invasive species. Areas containing invasive species will be clearly identified in the field using highly visible survey tape. A copy of the baseline survey will be sent to the NYSDEC and USACE.

2.2 Inspection of Fill Sources

NYSDEC has indicated that many gravel mines and other sources of fill across the state contain infestations of invasive species. Stony Creek will identify satisfactory sources of any fill and/or construction materials including topsoil, sand, gravel, rock, and crushed stone, from commercial mines

and other offsite locations. Only clean sources of fill and/or construction materials will be used during the construction and restoration of the Project.

2.3 Invasive Plant Material Removal and Transportation

2.3.1 During Construction

Invasive species located during the baseline survey within NYSDEC regulated areas will be avoided during construction activities in an effort to eliminate the potential contamination of machinery that could transport these species to other locations within the Project area. If invasive species are encountered within the potential construction impact zone within a NYSDEC regulated area, Stony Creek will manually or mechanically remove the species of concern from within said area. With most species, the dead plant material will be segregated from the soil and transported to a designated offsite location by a truck with a cap or topper to securely fasten the load and prevent loss of the material during transport, if necessary. A single offsite location will contain a disposal container or dumpster designated only for invasive plant material. The dumpster will be placed in an open area and contain a black, fitted cover to promote composting or liquefying the plant material. The dumpster will be monitored by Stony Creek to ensure the cover is secure and to monitor the progress of the composting. Once the material is broken down, the material will be disposed of at a NYSDEC-approved site.

2.3.2 Post Construction

If invasive species are found in regulated areas where Stony Creek conducted construction and restoration activities, Stony Creek will manually or mechanically remove the species of concern from within that area. Plant material will be disposed of in a similar fashion as previously described. Stony Creek will coordinate with NYSDEC regarding disposal options. The area where the plants were removed will then be mulched with straw and reseeded using an appropriate seed mix or equivalent as described in Section 2.4 below. A cover crop, such as annual rye, may be used as a temporary cover depending on site conditions and time of year.

2.3.3 Equipment Sanitation

Prior to entry into regulated areas, earth moving and excavation equipment (motorized or hand powered) will be inspected and cleaned of extraneous soil and debris. Earth moving and excavation equipment used in regulated areas where invasive species are present will be cleaned free of debris and soil within an upland area near the infected area prior to removal of the equipment from the regulated area. Equipment cleaning will include a combination of mechanical removal of excess dirt and washing with a mobile pressure washer, if necessary. This protocol will help prevent the transport of invasive species seeds or propagules (roots, tubers, etc.) to unaffected regulated areas. Erosion and sediment control measures will be implemented to prevent degradation of water quality during this process.

2.4 Restoration of Regulated Areas

Portions of regulated areas temporarily impacted during construction will be restored to pre-construction contours and re-vegetated immediately following completion of regulated activities at each site. An appropriate native seed mix or, in agricultural areas, a mix selected by the landowner, will be used. Seed will be obtained from local sources to the extent possible.

A wet meadow seed mixture or an equivalent approved seed mix will be used in the restoration of all wetland areas and riparian zones impacted by construction activities.

2.5 Post-Construction Monitoring for Invasive Species

Regulated areas impacted during Project construction will be monitored for the presence of invasive species for the first five years post-construction. This monitoring will be conducted bi-annually during the growing season. Stony Creek will update the baseline survey as necessary to document any increased areal coverage of invasive species in regulated areas, and provide any such updates to the NYSDEC and USACE.

If areal coverage of invasive species in regulated areas increases above the pre-construction baseline survey level, Stony Creek will coordinate with NYSDEC and USACE to confirm whether the increase is the result of Project or non-Project related activities. If the increase is determined to be the result of Project activities, remedial actions will be undertaken immediately.

Stony Creek will provide the NYSDEC and USACE with an annual post-construction monitoring report detailing the status of invasive plant species, if identified, within regulated areas impacted by Project construction, and all measures taken to meet the plan goals. The report will be submitted by December 31 of the monitoring year. If the report demonstrates a 0% increase areal coverage of invasive species prior to the end of the five-year monitoring period, Stony Creek will formally request NYSDEC and USACE deem this condition of the permit to be met and allow invasive species monitoring to cease. If the goal of the plan is not met within the first five years post-construction, Stony Creek will review its control efforts with NYSDEC and USACE, submit a revised control plan, and implement applicable control actions for an additional monitoring term.