



From: Sacks, William G (HEALTH) <William.Sacks@health.ny.gov>
Sent: Wednesday, October 4, 2023 3:40 PM
To: Daniel Zvirzdin <dzvirzdin@edrdpc.com>; Jessica Klami <jklami@youngsommer.com>
Cc: James Muscato <jmuscato@youngsommer.com>
Subject: Re: NYSDOH Water Well Information - Liberty Renewables - Hoffman Falls

[EXTERNAL SENDER]

Good Afternoon Daniel,

Thanks for bringing that to my attention and please accept my apology for the oversight.
A revised version with the coordinates is attached.

Thanks,
Will

William G. Sacks
Senior Attorney, Bureau of Program Counsel
Department of Health - Division of Legal Affairs
2468 Corning Tower, Albany NY 12237

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From: Daniel Zvirzdin <dzvirzdin@edrdpc.com>
Sent: Wednesday, October 4, 2023 12:59 PM
To: Sacks, William G (HEALTH) <William.Sacks@health.ny.gov>; Jessica Klami <jklami@youngsommer.com>
Cc: James Muscato <jmuscato@youngsommer.com>
Subject: RE: NYSDOH Water Well Information - Liberty Renewables - Hoffman Falls

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Hi Will,

This is very helpful. Do you also have the coordinates for these drinking water sources? We are required to provide the state a (confidential) map of these water sources in our Section 94-c Application.

Thanks,

Daniel Zvirzdin
EDR Senior Project Manager

From: Sacks, William G (HEALTH) <William.Sacks@health.ny.gov>
Sent: Wednesday, October 4, 2023 12:14 PM
To: Jessica Klami <jklami@youngsommer.com>
Cc: James Muscato <jmuscato@youngsommer.com>; Daniel Zvirzdin <dzvirzdin@edrdoc.com>
Subject: Re: NYSDOH Water Well Information - Liberty Renewables - Hoffman Falls

[EXTERNAL SENDER]

Good Afternoon Jessica,

I've attached the logistics for downstream drinking water sources within 1 mile of the Chenango River. Please let me know if there are any technical issues with the file, or if more information is needed.

Thanks,

William G. Sacks
Senior Attorney, Bureau of Program Counsel
Department of Health - Division of Legal Affairs
2468 Corning Tower, Albany NY 12237

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From: Jessica Klami <jklami@youngsommer.com>
Sent: Tuesday, September 19, 2023 3:49 PM
To: Sacks, William G (HEALTH) <William.Sacks@health.ny.gov>
Cc: James Muscato <jmuscato@youngsommer.com>; Daniel Zvirzdin <dzvirzdin@edrdoc.com>
Subject: Re: NYSDOH Water Well Information - Liberty Renewables - Hoffman Falls

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Received. Thank you!

Sincerely,

Jessica Ansert Klami, Esq.

Young / Sommer llc

ATTORNEYS AT LAW

office: 518.438.9907 Ext. 272

fax: 518.438.9914

jklami@youngsommer.com

Executive Woods, Five Palisades Drive, Albany, NY 12205

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From: Sacks, William G (HEALTH) <William.Sacks@health.ny.gov>
Sent: Tuesday, September 19, 2023 3:45 PM
To: Jessica Klami <jklami@youngsommer.com>
Cc: James Muscato <JMuscato@youngsommer.com>; Daniel Zvirzdin <dzvirzdin@edrdpc.com>
Subject: Re: NYSDOH Water Well Information - Liberty Renewables - Hoffman Falls

Good Afternoon Jessica,

The executed signature page for this agreement is attached, and I've forwarded the project information to our water supply staff for review.

Thanks,
Will

William G. Sacks
Senior Attorney, Bureau of Program Counsel
Department of Health - Division of Legal Affairs
2468 Corning Tower, Albany NY 12237

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From: Jessica Klami <jklami@youngsommer.com>
Sent: Friday, September 15, 2023 10:05 AM
To: Sacks, William G (HEALTH) <William.Sacks@health.ny.gov>
Cc: James Muscato <JMuscato@youngsommer.com>; Daniel Zvirzdin <dzvirzdin@edrdpc.com>
Subject: Re: NYSDOH Water Well Information - Liberty Renewables - Hoffman Falls

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Thanks Will,

Attached is the executed NDA and a copy of the Facility Site and associated shapefiles. In order to provide information required by the Section 94-c regulations, we are respectfully requesting any information that you may have pertaining to groundwater wells (including location, construction logs, depths, and descriptions of encountered bedrock) and other groundwater resources within one mile of the proposed Facility (the "Area of Interest" for this request). In addition, we are also requesting information and locations associated with any surface water supply intakes within the Area of Interest of the Facility. If there are no surface water intake sites within the Area of Interest, please identify the closest known downstream surface water intake sites.

Thank you.

Sincerely,

Jessica Ansert Klami, Esq.

Young / Sommer llc

ATTORNEYS AT LAW

office: 518.438.9907 Ext. 272

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From: Sacks, William G (HEALTH) <William.Sacks@health.ny.gov>

Sent: Thursday, September 7, 2023 4:03 PM

To: Jessica Klami <jklami@youngsommer.com>

Cc: James Muscato <JMuscato@youngsommer.com>; Daniel Zvirzdin <dzvirzdin@edrdpc.com>

Subject: Re: NYSDOH Water Well Information - Liberty Renewables - Hoffman Falls

Hello Jessica,

So far as this draft appears to be identical to the one we executed last year for the Oxbow Solar project, I have no concerns. As with that case, please advise your clients that private well data on file with DOH may very well to be incomplete, as new private wells constructed within the past 16 years would have been reported to DEC instead.

Thanks,
Will

William G. Sacks
Senior Attorney, Bureau of Program Counsel
Department of Health - Division of Legal Affairs
2468 Corning Tower, Albany NY 12237

NOTICE: The contents of this email are confidential and protected by attorney-client privilege, as attorney work-product, or by other employment-related provisions of law.

From: Jessica Klami <ijklami@youngsommer.com>
Sent: Thursday, September 7, 2023 11:51 AM
To: Sacks, William G (HEALTH) <William.Sacks@health.ny.gov>
Cc: James Muscato <JMuscato@youngsommer.com>; Daniel Zvirzdin <dzvirzdin@edrdpc.com>
Subject: NYSDOH Water Well Information - Liberty Renewables - Hoffman Falls

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Good Morning Will,

I am reaching out on a new project, Liberty Renewables, Inc. is proposing to construct and operate the Hoffman Falls Wind Project, an approximately 100-megawatt wind powered electric generating facility in the Towns of Fenner, Nelson, Eaton, and Smithfield in Madison, County, New York. In preparation for preparing the Section 94-c Application we are requesting data on public water supplies. I have attached a draft NDA agreement for the request. Can you please confirm the attached is acceptable to DOH?

Jessica Auser Klami, Esq.

Young / Sommer LLC

ATTORNEYS AT LAW

office: 518.438.9907 Ext. 272

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