



Public Notice

U.S. Army Corps
of Engineers
Buffalo District
CELRB-TD-R

Applicant:
Alle-Catt Wind Energy, LLC

Published: May 31, 2023
Expires: June 30, 2023

Application No: LRB-2021-00420
Section: NY

All written comments should reference the above Application No. and be addressed to:
US Army Corps of Engineers, Buffalo District
Regulatory Branch, Attn: Molly Connerton
1776 Niagara Street
Buffalo, NY 14207

THE PURPOSE OF THIS PUBLIC NOTICE IS TO SOLICIT COMMENTS FROM THE PUBLIC REGARDING THE WORK DESCRIBED BELOW. NO DECISION HAS BEEN MADE AS TO WHETHER OR NOT A PERMIT WILL BE ISSUED AT THIS TIME.

Application for Permit under Authority of
Section 404 of the Clean Water Act (33 U.S.C. 1344).

APPLICANT: Alle-Catt Wind Energy, LLC, One South Wacker Drive, Chicago, IL, 60606

WATERWAY & LOCATION: Federal wetlands and streams. The Facility Site (the collection of parcels that will host Facility components) is located in the Towns of Centerville, and Rushford, Allegany County; the Towns of Farmersville, Freedom, and Yorkshire, Cattaraugus County; and the Towns of Arcade and Eagle, Wyoming County, New York (Sheet 1 of 25). The Facility area is on leased land, which is roughly bounded by Genesee Road to the north, State Route 19 to the east, State Route 98 to the south, and State Route 16 to the west.

LATITUDE & LONGITUDE: 42°27'51.55"N (42.464319)
78°20'6.35"W (-78.335097)

EXISTING CONDITIONS: The Facility Site is located in the western portion of the glaciated Allegheny Plateau physiographic province of New York State. The Facility is located on land primarily comprised of deciduous forest, pastureland, hayfields, and actively managed row crops. Other ecological communities found within the Facility area include mixed and evergreen forest; woody and emergent herbaceous wetlands; successional shrubland; grassland/herbaceous

AVOIDANCE AND MINIMIZATION INFORMATION: The layout was designed, in part, through an iterative process of identifying wetland locations and siting Facility components to avoid and minimize impacts to jurisdictional surface waters and wetlands wherever practicable.

Temporary construction-related impacts to wetlands will be avoided through the use of timber mats, invasive species control measures will be utilized during construction, horizontal directional drilling will be utilized for installation of buried collection lines under streams and wetlands, where wetland soils are disturbed, any temporary fill will be removed at the completion of the construction, stockpiled wetland soils will be distributed and these areas will be restored to their original grade and profile.

No action alternative: The No Action Alternative assumes that the Facility Site would continue to exist as is (i.e., that the Facility would not be constructed) and no wetlands would be temporarily or permanently filled or dredged. The No Action Alternative would also not affect current land use, ambient noise conditions, traffic or public road conditions, and would maintain the ecological resources, community character and socioeconomic conditions as they currently exist. However, the No Action Alternative is not best suited to promote public interest because it would deprive the state and region of a significant source of clean, pollutant-free energy and significant new revenue for host municipalities and landowners. It would not meet the purpose and need for project, which is to provide approximately \$5,300,000 per year in economic benefits, reliable new sources of fuel-free, carbon-free electricity for state and regional consumers,

Off-site alternatives: The preliminary selection of wind turbine locations on a regional or statewide basis is constrained by several factors that are essential for a wind energy generating facility to operate in a manner that is viable both technically and economically. These factors include: An adequate wind resource; Adequate access to the bulk power transmission system from the standpoints of proximity and ability of the system to accommodate the interconnection and accept and transmit the power from the Facility; Contiguous areas of available land; Compatible land use; Willing landowner participants and host communities; and Limited population/residential development. The Facility Site presented in this Application has been extensively refined to carefully meet the conditions outlined above and minimize the impact on sensitive environmental resources. The wind resource within the Facility Site is adequate for the wind turbine generator models being considered for the Facility. The transmission system that will receive electricity from the Facility can accommodate the Applicant's proposed 340 MW nameplate capacity and 340.2 MW grid injection limit. Given the constraints associated with the siting of wind powered facilities, the applicant did not conduct a detail evaluation of alternate facility sites.

On-site alternatives: The Applicant has continually refined the Facility layout since 2018, when an initial layout of the Facility was developed based on a desktop review of mapped resources and known site features. Since then, the Applicant has made multiple revisions to the Facility design, based on environmental, cultural, and other studies, as well as on-site engineering and various regulatory considerations. These changes include modifications to the overall footprint of the Facility, including turbine layout, spacing between wind turbines, and changes to the placement of other Facility components to avoid ecological and archaeological resources,

molly.a.connerton@usace.army.mil A lack of response will be interpreted as meaning that there is no objection to the work as proposed.

The following authorization is required for this project:

Water Quality Certification (or waiver thereof) from the New York State Department of Environmental Conservation. In accordance with 33 CFR 325.2(b)(1)(i), this public notice serves as notification to the Administrator of the Environmental Protection Agency (EPA) pursuant to section 401(a)(2) of the Clean Water Act. If EPA determines that the proposed discharge may affect the quality of the waters of any adjacent/neighboring jurisdictions other than New York, it will so notify such other jurisdictions, the district engineer, and the applicant. If such notice or a request for supplemental information is not received within 30 days of issuance of this public notice, the district engineer will assume EPA has made a negative determination with respect to section 401(a)(2).

The project permit area, as shown on Sheet 1 of 25 is located within an archaeologically sensitive area identified by the New York State Office of Parks, Recreation and Historic Preservation (NYSOPRHP). This notice constitutes initiation of consultation with the NYSOPRHP per Section 106 of the National Historic Preservation Act. All currently available historic resource information pertaining to this proposed project if any has been provided to the NYSOPRHP. Additional information concerning historic properties should be submitted to the Corps before the end of the comment period of this notice. The Corps will forward that information to the NYSOPRHP for their review.

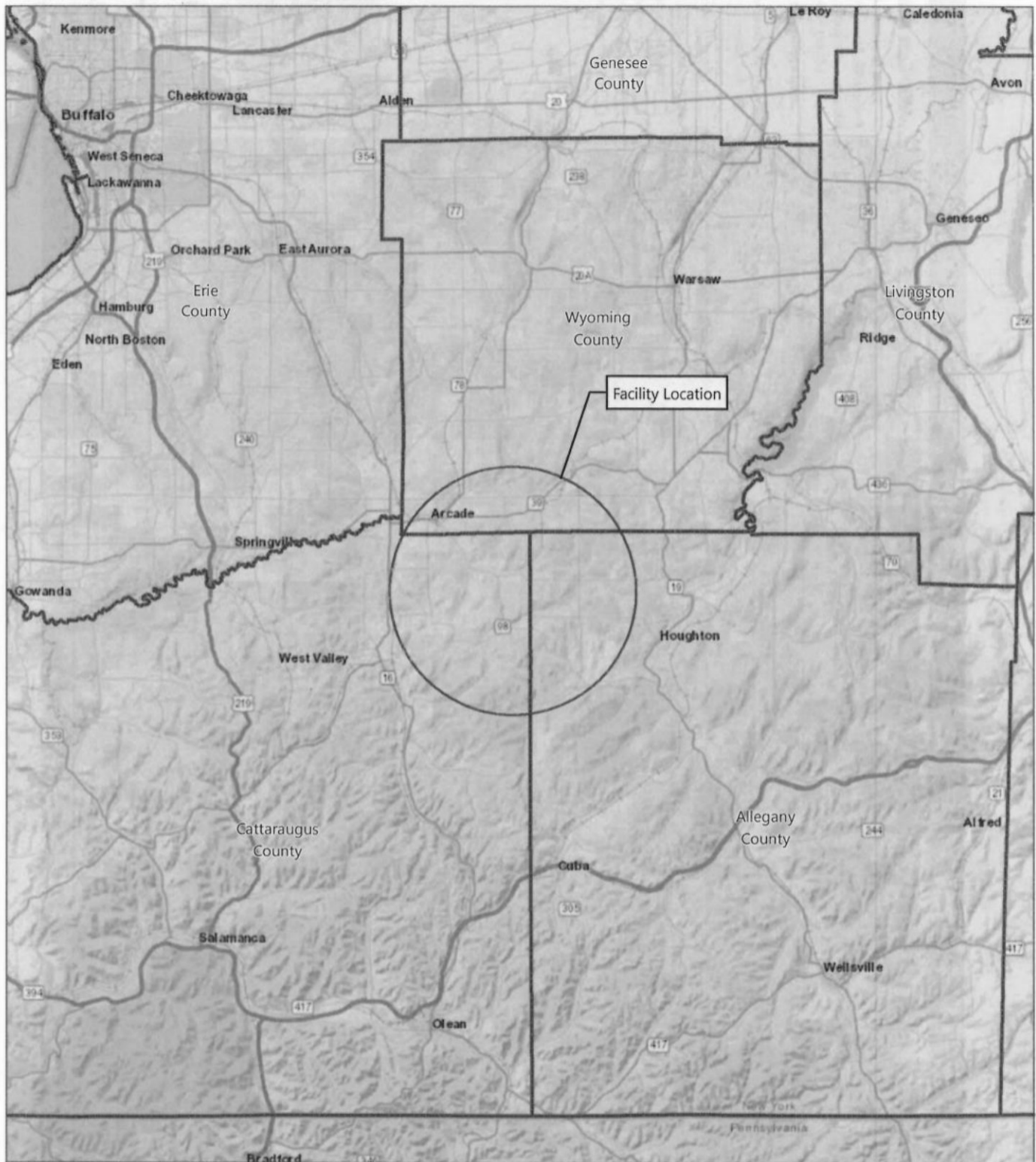
Pursuant to Section 7 of the Endangered Species Act (16 U.S.C. 1531), the Corps of Engineers is consulting, under separate cover, with the USFWS to evaluate any potential impacts to: Northern long eared bat, (*Myotis septentrionalis*), Clubshell (*Pleuorbema clava*) and the Northern riffleshell (*Epioblasma rangiana*) to ensure that the proposed activity is not likely to jeopardize their continued existence or result in the destruction or adverse modification of critical habitat.

Comments submitted in response to this notice will be fully considered during the public interest review for this permit application. All written comments will be made a part of the administrative record which is available to the public under the Freedom of Information Act. The Administrative Record, or portions thereof, may also be posted on a Corps of Engineers internet web site. Due to resource limitations, this office will normally not acknowledge the receipt of comments or respond to individual letters of comment.

Any individual may request a public hearing by submitting their written request, stating the specific reasons for holding a hearing, in the same manner and time period as other comments.

Public hearings for the purposes of the Corps permit program will be held when the District Commander determines he can obtain additional information, not available in written comments, that will aid him in the decision-making process for this application. A Corps hearing is not a source of information for the general public, nor a forum for the resolution of issues or conflicting points of view (witnesses are not sworn and cross examination is prohibited). Hearings will not be held to obtain information on issues unrelated to the work requiring a permit, such as property ownership, neighbor disputes, or the behavior or actions of the public or

Allegany, Wyoming, Cattaraugus Counties
Figure 1. Regional Facility Location Sheet 1 of 25



Alle-Catt Wind Farm

Towns of Arcade, Centerville, Farmersville, Freedom, and
Rushford Allegany, Cattaraugus, and Wyoming County, New York

Joint Application for Permit



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Miles

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OST-2025-1200 Page 01403

Prepared December 12, 2022
Basemap: Esri "World Street Map" map service

Figure 2. Facility Layout

Sheet 2 of 10

Alle-Catt Wind Farm

Towns of Arcade, Centerville,
Farmersville, Freedom, and Rushford
Allegany, Cattaraugus, and Wyoming
County, New York

Joint Application for Permit

- Proposed Facility Components
- Wind Turbine
 - Collection Line
 - Access Road
 - Blade Storage Area
 - Delivery Turnaround
 - Intersection Improvement
 - Private Temporary Turn Improvement
 - Limit of Disturbance



Allegheny, Wyoming, Cattaraugus Counties
LRB-2021-00420
Alle-Catt Wind, LLC
Sheet 3 of 25
01-09-2025 12:00 PM Page 01404

Prepared December 21, 2022
Bureau NYSDOT 2020-2021 cartography map service

EDR

Figure 2. Facility Layout

Alle-Catt Wind Farm

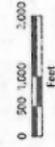
Towns of Arcade, Centerville,
Farmersville, Freedom, and Rushford
Allegany, Cattaraugus, and Wyoming
County, New York

Joint Application for Permit

- Proposed Facility Components
- Wind Turbine
 - Collection Line
 - Access Road
 - Blade Storage Area
 - Delivery Turnaround
 - Intersection Improvement
 - Private Temporary Turn Improvement
 - Limit of Disturbance



Sheet 4 of 10



Prepared December 21, 2022
Bureau NYSDOT 2020-2021 cartography map service

EDR



Alle-Catt Wind Farm
LRB-2021-00420
Allegany, Cattaraugus, and Wyoming Counties
Sheet 4 of 10



Figure 2. Facility Layout

Alle-Catt Wind Farm Towns of Arcade, Centerville, Farmersville, Freedom, and Rushford Allegany, Cattaraugus, and Wyoming County, New York

Joint Application for Permit

- Proposed Facility Components
- Wind Turbine
 - Collection Line
 - Access Road
 - Collection Substation
 - O&M Building
 - Laydown Yard
 - Blade Storage Area
 - Delivery Turnaround
 - Intersection Improvement
 - Private Temporary Turn Improvement
 - Limit of Disturbance



Alle-Catt Wind, LLC
 LRB-2021-00420
 2021-09-06
 Sheet 9 of 25

Figure 2. Facility Layout

Sheet 10 of 10

Alle-Catt Wind Farm
Towns of Arcade, Centerville,
Farmersville, Freedom, and Rushford
Allegany, Cattaraugus, and Wyoming
County, New York

Joint Application for Permit

Proposed Facility Components
☐ Intersection Improvement
☐ Limit of Disturbance



Sheet 10 of 10



0 500 1,000 2,000
Feet

Prepared December 21, 2022
Sierra Club v. Dept. of Transp. - 3:25-cv-06221

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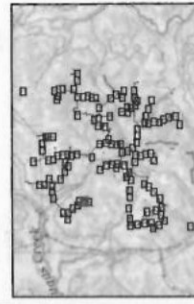
Figure 6. Delineated Wetlands and Streams

Sheet 2 of 122

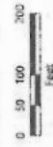
Alle-Catt Wind Farm
 Towns of Arcade, Centerville,
 Farmersville, Freedom, and Rushford
 Allegany, Cataraugus, and Wyoming
 County, New York

Wetland Delineation Report

- Data Collection Point
- Perennial Delineated Stream
- Intermittent Delineated Stream
- PFO Delineated Wetland
- PEM Delineated Wetland
- POW Delineated Waterbody
- ▨ Jurisdictional Ditch
- HOB Area
- Limit of Disturbance



Sheet 2 of 122



Prepared January 5, 2023
 Basemap: NAD83/2011 orthorectified map service

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Towns of Arcade, Centerville,
Farmersville, Freedom, and Rushford
Allegany, Cattaraugus, and Wyoming
County, New York

Wetland Delineation Report

-  Data Collection Point
 Intermittent Delineated Stream
 Ephemeral Delineated Stream
 Perennial Delineated Stream
 Intermittent Delineated Stream
 PFO Delineated Wetland
 PSS Delineated Wetland
 PEM Delineated Wetland
 HDD Area
 Limit of Disturbance



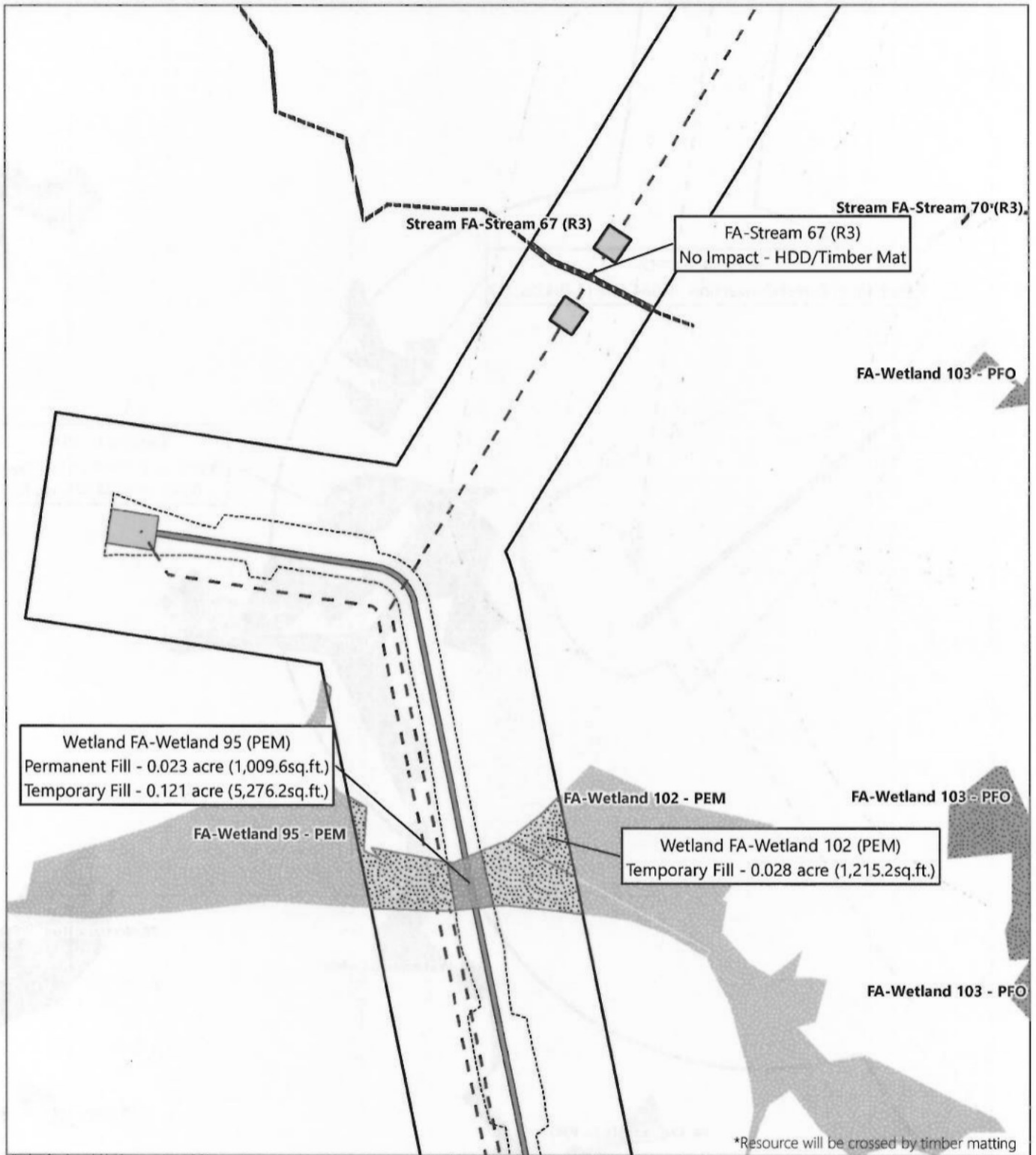
Sheet 4 of 122



Prepared January 5, 2023
Baremap NISDOP *2020-2021* orthomajery map service

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Figure 4. Federal Wetland and Stream Impacts



Alle-Catt Wind Farm

Allegany, Cattaraugus, and
Wyoming County, New York

Joint Application for Permit

- Collection Line
- Access Road
- ALDS Pad
- Bore Pit
- Limit of Permanent Grading
- Limit of Disturbance

- PEM Wetland
- PFO Wetland
- Perennial Stream
- Wetland Impact
- Permanent Fill
- Temporary Fill

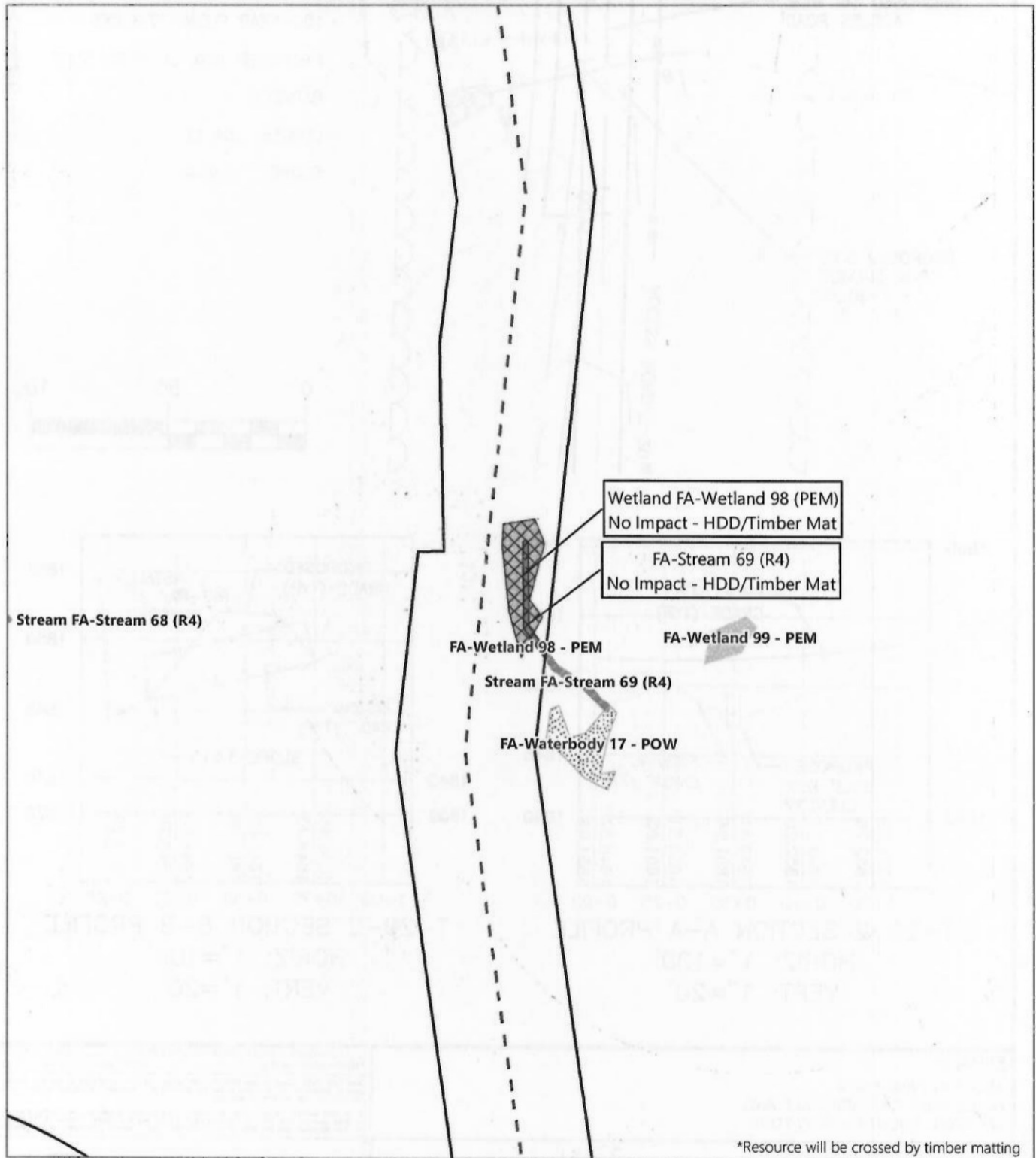
- Stream Impact
- No Impact -
HDD/Timber Mat

0 25 50 100
Feet

Prepared January 6, 2023

EDR

Figure 4. Federal Wetland and Stream Impacts



Alle-Catt Wind Farm

Allegany, Cattaraugus, and
Wyoming County, New York

Joint Application for Permit

-- Collection Line
□ Limit of Disturbance

PEM Wetland
POW Wetland
Intermittent Stream

Wetland Impact
No Impact -
HDD/Timber Mat

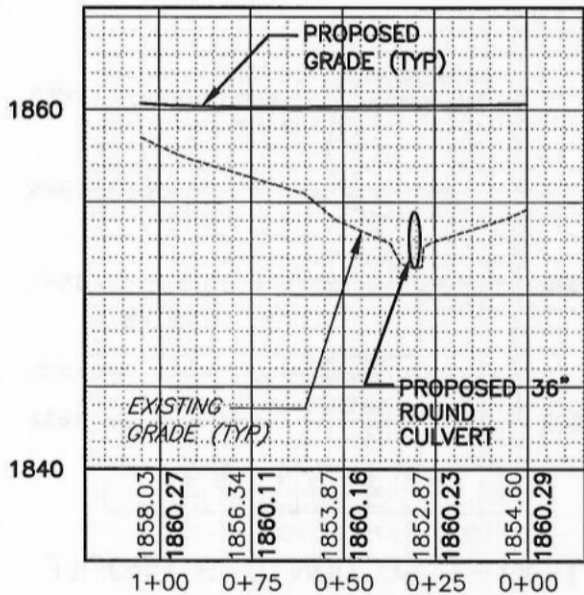
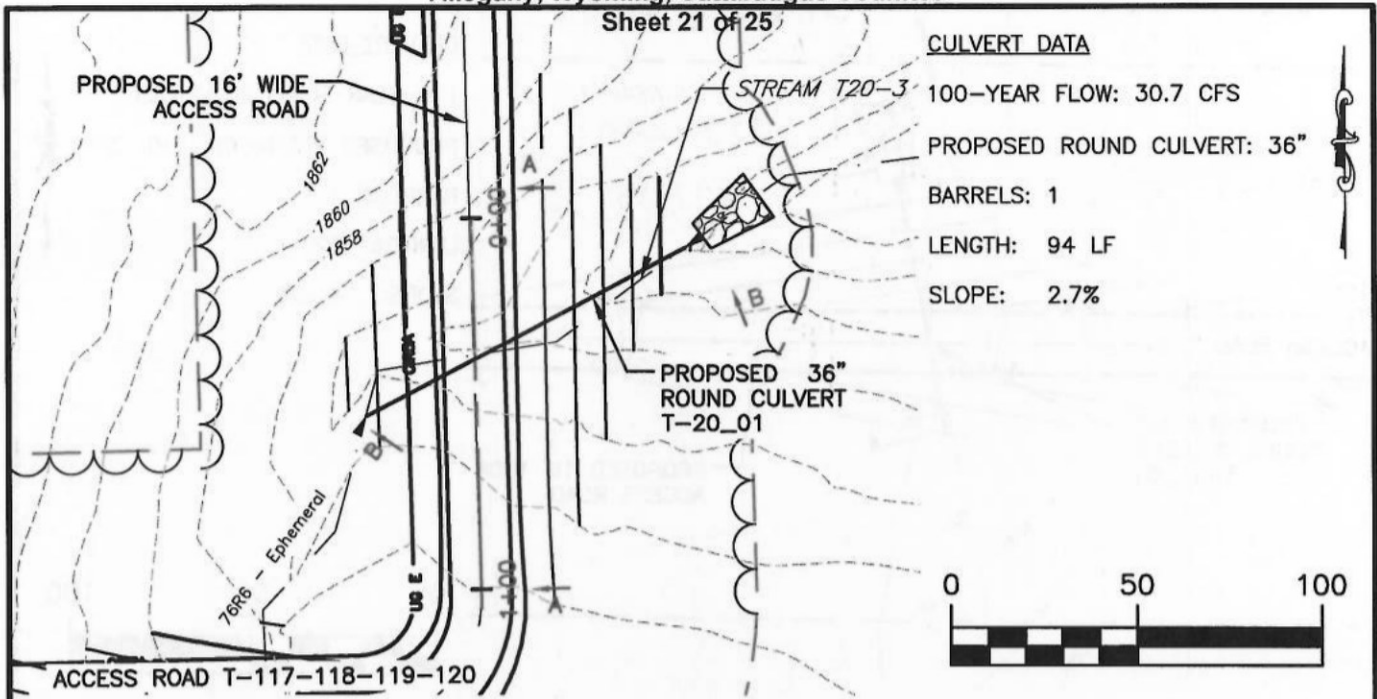
Stream Impact
No Impact -
HDD/Timber Mat



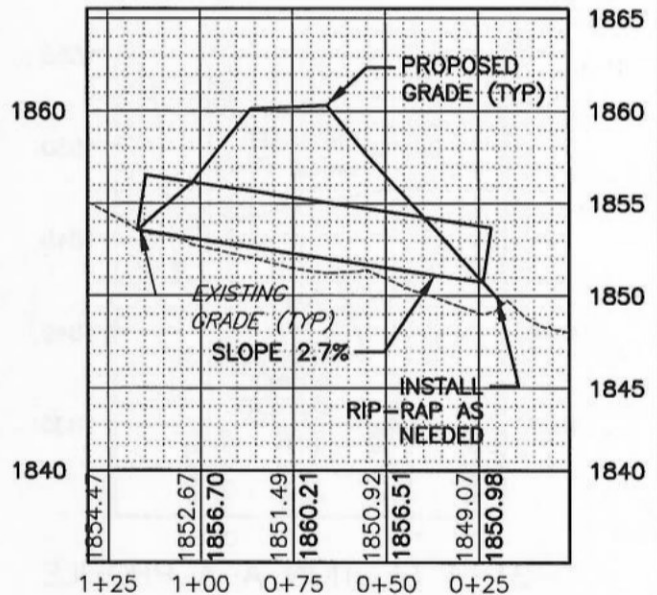
0 25 50 100
Feet

Prepared January 6, 2023

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T-20-3 A-A ALIGNMENT PROFILE
 HORIZ: 1"=100'
 VERT: 1"=20'



T-20-3 SECTION B-B PROFILE
 HORIZ: 1"=100'
 VERT: 1"=20'

PROJECT

ALLE CAT WIND FARM
 ALLEGHENY, CATTARAUGUS, AND
 WYOMING COUNTIES, NEW YORK

CULVERT CROSSING DETAILS

TITLE OF DRAWING

STREAM T-20-3

DRAWING NO.

SC-06

SHEET:

SHEET 7 OF 14

DRAWN BY:

FA PROJECT NO.

210351

SCALE:

AS SHOWN

CHECKED BY:

L. OLIVER

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New York State Education Law Section 7209 states that it is a violation of this law for any person, unless he/she is acting under the direction of a licensed professional engineer or land surveyor, to alter on them in any way.

If on item bearing the seal of an engineer or land surveyor is altered, the altering engineer or land surveyor shall affix to the item his/her seal and the notation "altered by" followed by his/her signature and the date of such alteration, and a specific description of the alteration.

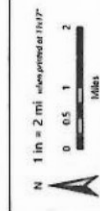
FISHER 
 ASSOCIATES

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Figure 1A
Project Location Map

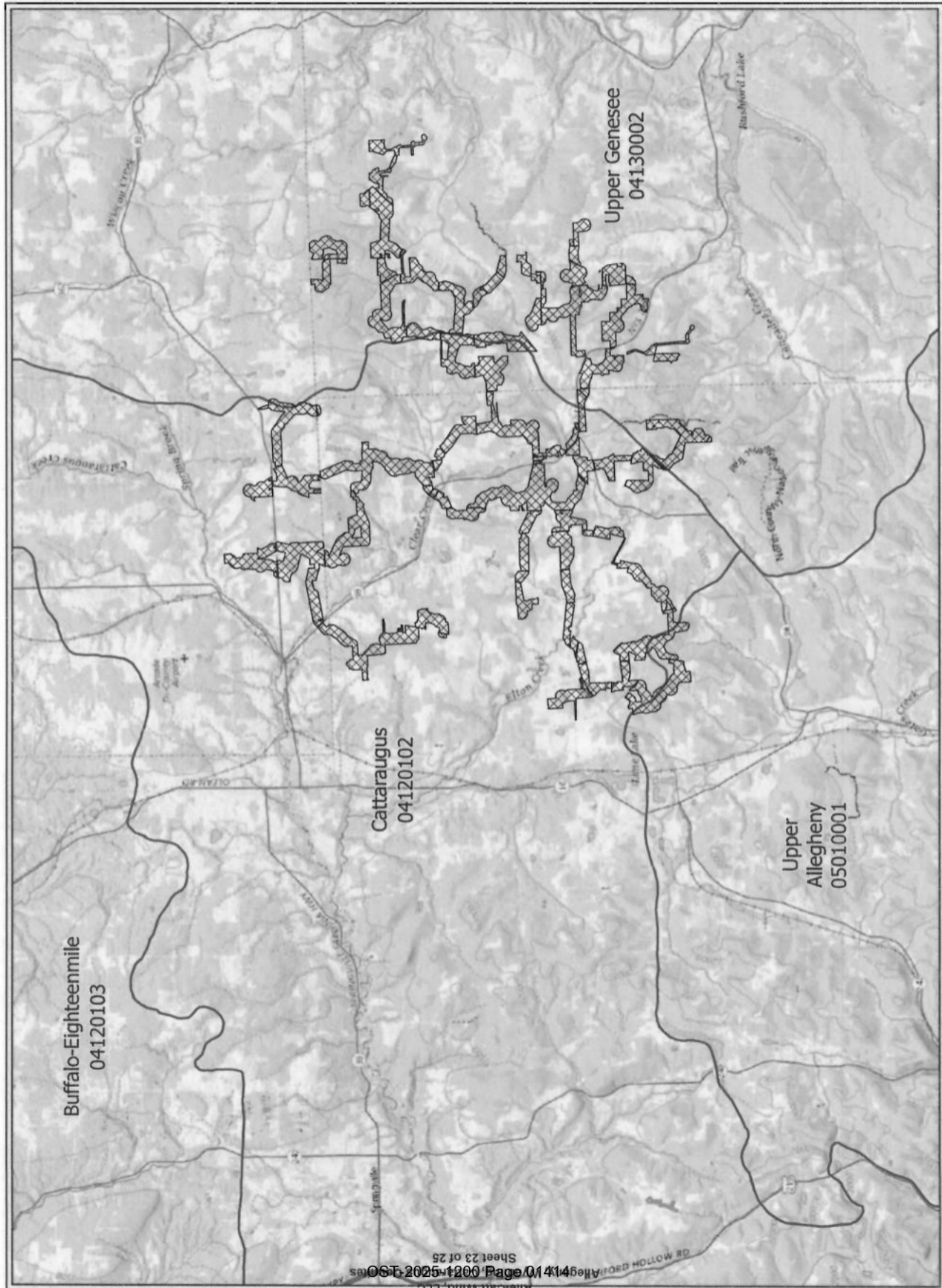
Alle-Catt Wind Energy Project
PRM
Cattaraugus County, NY
78.4269W to 80.959N

-  Rock Springs Restoration Site
-  Impact Location
-  HUC-8 Watershed



Reference: Project limits are approximate. The property boundaries depicted on this map have not been surveyed and are for prospect assessment only. This information is not to be used as a legal description.

Data Source: ESRI
Spatial Reference: NAD 1983 2011 UTM Zone 17N
Date Exported: 5/17/2023
Project Number: 007055





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