

R.O.W. AND VEGETATION MANAGEMENT PLAN

Stony Creek Wind Farm Wyoming County, New York

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. Construction of the Project will result in disturbances to areas that are currently vegetated by agricultural, shrub, and forest covers. This Re-vegetation Plan (the “Plan”) describes measures to be taken to ensure areas impacted during construction are allowed to re-vegetate so as to balance the goals of allowing reasonable Project maintenance, minimizing long-term disturbance of wildlife habitat, and limiting the erosion of exposed soils..

2 RE-VEGETATION OF REGULATED AREAS

Portions of regulated areas (including buffer 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 practical.

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

3 RE-VEGETATION OF AREAS OUTSIDE REGULATED AREAS

Non-wetland areas impacted by construction of the Project fall into three general categories: (i) areas around bases of wind turbines; (ii) areas adjacent to permanent access roads; and (iii) areas where underground utilities are installed. Practices to manage re-vegetation in each of these types of areas are discussed in the following sections.

3.1 Turbine Worksite Areas

3.1.1 Construction Impacts

Construction of each wind turbine will require select clearing and grading in the immediate vicinity of each wind turbine to provide a “turbine worksite” where Stony Creek will build the foundation, operate the crane and other vehicles, and temporarily store and assemble the wind turbine. The specific configuration, clearing, and grading at each turbine worksite will vary at each turbine site to accommodate site specific issues with terrain, crane assembly, etc. The maximum area impacted will be an area defined by a 200 ft radius from the WTG center, which would cover 2.9 acres. At the start of construction, the turbine worksites will be cleared of trees and brush and graded as needed. Throughout construction, the turbine worksites will be managed in accordance the Project’s Storm Water Pollution Prevention Plan.

3.1.2 Permanent Impacts and Reclaim Areas

After the turbine is assembled, the permanent impacts to the surface of the turbine worksite will be: (i) the approximately 16 feet diameter concrete pedestal upon which the turbine will be mounted (about

0.005 acres), (ii) the gravel apron around the pedestal base with width of approximately 15 feet (about 0.034 acres additional area covered), and (iii) the leveled, compacted and possibly gravel-covered crane pad covering an area approximately 40 ft wide and about 80 feet long, as measured from a point about where the apron would start (about 0.068 acres). Where requested by the landowner, Stony Creek will narrow crane pads after construction to be the width of a normal access road. This calculation, however, assumes conservatively that crane pads will not be narrowed after construction. In total, the permanent impact areas, assuming the crane pad is not narrowed, will result in an impact of just over 0.10 acre. For purposes of DEIS impact assessments and this Plan, the permanent impact per WTG is assumed to be 0.2 acres or less.

The portions of the wind turbine worksite that do not contain one of the aforementioned permanent impacts will be allowed to re-vegetate. Using the maximum construction and permanent impact areas above, the “turbine worksite reclaim areas” will be approximately 2.7 acres per turbine.

3.1.3 Reclamation and Vegetation Management

Measures to reclaim and manage the turbine worksite reclaim areas must account for needs for post-construction monitoring of avian and bat mortality that will be conducted by Stony Creek. Once turbine assembly is complete, Stony Creek will grade and restore topsoil to the turbine worksite reclaim areas. The areas will then be seeded and stabilized using native seed mixtures or another seed mix as selected in consultation with the landowner.

During the period when post-construction avian and bat monitoring is being conducted, typically a one to three-year period, a portion of the turbine worksite reclaim areas will likely need to be kept relatively open and free of shrubs, small trees, and tall grasses so as to facilitate regular field searches for bird and bat carcasses. Thus, during the post-construction monitoring period, Stony Creek will mow the turbine worksite reclaim areas periodically to maintain the vegetation at an optimal height that permits searchers to effectively discover carcasses and which ensures the reclaim areas are sufficiently stabilized to minimize erosion.

Following post-construction mortality monitoring, Stony Creek will have no need to manage vegetation in the turbine worksite reclaim areas (although Stony Creek will be responsible for minor trimming of weeds in the permanent impact areas). In the turbine worksite reclaim areas, vegetation management will become the responsibility of the landowner.

For turbine worksite reclaim areas that were previously wooded areas, Stony Creek assumes the landowner will allow trees to re-grow naturally in the area.

For turbine worksite reclaim areas that were previously shrub area, Stony Creek assumes the landowner will allow these areas to return to their shrub habitat.

For turbine worksite reclaim areas in active agricultural fields, Stony Creek assumes the landowner will continue to cultivate the area for agriculture by plowing, planting, and harvesting.

3.2 Access Road Areas

3.2.1 Construction Impacts

Construction of access roads will require clearing and grubbing of the roadway corridor (in shrub and forest areas), grading for the roadbed, gravelling the road surface, and installing drainage features to convey storm water runoff along the road corridor. As part of construction, cut and fill areas and drainage ditches will be permanently stabilized and seeded with native seeds.

The width of construction impacts along access road corridors will exceed the width of the gravel lane to allow room for items such as: (i) drainage features; (ii) cut and fill (as necessary), (iii) soil stockpiles, and (iv) shoulders. Widths of gravel surfaces during construction will vary from 20 feet to 32 feet, with the wider widths being required for areas where the main erection crane will be travelling. Total corridor width will vary with terrain and cut and fill requirements, but is conservatively estimated to average a vegetation disturbance width of 75 feet for all access roads.

3.2.2 Permanent Impacts

As part of restoration, road widths will be reduced from their construction width, down to the final width of 16 feet, except in cases where the landowners prefers that roads remain at the construction width. The 16 feet wide roadway will have shoulders on either side that will result in an average permanent disturbed area of 20 feet. Areas not used for permanent road or shoulder will be restored as part of the restoration phase of construction.

On average, the area on either side of the access roads that will be restored after construction will be approximately 27.5 feet wide.

3.2.3 Reclamation and Vegetation Management

To allow regular access by maintenance trucks without damage to trees or property, Stony Creek will need to maintain a travel lane over the gravel road surface that is free of overhanging branches and brush. To accomplish this, for access roads that pass through wooded and shrub areas, Stony Creek will maintain a mowed shoulder approximately 2 feet wide beyond the edges of the gravel roadways. Mowing of these shoulders will prevent trees from growing in the shoulder and overhanging the travel lanes. Mowing intervals will be set, in part, to ensure the shoulders maintain a level of vegetation that will prevent erosion of the shoulders and the roadway. Areas beyond the shoulders will not be mowed and will be allowed to re-grow naturally with grasses, brush, and trees.

To further maintain a free travel lane over access roads, Stony Creek may periodically trim branches of trees that grow into the travel lanes or shoulders.

3.3 Cable Areas

Cables for the Project will be buried alongside access roads and also along separate routes where no access roads are being installed. For routes that are not alongside access roads, some may be open fields and some may be in wooded or shrub areas.

3.3.1 Cable Installation Impacts

When cables are installed along access roads, clearing and grubbing will take place as part of the roadway construction. For routes away from roads and through wooded areas construction will require clearing and grubbing, then installation of the cable bedding, and backfill material using either a trenching machine or an excavator. Vegetation impact areas for cable routes will average 15 feet to 20 ft wide to support installation activities.

3.3.2 Reclamation and Vegetation Management

As part of restoration activities, areas affected by cable installation will be graded and seeded with a native seed mixture intended to stabilize the area and minimize erosion.

Once operational, the cables themselves will not require regular maintenance, but there is a low probability that Stony Creek will have to perform unscheduled maintenance to cables. To ensure cables can be accessed without significant tree clearing and to minimize the chance of tree roots affecting

operation of the electrical collection system, Stony Creek will periodically mow or clear a corridor approximately 15 feet wide above buried cables so as to prevent large trees from growing in the corridor.

Stony Creek recognizes that if maintenance of cable routes through wooded areas results in corridors without large trees, these areas could be used recreationally as trails for all terrain vehicles or hikers. Cable corridors will remain private property, and such use should occur only with proper permissions from the landowner.

3.4 Substation Area

The substation will be built on a leveled area graded to drain water away from the substation equipment and to control stormwater flows.

3.4.1 Substation Construction Impacts

The entire substation area will be cleared and graded in the earliest stages of construction. Parts of the substation construction site will be used to stockpile soils that will be used in final grading.

3.4.2 Reclamation and Vegetation Management

At the completion of substation construction, the entire area inside the fenced substation yard will be covered with gravel and managed to prevent vegetation from growing inside the yard. Outside of the substation fence, a cleared buffer will be maintained where Stony Creek will maintain a grass surface free of trees that could grow to overhang the substation equipment and pose a risk to substation operation if they were to drop branches onto the substation equipment.

Stony Creek will manage the fence buffer area by periodic mowing of the buffer area, nominally done once every month during the growing season.

Stony Creek will manage the area inside the buffer area with the goal of preventing any vegetation from growing in the graveled substation yard.

4 HERBICIDES AND PESTICIDES

4.1 Herbicide Application

Stony Creek may use standard commercially-available herbicides to control vegetation around turbine bases, in access roads, around the Operations and Maintenance facilities and inside and around the substation yard. Stony Creek will not apply herbicides in active agricultural fields, unless those areas overlap with one of the aforementioned areas.

Stony Creek will only use approved herbicides applied in accordance with label instructions, and applicable NYSDEC regulations on use of such materials and notification of neighbors. In using such herbicides, Stony Creek shall consider potential impacts to nearby streams, if any, that could occur from translocation of soil sterilants during a rainfall event.

4.2 Pesticide Application

Stony Creek may use standard commercially-available pesticides to control insects and small mammals (such as mice) around turbine bases, around the Operations and Maintenance facilities and inside and around the substation yard and control buildings. Stony Creek will not apply pesticides in active agricultural fields, unless those areas are immediately adjacent to one of the aforementioned areas.

Stony Creek will only use approved pesticides applied in accordance with label instructions and applicable state regulations on use of such materials.

4.2.1 Storage of Herbicides and Pesticides

Stony Creek will store herbicides and pesticides at either the Stony Creek O&M center or the High Sheldon O&M center. Storage of such materials will be done in accordance with applicable NYSDEC guidelines.