



Eagle Creek Hydro Power, LLC
Eagle Creek Water Resources, LLC
Eagle Creek Land Resources, LLC
c/o Eagle Creek Renewable Energy, LLC
7315 Wisconsin Avenue, Suite 1100W
Bethesda, Maryland 20814
240.482.2700

January 6, 2026

Town of Forestburgh
Planning/Zoning Board
332 King Road
Forestburgh, NY 12777

Subject: Mongaup Falls Penstock Replacement Project

Eagle Creek Hydro Power, LLC, Eagle Creek Water Resources, LLC, and Eagle Creek Land Resources, LLC (collectively "Eagle Creek") are the owners and operators of the Mongaup Falls Hydroelectric Project (Project) (FERC Project No. 10481).

Eagle Creek Renewable Energy, LLC (ECRE) proposes installing a new fiberglass reinforced polymer (FRP) penstock between the Mongaup Falls Dam intake and the surge tank. The project involves repairs and replacements within the existing penstock corridor. Work will include repairing concrete foundations and placing new cast-in-place concrete where structural support is needed. An 8-foot-diameter Fiberglass Reinforced Polymer (FRP) penstock will be installed on new steel saddles that rely on the existing concrete bases.

A rip rap stability wall, about 165- feet in length, will be designed to restore stability within the previously washed-out slope. The project is complying with all federal and state regulations, and the penstock replacement will be covered under the Projects NYSDEC 401 Water Quality Certification, which was issued on April 9, 2024. Erosion and sediment control measures will follow the New York State Standards and Specifications for Erosion and Sediment Control. Laydown areas will be stabilized with geomembrane and crushed stone. All disturbed areas will be restored at the end of construction, and temporary controls will be removed.

The project seeks to restore the safe and reliable conveyance of water from the Mongaup Falls Dam to the powerhouse to maintain full compliance with FERC license conditions and dam safety standards. The rehabilitation of the penstock also supports the federal directive calling for strengthened domestic energy reliability during the declared energy emergency, since the facility contributes to regional grid stability.

If you have any questions regarding this notice, please contact me at (845) 397-2579 or Rebecca.Serrano@eaglecreekre.com.

Sincerely,

Eagle Creek (Licensee)

Rebecca Vicaretti-Serrano
Compliance Analyst
Eagle Creek Renewable Energy

Owner's Proxy before the Forestburgh Planning Board

CORPORATE OWNER

(Entity Name) Eagle Creek Renewable Energy, LLC has a principal place of business located at 7315 Wisconsin Ave, Suite 1100W, Bethesda, MD 20814

and is the owner of the premises described in the attached application located at 613 Plank Road, Forestburgh, NY 12777.

The President/Managing Member of this entity is Jody Smet.

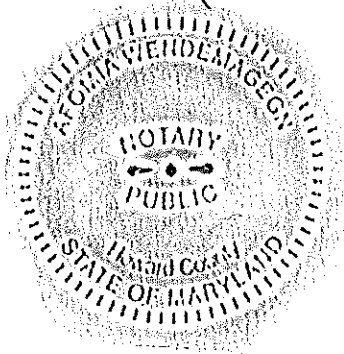
Pursuant to the attached Resolution, this entity has authorized Rebecca Vicaretti-Serrano to make the attached application and to appear before the Planning Board.

Jody J Smet 12/18/2025
President/Secretary/Member signature

Sworn to before me this
18th day of December, 2025.

[Signature]
Notary Public

AFOMIA WENDEMEGEGN
Notary Public - State of Maryland
Howard County
My Commission Expires Apr 10, 2028



**TOWN OF FORESTBURGH
PLANNING BOARD
332 King Road
Forestburgh, New York 12777
845-794-0611 x23**

APPLICATION

Original page to be submitted to the Planning Board, copy to applicant

Date of Application: January 6, 2026 APPLICATION NO. _____

Applicant's Name: Rebecca Vicaretti-Serrano C/O Eagle Creek Renewable Energy, LLC

Applicant's Address: 613 Plank Road, Forestburgh, NY 12777

Applicant's Telephone: (845) 397-2579 Email: rebecca.serrano@eaglecreekre.com

Owner's Name: Eagle Creek Renewable Energy, LLC

Owner's Address: 7315 Wisconsin Ave, Suite 1100W, Bethesda, MD 20814

Owner's Telephone: (240) 482-2700 Email: Jody.Smett@eaglecreek.com

Address of Project: 613 Plank Road, Forestburgh, NY 12777

Section: 37 Block: 1 Lot: 1.1 Zone: Utilities

Existing Use: Hydroelectric Utility

Proposed Use: Hydroelectric Utility

Nature of Project (check one):

Lot improvements or Natural Subdivision (§148-10 - §148-12)

Subdivision:

Minor (§ 148-13, 14)

Major (§148-15, 16, 17)

Conservation (§148-18)

Site Plan Approval
(new or amendment)

Special Use Permit

Other (specify)

The following must be submitted to the Planning Board (c/o the Forestburgh Town Clerk) in 13 pre-packaged envelopes ready for delivery (SEE INSTRUCTIONS):

- 1) Letter of explanation
- 2) Completed Short-Form EAF (<https://www.dec.ny.gov/permits/6191.html>)
- 3) Proof of ownership or Owner's Proxy (form attached)
- 4) Site Plan
- 5) Estimated cost of project
- 6) Receipt of fees paid. (Fee must be paid at time application is filed. Fee schedule attached.)

FOR OFFICE USE ONLY

FEE PAID \$ _____ DATE PAID: _____ RECEIPT NO: _____

INSTRUCTIONS FOR APPLICANT TO THE PLANNING BOARD

PLEASE NOTE: Paragraphs 1-4 are to be filled in by the person distributing this application.

1. Name of applicant: Eagle Creek Renewable Energy, LLC
2. Date applicant receives this form: _____
3. Date of next planning board meeting: _____
4. Applicants must submit all required materials to the Town Hall on or before 12:00 PM (noon) of _____ (date determined by computing Fifteen (15) calendar days before the next Planning Board meeting - see schedule of meetings). If the submission date falls on a holiday, the next business day after the holiday becomes the last day to submit, otherwise the Planning Board may determine to delay consideration or review of the application until the following meeting.

GENERAL INFORMATION

Applicant can expect a minimum of two (2) complete meetings conducted over a period of two (2) months to obtain a decision. All applications must be submitted both in paper and electronic forms. Lot Line improvement applications may omit the electronic copy if the applicant is self-represented or for other good cause shown.

- a. Appearances before the Planning Board must be preceded by notice to the Planning Board Chair 15 days in advance of all meetings.
- b. Planning Board meeting starts at 7:00 PM on the fourth Tuesday of the Month, unless otherwise noted. If necessary, work sessions may be held prior to the regular Board meeting.
- c. The application and escrow fees **must** be paid before being placed on any agenda. Separate checks must be provided for the fee and for the escrow.
- d. Discussion prior to the public hearing and some public hearings may extend beyond a single meeting.
- e. Decision may be rendered the night of the public hearing. However, the Board may adjourn action on application up to sixty-two (62) days after the date the public hearing is closed. The period of deliberation may be extended by the mutual consent of the Applicant and the Planning Board.
- f. Applications that have not received consideration by the Planning Board (i.e., that have not been discussed, reviewed, commented upon, revised, or approved) due to the Applicant's non-appearance before, failure to provide requested materials, and/or failure to request action by the Planning Board, may be deemed abandoned at the discretion of the Planning Board after six (6) months without further notice. If an application is deemed abandoned, applicant will be so advised, and any unused escrow funds will be returned to the applicant. Thereafter, the Applicant will have to file a new application with all fees and regulations as required without "credit" for application or other fees previously paid in order to pursue the requested approval.
- g. Applicants are encouraged to check subsequent Planning Board minutes while their application is pending. Minutes are available at the Town website, www.forestburgh.net and also at Town Hall.

NUMBER OF SUBMISSIONS REQUIRED FOR NEXT MAILING

ALL SUBMISSIONS MUST BE RECEIVED IN THE TOWN HALL NO LESS THAN 15 CALENDAR DAYS BEFORE THE PLANNING BOARD MEETING IN WHICH THE APPLICANT IS SCHEDULED TO APPEAR and ALL SUBMISSIONS MUST BE IN UNSEALED MAILABLE ENVELOPES

NAME OF APPLICANT: Eagle Creek Renewable Energy, LLC DATE: _____

- Forestburgh Planning Board Members & Secretary (8)
- Planning Board File Copy (1)
- Town Supervisor (1)
- Highway Superintendent (1)
- Forestburgh Fire Department Chief (1)
- Forestburgh Code Enforcement Officer (1)

NUMBER OF COPIES TO BE DELIVERED TO THE TOWN HALL at the time of the initial submission: 13

IN ADDITION, 2 PACKETS MUST BE PROVIDED DIRECTLY BY THE APPLICANT TO:

Harris Beach PLLC
ATTN: Javid Afzali, Esq.
Attorney for the Town
677 Broadway, Suite 1101
Albany, NY 12207

Joseph Gottlieb, P.E., P.C.
Forestburgh Engineer
18 Anawana Lake Rd
Monticello, NY 12701

These submissions must be received at the addresses listed ***no less than 15 calendar days before*** the Planning Board meeting in which the applicant is scheduled to appear. Please allow ample time for mailing if not delivering by hand or via overnight courier service.

If applicant's packets are not submitted by the stated date, the Planning Board may determine to delay consideration or review of applicant's application until the following meeting.

Additional copies to other involved agencies or parties may be required depending upon the nature of the application. Applicant will be notified by the Planning Board if additional applications need be submitted, when, how many, and to whom.

**TOWN OF FORESTBURGH PLANNING BOARD
REQUEST FOR APPROVAL OF
FIRE CHIEF OF FIRE DISTRICT OF PROJECT LOCATION**

Applicant: Eagle Creek Renewable Energy, LLC

Location: 613 Plank Road, Forestburgh, NY 12777

Tax Map Parcel: 37.-1-1.1

Drawing Entitled: New Conditions Overall Layout - Drawing #6

Prepared By: Kleinschmidt Group

Drawing Reviewed: _____ **Last Revised:** _____

Recommended _____ **Not Recommended** _____

Approved with Comments _____

Additional Comments: _____

Signature
Fire Chief of Fire District
of project location

Date

cc: Planning Board, Town of Forestburgh
Code Enforcement Office, Town of Forestburgh

**TOWN OF FORESTBURGH PLANNING BOARD
REQUEST FOR APPROVAL OF
SUPERINTENDENT OF HIGHWAYS
OF THE TOWN OF FORESTBURGH**

Applicant: Eagle Creek Renewable Energy, LLC

Location: 613 Plank Road, Forestburgh, NY 12777

Tax Map Parcel: 37.-1-1.1

Drawing Entitled: New Conditions Overall Layout - Drawing #6

Prepared By: Kleinschmidt Group

Drawing Reviewed: _____ **Last Revised:** _____

Recommended _____ **Not Recommended** _____

Approved with Comments _____

Additional Comments: _____

Signature
Superintendent of Highways

Date

cc: Planning Board, Town of Forestburgh
Code Enforcement Officer, Town of Forestburgh

Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 – Project and Sponsor Information			
Eagle Creek Renewable Energy, LLC			
Name of Action or Project: Mongaup Falls Penstock Rehabilitation Project			
Project Location (describe, and attach a location map): 613 Plank Road, Town of Forestburgh, Sullivan County, NY 12777			
Brief Description of Proposed Action: Eagle Creek Renewable Energy (ECRE) proposes to install a new fiberglass reinforced polymer (FRP) penstock between the Mongaup Falls Dam intake and the surge tank. The project involves repairs and replacements within the existing penstock corridor. Work will include repairing concrete foundations and placing new cast-in-place concrete where structural support is needed. An 8-foot-diameter FRP penstock will be installed on new steel saddles that rely on the existing concrete bases. A rip rap stability wall, about 165- feet in length, will be built within the washed-out slope to restore bank stability. Erosion and sediment control measures will follow the New York State Standards and Specifications for Erosion and Sediment Control. Laydown areas will be stabilized with geomembrane and crushed stone. All disturbed areas will be restored at the end of construction, and temporary controls will be removed. The project seeks to restore the safe and reliable conveyance of water from the Mongaup Falls Dam to the powerhouse in order to maintain full compliance with FERC license conditions and dam safety standards. The rehabilitation of the penstock also supports the federal directive calling for strengthened domestic energy reliability during the declared energy emergency, since the facility contributes to regional grid stability.			
Name of Applicant or Sponsor: Eagle Creek Renewable Energy, LLC		Telephone: 845-397-2579	
		E-Mail: rebecca.serrano@eaglecreekre.com	
Address: 613 Plank Road			
City/PO: Forestburgh		State: New York	Zip Code: 12777
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.		NO <input type="checkbox"/>	YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval: Federal Energy Regulatory Commission (FERC) Town of Forestburgh Zoning/Building Departments		NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>
3. a. Total acreage of the site of the proposed action? _____ 72.7 acres			
b. Total acreage to be physically disturbed? _____ <1 acres			
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ 72.7 acres			
4. Check all land uses that occur on, are adjoining or near the proposed action:			
5. <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input checked="" type="checkbox"/> Other(Specify): Hydro Electric Utilities			
<input type="checkbox"/> Parkland			

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels? b. Are public transportation services available at or near the site of the proposed action? c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	NO <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	YES <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____ _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? The Project licensee is actively consulting with the NYS Office of Parks, Recreation and Historic Preservation (OPRHP). b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	NO <input type="checkbox"/> <input checked="" type="checkbox"/>	YES <input checked="" type="checkbox"/> <input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency? b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ The existing penstock corridor lies adjacent to NYSDEC-mapped Class II and Class III wetlands; all activities remain outside the mapped wetland boundary and the adjacent area. No portion of the project includes excavation or construction within wetlands or surface waters. The work does not include any in-water activity and will not affect flow or water quality within the bypass reach of the Mongaup River. Boundaries, access paths, and staging locations have been organized to avoid contact with regulated resources.	NO <input type="checkbox"/> <input checked="" type="checkbox"/>	YES <input checked="" type="checkbox"/> <input type="checkbox"/>	

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input checked="" type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input type="checkbox"/> Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered? Timber Rattlesnake	NO	YES
	<input type="checkbox"/>	<input checked="" type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO	YES
	<input type="checkbox"/>	<input checked="" type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO	YES
a. Will storm water discharges flow to adjacent properties?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
If Yes, briefly describe: _____ _____		
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment: _____ _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____ _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____ _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor/name: <u>Rebecca Vicaretti-Serrano</u> Date: <u>01/05/2026</u>		
Signature: <u>Rebecca Vicaretti Serrano</u> Title: <u>Compliance Analyst</u>		



Disclaimer: The EAF Mapper is a screening tool intended to assist project sponsors and reviewing agencies in preparing an environmental assessment form (EAF). Not all questions asked in the EAF are answered by the EAF Mapper. Additional information on any EAF question can be obtained by consulting the EAF Workbooks. Although the EAF Mapper provides the most up-to-date digital data available to DEC, you may also need to contact local or other data sources to confirm data provided by the Mapper or to obtain data not provided by the Mapper.



Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites]	Yes
Part 1 / Question 12b [Archeological Sites]	No
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	Yes - Digital mapping information on local, New York State, and federal wetlands and waterbodies is known to be incomplete. Refer to the EAF Workbook.
Part 1 / Question 15 [Threatened or Endangered Animal]	Yes
Part 1 / Question 15 [Threatened or Endangered Animal - Name]	Timber Rattlesnake
Part 1 / Question 16 [100 Year Flood Plain]	Yes
Part 1 / Question 20 [Remediation Site]	No