



DEPARTMENT OF THE ARMY
NEW YORK DISTRICT, CORPS OF ENGINEERS
JACOB K. JAVITS FEDERAL BUILDING
NEW YORK, N.Y. 10278-0090

JUN 14 2012

REPLY TO
ATTENTION OF:

Regulatory Branch

SUBJECT: USACE File Number 2009-01089-WRY,
Champlain Hudson Power Express Project

Mr. Brian Mills
Office of Electricity Delivery and Energy Reliability (OE-20)
U.S. Department of Energy
1000 Independence Avenue, SW
Washington, DC 20585

Dear Mr. Mills:

This is in response to the Federal Register Amended Notice of Intent to Modify the Scope of the Environmental Impact Statement for the Champlain Hudson Power Express Transmission Line Project in New York State, dated April 30, 2012. We offer the following comments:

Alternatives Analysis:

As stated in two letters to your office, dated June 17, 2010, and November 23, 2010, as well as two additional letters from this office to the applicant, Transmission Developers, Inc, dated July 7, 2010 and July 5, 2011 (copies attached), the 40 CFR 230 Section 404(b)(1) Guidelines for Specification of Disposal Sites for Dredged or Fill Material must be addressed in the DEIS. Be advised that as per 40 CFR 230.10(a) Except as provided under Section 404(b)(2), no discharge of dredged or fill material shall be permitted if there is a practicable alternative to the proposed discharge which would have less adverse impact on the aquatic ecosystem, so long as the alternative does not have other significant adverse environmental consequences. As per 40 CFR 230.10(a)(1) Practicable alternatives include activities which do not involve a discharge of dredged or fill material into waters of the United States. 40 CFR 230.10(a)(2) states that an alternative is practicable if it is available and capable of being done after taking into consideration cost, existing technology, and logistics in light of overall project purposes. The following alternatives should be fully evaluated in the DEIS:

- a) overland transmission line using existing highway corridors;
- b) railroad ROW underground transmission line route;
- c) any New York State Department of Public Service proposed alternatives;
- d) any combination of route alternatives that would have less impact to the aquatic environment than the proposed route.

As currently proposed within the April 20, 2012 Federal Register Notice, the DEIS and subsequent EIS will only analyze the currently proposed action and the no action alternative. All other alternatives have been considered but eliminated from

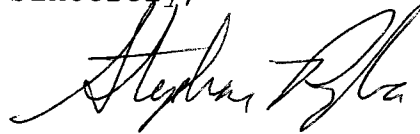
detailed analysis. As per CEQ Sec. 1502.14, the DEIS must consider the proposed action, the no action alternative, and reasonable alternatives. Reasonable alternatives, such as those described in the paragraph above and thoroughly detailed within the abovementioned attachments, must be added to the DEIS. The DEIS must not move forward without the addition of reasonable alternatives.

Cumulative Impacts:

It has come to our attention that other entities have proposed similar projects within portions of the Hudson River. In the event that the proposed transmission line is constructed, how many other transmission lines could be located along the same route?

Thank you for the opportunity to comment on the scope of the Environmental Impact Statement for this project. If you have any questions, need additional information, or wish to discuss any of the above issues in more detail, please contact the undersigned at (917)790-8512.

Sincerely,

A handwritten signature in black ink, appearing to read "Stephan Ryba". The signature is fluid and cursive, with the first name "Stephan" written in a larger, more prominent script than the last name "Ryba".

Stephan Ryba
Project Manager
Western Permits Section

Enclosures



DEPARTMENT OF THE ARMY
NEW YORK DISTRICT, CORPS OF ENGINEERS
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NEW YORK, N.Y. 10278-0090

FILE COPY

REPLY TO
ATTENTION OF:

Regulatory Branch

JUN 17 2010

SUBJECT: USACE File Number 2009-01089-EHA Submitted By Transmission Developers Inc's Champlain Hudson Power Express Project To Construct Subaqueous Utility Line Thru Lake Champlain, Hudson River, and Long Island Sound, New York and Connecticut, OE Docket N.O. PP-362

Dr. Jerry Pell
Office of Electricity Delivery and Energy Reliability (OE-20)
US Department of Energy
1000 Independence Avenue, SW
Washington, DC 20585

Dear Dr. Pell:

This is response to your April 13, 2010 e-mail requesting the US Army Corps of Engineers (USACE) as a cooperating agency in the National Environmental Policy Act (NEPA) process for the Federal Environmental Impact Statement [EIS] assessing the Champlain Hudson Power Express project. It is our understanding the US Department of Energy (USDOE) is the lead federal agency for the NEPA review of this power transmission project. The purpose of this letter is to inform your agency that USACE agrees to participate. Additionally, the New York District will coordinate the USACE review with the New England District, which has USACE regulatory jurisdiction within the State of Connecticut. We welcome the opportunity to participate as a cooperating agency to produce a NEPA document which our agency can use in the decision-making phase of the future permit application for the Department of the Army permit this project requires for construction of project elements within USACE regulatory responsibilities pursuant to Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act. As per Title 33 CFR Part 325 Appendix B(8)(c) USACE will coordinate with USDOE to insure that the resulting EIS may be adopted by USACE for the purposes of exercising our regulatory authority decision making. In order for USACE to use the EIS in the permit application decision making process to grant or deny the required permit, the EIS must address the following Public Interest Factors: conservation, economics, aesthetics, general environmental concerns, cultural resources, fish and wildlife values including threatened and endangered species and essential fish habitat, navigation, recreation, water quality, energy

FILE COPY

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needs, safety, cumulative impacts, air quality, and marine security. Additionally, as discussed below the EIS must demonstrate compliance with the 404(b)(1) of the Clean Water Act Guidelines.

The proposed discharges of dredged and fill materials for the proposed subaqueous power line project are not a water dependent use as defined in Title 40 CFR Part 230. The Federal EIS must include a section or appendix which presents the evaluation of the project proponent's written demonstration of compliance with the Section 404(b)(1) of the Clean Water Act Guidelines for Specification of Disposal Sites for Dredged or Fill Material located at Title 40 CFR Part 230. It should be noted that the Guidelines contain the presumptions [which the project proponent / permit applicant must disprove] that there are practicable alternatives available to the project proponent / permit applicant that do not require discharges of dredged or fill into waters of the United States, and that would have less adverse impact on the aquatic ecosystem (see Title 40 CFR Part 230.10). The analysis of proposed discharges into the aquatic habitats must include the sequencing of discharge avoidance, discharge minimization, and full compensation for justified discharges.

Be advised that the proposed power line is a controversial proposal requiring a EIS because rather than using traditional upland right-of-way it proposes to use the rivers, including large portions of mapped, Congressionally authorized federal navigation channels as right-of-way. To our knowledge, this is an unprecedented approach. Utility line crossings have traditionally been perpendicular across navigation channels, moving from shoreline to shoreline.

Based upon our current understanding of the possible burial routes, the following Congressionally-authorized federal navigation projects, operated and maintained by the Corps of Engineers would be impacted: the Federal Lock and Dam Facility in the Hudson River at Troy, New York; and the navigation channels in the Ticonderoga River, Narrows of Lake Champlain, Hudson River, Harlem River, East River, and Bridgeport Harbor.

Regulatory Branch

JUN 17 2010

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Maintenance dredging and possible future channel deepening and widening are restricted by buried subaqueous utilities. Therefore, should a Department of the Army (DA) permit is ultimately issued, as per Title 33 CFR Part 320.4(g)(4), it would have to include the following Special Condition, which is standard in every permit issued for structures, including utility lines, within USACE regulatory jurisdiction:

"The permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structure or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the permittee will be required, upon due notice from the Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration."

It should be noted that the USACE maintained 32-foot deep Hudson River Federal Navigation Channel, supports the international deep draft Port of Albany, New York, which handled 7,600,000 Shorts Tons of cargo during 2008 [USACE Navigation Date Center].

Our colleagues at New England District responsible for USACE regulatory jurisdiction within Connecticut regulated waters and wetlands have provided the following comments: One area of concern is the impact of installation (sediment suspension and deposition) on State and Local Shellfish Lease Beds for both oysters and hard clams in Norwalk/Westport area and in outer Bridgeport Harbor (generally coincident with the sandy-gravelly areas in these two locations). Impacts to winter flounder are likely to be a large concern due to its continual decline in LIS and the demersal character of its eggs and larvae. Time of year restrictions on LIS in-water work will be required, prohibiting installation during the late winter for this species and then through the summer for shellfish spawning and settlement.

Regulatory Branch

JUN 17 2010

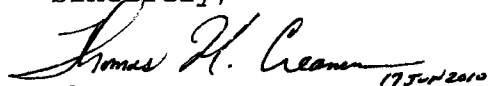
SUBJECT: USACE File Number 2009-01089-EHA Submitted By Transmission Developers Inc's Champlain Hudson Power Express Project To Construct Subaqueous Utility Line Thru Lake Champlain, Hudson River, and Long Island Sound, New York and Connecticut, OE Docket N.O. PP-362

It seems likely that a proposal for installation beneath Bridgeport Harbor Federal Navigation Project (FNP) would require a minimum burial depth requirement greater than the standard 4' below Mean Lower Low Water if such a proposal were to be considered. Note that one of the disposal alternatives for the Bridgeport Harbor FNP includes in-channel confined aquatic disposal, which may not be conducive to placement of a cable within and below the navigation channel.

Additional documentation pertaining to impact and mitigation strategies for resuspension and deposition of sediment with high levels of metals (exceeding LRM) including Mercury (especially in Norwalk and Bridgeport) will be required. These metals are going to be of higher toxicity below the surface sediment layer and the jetting has the potential to expose the local area to renewed bioavailability and potential dispersion, as the contaminant would most likely be coupled with the fines that will be transported the furthest. Depending upon the scope of the aquatic resources along the subaqueous cable right-of-way and the results of the sediment analysis, modeling may be required. Also, depending on if and/or where the project proponent intends to use anchoring methodology (rather than dynamic positioning) the Corps may have some concern with potential benthic alteration (sinks) from anchor scarring.

Thank you for your invitation for early coordination. As we participate with the USDOE in the NEPA process additional issues within our regulatory authority may be identified at a later date that will require further analysis and evaluation. We look forward to working with you. If you have any questions, need additional information, or wish to discuss any of the above issues in more detail, please contact Naomi Handell at (917)-790-8523.

Sincerely,



Thomas M. Creamer
Chief, Operations Division

Regulatory Branch

JUN 17 2010

SUBJECT: USACE File Number 2009-01089-EHA Submitted By Transmission Developers Inc's Champlain Hudson Power Express Project To Construct Subaqueous Utility Line Thru Lake Champlain, Hudson River, and Long Island Sound, New York and Connecticut, OE Docket N.O. PP-362

Copies furnished

Donald Jessome, President and CEO,
Transmission Developers Inc.
Pieter Schuyler Building,
600 Broadway,
Albany, New York 12207-2283

Robert DeSista, USACE New England District
Cori Rose, USACE New England District
William Petronis, USACE New York District
Randall Hintz, USACE New York District



DEPARTMENT OF THE ARMY
NEW YORK DISTRICT, CORPS OF ENGINEERS
JACOB K. JAVITS FEDERAL BUILDING
NEW YORK, N.Y. 10278-0090

NOV 23 2010

REPLY TO
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Via email

Regulatory Branch

SUBJECT: USACE File Number 2009-01089-EHA, Transmission Developers Inc, Champlain Hudson Power Express Project, OE Docket N.O. PP-362

Dr. Jerry Pell
Office of Electricity Delivery and Energy Reliability (OE-20)
U.S. Department of Energy
1000 Independence Avenue, SW
Washington, DC 20585

Dear Dr. Pell:

This is response to the November 2010 Draft Outline of the Champlain Hudson Power Express Draft Environmental Impact Statement (DEIS) Table of Contents (TOC). We offer the following comments:

Section 2, Proposed Action and Alternatives should contain a complete alternatives analysis, as required by CEQ Sec. 1502.14 Alternatives including the proposed action.

As stated:

"This section is the heart of the environmental impact statement. Based on the information and analysis presented in the sections on the Affected Environment (Sec. 1502.15) and the Environmental Consequences (Sec. 1502.16), it should present the environmental impacts of the proposal and the alternatives in comparative form, thus sharply defining the issues and providing a clear basis for choice among options by the decisionmaker and the public. In this section agencies shall:

(a) Rigorously explore and objectively evaluate all reasonable alternatives, and for alternatives which were eliminated from detailed study, briefly discuss the reasons for their having been eliminated.

(b) Devote substantial treatment to each alternative considered in detail including the proposed action so that reviewers may evaluate their comparative merits.

(c) Include reasonable alternatives not within the jurisdiction of the lead agency.

(d) Include the alternative of no action.

(e) Identify the agency's preferred alternative or alternatives, if one or more exists, in the draft statement and identify such alternative in the final statement unless another law prohibits the expression of such a preference.

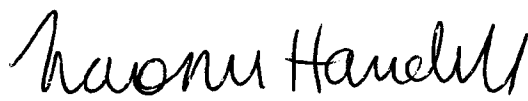
(f) Include appropriate mitigation measures not already included in the proposed action or alternatives."

The Draft TOC appears to only consider the proposed action and the no action alternative. The DEIS should consider and evaluate the impacts of the proposed action, reasonable alternatives, and the no action alternative. Additionally, as stated in our June 17, 2010 cooperating agency letter (copy enclosed), the DEIS should address compliance with 40 CFR 230 Section 404(b)(1) Guidelines for Specification of Disposal Sites for Dredged or Fill Material. It should be noted that the Section 404(b)(1) Guidelines contain the presumption that there are alternatives available that do not require discharge of fill into waters of the United States and that would have less adverse impact on the aquatic ecosystem (see 40 CFR 230.10). An analysis of proposed mitigation for impacts to aquatic habitats should include the sequencing of avoidance, minimization, and compensation.

As alternatives are added to Section 2, they should also be added to Section 4, Environmental Consequences and anywhere else in the DEIS that the proposed action and the no action alternative are discussed.

Thank you for the opportunity to comment on the Draft DEIS TOC. If you have any questions, need additional information, or wish to discuss any of the above issues in more detail, please contact the undersigned at (917)-790-8523.

Sincerely,



Naomi Handell
Project Manager
Eastern Permits Section

cc: Western Permits Section, USACE New York District
Upstate Regional Field Office, USACE New York District

Via email



DEPARTMENT OF THE ARMY
NEW YORK DISTRICT, CORPS OF ENGINEERS
JACOB K. JAVITS FEDERAL BUILDING
NEW YORK, N.Y. 10278-0090

REPLY TO
ATTENTION OF:

JUL - 7 2010

Regulatory Branch-Eastern Permits Section

SUBJECT: USACE File Number 2009-01089-EHA, Transmission Developers Inc,
Champlain Hudson Power Express Project

Donald Jessome, President and CEO
Transmission Developers Inc.
Pieter Schuyler Building
600 Broadway
Albany, New York 12207-2283

Dear Mr. Jessome:

We have reviewed your submittal entitled "Least Environmentally Damaging Practical Alternative Analysis for the Champlain Hudson Power Express Project", in support of your proposed underwater and underground, high-voltage direct current transmission cables connecting converter stations in Canada to converter stations in Yonkers, New York, and Bridgeport, Connecticut. In response to your submittal, we have the following comments:

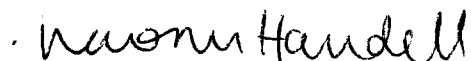
1. Provide cost benefit analysis of preferred route and upland alternatives;
2. For the proposed alternative, specify the temporary and permanent disturbance to wetlands and waters of the United States;
3. For the overhead alternatives, specify the temporary and permanent disturbance to wetlands and waters of the United States;
4. For the buried overland alternatives, specify the temporary and permanent disturbance to wetlands and waters of the United States;
5. For the water-jetting method of trench installation, what is the volume of material that would be deposited outside the trench? Provide copies of any surveys, modeling, videos, or other supporting information to verify the level of sediment disturbance;
6. For other methods of trench installation, such as plowing and dredging, what volume of material would be deposited outside the trench;
7. For areas where cables will be laid on the seabed and covered with rip-rap or concrete mats, what volume of material would be used for the protective coverings;

8. For the proposed route, specify the cable installation distance from the navigation channel boundary;
9. The overall analysis of impacts to the environment should be more specific. For example, whenever a disturbance to the benthic environment or aquatic vegetation is discussed, the timeframe for recovery should be specified (instead of saying there will be a quick recovery or complete recovery, use quantitative data and cite references to describe the recovery).

Be advised that wetlands and waterways are vital areas that constitute a productive and valuable public resource, the unnecessary alteration or destruction of which is to be discouraged. The proposed power line project is not a water dependent use. You must clearly present and evaluate the your demonstration of compliance with 40 CFR 230 Section 404(b)(1) Guidelines for Specification of Disposal Sites for Dredged or Fill Material. It should be noted that the Section 404(b)(1) Guidelines contain the presumption that there are alternatives available that do not require discharge of fill into waters of the United States and that would have less adverse impact on the aquatic ecosystem (see 40 CFR 230.10). An analysis of proposed mitigation for impacts to aquatic habitats should include the sequencing of avoidance, minimization, and compensation.

If you have any questions, please contact the undersigned at (917) 790-8523.

Sincerely,



Naomi Handell
Project Manager
Eastern Permits Section

Cc: Sean Murphy, HDR, 970 Baxter Blvd, Suite 301, Portland, ME,
04103-5346



DEPARTMENT OF THE ARMY
NEW YORK DISTRICT, CORPS OF ENGINEERS
JACOB K. JAVITS FEDERAL BUILDING
NEW YORK, N.Y. 10278-0090

JUL 05 2011

REPLY TO
ATTENTION OF:

Regulatory Branch-Eastern Permits Section

SUBJECT: USACE File Number 2009-01089-EHA, Transmission Developers Inc,
Champlain Hudson Power Express Project

Donald Jessome, President and CEO
Transmission Developers Inc.
Pieter Schuyler Building
600 Broadway
Albany, New York 12207-2283

Dear Mr. Jessome:

We have reviewed your above referenced application for the proposed underwater and underground, high-voltage direct current transmission cables connecting converter stations in Canada to a converter station in Yonkers, New York and a substation connection in Queens, New York and have determined that, before processing of your application may proceed, you must respond to the following comments and provide the following information:

Impacts to Federal Navigation Channels:

The Corps of Engineers does not permit permanent structures within the length of the right of way, including side slopes, of a Federal navigation channel (perpendicular crossings are permitted). Installation may be accomplished by directional drilling from parts of state tracts that are outside the Federal right of way. For this project to be deemed acceptable from a navigation perspective, the cable alignment must remain outside the Federal channel right of way. Minimal utility crossings perpendicular to the Federal navigation channel will be evaluated on a case by case basis in consultation with regional harbor operations committees for navigation impacts when such crossings are unavoidable.

For your reference, definitions of the federal navigation channels for the East River, Harlem River, Hudson River, and Narrows of Lake Champlain are included as an attachment to this letter.

For those cases where utility crossings in a Federal channel are necessary, the following guidance applies:

With the implementation of burial depths of four (4) feet below

water body bed in areas outside of the Federal navigation channels and fifteen (15) feet below authorized depths when crossing a federally maintained navigation channel, the proposed project would have minimal impact to navigation and future dredging of the Federal Channels. However, in areas where the channel's existing bottom is already deeper than, or almost as deep as, the required installation depth below authorized project depth, as determined by the USACE guidance: Minimum bottom cover for utility crossings under Federal navigation channels shall be 7 feet below existing bottom. Both the "minimum bottom cover below authorized project depth" requirement, and the requirement of sufficient bottom cover of existing channel bottom over the installed utility must be satisfied.

Laying the cables on lake/river bed in limited areas with protective coverings would not be acceptable. All cables must be buried. Outside of channel areas, the burial depth requirement is four feet. Where existing utilities are crossed, other depths will be considered. All crossings must be identified.

Narrows of Lake Champlain (NLC) Federal Navigation Channel: As the Corps of Engineers does not permit permanent structures within the length of the right of way of a Federal navigation channel (crossings are permitted), the cables must be moved outside the NLC Federal navigation channel limits. A minimal number of cable crossings may be considered provided they meet burial requirements.

Hudson River-Houghtaling Island: The Corps of Engineers owns in fee title an active upland dredged material placement site called Houghtaling Island on the east side of the Hudson River opposite New Baltimore, New York. Spud barges are used for dredge and attendant plant mooring(s) and to provide equipment and pipeline access to the site. In addition, considerable future marine activity is anticipated along the Houghtaling Island shoreline associated with the excavation and transport of previously placed sediments for beneficial uses. The proposed cable routing may have an unacceptable adverse impact upon Corps of Engineers operations in this area. The proposed cables must be re-routed to the upland or along the west side of the river for the entire length of the federally owned lands.

Alternatives Analysis:

Be advised that as per 40 CFR 230.10(a) except as provided under Section 404(b)(2), no discharge of dredged or fill material shall

be permitted if there is a practicable alternative to the proposed discharge which would have less adverse impact on the aquatic ecosystem, so long as the alternative does not have other significant adverse environmental consequences. As per 40 CFR 230.10(a)(1) practicable alternatives include activities which do not involve a discharge of dredged or fill material into waters of the United States. 40 CFR 230.10(a)(2) states that an alternative is practicable if it is available and capable of being done after taking into consideration cost, existing technology, and logistics in light of overall project purposes. The following alternatives should be fully evaluated: a) overland transmission line using existing highway corridors and/or utility corridors; b) railroad right-of-way (ROW) underground transmission line route; c) any New York State Department of Public Service proposed alternatives; d) any combination of route alternatives that would have less impact to the aquatic environment than the proposed route.

Appendix D, Page 9: Buried HVDC Transmission System Collocated along Freeway Corridor-this alternative was previously rejected in part due to the project development timeline. Now that the timeline has changed, this alternative can be fully evaluated.

HDR August 25, 2010 Supplement to Least Environmentally Damaging Practical Alternative Analysis: recalculate proposed route impacts based on the above listed in-water installation requirements; provide the additional proprietary and confidential information related to the cost/benefit analysis; if there have there been changes in the DOE funding situation that would impact the cost/benefit analysis, readjust the calculations; if the impacts listed in Table 2 do not include submarine anchor drag/anchor sweep impacts, add those impacts to the table; provide quantitative information for the amount of material to be deposited outside the proposed submarine route for all installation methods (jetting, plowing, dredging); in Table 2, specify temporary and permanent impacts.

General Comments:

All project plans must be black and white and legible.

Submit a completed Environmental Questionnaire (copy attached).

Provide the names and addresses of property owners adjacent to your work site in the attached Excel spreadsheet. If the file becomes too large to email, please submit the data on a CD.

Provide a list of latitudes and longitudes at each mile marker of the proposed route.

As requested in our July 7, 2010 letter (copy attached), provide copies of any modeling, videos, or other supporting information to verify the level of sediment disturbance. Your August 25, 2010 letter indicated these materials would be available in the 3rd quarter of 2010.

Provide a mitigation plan, as per 33 CFR 332. The mitigation plan must include an explanation of how temporary and permanent impacts will be mitigated. It must also include sequencing of avoidance, minimization, and compensation for temporary and permanent impacts.

Provide more detailed, close-in plan and cross-section views of the three specific land-to-water or water-to-land proposed project locations.

Does the proposed cable route impact Anchorage Areas 18 and 19?

Cumulative Impacts:

Are any other transmission lines or other projects proposed from Canada to New York along the same route? Should the proposed transmission line be constructed, how many other transmission lines could be located along the same route? Discuss impacts to navigation during construction, temporary and permanent impacts to anchorage areas, and temporary and permanent impacts to existing and proposed utility lines that cross the Hudson River.

Joint Application Form Supplemental Information Question 7
Comments:

Section 4

For proposed underwater installation methods, quantify the impacts to the lake/river bed from anchor drag caused by the anchor-positioned vessel and anchor mooring system.

Section 5

For proposed underwater installation methods, quantify the volume of material to be dredged, method of dredging, type of material, and material placement area. For fill proposed, provide the volume

for each source and type of fill proposed.

Section 6

This section states that there is only one location, Haverstraw Bay, where the cable is proposed to be installed within the federal navigation channel or along the side slopes. However, the project plans in Attachment C indicate in addition to Haverstraw Bay, the proposed cable is located in the federal navigation channel or side slopes from mile marker 99 through 225, 233, and 324 through 333. Please correct.

Section 8

Mitigation Plan-mitigation is required for the conversion of forested wetlands.

Project Plans-Submarine Route

The submarine route plans are overlaid on NOAA navigation charts. There are numerous symbols on these charts that are not explained- instead the reviewer is referred to an unspecified NOAA website for details on chart symbology. To clarify the plans and avoid directing reviewers to other unspecified sources, insert a sheet to explain all symbology used on plan views.

Show direction of ebb and flood of tide, datum (reference elevation).

The plans do not clearly depict the details of the proposed project. The plans should clearly show that there is more than one trench. The dimensions of each trench and separation distance between trenches should be shown, including the conversion at the Yonkers Converter Station. Note, representational drawings are acceptable.

Specify the distance between the proposed cable and the Federal navigation channel. Provide the state plane coordinates of the proposed route whenever it is within two hundred feet of the Federal navigation channel.

Provide a sheet with the dimensions of all proposed filling in the waterways, including backfill, temporary fills, and identify the fill information in square feet. Include non-burial protection methods such as concrete mats, grout filled mattresses and protective ducts.

Provide the total area of impact to the lake and river beds, measured in square feet. Include trenching impacts, anchor sweep impacts, etc.

For dredging, specify the location and dimensions of the area to be dredged, method, type of material, location of fill and placement areas.

Specify proposed cable crossing locations and other non-burial locations. Note corresponding cross-views.

What is the difference between Sheet 15 and Sheet 16?

Project Plans-"Upland" Route

These plans should be renamed "Overland Route" as the proposed route does impact wetlands and waters of the United States and is therefore not an entirely "upland" route.

Specify trench dimensions.

Specify the dimensions of all proposed filling in wetlands and waters, including backfill and temporary fill, including cofferdams and access roads. Specify temporary and permanent impacts. Specify type of fill material (for example, thermal sand, concrete plates). Specify placement location of any excavated material that will not be replaced after the proposed cable installation.

Provide the total area of impact to the wetlands and waters, measured in square feet.

Provide an index sheet that lists where impacts to wetlands and waters are found throughout the set of Sheets 1-237. Specify the purpose of the proposed culverts. Where are the permanent culverts located? Note corresponding cross-views.

Some of the above requested information may be provided by modifying Table 4-1 and 4-2 of Attachment F and then including the tables in the drawing set.

Project Cross-section Views-Submarine Route

Cross-views should correlate to plan views.

Sheet 3 shows a 6 foot separation between cables. Sheet 4 shows no

separation between cables. Clarify the proposed separation distance between the two cables. Indicate location that each cross-view represents in relation to the plan view drawings.

For dredging, specify location and depth of dredging and volume of material to be dredged. Specify dimensions of area to be dredged. Provide approximate side slope.

Show cable dimensions, trench dimensions, sidecasting dimensions, dimensions of all fills, including proposed grout bags, pillows and mattresses. Provide information for HVDC and HVAC cables.

Project Cross-section Views-Overland Route

Provide water depths for in-stream work. Provide dimensions for proposed activities. Correlate cross-views to plan view drawings.

Attachment E 2010 Marine Survey Summary Report

This report states that there are several areas along the proposed underwater transmission cable route that will need to be investigated further for potential re-rerouting. When will this process be completed? When do you anticipate the submittal of a revised route?

This report states that a benthic survey was not performed for the Hudson River because existing data is sufficient. Clarify which data will be used and whether this existing data is current.

This report states that it is likely that the benthic community along the proposed route would recover quickly following disturbance. What is this assumption based on?

Attachment F July 2010 Wetlands Delineation Report

Table 2 includes forested wetlands under temporary impacts. However, the forested wetlands will undergo conversion, which is a permanent impact. Please correct in this section and throughout the project description.

Attachment G Wetlands Functions and Values Assessment

This section states that there will be no new fill in wetlands. However, the project plans indicate that thermal sand and concrete plates will be used during the installation of the proposed cable. Please correct.

Appendix B

Page 27 of this section refers to "Section 4.8.4.3 of the Application." Please clarify as there is no section with this designation in the materials provided.

Provide Exhibit 4 of the Article VII Application.

If you have any questions, please contact Naomi Handell at (917) 790-8523.

Sincerely,



Stacey M. Jensen
Section Chief
Eastern Permits Section

Attachments: CORRESPONDENCE, CHANNEL DESCRIPTIONS via email, ENVIRONMENTAL QUESTIONNAIRE, and EXCEL MAILING LIST via email

Cc: HDR, Sean Murphy
NY District, Western Permits Section
NY District Upstate Field Office
NY District Operations Support Branch
NY District Albany Field Office
United States Department of Energy
United States Coast Guard
New York State Department of State
New York State Public Service Commission
National Marine Fisheries Service
United States Environmental Protection Agency
United States Fish and Wildlife Service