

**TO: Involved and Interested Agencies With Respect to the
Competitive Power Ventures Valley Energy Center**

**FROM: Barbara Parsons, Chair
Town of Wawayanda Planning Board**

DATE: February 24, 2010

RE: Public Availability of Additional Studies

As you know, the Town of Wawayanda Planning Board is the Lead Agency for purposes of reviewing Competitive Power Ventures' Valley Energy Center under the State Environmental Quality Review Act ("SEQRA"). In that capacity, the Planning Board accepted the Draft Environmental Impact Statement ("DEIS") for the Valley Project on February 23, 2009. Thereafter, the Planning Board provided an extended opportunity for public comment, which ran until May 14, 2009. In addition, the Planning Board held a Public Hearing on April 8, 2009.

Since the close of the comment period on the DEIS, the project sponsor has performed certain additional studies and analyses either to fulfill commitments made in the DEIS, or to respond to comments made on the DEIS. These additional studies are:

1. Spring and Summer 2009 Ecological Field Survey Report;
2. Report responding to Allegiance Resources Corporation's comments on secondary formation of fine particulate matter; and
3. Additional visual impact analysis.

The Planning Board and its consultants have reviewed these additional studies, and believe that they are acceptable for inclusion in the Final Environmental Impact Statement ("FEIS") to be prepared with respect to the Valley Project.

In the interests of providing enhanced opportunities for public input with respect to the Valley Project, the Planning Board, in its sole discretion as lead agency, is making these additional studies available for public review and comment. Such comment opportunity is not required under SEQRA, but substantive comments received will be considered by the Planning Board as it develops the FEIS for the project.

These studies will, within one week, be posted on CPV Valley's web site and placed by CPV Valley into the public repositories in which the DEIS was placed. In addition, notice of the availability of the studies will be published by CPV in the Planning Board's official newspaper. The notice of availability will state that the Board will accept written comments on the studies until the date that is two weeks after the studies are available for review.

Comments postmarked no later than March 22, 2010 will be accepted by the Planning Board. Comments should be addressed to:

Patricia Battiato, Secretary
Town of Wawayanda Planning Board
80 Ridgebury Hill Road
P. O. Box 296
Slate Hill, New York 10973

Thank you for your cooperation.