

APPENDIX A

FEDERAL REGISTER NOTICE

We reference the regulations outlining the terms and conditions of an award in the *Applicable Regulations* section of this notice and include these and other specific conditions in the GAN. The GAN also incorporates your approved application as part of your binding commitments under the grant.

3. *Grant Administration*: Projects funded under this competition are encouraged to budget for a two-day meeting for project directors to be held annually in Washington, DC.

4. *Reporting*: At the end of your project period, you must submit a final performance report, including financial information, as directed by the Secretary. If you receive a multi-year award, you must submit an annual performance report that provides the most current performance and financial expenditure information as directed by the Secretary under 34 CFR 75.118. The Secretary may also require more frequent performance reports under 34 CFR 75.720(c). For specific requirements on reporting, please go to <http://www.ed.gov/fund/grant/apply/appforms/appforms.html>.

5. *Performance Measures*: The Department has established the following Government Performance and Results Act of 1993 (GPRA) performance measures for this program:

(1) For each high school served by the project, the school's graduation rate, as defined in the State's approved accountability plan for Part A of Title I of the ESEA, as well as the graduation rates for the following subgroups:

- (A) Major racial and ethnic groups;
- (B) Students with disabilities;
- (C) Students with limited English proficiency; and
- (D) Economically disadvantaged students.

Note: The Department will identify each school's graduation rate, as well as the graduation rates for the subgroups identified in this section, using the data that are now reported to the Department by SEAs using the EDEN Submission System (ESS). Grantees will not be required to provide these data.

(2) The number and percentage of students enrolled in grades 9 through 12 in schools or programs served by the project who, during the most recent school year, earned one quarter of the credits necessary to graduate from high school with a regular diploma.

(3)(A) The number and percentage of students served by the project who had not attended school for 60 or more instructional days immediately prior to their participation in the project; and

(B) The average daily attendance of such students while participating in the project.

(4)(A) The number and percentage of students served by the project during the most recent school year who were two or more years behind their expected age and credit accumulation in high school; and

(B) The number and percentage of such students who earned one half or more of the credits they need to graduate with a regular diploma.

(5) For each school served by the project that includes an eighth grade—

(A) The average daily attendance of such school; and

(B) The number and percentage of students enrolled in the eighth grade who enrolled in ninth grade at the start of the next school year.

These measures constitute the Department's indicators of success for this program. Consequently, we advise an applicant for a grant under this program to give careful consideration to these measures in conceptualizing the approach and evaluation for its proposed project. Each grantee will be required to provide, in its annual performance and final reports, data about its progress in meeting these measures.

VII. Agency Contacts

For Further Information Contact: Theda Zawaiza, U.S. Department of Education, 400 Maryland Avenue, SW., room 3E122, Washington, DC 20202. *Telephone:* (202) 205-3783 or by *e-mail:* hsgi@ed.gov.

If you use a TDD, call the FRS, toll free, at 1-800-877-8339.

VIII. Other Information

Accessible Format: Individuals with disabilities can obtain this document and a copy of the application package in an accessible format (e.g., braille, large print, audiotape, or computer diskette) on request to either program contact person listed under **FOR FURTHER INFORMATION CONTACT** in section VII of this notice.

Electronic Access to This Document: You can view this document, as well as all other documents of this Department published in the **Federal Register**, in text or Adobe Portable Document Format (PDF) on the Internet at the following site: <http://www.ed.gov/news/fedregister>. To use PDF you must have Adobe Acrobat Reader, which is available free at this site.

Note: The official version of this document is the document published in the **Federal Register**. Free Internet access to the official edition of the **Federal Register** and the Code of Federal Regulations is available on GPO Access at: <http://www.gpoaccess.gov/nara/index.html>.

Dated: June 15, 2010.

Thelma Meléndez de Santa Ana,
Assistant Secretary for Elementary and Secondary Education.

[FR Doc. 2010-14732 Filed 6-17-10; 8:45 am]

BILLING CODE 4000-01-P

DEPARTMENT OF ENERGY

[OE Docket No. PP-362]

Notice of Intent To Prepare an Environmental Impact Statement and To Conduct Public Scoping Meetings, and Notice of Floodplains and Wetlands Involvement; Champlain Hudson Power Express, Inc.

AGENCY: Department of Energy (DOE).

ACTION: Notice of Intent to prepare an Environmental Impact Statement (EIS) and to conduct Public Scoping Meetings; Notice of Floodplains and Wetlands Involvement.

SUMMARY: The Department of Energy (DOE) announces its intention to prepare an EIS pursuant to the National Environmental Policy Act (NEPA) of 1969, as amended (42 U.S.C. 4321 *et seq.*), the Council on Environmental Quality (CEQ) NEPA regulations (40 CFR parts 1500-1508), and the DOE NEPA implementing procedures (10 CFR part 1021) to assess the potential environmental impacts from its proposed Federal action of granting a Presidential permit to Champlain Hudson Power Express, Inc. (Champlain Hudson) to construct, operate, maintain, and connect a new electric transmission line across the U.S.-Canada border in northeastern New York State. The EIS, *Champlain Hudson Power Express Transmission Line Project Environmental Impact Statement* (DOE/EIS-0447), will address potential environmental impacts from the proposed action and the range of reasonable alternatives.

The purpose of this Notice of Intent (NOI) is to inform the public about the proposed action, announce plans to conduct seven public scoping meetings in the vicinity of the proposed transmission line, invite public participation in the scoping process, and solicit public comments for consideration in establishing the scope of the EIS. Because the proposed project may involve actions in floodplains and wetlands, in accordance with 10 CFR part 1022, *Compliance with Floodplain and Wetland Environmental Review Requirements*, the draft EIS will include a floodplain and wetland assessment as appropriate, and the final EIS or record of decision will include a floodplain statement of findings.

DATES: DOE invites interested agencies, organizations, Native American tribes, and members of the public to submit comments to assist in identifying significant environmental issues and in determining the appropriate scope of the EIS. The public scoping period starts with the publication of this Notice in the **Federal Register** and will continue until August 2, 2010. Written and oral comments will be given equal weight, and DOE will consider all comments received or postmarked by August 2, 2010 in defining the scope of this EIS. Comments received or postmarked after that date will be considered to the extent practicable.

Locations, dates, and start and end times for the public scoping meetings are listed in the **SUPPLEMENTARY INFORMATION** section of this NOI.

Requests to speak at any one or more public scoping meeting(s) should be received by Dr. Jerry Pell at the address indicated below on or before July 6, 2010; requests received by that date will be given priority in the speaking order. However, requests to speak also may be made at the scoping meetings.

ADDRESSES: Comments on the scope of the EIS and requests to be added to the document mailing list should be addressed to: Dr. Jerry Pell, Office of Electricity Delivery and Energy Reliability (OE-20), U.S. Department of Energy, 1000 Independence Avenue, SW., Washington, DC 20585; by electronic mail to Jerry.Pell@hq.doe.gov; or by facsimile to 202-318-7761. For general information on the DOE NEPA process contact: Ms. Carol M. Borgstrom, Director, Office of NEPA Policy and Compliance (GC-54), U.S. Department of Energy, 1000 Independence Avenue, SW., Washington, DC 20585; by electronic mail at askNEPA@hq.doe.gov; or by facsimile at 202-586-7031.

FOR FURTHER INFORMATION CONTACT: Dr. Jerry Pell at the addresses above, or at 202-586-3362. For general information on the DOE NEPA process, contact Ms. Carol M. Borgstrom at 202-586-4600, leave a message at 800-472-2756, or at the addresses above.

SUPPLEMENTARY INFORMATION: Executive Order (E.O.) 10485, as amended by E.O. 12038, requires that a Presidential permit be issued by DOE before electric transmission facilities may be constructed, operated, maintained, or connected at the U.S. international border. The E.O. provides that a Presidential permit may be issued after a finding that the proposed project is consistent with the public interest and after favorable recommendations from the U.S. Departments of State and

Defense. In determining consistency with the public interest, DOE considers the potential environmental impacts of the proposed project under NEPA, determines the project's impact on electric reliability (including whether the proposed project would adversely affect the operation of the U.S. electric power supply system under normal and contingency conditions), and considers any other factors that DOE may find relevant to the public interest. The regulations implementing the E.O. have been codified at 10 CFR parts 205.320–205.329. DOE's issuance of a Presidential permit indicates that there is no Federal objection to the project, but does not mandate that the project be undertaken.

Champlain Hudson applied on January 27, 2010, to DOE's Office of Electricity Delivery and Energy Reliability (OE) for a Presidential permit to construct, operate, maintain, and connect a 2,000-megawatt (MW) high-voltage direct current (HVDC) Voltage Source Converter (VSC) controllable transmission system from the Canadian Province of Quebec to the New York City and Southwestern Connecticut regions. After due consideration of the nature and extent of the proposed project, including evaluation of the "Information Regarding Potential Environmental Impacts" section of the Presidential permit application, DOE has determined that the appropriate level of NEPA review for this project is an EIS.

The proposed Federal action is the granting of the Presidential permit and it is anticipated that the project could significantly affect the quality of the human environment. Because the proposed project may involve actions in floodplains and wetlands, in accordance with 10 CFR part 1022, *Compliance with Floodplain and Wetland Environmental Review Requirements*, the draft EIS will include a floodplain and wetland assessment as appropriate, and the final EIS or record of decision will include a floodplain statement of findings.

DOE invites Tribal governments and Federal, state, and local agencies with jurisdiction by law or special expertise with respect to environmental issues to be cooperating agencies with respect to the EIS, as defined at 40 CFR 1501.6. Cooperating agencies have certain responsibilities to support the NEPA process, as specified at 40 CFR 1501.6(b). The U.S. Army Corps of Engineers (anticipated), the U.S. Environmental Protection Agency Region 2, and the New York State Departments of Environmental Conservation and Public Service are

cooperating agencies with respect to this EIS.

In addition, Champlain Hudson applied to DOE on September 12, 2009, for a Federal loan guarantee for the proposed project in response to a DOE competitive solicitation, "Federal Loan Guarantees for Electric Power Transmission Infrastructure Investment Projects," issued under section 1705, Title XVII, of the Energy Policy Act of 2005 (EPAct). Section 406 of the American Recovery and Reinvestment Act of 2009 (the "Recovery Act") amended EPAct by adding section 1705. This section is designed to address the current economic conditions of the Nation, in part by facilitating the development of eligible renewable and transmission projects that commence construction no later than September 30, 2011. DOE is carrying out an evaluation of the application submitted by Champlain Hudson. Should DOE decide to enter into the negotiation of a possible loan guarantee with Champlain Hudson, DOE would use this EIS to meet its NEPA requirements in making a determination of funding.

Applicant's Proposal

The applicant's proposed VSC controllable transmission system consists of two 1,000-MW HVDC bipoles. A bipole consists of two connected submarine or underground cables, one of which is positively charged, and the other negatively charged. In total, four cables would be laid between Quebec, Canada, and a proposed converter station in Yonkers, NY, where one bipole (two cables) would be terminated. The converter station would change the electrical power from direct current to alternating current. The remaining bipole (two cables) would continue to a proposed converter station in Bridgeport, CT. Champlain Hudson's proposed transmission line would connect renewable sources of power generation in Canada with load centers in and around the New York City and southwestern Connecticut regions.

The project would originate at an HVDC converter station near Hydro-Québec TransÉnergie's 765/315-kilovolt (kV) Hertel substation, located southeast of Montreal, and extend approximately 35 miles to the international border between the United States and Canada, crossing in Lake Champlain to the east of the Town of Champlain, NY. Four cables (two bipoles) would extend south under Lake Champlain for approximately 111 miles entirely within the jurisdictional waters of New York State. At the southern end of Lake Champlain, the cables would exit the

water just north of Lock C12 of the Champlain Canal (Canal) in the town of Whitehall, NY, and would be buried within an existing railroad right-of-way owned by Canadian Pacific Railway (CP) for 1.7 miles. The cables would enter the Canal just south of Lock C12 and continue under the Canal for 5.6 miles to Comstock, NY, and then utilize another CP railroad right-of-way for 0.4 miles to circumvent Lock C11. The cables would re-enter the canal just south of Lock C11 and continue under the Canal for 8.9 miles toward Lock C9 in Kingsbury, NY (there is no Lock C10). North of Lock C9, the cables would exit the Canal and would be buried for 0.5 miles within land owned by the New York State Canal Corporation on the eastern shore of Lock C9. The HVDC cables would re-enter the Canal just south of Lock C9 and continue under the Canal for 2.7 miles toward Lock C8 in Fort Edward, NY.

The Upper Hudson River portion of the Hudson River polychlorinated biphenyl (PCB) site (USEPA Identification Number NYD980763841) stretches from Hudson Falls, NY, to the Federal Dam at Troy, NY. To avoid installing and burying HVDC cables within this area, the proposed Project route would exit the Canal north of Lock C8 near Durham Basin, where an existing CP railroad right-of-way is located immediately adjacent to the west of the Canal. Upon exiting the canal, the four cables would be buried for approximately 46.1 miles within the CP railroad bypass route to the west of the Hudson River, traversing the municipalities of Moreau, Northumberland, Wilton, Greenfield, Saratoga Springs, Milton, Ballston, Clifton Park, Glenville, and Schenectady, NY. In the town of Rotterdam, NY, the buried route would transfer to the CSX Railroad (CSX) right-of-way and proceed south for approximately 23.7 miles through the municipalities of Guilderland, New Scotland, Voorheesville, and Bethlehem. The proposed Project route would then exit the railroad right-of-way and enter the Hudson River at the town of Coeymans, NY (about 14 miles south of Albany). In general, when a railroad right-of-way intersects with a waterway, the applicant's preference would be to attach the cables to the bridge structure, particularly for longer crossings such as the bridge over the Mohawk River in Schenectady, NY. If the cables could not be attached to the bridge due to engineering concerns or owner preference, an option would be for the applicant to employ horizontal directional drilling to install high-

density polyethylene (HDPE) casings for the cables to use under the waterway.

Upon entering the Hudson River, the four cables would be buried for 118 miles until they reach the City of Yonkers, NY. Two of the four HVDC cables (one bipole) would terminate at the proposed converter station located in Yonkers for a total length of approximately 319 miles from the U.S. border with Canada to Yonkers, NY. The remaining two cables would continue for approximately 66 miles under the Hudson River, Spuyten Duyvil Creek, the Harlem River, and the East River into Long Island Sound before terminating at a converter station near 1 W Avenue in Bridgeport, CT, for a total length of approximately 384.4 miles from the U.S. border with Canada to Bridgeport. This route is discussed below as being Route A, the applicant's preferred alternative.

The Champlain Hudson Presidential permit application, including associated maps and drawings, can be viewed or downloaded in its entirety from the DOE program Web site at http://www.oe.energy.gov/permits_pending.htm (see PP-362), or on the project EIS Web site at <http://CHPEXpressEIS.org>. Also available at these same locations is the March 5, 2010, **Federal Register** Notice of Receipt of Application (75 FR 10229).

Agency Purpose and Need, Proposed Action, and Alternatives

The DOE proposed Federal action is the granting of a Presidential permit to Champlain Hudson to construct, operate, maintain, and connect a new electric transmission line across the U.S.-Canada border in northeastern New York State. The EIS, *Champlain Hudson Power Express Transmission Line Project Environmental Impact Statement* (DOE/EIS-0447), will address potential environmental impacts from the proposed action and the range of reasonable alternatives. The purpose and need for DOE's action is to decide whether to grant Champlain Hudson said Presidential permit. It should be noted, however, that although the potential environmental impacts are important, they are not the only criteria that form the basis for the final permitting decision. If granted, the Presidential permit would authorize only that portion of the line that would be constructed, operated, and maintained wholly within the United States.

Three action alternatives (routes) for constructing the proposed transmission line inside the United States have been identified by the applicant, and they differ little in total length: 384.5 miles

for Route A, 384.2 miles for Route B, and 385.7 miles for Route C. The lines differ, however, in the amount of the line that is submerged or buried underground. Route A, the Champlain Hudson preferred alternative, has approximately 72.4 miles buried underground. Route B has approximately 89.4 miles buried underground, and Route C has about 68.0 miles buried underground. The remaining distances of all routes are submerged. Maps showing all three alternative routes may be found at <http://CHPEXpressEIS.org/maps>.

All three routes cross the U.S.-Canada border in Lake Champlain at Rouses Point, NY (which is about five miles east of the Town of Champlain, NY), 35 miles from where they would begin southeast of Montreal, Canada. Route A, the applicant's preferred alternative, is described in detail above.

The Route B alternative is the same as Route A, except that after exiting the water just north of Lock C12 of the Champlain Canal (Canal) in the town of Whitehall, NY, Route B would continue within an existing railroad right-of-way owned by Canadian Pacific Railway (CP) for 19.5 miles through the municipalities of Comstock, Fort Ann, and Kingsbury. Route B would overlap with Route A where Route A exits the Champlain Canal north of Lock C8 near Durham Basin.

Route C is the same as Route A except for a 6.3 mile segment from north of Lock C8 near Durham Basin, where Route A exits the Champlain Canal (Canal) to travel south about 4.8 miles within the CP railroad right-of-way. At the point where Route A would exit the canal, Route C instead would continue under the Canal for 2.9 miles toward Lock C8 in Fort Edward, NY. North of Lock C8, the cables would exit the Canal and would be buried for 0.4 miles within land owned by the New York State Canal Corporation on the eastern shore of Lock C8. The HVDC cables would re-enter the Canal just south of Lock C8 and continue under the Canal for 2.1 miles towards Lock C7, also located in Fort Edward, NY. North of Lock C7, the cables would exit the eastern side of the canal and be buried for 0.2 miles within land owned by the New York State Canal Corporation before entering the Hudson River to the south of Rogers Island, where the Hudson River flows parallel to the Champlain Canal. The four cables would be buried under the Hudson River, and Route C would travel in a northern direction under the river to the west of Rogers Island for 0.7 miles before reaching the CP railroad bridge

that extends roughly southwest over the Hudson River from Fort Edward, NY toward Moreau, NY. The cables would exit the water on the west side of the Hudson River and Route C would overlap with Route A at the same point where Route A would transition from being attached to the bridge structure to being buried within the railroad right-of-way in the town of Moreau. This alternative assumes that PCB dredging activities associated with the Hudson River Dredging Project planned for the area around Rogers Island are completed by 2013. (The northern tip of Rogers Island is about one-quarter of a mile west of Fort Edward. Overall, the Island is just less than one mile in length.)

Champlain Hudson is also considering two alternative substations identified as feasible points of interconnection in New York, regardless of the alternative route: The Gowanus 345-kV substation, located in New York County, and the Astoria (Polleti) 345-kV substation, located in Queens County. An alternative site under consideration for the DC-AC converter station in Queens County is land adjacent to the Astoria substation. In Connecticut, 60 Main Street in Bridgeport has been identified as a possible alternative site for the converter station.

Under the No Action alternative, DOE would deny Champlain Hudson's application for a Presidential permit for the proposed international electric transmission line.

Identification of Environmental Issues

The EIS will examine public health and safety effects and environmental impacts in the U.S. from the proposed HVDC transmission facilities. This notice is intended to inform agencies and the public of the proposed project, and to solicit comments and suggestions for consideration in the preparation of the EIS. To help the public frame its comments, the following is a preliminary list of several potential environmental issues in the U.S. that DOE and Champlain Hudson have tentatively identified for analysis, including:

1. *Impacts on protected, threatened, endangered, or sensitive species of animals or plants, or their critical habitats:* The EIS will consider the effects of the construction and operation of the project on essential fish habitats and species, including the shortnose sturgeon (Federally listed endangered species), leatherback sea turtle (Federally listed endangered species), loggerhead sea turtle (Federal listed threatened species), green sea turtle (Federal listed threatened species), and Atlantic sturgeon (Federally listed

candidate species as of October 17, 2006).

2. *Impacts on aquatic biological resources:* The EIS will consider the effects of the construction and operation of the project on shellfish, benthic communities, finfish, and commercial and recreational fisheries, and the potential for introduction of invasive species.

3. *Impacts on floodplains and wetlands:* The EIS will consider the effects of the construction and operation of the project on wetlands and on freshwater, tidal, and estuarine floodplains. The portions of all three alternative routes that utilize the CP railroad right-of-way would cross Federal Emergency Management Agency-mapped floodplains associated with the Champlain Canal and the Hudson River. The routes cross the Mohawk River within the City of Schenectady, but an option under consideration is the possible suspension of the cables from the railroad bridge, such that they would not be buried within the floodplain. The underground connection to the Yonkers and Bridgeport converter stations utilized by all three route alternatives would cross bordering floodplain at the landfall locations. Portions of the Sherman Creek East substation site and the underground connection to the substation are located in floodplain associated with the Harlem River in New York City. Limited wetland delineations and available New York State mapping resources indicate that less than 15 acres of wetlands would be temporarily impacted within the construction corridor along the underground portions of Routes A, B, and C.

4. *Impacts on cultural or historic resources:* The EIS will consider the effects of the construction and operation of the project on shipwrecks and National Historic Landmarks; e.g., the proposed transmission cable route travels through the boundary of the Crown Point and Fort Ticonderoga National Historic Landmarks. The project facilities would also be located within National Heritage Areas and New York State Heritage Areas, including the Mohawk Valley Heritage Corridor and the RiverSpark (Hudson-Mohawk) Heritage Area.

5. *Impacts on human health and safety:* The EIS will consider the nature and effects of electric and magnetic fields that may be generated by the construction and operation of the project.

6. *Impacts on air quality:* The EIS will consider the effects of the construction and operation of the project on air

quality, including the emission and effects of greenhouse gases such as carbon dioxide.

7. *Impacts on soil:* The EIS will consider the effects of the construction and operation of the project on the loss or disturbance of soils.

8. *Impacts on water quality:* The EIS will consider the effects of the installation and operation of the transmission cables on water quality due to potential re-suspension of sediments and contaminants, including PCBs in the Hudson River.

9. *Impacts to land use:* The EIS will consider the effects of the installation and operation of the project on land uses, including agricultural lands, parks, and public lands.

10. *Visual impacts:* The EIS will consider the effects of the installation and operation of the project on visual resources of any above-ground components of the project, including near the locations of the two converter stations.

11. *Noise impacts:* The EIS will consider the effects of the installation and operation of the project on noise levels near the locations of the two DC-to-AC converter stations.

12. *Socioeconomic impacts:* This EIS will consider impacts on community services.

13. *Environmental justice:* The EIS will include consideration of any disproportionately high and adverse impacts on minority and low-income populations.

This list is not intended to be all inclusive or to imply any predetermination of impacts. DOE invites interested parties to suggest specific issues within these general categories, or other issues not included above, to be considered in the EIS.

Scoping Process

Interested parties are invited to participate in the scoping process, both to help define the environmental issues to be analyzed and to identify the range of reasonable alternatives. Both oral and written comments will be considered and given equal weight by DOE, regardless of how submitted. Public scoping meetings will be held at the locations, dates, and times as indicated below:

1. *Bridgeport, CT:* Bridgeport City Hall, 45 Lyon Terrace, Bridgeport, CT 06604; 7-9 p.m., Thursday, July 8, 2010.

2. *New York City, NY:* U.S. Environmental Protection Agency, 290 Broadway, Room 27A (27th floor, conference room A), New York, NY 10007; 2-4 p.m., Friday, July 9, 2010. It is important to note that this is a secure building; all carried items, e.g.,

handbags and backpacks, will be X-rayed and visitors will pass through a metal detector.

3. *Yonkers, NY*: Royal Regency Hotel, 165 Tuckahoe Road, Yonkers, NY 10710; 7–9 p.m., Monday, July 12, 2010.

4. *Kingston, NY*: Holiday Inn Kingston, 503 Washington Avenue, Kingston, NY 12401; 7–9 p.m., Tuesday, July 13, 2010.

5. *Albany, NY*: The Holiday Inn Albany at Wolf Road, 205 Wolf Road, Albany, NY 12205; 7–9 p.m., Wednesday, July 14, 2010.

6. *Glens Falls, NY*: Ramada Glens Falls/Lake George Area, 1 Abby Lane (exit 19 off I-87), Queensbury, NY 12804; 7–9 p.m., Thursday, July 15, 2010.

7. *Plattsburgh, NY*: Plattsburgh North Country Chamber of Commerce, 7061 State Route 9, Plattsburgh, NY 12901; 7–9 p.m., Friday, July 16, 2010.

The scoping meetings will be structured in two parts: First, an informal discussion “workshop” period that will not be recorded; and, second, the formal taking of comments with transcription by a court stenographer. The meetings will provide interested parties the opportunity to view proposed project exhibits, ask questions, and make comments. Applicant, DOE, and any cooperating agency representatives will be available to answer questions and provide additional information to attendees to the extent that additional information is available at this early stage of the proceedings.

Persons submitting comments during the scoping process, whether orally or in writing, will receive either paper or electronic copies of the Draft EIS, according to their preference. Persons who do not wish to submit comments or suggestions at this time but who would like to receive a copy of the document for review and comment when it is issued should notify Dr. Jerry Pell as provided above, with their paper-or-electronic preference.

EIS Preparation and Schedule

In preparing the Draft EIS, DOE will consider comments received during the scoping period. As noted above, comments can be submitted by various means, and will be given the same consideration. They can be submitted to Dr. Jerry Pell either electronically or by paper copy; if the latter, consider using a delivery service because materials submitted by regular mail are subject to security screening, which both causes extended delay and potential damage to the contents. (Warped and unusable CD or DVD discs are common.) Additionally, comments can be

submitted through the project Web site established for preparation of the EIS, at <http://CHPEXpressEIS.org>. This site will also serve as a repository for all public documents and the central location for announcements. Individuals may subscribe to the “mail list” feature on the project Web site in order to receive future announcements and news releases.

DOE will summarize all comments received in a “Scoping Report” that will be available on the project Web site and distributed either electronically to all parties of record for whom we have an e-mail address, or by mailing paper copies upon request.

Issued in Washington, DC, on June 14, 2010.

Patricia A. Hoffman,

Principal Deputy Assistant Secretary, Office of Electricity Delivery and Energy Reliability.

[FR Doc. 2010–14760 Filed 6–17–10; 8:45 am]

BILLING CODE 6450–01–P

DEPARTMENT OF ENERGY

International Energy Agency Meetings

AGENCY: Department of Energy.

ACTION: Notice of Meetings.

SUMMARY: The Industry Advisory Board (IAB) to the International Energy Agency (IEA) will meet on June 29, 2010, at the headquarters of the IEA in Paris, France, in connection with a joint meeting of the IEA’s Standing Group on Emergency Questions (SEQ) and the IEA’s Standing Group on the Oil Market (SOM) on June 29; and on June 30 in connection with a joint SEQ/SOM Workshop on the Release of Industry Stocks on June 30 and a meeting of the SEQ on June 30 and continuing on July 1.

DATES: June 29–July 1, 2010.

ADDRESSES: 9, rue de la Fédération, Paris, France.

FOR FURTHER INFORMATION CONTACT: Diana D. Clark, Assistant General for International and National Security Programs, Department of Energy, 1000 Independence Avenue, SW., Washington, DC 20585, 202–586–3417.

SUPPLEMENTARY INFORMATION: In accordance with section 252(c)(1)(A)(i) of the Energy Policy and Conservation Act (42 U.S.C. 6272(c)(1)(A)(i)) (EPCA), the following notice of meeting is provided:

Meetings of the Industry Advisory Board (IAB) to the International Energy Agency (IEA) will be held at the headquarters of the IEA, 9, rue de la Fédération, Paris, France, on June 29, 2010, beginning at 9:30 a.m. and

continuing on June 30 at 8:30 a.m.; and on June 30, commencing at 2:30 p.m. and continuing on July 1, 2010, at 9:30 a.m. The purpose of this notice is to permit attendance by representatives of U.S. company members of the IAB at a joint meeting of the IEA’s Standing Group on Emergency Questions (SEQ) and the IEA’s Standing Group on the Oil Market (SOM) on June 29, which is scheduled to be held at the headquarters of the IEA commencing at 9:30 a.m., and a joint SEQ/SOM Workshop on the Release of Industry Stocks, which is scheduled to be held at the same location beginning at 9 a.m. on June 30. The IAB will also hold a preparatory meeting among company representatives at the same location at 8:30 a.m. on June 30. The agenda for this preparatory meeting is to discuss the SEQ/SOM meeting and to review the agendas of the SEQ/SOM workshop and the 130th SEQ meeting, to be held on June 30–July 1.

The agenda of the joint SEQ/SOM meeting on June 29 is under the control of the SEQ and the SOM. It is expected that the SEQ and the SOM will adopt the following agenda:

1. Adoption of the Agenda.
2. Approval of the Summary Record of the March 2010 Joint Meeting.
3. The 2011–2012 Program of Work for the SOM and SEQ.
 - Priority Setting Exercise.
 - Governing Board Brainstorming.
4. The Medium-Term Oil Market Report.
5. Report on the International Energy Forum.
6. Update on the Medium-Term Gas Market Report.
7. Other Business.

The agenda of the SEQ/SOM workshop on June 30 is under the control of the SEQ and the SOM. It is expected that the SEQ and the SOM will adopt the following agenda:

1. Introduction by the IEA Secretariat.
2. Introduction by the Chairman.
3. Session 1—Industry Stockholding Obligation.
 - How do we assure the availability of such stocks in a crisis? How are industry emergency stocks related to minimum operating requirements?
4. Session 2—The Government Measures to Make Industry Obligatory Stockholding Available to the Market.
 - What other measures are available besides lowering the obligation for industry to hold stocks? Does the lowering of the obligation need to be more focused than just a uniform reduction across all companies, for all fuels? What is the minimum

APPENDIX B

NEWSPAPER ADVERTISEMENTS AND AFFIDAVITS

Appendix B

DOE placed advertisements in 32 local and regional newspapers along the proposed project corridor to invite the public to local scoping meetings, and to announce their times and locations (**Table B-1**). This appendix includes copies of newspaper tear sheets and affidavits.

Table B-1. Newspapers and Publication Dates for Advertisements

Newspaper	Publication Date
<i>New Haven Register</i>	June 28, 2010
<i>Connecticut Post</i>	June 28, 2010
<i>AM New York</i>	June 29, 2010
<i>Daily News – Bronx/Westchester Edition, Brooklyn/Staten Island Edition, Manhattan/New Jersey Edition, and Queens/Long Island Edition</i>	June 29, 2010
<i>New York Post</i>	June 29, 2010
<i>La Voz Hispana de Connecticut</i>	July 1, 2010
<i>Kingston Times, New Paltz Times, Saugerties Times, and Woodstock Times</i>	July 1, 2010
<i>The Journal News</i>	July 2, 2010
<i>Times Herald-Record</i>	July 2, 2010
<i>Yonkers Rising, Eastchester Rising, Harrison Rising, Mount Vernon Rising, North Castle Rising, Pelham Rising, Rye Rising, Soundview Rising, and Westchester Rising</i>	July 2, 2010 July 9, 2010 (<i>Yonkers Rising</i> only)
<i>The Daily Freeman</i>	July 2, 2010
<i>Albany Times Union</i>	July 2, 2010
<i>The Daily Gazette</i>	July 2, 2010
<i>The Post-Star</i>	July 6, 2010
<i>The Saratogian</i>	July 6, 2010
<i>The Press Republican</i>	July 6, 2010
<i>Lake Champlain Weekly</i>	July 7, 2010
<i>The Chronicle</i>	July 8, 2010

The notice below was published on page B3 of the *New Haven Register* on June 28, 2010.

New Haven Register

AFFIDAVIT OF PUBLICATION

STATE OF CONNECTICUT

County of New Haven

I, Cynthia Mastriano of New Haven Connecticut, being duly sworn, do depose and
(Name)

say that I am a, Major Accounts Executive of the *New Haven Register*; and that on the
(Title)

following date(s) indicated below, US Department of Energy, published advertising
(Advertiser)

in the said newspaper.

<u>DATE</u>	<u>AD DESCRIPTION</u>	<u>INCHES</u>	<u>AMOUNT</u>
June 28, 2010	Public Scoping Meeting	3 col. x 8" (24")	\$854.40

Authorized Signature:

Cynthia Mastriano
(Signed)

Cynthia A. Mastriano
(Name)

Major Accounts Executive
(Title)

Subscribed and sworn to this 29 day of June, 2010.

SEAL

Louaine Lembo
(Notary Public)

06/30/12

(Date Commission Expires)

can said the city receives about Smith St.," Keyser said. improve the quality of the 101 area residents." Rell said.

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U.S. DEPARTMENT OF ENERGY

FOR IMMEDIATE RELEASE

Champlain Hudson Power Express Transmission Line Project Environmental Impact Statement **Public Scoping Meeting Announcement**

The Department of Energy (DOE) announces its intention to prepare an Environmental Impact Statement (EIS) pursuant to the National Environmental Policy Act (NEPA) to assess the potential environmental impacts from its proposed action of granting a Presidential permit to Champlain Hudson Power Express, Inc., to construct, operate, maintain, and connect a new electric transmission line across the U.S.-Canada border in northeastern New York State.

DOE is hosting a series of seven meetings to invite public participation in the scoping process, and to solicit public comments for consideration in establishing the scope of the EIS; this refers to the alternatives and impacts to be considered in the EIS. DOE invites interested agencies, organizations, Native American tribes, and members of the public to submit comments to assist in identifying significant environmental issues.

Champlain Hudson is proposing to install and operate two 1,000-megawatt (MW) High Voltage Direct Current (HVDC) bipole submarine transmission cables extending from Quebec, Canada, to New York City and southwestern Connecticut, for an overall length of about 385 miles. The transmission cables will be installed in waterways including Lake Champlain, the Champlain Canal system, the Hudson River, and the Long Island Sound. Short segments of the cables may be buried within portions of existing railroad rights-of-way. Also, two substations are proposed for construction in Yonkers, NY, and Bridgeport, CT.

The meetings will be structured in two parts: an informal discussion "workshop" period that will not be recorded, followed by the formal taking of comments with transcription by a court stenographer. Applicant, DOE, and any cooperating agency representatives will be available to answer questions and provide additional information to attendees to the extent that additional information is available at this early stage of the proceedings.

Further information on this project and the Presidential permit process is on the project EIS website at <http://CHPEXpressEIS.org>, including the Federal Register Notice describing the project and all of the scoping meetings, or by contacting Dr. Jerry Pell at (202) 586-3362 or by e-mail at jerry.pell@hq.doe.gov.

What: DOE's Public Scoping Meeting for the Champlain-Hudson Power Express Transmission Line Project

When: 7:00 p.m. - 9:00 p.m. Thursday, July 8, 2010

*Where: Bridgeport City Hall
45 Lyon Terrace
Bridgeport, CT 06604*

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The notice below was published on page A4 of the *Connecticut Post* on June 28, 2010.

CONNECTICUT POST

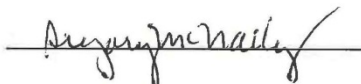
AFFDAVIT OF PUBLICATION

This affidavit certifies that the advertising of:

U.S. Department of Energy

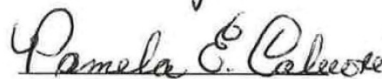
appeared in the Connecticut Post on:

Monday, June 28, 2010



Gregory McNally
Major & National Accounts Manager

Subscribed and sworn to before me
this 28th of June, 2010


Notary Public



U.S. DEPARTMENT OF **ENERGY**

FOR IMMEDIATE RELEASE

Champlain Hudson Power Express Transmission Line Project
Environmental Impact Statement
Public Scoping Meeting Announcement

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When: 7:00 p.m. - 9:00 p.m. Thursday, July 8, 2010

*Where: Bridgeport City Hall
45 Lyon Terrace
Bridgeport, CT 06604*

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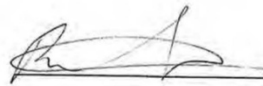
The notice below was published on page 13 of the *AM New York* on June 29, 2010.

AFFIDAVIT OF PUBLICATION

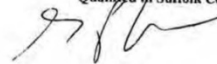
I Rob Smith an employee of **AM New York**, a newspaper, do hereby certify that the advertisement for **HDR** (a copy of which is annexed hereto) was published in the full circulation of the **AM New York** newspaper, and has appeared on the following date(s):

June 29, 2010

SWORN to before me this
23rd day of July 2010



Guy P. Wasser
Notary Public, State of New York
No. 01WA6045924
Commission Expires 08/07/2010
Qualified in Suffolk County



U.S. DEPARTMENT OF ENERGY **FOR IMMEDIATE RELEASE**

Champlain Hudson Power Express Transmission Line Project
Environmental Impact Statement
Public Scoping Meeting Announcement

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What: DOE's Public Scoping Meeting for the Champlain-Hudson Power Express Transmission Line Project

When: 2:00 p.m. - 4:00 p.m. Friday, July 9, 2010

Where: U.S. Environmental Protection Agency
290 Broadway, Room 27A (27th floor, Conference Room A)
New York, NY 10007


It is important to note that this is a secure building: all carried items, e.g., handbags and backpacks, will be X-rayed and visitors will pass through a metal detector.

TUESDAY, JUNE 29, 2010 *amNewYork* 13

The notice below was published in the *Daily News* - Bronx/Westchester Edition, *Daily News* – Brooklyn/Staten Island Edition, *Daily News* – Manhattan/New Jersey Edition, and *Daily News* – Queens/Long Island Edition on June 29, 2010.

STATE OF NEW YORK
COUNTY OF NEW YORK

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 **U.S. DEPARTMENT OF ENERGY** **FOR IMMEDIATE RELEASE**
Champlain Hudson Power Express
Transmission Line Project
Environmental Impact Statement
Public Scoping Meeting Announcement

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Where: U.S. Environmental Protection Agency
290 Broadway, Room 27A (27th floor, Conference Room A) New York, NY 10007

It is important to note that this is a secure building; all carried items, e.g., handbags and backpacks, will be X-rayed and visitors will pass through a metal detector.

Juanita Boyle being duly sworn, says that he/she is a principal clerk and a duly authorized designee of Daily News, L.P., publisher of the 'DAILY NEWS,' a daily and Sunday newspaper published in the City of New York and that the notice, of which the annexed is a copy, was published in said newspaper and online within the section of:

Legal/Public/Notices of the

Edition(s)

Bronx/Westchester
June 29, 2010

Juanita Boyle

(Representative's signature)
Authorized Designee of Daily News, L.P.,
Publisher of the Daily News

Sworn to before me this
29th day of *June* 2010

Barbara E. Torres
Public Notary

BARBARA E. TORRES
Notary Public, State of New York
No. 01TO6219589
Qualified in New York County
Commission Expires March 29, 2014

The notice below was published on page 14 of the *New York Post* on June 29, 2010.

State of New York ss:
COUNTY OF NEW YORK

Lisa Modica being duly sworn,
says that he/she is the principal Clerk of the Publisher
of the

New York Post

a daily newspaper of general circulation printed and
published in the English language, in the County
of New York, State of New York; that advertisement
hereto annexed has been regularly published in
the said "NEW YORK POST" once,
on the 29 day of JUNE 2010

Lisa Modica

Sworn to before me this 29 day

of JUNE 2010



NOTARY PUBLIC

BYRON STEVENS
Notary Public, State of New York
No. 01ST6117803
Qualified in New York County
Commission Expires November 1, 2012



U.S. DEPARTMENT OF ENERGY

FOR IMMEDIATE RELEASE

Champlain Hudson Power Express Transmission Line Project Environmental Impact Statement Public Scoping Meeting Announcement

The Department of Energy (DOE) announces its intention to prepare an Environmental Impact Statement (EIS) pursuant to the National Environmental Policy Act (NEPA) to assess the potential environmental impacts from its proposed action of granting a Presidential permit to Champlain Hudson Power Express, Inc., to construct, operate, maintain, and connect a new electric transmission line across the U.S.-Canada border in northeastern New York State.

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What: DOE's Public Scoping Meeting for the Champlain-Hudson Power Express Transmission Line Project

When: 2:00 p.m. - 4:00 p.m. Friday, July 9, 2010

*Where: U.S. Environmental Protection Agency
290 Broadway, Room 27A (27th floor, Conference Room A)
New York, NY 10007*

It is important to note that this is a secure building: all carried items, e.g., handbags and backpacks, will be X-rayed and visitors will pass through a metal detector.

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The notice below was published on page 30 of the *La Voz Hispana de Connecticut* on July 1, 2010.



Your FREE Weekly Spanish Newspaper, speaking to over 135,000 consumers per publication

Headquarters: 51 Elm Street, Suite 307 New Haven, CT 06510 Tel. (203) 865-2272 Fax (203) 787-4023
Hartford Office: 67 Russ Sreet, Hartford, CT 06106 Tel. (860) 547-1515 Fax (860) 547-1616
Stamford Office: 400 Main Sreet, Suite 510, Stamford, CT 06901 Tel. (203) 674-6793 Fax (203) 674-6794
For information: info@lavothispanact.com - For ads only: ads@lavothispanact.com

AFFIDAVIT OF PUBLICATION

Please be advised that said ad was publish in
La Voz Hispana de Connecticut

Date of Publication: July 1st 2010
Title of Ad placed: ENERGY
Company who placed the ad: HDR / DTA
Size of Ad: 1/4 pg

Subscribed and sworn before me

This 2nd day of July 2010

Ana L. Jones

My Commission Expires Aug. 31, 2011

Notary Public



U.S. DEPARTMENT OF **ENERGY**

PARA PUBLICACION INMEDIATA

Declaración sobre impacto ambiental del proyecto
Champlain Hudson Power Express Transmisión Line Project

Anuncio para reunión exploratoria y detección de necesidades

El Departamento de Energía (DOE) anuncia su intención de preparar una declaración de impacto ambiental (Environmental Impact Statement- EIS), siguiendo lo trazado por el Acta National Environmental Policy Act (NEPA) para evaluar el impacto ambiental potencial de su propuesta acción de otorgar un permiso Presidencial Champlain Hudson Power Express, Inc., para construir, operar, dar mantenimiento y conectar una nueva línea de transmisión eléctrica a lo largo de la frontera entre estados Unidos y Canadá, en el noroeste del Estado de Nueva York.

DOE está patrocinando la organización de siete reuniones para invitar al público a participar en el proceso de exploratorio y de detección de necesidades. Igualmente para solicitar comentarios públicos para ser considerados al momentos de establecer el alcance de la declaración EIS. Esto se refiere a las alternativas e impactos a ser considerados en la declaración EIS. DOE invita a las agencias, organizaciones, tribus de nativos norteamericanos y miembros del público a someter comentarios para ayudar a identificar cuestiones de significación ambiental.

Champlain Hudson Power Express está proponiendo instalar y operar dos cables submarinos de transmisión bipolar de 1,000 megavatios (MW) de alto voltaje y corriente directa (HVDC), que se extienden desde Québec, Canadá a la ciudad de Nueva York y el suroeste de Connecticut, con una longitud en general, de 385 millas. Los cables de transmisión serán instalados en canales entre los cuales Lake Champlain, el sistema de canales Champlain canal, el río Hudson, y el estrecho Long Island Sound. Cortos tramos de los cables pueden quedar enterrados en vías de uso público. También, se propone la construcción de dos subestaciones, en Yonkers, NY, y en Bridgeport, Connecticut.

Las reuniones estarán divididas en dos partes: una discusión informal o «seminario», que no será registrada, seguida por una sesión de comentarios que serán transcritos por estenógrafos de la corte. Los solicitantes, personal de DOE y representantes de agencias de cooperación, estarán disponibles para responder preguntas y proporcionar información adicional a las personas presentes, en la medida en que dicha información esté disponible en ese período inicial del proceso.

Para mayor información acerca de este proyecto y el proceso de permiso Presidencial, incluyendo el anuncio federal de registro (Federal Register Notice), con la descripción del proyecto y de todas las reuniones exploratorias y de detección de necesidades, consultar la página Web de EIS: <http://CHPEXpressEIS.org> o comunicándose con el Dr. Jerry Pell, en el (202) 586-3362 o enviándole un correo electrónico a: jerry.pell@hq.doe.gov

De qué se trata: Reunión pública del DOE sobre el proyecto Champlain Hudson Power Express Transmisión Line Project

Cuándo: 7:00 p.m. a 9:00 p.m., del jueves 8 de julio de 2010

Dónde: Bridgeport City Hall
45 Lyon Terrace
Bridgeport, CT 06604

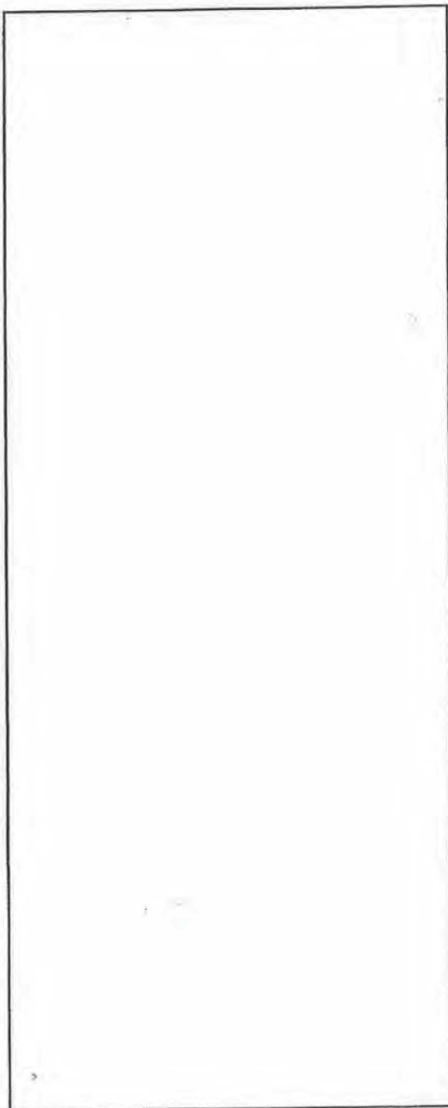
The notice below was published in the *Kingston Times*, *New Paltz Times*, *Saugerties Times*, and *Woodstock Times* on July 1, 2010.

Kingston Times

PO Box 3329
Kingston, NY 12402

Affidavit of Publication

State of New York
County of Ulster



Tobi Watson
being duly sworn, deposes and says that she is the Legal
Notice manager of a newspaper printed in Wappingers Falls
and published in Kingston, New York and County of Ulster
aforesaid entitled

Kingston Times

and that a notice, of which the annexed is a printed copy,
has been duly and regularly published 1
times each week, for 1 consecutive weeks,
commencing with issue 26 on July 1
2010.

Tobi Watson

Subscribed and sworn to before me, this 12th
day of July, 2010.

DALE GEFFNER
Notary Public, State of New York
No. 01GE6200551
Qualified in Ulster County
My Commission Expires Jan. 26, 2013

Dale Geffner

Notary Public



U.S. DEPARTMENT OF ENERGY

FOR IMMEDIATE RELEASE

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Public Scoping Meeting Announcement**

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What: DOE's Public Scoping Meeting for the Champlain-Hudson Power Express Transmission Line Project

When: 7: 00 p.m. – 9: 00 p.m. Tuesday, July 13, 2010

Where: Holiday Inn, 503 Washington Avenue, Kingston, NY 12401

The notice below was published on page 2A of *The Journal News* on July 2, 2010.

AFFIDAVIT OF PUBLICATION
from

The Journal News

CECILIA HERNANDEZ

_____ being duly sworn says that he/she is the principal clerk of The Journal News, a newspaper published in the County of Westchester and State of New York, and the notice of which the annexed is a printed copy, was published in the newspaper area(s) on the date(s) below:

Note: The two-character code to the left of the run dates indicates the zone(s) that the ad was published. (See Legend below)

Zone **BW** Dates **JULY - 2 - 2010**

Signed Cecilia Hernandez

Sworn to before me

This 23rd day of July 20 10

JULIA KYLE
Notary Public, State of New York
No. 01KY6198797
Qualified in Westchester County
Commission Expires January 5, 2013

Julia Kyle
Notary Public, Westchester County

Northern Area (AN):

Amawalk, Armonk, Baldwin Place, Bedford, Bedford Hills, Briarcliff Manor, Buchanan, Chappaqua, Crompond, Cross River, Croton Falls, Croton on Hudson, Goldens Bridge, Granite Springs, Jefferson Valley, Katonah, Lincolndale, Millwood, Mohegan Lake, Montrose, Mount Kisco, North Salem, Ossining, Peekskill, Pound Ridge, Purdy's, Shenorock, Shrub Oak, Somers, South Salem, Verplanck, Waccabuc, Yorktown Heights, Brewster, Carmel, Cold Spring, Garrison, Lake Peekskill, Mahopac, Mahopac Falls, Putnam Valley, Patterson

Central Area (AC):

Ardley, Ardsley on Hudson, Dobbs Ferry, Elmsford, Greenburg, Harrison, Hartsdale, Hastings, Hastings on Hudson, Hawthorne, Irvington, Larchmont, Mamaroneck, Pleasantville, Port Chester, Purchase, Rye, Scarsdale, Tarrytown, Thornwood, Valhalla, White Plains

Southern Area (AS):

Bronxville, Eastchester, Mount Vernon, New Rochelle, Pelham, Tuckahoe, Yonkers

Greater Westchester (GW or LGW):

Includes Northern area, Southern area and Central area. (See details below each area)

Westchester Rockland (WR):

Includes Greater Westchester area and Rockland area

Rockland Area (JN or RK):

Blauvelt, Congers, Garnerville, Haverstraw, Hillburn, Monsey, Nanuet, New City, Nyack, Orangeburg, Palisades, Pearl River, Piermont, Pomona, Sloatsburg, Sparkill, Spring Valley, Stony Point, Suffern, Tallman, Tappan, Thiells, Tomkins Cove, Valley Cottage, West Haverstraw, West Nyack

Review Press Express (XBV):

Bronxville, Eastchester, Scarsdale, Tuckahoe

Sound Shore Express (XSS):

Purchase, Port Chester, Rye, Harrison, Mamaroneck, Larchmont, New Rochelle, Pelham

White Plains Express (XWP):

Elmsford, Hartsdale, Hawthorne, Valhalla, White Plains

Yorktown and Cortlandt Express (XYC):

Amawalk, Buchanan, Cortlandt Manor, Croton on Hudson, Granite Springs, Jefferson Valley, Mohegan Lake, Montrose, Ossining, Peekskill, Shrub Oak, Yorktown Heights

Northern Westchester Express (XNW):

Armonk, Bedford, Bedford Hills, Briarcliff Manor, Chappaqua, Cross River, Goldens Bridge, Katonah, Millwood, Mount Kisco, North Salem, Pleasantville, Pound Ridge, Purdy's, Somers, South Salem, Thornwood, Waccabuc

Rockland Express (XRK):

Blauvelt, Congers, Garnerville, Haverstraw, Hillburn, Monsey, Nanuet, New City, Nyack, Orangeburg, Palisades, Pearl River, Piermont, Pomona, Sparkill, Spring Valley, Tappan, Thiells, Tomkins Cove, Sloatsburg, Suffern, Stony Point, Valley Cottage, West Haverstraw, West Nyack

LoHud Express Putnam (LHPN):

Baldwin Place, Brewster, Carmel, Cold Spring, Garrison, Lake Peekskill, Mahopac, Putnam Valley, Patterson

LoHud Express Rivertowns (LHRT):

Ardley, Dobbs Ferry, Hastings, Irvington, Tarrytown

LoHud Express Yonkers/Mount Vernon (LHYM):

Mount Vernon, Yonkers

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U.S. DEPARTMENT OF ENERGY

FOR IMMEDIATE RELEASE

Champlain Hudson Power Express Transmission Line Project
Environmental Impact Statement

Public Scoping Meeting Announcement

The Department of Energy (DOE) announces its intention to prepare an Environmental Impact Statement (EIS) pursuant to the National Environmental Policy Act (NEPA) to assess the potential environmental impacts from its proposed action of granting a presidential permit to Champlain Hudson Power Express, Inc., to construct, operate maintain, and connect a new electric transmission line across the U.S.-Canada border in northeastern New York State.

DOE is hosting a series of seven meetings to invite public participation in the scoping process, and to solicit public Comments for consideration in establishing the scope of the EIS; this refers to the alternatives and impacts to be Considered in this EIS. DOE invites interested agencies, organizations, Native American tribes, and members of the public to submit comments to assist in identifying significant environmental issues.

Champlain Hudson is proposing to install and operate two 1,000-megawatt (MW) High Voltage Direct Current (HVDC) bipole submarine transmission cables extending from Quebec, Canada, to New York City and southwestern Connecticut, for an overall length of about 385 miles. The transmission cables will be installed in waterways including Lake Champlain, the Champlain Canal system, the Hudson River, and the Long Island Sound. Short segments of the cables may be buried within portions of existing railroad rights-of-way. Also, two substations are proposed for construction in Yonkers, NY, and Bridgeport, CT.

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Further information on this project and the Presidential permit process is on the project EIS website at <http://CHPEXpressEIS.org>, including the Federal Register Notice describing the project and all of the scoping meetings, or by contacting Dr. Jerry Pell at (202) 586-3362 or by e-mail at jerry.pell@hq.doe.gov.

What: DOE's Public Scoping Meeting for the Champlain-Hudson Power Express Transmission Line Project
When: 7:00 p.m. - 9:00 p.m. Monday, July 12, 2010
Where: Royal; Regency Hotel
165 Tuckahoe Road
Yonkers, NY 10710

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The notice below was published on page 23 and page 22 D of the *Times Herald-Record* on July 2, 2010.

TIMES HERALD-RECORD

P.O. Box 2046 , 40 Mulberry Street, Middletown,

State of New York:

County of Orange: ss:

Patricia Foddrill

Being duly sworn deposes and says that the Dow Jones Local Media Group, Inc. is organized under the laws of the State of New York and is, at all the times hereinafter mentioned, was the printer and publisher of The Times Herald-Record, a daily newspaper distributed in the Orange, Ulster, Rockland, Dutchess, Pike, PA, Delaware and Sullivan Counties, published in the English language in the City of Middletown, County of Orange, State of New York, that deponent is the

Legal Advertising Rep.

of said The Times Herald-Record acquainted with the facts hereinafter stated, and duly authorized by said Corporation to make this affidavit; that the

Public Notice

a true printed copy of which is attached, has been duly and regularly published in the manner required by law in said The Times Herald-Record in each of its issues published upon each of the following dates, to wit:
In its issues of

7/2/10

Signature of Representative:



Sworn in before me this _____

Day of _____ 2010

Notary Public, Orange County



U.S. DEPARTMENT OF **ENERGY**

FOR IMMEDIATE RELEASE

Champlain Hudson Power Express Transmission Line Project Environmental Impact Statement **Public Scoping Meeting Announcement**

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*What: DOE's Public Scoping Meeting for the Champlain-Hudson Power Express
Transmission Line Project*

When: 7:00 p.m. – 9:00 p.m. Monday, July 12, 2010

*Where: Royal Regency Hotel
165 Truckahoe Road
Yonkers, NY 10710*

###

The notice below was published in the *Yonkers Rising*, *Eastchester Rising*, *Harrison Rising*, *Mount Vernon Rising*, *North Castle Rising*, *Pelham Rising*, *Rye Rising*, *Soundview Rising*, and *Westchester Rising* on July 2, 2010. The notice ran again in the *Yonkers Rising* on July 9, 2010.

regulating and state government. In his letter, Brodsky expressed his appreciation for government.

tion, to support their efforts at reforming state government.


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U.S. DEPARTMENT OF ENERGY

FOR IMMEDIATE RELEASE

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Environmental Impact Statement
Public Scoping Meeting Announcement**

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*Where: Royal Regency Hotel
165 Truckahoe Road
Yonkers, NY 10710*

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The notice below was published on page B5 of the *The Daily Freeman* on July 2, 2010.

State of New York, } ss.:
City of Kingston, County of Ulster, }

Amy Torelli being duly sworn,
says that she resides in said County and State, and that she now is and at
all times hereinafter named, was the principal clerk of *The Daily Freeman*,
which is the publisher and printer of THE DAILY FREEMAN, a news-
paper published and printed in the City of Kingston, in the County of
Ulster, in the State of New York, and that a notice of which the annexed
printed notice is a copy, has been published in said

newspaper for .. One insertions 7/2/10

commencing on the .. 2nd day of .. July 20 10

and ending on the 2nd ... day of ... July 20 10

..... Amy Torelli

Sworn to before me this .. 6th day

of .. July 20 10

BRENDA M. CRANTZ
Notary Public, State of New York
Qualified in Ulster County
Commission Expires June 30, 2014

..... Brenda M. Crantz

Notary Public in and for Ulster County



U.S. DEPARTMENT OF
ENERGY

FOR IMMEDIATE RELEASE

**Champlain Hudson Power Express Transmission Line Project
 Environmental Impact Statement
 Public Scoping Meeting Announcement**

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What: DOE's Public Scoping Meeting for the Champlain-Hudson Power Express Transmission Line Project

When: 7:00 p.m. - 9:00 p.m. Tuesday, July 13, 2010

*Where: Holiday Inn, Kingston, New York
 503 Washington Avenue
 Kingston, NY 12401*

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The notice below was published on page A4 of the *Albany Times Union* on July 2, 2010.



KATHLEEN HALLION
ADVERTISING DIRECTOR

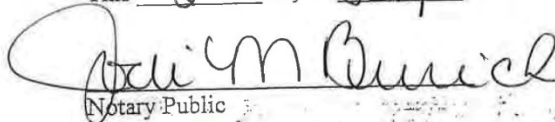
To Whom It May Concern::

This is to certify that we have published advertising as follows:

Account: HDR Engineering
Size of Ad: 2 x 5
Featuring: US Dept. of Energy
Date: 7/2/10
Paper: Albany Times Union

State of New York
County of Albany

Sworn to and subscribed before me
This 2 day of July 2010


Notary Public

JODI M BURICK
Notary Public, State of New York
Registration #01BU489_040
Qualified In Albany County
Commission Expires Oct. 19, 2013



U.S. DEPARTMENT OF ENERGY

FOR IMMEDIATE RELEASE

Champlain Hudson Power Express Transmission Line Project Environmental Impact Statement **Public Scoping Meeting Announcement**

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What: *DOE's Public Scoping Meeting for the Champlain-Hudson Power Express Transmission Line Project*

When: *7:00 p.m.-9:00 p.m. Wednesday, July 14, 2010*

Where: *Holiday Inn Albany at Wolf Road, 205 Wolf Road, Albany, NY 12205*

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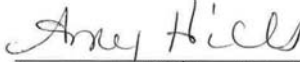
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The notice below was published on page B3 of *The Daily Gazette* on July 2, 2010.


State of New York, ss.:
City and County of Schenectady

Amy Hills of the City of Schenectady, being duly sworn, says that he/she is Principal Clerk in the office of the Daily Gazette Co., published in the City of Schenectady and that the notice/advertisement, of which the annexed is a printed copy, has been regularly published in the Daily Gazette and/or Sunday Gazette as follows:

1 insertion July 2, 2010



Sworn to me on this 7th day of July 2010

F LISA J. BALDWIN NOTARY PUBLIC
COMMISS: OF DEEDS
MY COMMISSION EXPIRES 7-21-2010




374-4171



BoulevardBooth
and register for FREE

THE
GAZETTE



U.S. DEPARTMENT OF ENERGY

FOR IMMEDIATE RELEASE

Champlain Hudson Power Express Transmission Line Project Environmental Impact Statement Public Scoping Meeting Announcement

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What: DOE's Public Scoping Meeting for the Champlain-Hudson Power Express Transmission Line Project

When: 7:00 p.m. - 9:00 p.m. Wednesday, July 14, 2010

*Where: Holiday Inn Albany at Wolf Road
205 Wolf Road
Albany, NY 12205*

###

The notice below was published on page A5 of *The Post-Star* on July 6, 2010.

AFFIDAVIT OF DISTRIBUTION

STATE OF New York

COUNTY OF Warren

I, Lori Lewis, being duly sworn on oath says he/she is and during all times herein stated has been the publisher of the publisher's designated agent in charge of the publication known as

The Post-Star ("Publisher")

And has full knowledge of the facts herein stated as follows:

The ROP for US Dept of Energy Public Scoping Meeting ("Advertiser") was distributed to Publisher's full circulation on the 6th day of July, 2010.

By: Lori Lewis

Subscribed and sworn to before me
this 6th day of July, 2010.

[Signature]
Notary Public

Notary Seal:

BRIAN J. CORCORAN
Notary Public - State of New York
No. 01CO6133976
Qualified in Saratoga County
My Commission Expires Sept. 19, 2013



U.S. DEPARTMENT OF **ENERGY**

FOR IMMEDIATE RELEASE

Champlain Hudson Power Express Transmission Line Project Environmental Impact Statement

Public Scoping Meeting Announcement

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*What: DOE's Public Scoping Meeting for the Champlain-Hudson Power Express
Transmission Line Project*

When: 7:00 p.m. – 9:00 p.m., Thursday, July 15, 2010

*Where: Ramada Glens Falls/Lake George Area
1 Abby Lane (Exit 19 off I-87) Queensbury, NY 12804*

###

The notice below was published on in *The Saratogian* on July 6, 2010.

AFFIDAVIT OF PUBLICATION

STATE OF NEW YORK,
Rensselaer County, ss:
City of Troy.

Sharon Martone of the City of Troy, in the county of Rensselaer and State of New York, being duly sworn, deposes and says that she is the Principal Clerk of the **Journal Register East, Inc.**, a Corporation duly organized under the laws of the State of New York; that said Corporation is the publisher of **The SARATOGIAN**, a daily newspaper printed and published in the City of Saratoga Springs and County of Saratoga, and that the notice of which the annexed is a printed copy, has been regularly published in **The SARATOGIAN**.

ONCE DAILY for ONE DAY


to wit: on the 6th day of July, 2010

Sworn before me, this

6th day of July, 2010

Sharon Martone
[Signature]
Notary Public

DERRA A BECK
Notary Public, State of New York
018607222
Qualified in Rensselaer County
Commission Expires April 01, 2014

 **U.S. DEPARTMENT OF ENERGY**

FOR IMMEDIATE RELEASE

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Environmental Impact Statement
Public Scoping Meeting Announcement**

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When: 7:00 p.m. - 9:00 p.m. Thursday, July 15, 2010

Where: Ramada Glens Falls/Lake George Area
1 Abby Lane (Exit 19 off I-87)
Queensbury, NY 12804

###

The notice below was published on page B5 of *The Press Republican* on July 6, 2010.

**State of New York,
Clinton County, ss.:**

Client: HDR /DTA

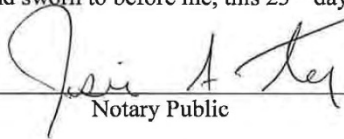
**DOE Public Scoping Meeting
Announcement**

Retail Display Ad
Ad Ran: 7/6/10

Glenda Raynor of the City of Plattsburgh, in said county, being duly sworn, doth depose and say that she is a clerk of The PLATTSBURGH PUBLISHING CO., publishers and printers of a newspaper entitled **The Press-Republican**, printed and published daily and Sunday in the City of Plattsburgh, in said county, and that the advertisements covered on the attached copy have appeared in said newspaper on the dates indicated.

 7/25/10

Subscribed and sworn to before me, this 23th day of July, 2010


Notary Public

JOSIE A. TRIPP
Notary Public State of New York
No. 01TR6179927
Qualified in Clinton County 2012
Commission Expires January 7, 2012



U.S. DEPARTMENT OF ENERGY

FOR IMMEDIATE RELEASE

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What: DOE's Public Scoping Meeting for the Champlain-Hudson Power Express Transmission Line Project
When: 7:00 p.m. - 9:00 p.m. Friday, July 16, 2010
Where: Plattsburgh North Country Chamber of Commerce
7061 State Route 9, Plattsburgh, NY 12901

WE'RE HERE

The notice below was published on page 21 of *Lake Champlain Weekly* on July 7, 2010.

Studley Printing & Publishing, Inc.

4701 State Route 9
Plattsburgh, NY 12901
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email: advertising@studleyprinting.com

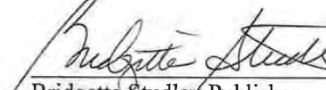
Publishers of:

Lake Champlain Weekly • RPM Magazine • Northern Exploring Series • Northern Bride

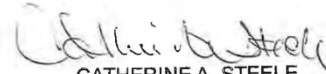
Affidavit of Publication

State of New York, County of Clinton, ss:

I hereby certify that the attached advertisement for the US Department of Energy Public Scoping Meeting Announcement was published in the *Lake Champlain Weekly*, a weekly newspaper published in Plattsburgh, New York, on July 7, 2010



Bridgette Studley Publisher
July 23, 2010



CATHERINE A. STEELE
Notary Public, State of New York
Clinton County #01ST6160402
Commission Expires Feb. 05, 2011

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U.S. DEPARTMENT OF ENERGY

FOR IMMEDIATE RELEASE

Champlain Hudson Power Express Transmission Line Project Environmental Impact Statement Public Scoping Meeting Announcement

The Department of Energy (DOE) announces its intention to prepare an Environmental Impact Statement (EIS) pursuant to the National Environmental Policy Act (NEPA) to assess the potential environmental impacts from its proposed action of granting a Presidential permit to Champlain Hudson Power Express, Inc., to construct, operate, maintain, and connect a new electric transmission line across the U.S.-Canada border in northeastern New York State.

DOE is hosting a series of seven meetings to invite public participation in the scoping process, and to solicit public comments for consideration in establishing the scope of the EIS; this refers to the alternatives and impacts to be considered in the EIS. DOE invites interested agencies, organizations, Native American tribes, and members of the public to submit comments to assist in identifying significant environmental issues.

Champlain Hudson is proposing to install and operate two 1,000-megawatt (MW) High Voltage Direct Current (HVDC) bipole submarine transmission cables extending from Quebec, Canada, to New York City and southwestern Connecticut, for an overall length of about 385 miles. The transmission cables will be installed in waterways including Lake Champlain, the Champlain Canal system, the Hudson River, and the Long Island Sound. Short segments of the cables may be buried within portions of existing railroad rights-of-way. Also, two substations are proposed for construction in Yonkers, NY, and Bridgeport, CT.

The meetings will be structured in two parts: an informal discussion "workshop" period that will not be recorded, followed by the formal taking of comments with transcription by a court stenographer. Applicant, DOE, and any cooperating agency representatives will be available to answer questions and provide additional information to attendees to the extent that additional information is available at this early stage of the proceedings.

Further information on this project and the Presidential permit process is on the project EIS website at <http://CHPEXpressEIS.org>, including the Federal Register Notice describing the project and all of the scoping meetings, or by contacting Dr. Jerry Pell at (202) 586-3362 or by e-mail at jerry.pell@hq.doe.gov.

What: DOE's Public Scoping Meeting for the Champlain-Hudson Power Express Transmission Line Project

When: 7:00 p.m. – 9:00 p.m. Friday, July 16, 2010

*Where: Plattsburgh North Country Chamber of Commerce
7061 State Route 9
Plattsburgh, NY 12901*

The notice below was published on page 6 of *The Chronicle* on July 8, 2010.



Mailing address: P.O. Box 153, Glens Falls, NY 12801
Office address: 15 Ridge St., Glens Falls
Phone: (518) 792-1126 • FAX 793-1587
e-mail: chronicle@1oneoak.com

**Affidavit of Publication under Section 1203 of the
Limited Liability Company Law of New York**

County of Warren ss:

The undersigned is the authorized designee for the publisher of the Chronicle, a weekly newspaper published in Glens Falls, NY.

A notice regarding Public Scoping Meeting
was published in said newspaper once on 7/8/2010 for one week.

The text of the notice as published in said newspaper is as set forth in the annexed exhibit.

Angela M. Steves
Angela Steves

Sworn before me this 8th day of July, 2010

Jane Fowler
Notary Public

JANE FOWLER
NOTARY PUBLIC, STATE OF NEW YORK
NO. 01FO6063926
QUALIFIED IN WARREN COUNTY
COMMISSION EXPIRES
SEPTEMBER 10, 2013



U.S. DEPARTMENT OF **ENERGY**

FOR IMMEDIATE RELEASE

**Champlain Hudson Power Express Transmission Line Project
Environmental Impact Statement
Public Scoping Meeting Announcement**

The Department of Energy (DOE) announces its intention to prepare an Environmental Impact Statement (EIS) pursuant to the National Environmental Policy Act (NEPA) to assess the potential environmental impacts from its proposed action of granting a Presidential permit to Champlain Hudson Power Express, Inc., to construct, operate, maintain, and connect a new electric transmission line across the U.S.-Canada border in northeastern New York State.

DOE is hosting a series of seven meetings to invite public participation in the scoping process, and to solicit public comments for consideration in establishing the scope of the EIS; this refers to the alternatives and impacts to be considered in the EIS. DOE invites interested agencies, organizations, Native American tribes, and members of the public to submit comments to assist in identifying significant environmental issues.

Champlain Hudson is proposing to install and operate two 1,000-megawatt (MW) High Voltage Direct Current (HVDC) bipole submarine transmission cables extending from Quebec, Canada, to New York City and southwestern Connecticut, for an overall length of about 385 miles. The transmission cables will be installed in waterways including Lake Champlain, the Champlain Canal system, the Hudson River, and the Long Island Sound. Short segments of the cables may be buried within portions of existing railroad rights-of-way. Also, two substations are proposed for construction in Yonkers, NY, and Bridgeport, CT.

The meetings will be structured in two parts: an informal discussion "workshop" period that will not be recorded, followed by the formal taking of comments with transcription by a court stenographer. Applicant, DOE, and any cooperating agency representatives will be available to answer questions and provide additional information to attendees to the extent that additional information is available at this early stage of the proceedings.

Further information on this project and the Presidential permit process is on the project EIS website at <http://CHPEXpressEIS.org>, including the Federal Register Notice describing the project and all of the scoping meetings, or by contacting Dr. Jerry Pell at (202) 586-3362 or by e-mail at jerry.pell@hq.doe.gov.

*What: DOE's Public Scoping Meeting for the Champlain-Hudson Power Express
Transmission Line Project*

When: 7:00 p.m. - 9:00 p.m. Thursday, July 15, 2010

*Where: Ramada Glens Falls/Lake George Area
1 Abby Lane (Exit 19 off I-87)
Queensbury, NY 12804*

###

APPENDIX C

EXAMPLE PRESS RELEASE AND PRESS RELEASE DISTRIBUTION



U.S. DEPARTMENT OF **ENERGY**

FOR IMMEDIATE RELEASE
Wednesday, June 30, 2010

DOE Environmental Impact Statement Public Scoping Meeting on Champlain Hudson Power Express Transmission Line Project

Washington, D.C. --The Department of Energy (DOE) is hosting seven meetings for public participation as part of its Environmental Impact Statement (EIS) preparation process pursuant to the National Environmental Policy Act (NEPA) to assess the potential environmental impacts from its proposed action of granting a Presidential permit to Champlain Hudson Power Express, Inc., to construct, operate, maintain, and connect a new electric transmission line across the U.S.-Canada border in northeastern New York.

The meetings will enable the public to provide comments for consideration in establishing the scope of the EIS including consideration of potential alternatives and impacts. DOE invites interested agencies, organizations, Native American tribes, and members of the public to submit comments to assist in identifying significant environmental issues.

Champlain Hudson is proposing to install and operate two 1,000-megawatt (MW) High Voltage Direct Current (HVDC) bipole submarine transmission cables extending from Quebec, Canada, to New York City and southwestern Connecticut, for an overall length of about 385 miles. The transmission cables will be installed in waterways including Lake Champlain, the Champlain Canal system, the Hudson River, and Long Island Sound. Short sections of the cables may be buried within portions of existing railroad rights-of-way. Also, two substations are proposed for construction in Yonkers, NY, and Bridgeport, CT.

The two-part meetings include an informal discussion "workshop" period, followed by formal comment session with transcription by a court stenographer. Although the proceedings are at an early stage, DOE, Champlain Hudson, and any cooperating agency representatives will be available to answer questions and provide additional current information.

Further information on this project and the Presidential permit process is on the project EIS website at <http://CHPExpressEIS.org> , including the Federal Register Notice describing the project and all of the scoping meetings, or by contacting Dr. Jerry Pell at (202) 586-3362 or by e-mail at jerry.pell@hq.doe.gov.

The following is a list of meetings and locations.

Champlain Hudson Scoping Meeting Locations		
Location	Street Address	Date and Time
Bridgeport, Connecticut	Bridgeport City Hall 45 Lyon Terrace Bridgeport, CT 06604	Thursday, July 8, 2010 7:00 – 9:00 pm,
New York, New York	U.S. Environmental Protection Agency* 290 Broadway, Room 27A (27 th floor, conference room A) New York, NY 10007 Note: * This is a secure building: all carried items, e.g., handbags and backpacks, will be X-rayed and visitors will pass through a metal detector.	Friday, July 9, 2010 2:00 – 4:00 pm
Yonkers, New York	Royal Regency Hotel 165 Tuckahoe Road Yonkers, NY 10710	Monday, July 12, 2010 7:00– 9:00 pm
Kingston, New York	Holiday Inn Kingston, NY 503 Washington Avenue Kingston, NY 12401	Tuesday, July 13, 2010 7:00 – 9:00 pm
Albany, New York:	The Holiday Inn Albany at Wolf Road 205 Wolf Road Albany, NY12205	Wednesday, July 14, 2010 7:00 – 9:00 pm
Glens Falls, New York	Ramada Glens Falls/Lake George Area 1 Abby Lane (exit 19 off I- 87) Queensbury, NY 12804	Thursday, July 15, 2010 7:00 – 9:00 pm
Plattsburgh, New York	Plattsburgh North Country Chamber of Commerce 7061 State Route 9 Plattsburgh, NY 12901	Friday, July 16, 2010 7:00 – 9:00 pm

-DOE-

For further information please contact:
Dr. Jerry Pell at (202) 586-3362
jerry.pell@hq.doe.gov.

TDI - TV
New York, Albany, New Jersey, Vermont

Date Sent	Organization	Organization Type	County	City	State
Bridgeport, CT					
1-Jul	WEDW-TV	Television Station	Bridgeport	New Haven	CT
1-Jul	WTNH-TV	Television Station	New Haven	New Haven	CT
1-Jul	WVIT-TV	Television Station	New Britain	West Hartford	CT
1-Jul	WICC-AM	AM Radio Station	Bridgeport	Bridgeport	CT
1-Jul	WPKN-FM	FM Radio Station	Bridgeport	Bridgeport	CT
1-Jul	CT Post	Newspaper	Bridgeport	Bridgeport	CT
1-Jul	NH Register	Newspaper	New Haven	New Haven	CT
New York & Yonkers, NY					
2-Jul	WABC-TV	Television Station	New York	New York	NY
2-Jul	WABC-TV	Television Station	Westchester	White Plains	NY
2-Jul	WCBS-TV	Television Station	New York	New York	NY
2-Jul	WNBC-TV	Television Station	New York	New York	NY
2-Jul	WNYW-TV	Television Station	New York	New York	NY
2-Jul	WCBS-AM	AM Radio Station	New York	New York	NY
2-Jul	WCBS-FM	FM Radio Station	New York	New York	NY
2-Jul	WABC-AM	AM Radio Station	New York	New York	NY
2-Jul	WINS-AM	AM Radio Station	New York	New York	NY
2-Jul	WLTW-FM	FM Radio Station	New York	New York	NY
2-Jul	WRKS-FM	FM Radio Station	New York	New York	NY
2-Jul	am New York	Daily Newspaper	New York	New York	NY
2-Jul	The Brooklyn Daily Eagle & Daily Bulletin	Daily Newspaper	Kings	Brooklyn	NY
2-Jul	Daily Challenge	Daily Newspaper	Kings	Brooklyn	NY
2-Jul	Daily News	Daily Newspaper	New York	New York	NY
2-Jul	Financial Times	Daily Newspaper	New York	New York	NY
2-Jul	Financial Times	Daily Newspaper	Harris	Bellaire	TX
2-Jul	Gannett Newspapers	Daily Newspaper Publisher	Westchester	White Plains	NY
2-Jul	Gannett Newspapers	Daily Newspaper Publisher	Putnam	Carmel	NY
2-Jul	The Journal News - Rockland Edition	Daily Newspaper	Rockland	West Nyack	NY
2-Jul	Metro New York	Daily Newspaper	New York	New York	NY
2-Jul	Metro New York	Daily Newspaper	Philadelphia	Philadelphia	PA
2-Jul	National Herald	Daily Newspaper	Queens	Long Island City	NY
2-Jul	New York Post	Daily Newspaper	New York	New York	NY
2-Jul	The New York Times	Daily Newspaper	New York	New York	NY
2-Jul	The New York Times	Daily Newspaper	Kings	Brooklyn	NY
2-Jul	The Wall Street Journal	Daily Newspaper	New York	New York	NY
Kingston, NY					
6-Jul	WBNR-AM	AM Radio Station	Dutchess	Beacon	NY
6-Jul	WAMC	FM Radio Station	Albany	Albany	NY
6-Jul	Daily Freeman	Daily Newspaper	Ulster	Kingston	NY
6-Jul	The Daily Mail	Daily Newspaper	Greene	Catskill	NY
6-Jul	Poughkeepsie Journal	Daily Newspaper	Dutchess	Poughkeepsie	NY
6-Jul	Times Herald-Record	Daily Newspaper	Orange	Middletown	NY

TDI - TV
New York, Albany, New Jersey, Vermont

Date Sent	Organization	Organization Type	County	City	State
Albany & Glens Falls, NY					
7-Jul	Capital News 9	Regional Cable Network	Albany	Albany	NY
7-Jul	WNYT-TV	Television Station	Albany	Albany	NY
7-Jul	WRGB-TV	Television Station	Schenectady	Schenectady	NY
7-Jul	WXXA-TV	Television Station	Albany	Albany	NY
7-Jul	WTEN-TV	Television Station	Albany	Albany	NY
7-Jul	WGY-AM	AM Radio Station	Albany	Latham	NY
7-Jul	Talk 1300 am	AM Radio Station	Albany	Albany	NY
7-Jul	The Saratogian	Daily Newspaper	Saratoga	Saratoga Springs	NY
7-Jul	Times Union	Daily Newspaper	Albany	Albany	NY
7-Jul	The Record	Daily Newspaper	Rensselaer	Troy	NY
7-Jul	The Daily Gazette	Daily Newspaper	Schenectady	Schenectady	NY
8-Jul	Register Star	Daily Newspaper	Columbia	Hudson	NY
8-Jul	The Post-Star	Daily Newspaper	Warren	Glens Falls	NY
Plattsburg, NY					
9-Jul	WCAX-TV	Television Station	Chittenden	South Burlington	VT
9-Jul	WFFF-TV	Television Station	Chittenden	Colchester	VT
9-Jul	WPTZ-TV	Television Station	Clinton	Plattsburgh	NY
9-Jul	WVNY-TV	Television Station	Chittenden	Colchester	VT
9-Jul	Press-Republican	Daily Newspaper	Clinton	Plattsburgh	NY

APPENDIX D
MEETING TRANSCRIPTS

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U.S. DEPARTMENT OF ENERGY
CHAMPLAIN HUDSON POWER EXPRESS
ENVIRONMENTAL IMPACT STATEMENT

PUBLIC SCOPING MEETING

DATE: JULY 8, 2010

TIME: 7:00 P.M.

HELD: BRIDGEPORT CITY HALL

45 LYON TERRACE

BRIDGEPORT, CONNECTICUT

1 APPEARANCES:

2 Jerry Pell, Ph.D., CCM

3 U.S. DEPARTMENT OF ENERGY

4 Office of Electricity Delivery

5 and Energy Reliability

6 1000 Independence Avenue, SW

7 Washington, DC 20585

8

9 Donald Jessome, President

10 TRANSMISSION DEVELOPERS INC.

11 200 Bay Street, Suite 3230

12 Toronto, Ontario

13 Canada M5J2J4

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1 DR. PELL: Good evening.

2 Those of you that are here, I want you to
3 know that we appreciate your taking the trouble to come
4 out this evening, on a warm evening like this; I'm
5 afraid it's not much cooler in here. I want to thank
6 you for joining us this evening.

7 Just to get the proceedings going, I'm
8 Jerry Pell with the Department of Energy in Washington.
9 I'm an environmental scientist. I've been with DOE for
10 34 years. I'm originally from Montreal, and I know the
11 northeastern Adirondack north corridor extremely well,
12 having driven it a great many times.

13 We're here, of course, to discuss the
14 Champlain Hudson project. And the reason the
15 Department of Energy is involved is because the project
16 proposes to cross the border from Canada into the
17 United States, and that results in the requirement for
18 a Department of Energy {residential permit for the
19 border crossing into the United States.

20 The theory is that if we do not issue the
21 permit and do not allow the connection to energy
22 sources in Canada, that the line would not be built so

1 as a result the issuance of a permit is considered a
2 major Federal action under the National Environmental
3 Policy Act, or NEPA, as it's well known. So we are
4 doing an Environmental Impact Statement on the
5 potential environmental impacts from the entire project.

6 This is not the only, but a major portion
7 of, the process that goes into the decision making as to
8 whether to issue a permit. The other things that we
9 look at outside of the environmental area are things
10 like the reliability of the electric power grid.

11 We also needed concurrences from the State
12 Department and the Department of Defense; they get a
13 chance to review the project as well. So it's a fairly
14 complex process of which the environment analysis is
15 important but not the only element.

16 It's a pleasure to introduce Don Jessome
17 on my right. Don is Mr. Champlain Hudson, he's the
18 head of the Transmission Developers Inc., company,
19 comes here today from Toronto, and Don will tell you a
20 little bit about the project and we will then get into the
21 DOE aspect.

22 MR. JESSOME: Thank you, Dr. Pell.

1 Again, I'd just like to thank everyone for
2 coming out this evening. It's a pleasure to be here
3 tonight. I want to talk a little bit about
4 Transmission Developers Inc., and the Champlain Hudson
5 Power Express project.

6 First off, the Champlain Hudson Power
7 Express project made an announcement on July 6,
8 Tuesday, that we will no longer be developing the
9 Connecticut portion of the project, which is one of the
10 1,000-megawatt projects, comes down to New York, comes
11 down into Connecticut.

12 On Tuesday we announced that we are no
13 longer developing the Connecticut portion of the
14 project, so the description tonight will be just for the
15 New York component of the project.

16 So Transmission Developers Inc. is a
17 company based out of Toronto with a mandate to develop
18 each piece of the transmission projects to highly tested
19 markets and using best available HVDC technology. And
20 the reason we chose the HVDC technology is because of
21 the fact we can bury the cables, which is incredibly
22 important as part of our development strategy.

1 So the Champlain Hudson Power Express
2 project is the 1,000-megawatt project that starts at
3 the Canada/U.S. border, our component of it. It's
4 buried in the Richelieu River into Lake Champlain, so
5 it's two cables, five inches in diameter, that come
6 down the Richelieu River into Lake Champlain into the
7 Hudson River. They come out at Glens Falls, just north
8 of the capital district in New York. They go along
9 railway tracks, all buried, and then back into the
10 Hudson River, where they terminate at a converter
11 station in Yonkers, and then into New York City.

12 Transmission Developers Inc. is
13 pleased to be here tonight to talk about the project.
14 And, with that, I will pass it back to Dr. Pell, and
15 I'll be at the back the room to answer questions that
16 people may have.

17 DR. PELL: Thank you very much, Don.

18 The environmental impact assessment process
19 is in a very early phase where we try to determine what's
20 the appropriate scope, which is the technical term we
21 use to describe the range of impacts we should be
22 looking at.

1 We're pretty experienced with transmission
2 lines, so we know roughly what we should be looking at,
3 but you never know when we might miss something.

4 I remember a project in Alaska, which I
5 was once familiar with, and we did a meeting like this,
6 and one of the impacts that we had not anticipated and
7 would never have known about if it weren't for the
8 audience, that this was going to be a coal powered
9 project, going to be discharging warm water into a
10 river.

11 And the neighbors were concerned that the
12 river, when it freezes in the winter, it's a major
13 transportation corridor because they can go right
14 across the river, and that hot water could really
15 change that transportation route. And we in Washington
16 would not have thought of that.

17 So that's why the meeting is here, because
18 people that live along the route, people that
19 potentially could be affected, are in the best possible
20 position to tell us what they think we should look at.

21 Now, of course it doesn't end tonight
22 because when we do determine the environmental effects

1 we look at the issues, draft a report, which will be
2 widely available. And then we will have what are
3 called public hearings, probably in the same locations,
4 where actually we'll have a document to review, so that
5 you'll be able to talk specifically about what's good
6 and bad in the actual draft document, and the final is
7 supposed to capture everything we miss in the draft.
8 So there's plenty of public input.

9 We do have a project website, we have two
10 actually, the company has one, but DOE has it's own,
11 that's CHPEXpressEIS.org, which I encourage you to look
12 at because everything we do in the impact assessment
13 process is public.

14 We will be posting all the documents on
15 that website, and transcripts of this and all the other
16 meetings will be on the website. Anyone who makes a
17 comment, their statement will be on the website.
18 Anybody who submits any written material for our
19 consideration, that will be on the website. So it's a
20 totally transparent open public awareness process, and we
21 encourage you to look at the website when you get a
22 chance.

1 And you can subscribe to the website, you
2 can e-mail your address so that as something new comes
3 up, you'll get a message saying, hey, guess what, we
4 just posted such and such.

5 There are seven of these meetings, of
6 which this is the first; we'll be snaking our way up to
7 Plattsburgh, New York. And then there will be the
8 scoping report, which will describe what we heard at
9 these seven meetings, and that will be on the website
10 as well.

11 By the way, while we're at it, I want to thank
12 our contractor, HDR, Incorporated, for handling all of
13 the logistics and the registration desks and what have
14 you and reservations and all the other aspects that go
15 into making meetings like this possible. I don't want
16 that to go unacknowledged.

17 Is there anybody in the audience that's an
18 elected official?

19 Anybody from a government agency that would
20 like to speak?

21 How about from an organization such as an
22 environmental organization or a trade association,

1 trade group?

2 Nobody has indicated on the sign-in sheet that
3 they would like to speak, but you still are
4 certainly welcome to do so. If any of you would like
5 to make a statement for the record, please just show
6 your hand and come on up front and we'll be glad to
7 listen to you.

8 Okay. Well, what we're going to do, we're
9 going to stop the formal transcription of the meeting
10 now, and I asked our stenographer, Lori Miller, to stay
11 and the company to stay.

12 We're going to be here at least until a
13 little bit later in the evening, so if you decide you
14 want to make a statement on the record, we can open up
15 the record again, and we will all be here if you want
16 to talk to us personally off the record.

17 And, again, thank you very much for coming
18 out tonight. Really appreciate it.

19 It's good to get out of Washington, DC, and
20 to meet the public that we affect when we do our work.

21 (Off the record at 7:46 p.m.)

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C E R T I F I C A T E

I, LORI MILLER, a Licensed State Reporter,
duly commissioned and qualified in and for the State of
Connecticut, do hereby certify that the foregoing pages
are a complete and accurate computer-aided
transcription of my stenographic notes in this
proceeding taken July 8, 2010, at Bridgeport City Hall,
Bridgeport, Connecticut.

LORI MILLER

LSR No. 409

1 -----
2 DOE Environmental Impact Statement
3 Public Scoping Meeting
4 on Champlain Hudson Power Express
5 Transmission Line Project
6 -----

7 Date held: Friday, July 9, 2010
8 Time: 2:50 p.m. - 3:47 p.m.
9 Place: U.S. Environmental Protection
10 Agency
11 290 Broadway, Room 27A
12 New York, NY
13
14 Panel: Jerry Pell, Ph.D., CCM,
15 Environmental Scientist,
16 U.S. Department of Energy,
17 John Stamos, Loan Guarantee
18 Program, U.S. Department of Energy
19 Don Jessome, President & CEO,
20 Transmission Developers, Inc.
21 Coordinator: Andre Casavant, HDR DTA,
22 Senior Regulatory Specialist

1 DOE Environmental Impact Statement Public Scoping
 2 Meeting on Champlain Hudson Power Express
 3 Transmission Line Project
 4 July 9, 2010 Agenda

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9	U.S. Department of Energy,	
10		
11	Don Jessome, President & CEO,	10
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1 P R O C E E D I N G S

2 DR. PELL: Good afternoon. If I may, I'm going
3 to transition now to the more formal part of the
4 meeting this afternoon. I'm Jerry Pell, and I'm with
5 the Department of Energy in Washington. By way of
6 introduction, I'm an environmental scientist, and I've
7 been with the Department of Energy for 34 years.

8 I joined the federal government in 1975 just
9 after the original Arab oil embargo when energy was
10 very important. And over the years it's become even
11 more so every day that passes. It's been an exciting
12 tour of duty, and I haven't retired because of having
13 meetings just like this one.

14 It's great to be back in the Big Apple. I used
15 to live in New Jersey, Exit 9 off the turnpike, as
16 they say. I was teaching at Rutgers and was spending
17 a lot of time here. And now the real question I'm
18 asking is, "How do you get to Carnegie Hall"?

19 AUDIENCE: Practice, practice, practice.
20 (laughing)

21 DR. PELL: In any event, a little bit of why
22 we're here. Transmission Developers, regarding the

1 Champlain Hudson Power Express, has applied to the
2 Department of Energy for a Presidential permit, which
3 is required because they want to build a transmission
4 line that crosses the Canada - U.S. border. And they
5 want to transmit power over the border or build a
6 transmission line over the border.

7 There's a governmental requirement for this
8 permit process. And because it's a federal permit, it
9 becomes what's known in environmental circles as a
10 major federal action, which triggers the National
11 Environmental Policy Act, or NEPA, spelled N-E-P-A.

12 And under NEPA you look at the nature of the
13 project. And in this particular case, you determine
14 that the project warrants a full-fledged environment
15 impact statement, which is the highest level of
16 analysis available.

17 And part of the EIS, environmental impact
18 statement, process is meeting with the public in
19 meetings just like this one. At the very beginning of
20 the process these meetings are held, and what we're
21 doing is what's referred to as scoping. Scoping is
22 jargon that simply means we're just trying to define

1 the nature of the problem, and to make sure, as we
2 conduct our analyses, that we don't miss anything that
3 we should be looking at.

4 And the best way to find out is to meet with
5 the public that's along the potentially-affected
6 route. We're holding seven of these meetings on this
7 proposed project, which is the first time ever that
8 we've had one in Manhattan actually. So I'm very glad
9 to see you here.

10 I was questioning whether or not we should have
11 one in Manhattan because I wasn't sure there would be
12 interest. I'm glad we did and to see that you've made
13 it today especially in a very hot week on a Friday
14 afternoon, when I'm sure a swimming pool would be more
15 attractive than sitting in here. So thank you for
16 coming.

17 I want to start by first acknowledging my
18 colleague on my left, John Stamos. John is with the
19 Loan Guarantee Program Office of the Department of
20 Energy. He is here because of his interest in the
21 project with regard to the project having submitted a
22 loan guarantee application.

1 That side of the house is completely separate
2 and independent from my office. The only overlap at
3 all is a mutual interest in the environmental impact
4 study. So John decided to come down here today and
5 meet with you also. There are four different kinds of
6 agencies involved in this EIS, and it's not just the
7 Department of Energy. We have four other partners,
8 one of which is the EPA, which is why we're here.
9 They are our host today, and I want to thank them for
10 that. Ms. Knutson is my contact here at EPA Region 2
11 and has been instrumental in arranging for this
12 meeting room today. Thank you.

13 We also have the U.S. Army Corps of Engineers
14 as a cooperating agency. And we have two offices of
15 the New York State Government: one is the Department
16 of Public Conservation, and the other is the Public
17 Service Commission. There is a PSC representative
18 here with us today also; however, the other group was
19 not able to make this meeting.

20 We have five agencies involved in reviewing the
21 impacts from the project, so I can assure you there
22 will be a very thorough review. The process that we

1 follow once these seven meetings are over is that
2 we'll put out a scoping report. That scoping report
3 is actually optional and we're not required to do it,
4 but I believe we should do it.

5 The scoping report describes all the comments
6 that we've received, and it will be published on the
7 Website. And we engage in the actual hard work of
8 preparing the environmental impact statement itself,
9 and we are using a contractor for that job.

10 That contractor is a company by the name of
11 HDR, which has been my support, and it's been
12 instrumental in helping with all of the logistics for
13 these meetings and the people that you met at the
14 registration desk. So I want to thank them for all
15 their hard work in making this possible.

16 And then we will do the draft EIS and, when it
17 becomes available, it will be widely publicized. And
18 then we will have another series of meetings just like
19 this one, and at that time you'll actually be able to
20 comment on the analysis itself.

21 After the EIS is final there will be a record
22 of decision, which is the formal document which

1 decides whether or not a Presidential permit should be
2 issued. If we decide in favor, then there would also
3 be the issuance of the Presidential permit.

4 So it's a fairly lengthy and sometimes complex
5 process; the criteria for whether or not to grant the
6 Presidential permit go beyond simply the environmental
7 impacts. One of them is power grid reliability, and
8 we do an analysis outside of the legal process with
9 regard to how the project would potentially affect the
10 reliability of the existing electrical grid.

11 We also include concurrences from the U.S.
12 State Department and the U.S. Department of Defense.
13 And we also need to determine in general whether the
14 project is in the public interest. So the EIS is
15 simply part of the input but not the only one in
16 determining whether or not the project receives a
17 Presidential permit.

18 On my right is Don Jessome, who is Mr. TDI.
19 Don is the head of the company, and this Champlain
20 Hudson project is his baby. I asked him to join us
21 this afternoon to give us a brief description of what
22 the project is all about. I know that some of you

1 have spoken with him and his team already.

2 That will conclude the formal portion of the
3 meeting. I've asked him to linger afterwards so that,
4 if you want to talk to him again, after the meeting
5 that can also be done.

6 So, Don, welcome.

7 MR. JESSOME: Thank you, Dr. Pell, for speaking
8 a little bit about our project. My name is Don
9 Jessome, as Dr. Pell mentioned, and I'm the President
10 and CEO of Transmission Developers, Inc.

11 Transmission Developers, Inc., is developing
12 the Champlain Hudson Power Express Project that we've
13 been talking about here today. The original concept
14 for the project was a 2,000-megawatt project of HVDC
15 cables interconnecting New York City and into
16 Connecticut with the generation coming from the
17 Canadian system interconnecting with Quebec.

18 Transmission Developers, Inc., made a public
19 announcement on July 6th, Tuesday of this week, that
20 we are no longer developing the Connecticut portion.

21 So we're only developing the New York portion
22 of this project, and so it is now a 1,000-megawatt

1 project. Originally that involved four cables that we
2 were looking at putting into the system. Now it's
3 down to two cables.

4 I wanted to be clear today that that's what
5 we're talking about as far as the Champlain Hudson
6 Power Express project is concerned.

7 The concept for the project really was around
8 the development of the strategy of Transmission
9 Developers. The Transmission Developers strategy was
10 really looking to develop unique transmission projects
11 in highly congested markets in what we feel would be a
12 very environmentally-friendly manner.

13 And so very early on we chose a technology that
14 we felt met with that strategy. And the technology
15 that we chose is called High Voltage direct current
16 transmission, HVDC. And the reason that we really
17 like that particular technology is that you can run
18 very long distances with cable as opposed to overhead
19 lines. And what's very nice about that, of course, is
20 that you can bury them.

21 That's why we chose that technology, and we
22 feel it's a great technology for unique circumstances,

1 and certainly this project we think fits into that
2 strategy.

3 The other area that we look for when we're
4 looking to develop a project is to look for where
5 we're interconnecting from a supply side. And
6 certainly when we looked at the requirements of New
7 York State or renewable energy or green energy, we
8 looked north to some of the developments in Canada and
9 certainly in some of the higher wind fronts. We felt
10 that that was a very good fit for this type of a
11 project.

12 And then ultimately, you know, at the end of
13 the day you have to pay for the project. So we have
14 to make sure there are customers who are willing to
15 sign up for this transmission.

16 And when we looked at the very, very congested
17 marketplace of New York City, we felt that was a very
18 strong and compelling reason commercially for a
19 project like this. So that's why we are here today.
20 We have been working on this project for about two
21 years.

22 We made our submission for the Article 7, which

1 is the largest state agency in the Public Service
2 Commission, and filed that back in March and will be
3 making a supplement to that in July.

4 It's a very public process with a tremendous
5 amount of information about our project available to
6 the public. We've developed a Website that we
7 encourage concerned people to sign up for and to also
8 periodically look at. We put a lot of videos up
9 there, and there's been a lot of work that's been done
10 from an environmental perspective in terms of bottom
11 sampling, side scan sonar and other information that's
12 available on our projects and technology.

13 So we really believe in providing as much
14 information as available in real-time to the public as
15 we can. These meetings are very important to us. We,
16 TDI, already had five other public meetings, and all
17 next week I think we'll be in the same cities as the
18 meetings also.

19 So it's very helpful for us to come to these
20 types of meetings because it brings up issues we don't
21 think about. And that's why we come to public
22 meetings because we believe in getting all the

1 information we can get from the people who live in the
2 communities and getting the services we can provide.
3 So I appreciate all the people coming and your
4 comments.

5 DR. PELL: Thank you very much, Don. As I said,
6 Don will stay here after the formal portion is through
7 so you can chat with him if you would like.

8 Are there any elected officials that would like
9 to be acknowledged or will be making comments who are
10 with us this afternoon?

11 Are there any government officials -- federal,
12 state, or local officials -- who would like to be
13 acknowledged or will be making comments?

14 (No response) Okay. What we'll do then is we
15 have had three people who signed up to speak, and I'll
16 take them in the order in which they signed up. Then
17 anyone who wants to speak can do so; just put your
18 hand up, and you're welcome to speak. I should also
19 mention that you're welcome to submit written comments
20 through August 2nd. They can be submitted to me
21 directly or through our project Website. It doesn't
22 matter how they come to us: either in person today or

1 in writing or by e-mail or by carrier pigeon.

2 They are all going to be treated with the same
3 respect and with the same regard. How they're
4 communicated with us is not important; what is
5 important is that you do communicate.

6 The first person who asked to speak is Rose Van
7 Guilder.

8 MS. VAN GUILDER: May I have a few moments
9 first before I speak to look this over further?

10 DR. PELL: Absolutely. But I'm afraid, Rose,
11 that if I do that, you're going to become too
12 knowledgeable, and we won't have enough time.

13 (Laughing).

14 DR. PELL: We'll move on to Mr. Frank Eadie. I
15 hope I pronounced your name correctly.

16 (Discussion about different microphones).

17 MR. EADIE: Okay. My name is Frank Eadie, and
18 I've been living in Manhattan for 30-odd years. I'm
19 speaking from the basis of a lot of experience with
20 this kind of issue.

21 Going back to 1988, I think it was, when New
22 York State was making a very serious proposal; rather,

1 it had a very serious proposal made to it to purchase
2 Canadian power. Surprisingly, or perhaps not, it was
3 from hydro dams that would be built in what's called
4 James Bay.

5 You may remember James Bay, for those of you
6 who studied geography, as the heart of Hudson Bay that
7 sticks down. It's narrow is how it looks on the map.

8 Anyway, they were going to flood, Hydro-Québec
9 was going to flood several hundred thousand acres.
10 And we need to understand what we're talking about,
11 folks. We're talking about cables to bring power and
12 light to New York City.

13 Now, the place that this is going to come from
14 is a good thousand miles from Montreal. It's not a
15 385-mile cable that we're talking about here. We are
16 talking about maybe fifteen hundred miles of cable to
17 get the power from the source to New York City.

18 And it's called cheap power, and it will be
19 cheap because Hydro-Québec is a good source of cheap
20 power. They have lots of externalities that are never
21 priced into Hydro-Québec's power; like, for example,
22 what it does to the people of Québec when they build

1 their projects.

2 For example, the one that we were looking at
3 there would have flooded most of the homeland of two
4 or three Canadian Indian tribes. Okay. Just flooded
5 them, and this is typical. This is what will happen
6 one thousand miles from Montreal. It's a thousand
7 miles probably in part because the Hydro-Québec cannot
8 go anywhere closer because those Indians already know
9 what Hydro-Québec does to the land where they build
10 their projects and to the people who have moved and
11 who lose their way of life.

12 It's also probably because it's harder for the
13 people one thousand miles from Montreal to protest to
14 their people in Montreal and here, to describe what it
15 is that's going to be happening to them.

16 It's also the land. Hydro-Québec has dozens of
17 reservoirs all along the St. Lawrence River along
18 Québec and the surrounding regions to the north and
19 east of Montreal. These are tremendously disruptive.
20 Now, one of the things that I want to see in the scope
21 is an analysis of whether or not the projects that are
22 going to provide the power are in fact green projects.

1 Okay.

2 I know it's not necessarily in the scope as of
3 now, but if the justification for building this
4 project is that it's green power delivered cheaply,
5 then it needs to be green power. And we expect the
6 government to take that into account even if it's not
7 in the law. Okay. There are a lot of other questions
8 that need to be asked and answered in a different way.
9 First off, what is the justification for building this
10 project at all? That's the critical question, and
11 there doesn't seem to be any very good answer to that
12 question.

13 This, again, 22 years ago that's the exact same
14 question that was asked: What was the justification?
15 Well, cheap power and there's a growing population
16 that's going to need electricity. Well, that project
17 was never built. Okay. I don't remember any point in
18 the last 22 years where New York City ran out of power
19 except when the grid went down in Ohio, and everything
20 was cut off.

21 But that was not a problem with the amount of
22 electricity in New York City; it was about a grid

1 problem, which basically has been the cause of any
2 problems before and since. It's never been a problem
3 with the amount of power that's being delivered;
4 there's always been enough power in New York City to
5 do it's business no matter how hot it's gotten.

6 We just finished the fourth hottest June on
7 record going back 170 years or so. In June there
8 wasn't a single blackout, you know. There's plenty of
9 power available to us; there's no shortage. There
10 hasn't been and there isn't anybody knowledgeable on
11 the topic that says there is.

12 The only possible justification is that it's
13 green power and not polluting. Okay. But is it not
14 polluting? Okay. We have to -- the EIS has to answer
15 that question. Okay.

16 The other is that it's going to be cheaper.
17 Well, maybe it will be cheaper or maybe it won't be
18 cheaper. Generally, when there's a lot of power
19 available, that may be the case. But there is lots of
20 power available, and in fact there's a lot of power
21 that's available that isn't used most of the time.
22 There are power developers whose power is not used,

1 and it's simply wasted.

2 If you have a thousand miles to fifteen hundred
3 miles of transmission cables producing nothing but
4 heat, you know, they have to get that current from
5 fifteen hundred miles away to here, so that means 30
6 or 40 percent loss. So that's loss for producing heat
7 that warms the atmosphere and does nothing else. So
8 that needs to be looked at in terms of costs.

9 Thank you very much.

10 DR. PELL: Thank you, Mr. Eadie, and I
11 appreciate what you have shared with us and for your
12 being here with us this afternoon.

13 (Brief off the record discussion as speaker
14 leaves the podium.)

15 DR. PELL: The next person who asked to speak
16 is Joel Kupferman. Joel is with an organization
17 called New York Environmental Law and Justice Project.

18 MR. KUPFERMAN: Thank you for letting us speak
19 today at this hearing in New York. I guess one thing I
20 want to say is that it's because of a heightened
21 concern that the New York Environmental Law and
22 Justice Project is here today. And also we cannot

1 avoid the fact that we have a major problem now with
2 the BP oil spill in the Gulf.

3 I would like to submit this into evidence and
4 read a portion of an article just published in The
5 Nation all about the BP spill called, 'A Hole in the
6 World,' by Naomi Klein. This has to do with BP's
7 failure to prepare for what happened down there.
8 "Imagining and preparing for what would happen if
9 these experiments went wrong occupied precious little
10 space in the corporate imagination. As we have all
11 discovered, after the Deepwater Horizon rig exploded,
12 the company had no systems in place to respond
13 effectively. Explaining why it did not have even the
14 ultimately unsuccessful containment dome waiting to be
15 activated onshore, BP spokesman Steve Rinehart said,
16 'I don't think anybody foresaw the circumstances that
17 we're faced with now.' Apparently, it 'seemed
18 inconceivable' that the blowout preventer would every
19 fail -- so why prepare?

20 "This refusal to contemplate failure came
21 straight from the top. A year ago Hayward told a
22 group of graduate students at Stanford University that

1 he has a plaque on his desk that reads, 'If you knew
2 you could not fail, what would you try?' Far from
3 being a benign inspirational slogan, this is actually
4 an accurate description of how BP and its competitors
5 behave in the real world. In recent hearings on
6 Capitol Hill, Congressman Ed Markey of Massachusetts
7 grilled representatives from the top oil and gas
8 companies on the ways they had allocated resources.
9 Over three years, they had spent '\$39 billion to
10 explore for new oil and gas. Yet the average
11 investment in research and development for safety,
12 accident prevention and spill response was a paltry
13 \$20 million a year.'"

14 So my comments will be further explored in
15 written comments, but this is one of the main points I
16 want to bring out, and that's how much is being
17 allocated in resources in this whole budget to the
18 health and safety and also to contingency planning and
19 safety response plans in case they're required.

20 Also, we are concerned about public input. I
21 have been involved in a lot of disasters, from 9/11 to
22 fighting to get information from the EPA right from

1 this building here, to Katrina, and also recently with
2 the problems we've been working on in Haiti.

3 If you look out the window right now, you'll
4 see the Western Union building, the building outside
5 to the left with all the antennas on top. We were
6 contacted by people who work in an international media
7 company there, and they were fearful of being -- they
8 were getting sick in that building.

9 We could not find out what was in the building.
10 There were diesel storage tanks that were above ground
11 which is above New York City code. We filed four
12 requests and we could not find out how much fuel was
13 being stored in them.

14 I was the environmental attorney for the
15 firefighters' union at the time, and we felt that it
16 was a safety issue, and the city would not release
17 that data.

18 So, we're concerned with any type of
19 environmental project conducted by a private company
20 that would have problems getting information. And so
21 we want to make sure that requirements are imposed,
22 and also that the public has a real source of

1 information from the inception of putting the pipeline
2 in. And also we had problems after 9-11 getting
3 monitoring reports -- the full monitoring reports.

4 We want to make sure that if anything does
5 happen, that the public has access to those records,
6 and that they're put online to a Website, or something
7 along those lines.

8 Also we want to make sure that the construction
9 workers that are working on this, that their full
10 health and safety is protected. We want to make sure
11 that the full environmental impact studies that are
12 conducted include health evaluations of these workers
13 before they're hired. We have had many problems after
14 disasters when workers went to try and prove they were
15 hurt by the disaster, and they were told we don't have
16 a baseline evaluation of their health, and they're
17 denied. So we want to make sure that there's full
18 accountability and full medical evaluation.

19 Thank you, Dr. Pell.

20 DR. PELL: Thank you, Joel. And by way of
21 responding to the openness question, I know that I
22 informed some of you, and I'm hoping I explained it

1 adequately in print.

2 The NEPA process is a very open and transparent
3 process. Everything we do, all the documents
4 received, our analyses, all of your comments will be
5 on our Website. The Website address is
6 chpexpresseis.org. We post documents as soon as we
7 physically can once we receive and review them.
8 There's an opportunity to subscribe on the Website and
9 get e-mail notices of new developments and new
10 documentation that you might want to look at.

11 One of the things that I cherish about this is
12 that it is such an open process. It's one of those
13 things that 'what you do in Las Vegas does not stay in
14 Las Vegas.'

15 MR. KUPFERMAN: Thank you, Dr. Pell. We just
16 want to make sure that none of what's happening with
17 the BP spill happens, you know, in this process in the
18 building of the pipeline and also during the life of
19 the pipeline.

20 DR. PELL: Rose, you're up.

21 MS. VAN GUILDER: I would like to touch on what
22 he said.

1 DR. PELL: Your turn, Rose.

2 MS. VAN GUILDER: Thank you.

3 DR. PELL: Rose Van Guildler represents two
4 organizations: Alliance for Independent Long Island,
5 and the Long Island - Rockaway Ratepayers Alliance.
6 Rose, if you could keep it to five minutes, we'd
7 appreciate that.

8 MS. VAN GUILDER: Thank you very much, and
9 thank you for the opportunity of speaking here today.
10 I read the material and I don't read that fast. I
11 didn't absorb everything that was written but I do
12 have a few questions that I'm hoping that you can
13 address.

14 I would like to know what the cost of the
15 project is projected to be; do you have an idea? Does
16 anyone know the projected cost of the project?

17 AUDIENCE MEMBER: One point nine billion
18 dollars.

19 MS. VAN GUILDER: All right. I projected two
20 billion but I was close. All right. And who's going
21 to bear the cost of the project? Will the federal
22 government be paying?

1 DR. PELL: Rose, we're trying not to have a Q&A
2 session. We want to hear your comments now. For
3 questions, there will be people to speak with after
4 the meeting.

5 MS. VAN GUILDER: Okay. Thank you. That's fine
6 because I have several questions.

7 DR. PELL: You're certainly welcome to say what
8 your questions are, but I don't want to get into a Q&A
9 at this point.

10 MS. VAN GUILDER: No problem.

11 DR. PELL: Thank you, Rose.

12 MS. VAN GUILDER: One of my concerns with this
13 project at this time, I feel, is that there are other
14 means of obtaining electricity, as some of the other
15 gentlemen mentioned. So why are we going to Canada to
16 obtain additional electricity?

17 I would like to know why are we not looking at
18 other avenues of obtaining electricity rather than
19 going to Canada; options that are a lot less expensive
20 -- this is why I wanted to know what the cost was --
21 and a lot more cost effective. And I feel that we do
22 not need to pay this amount of cost to get this

1 electricity.

2 We have a plant in Long Island that's called
3 Caithness, and it produces 350-megawatts of
4 electricity.

5 DR. PELL: Rose, would you please spell that?

6 MS. VAN GUILDER: Caithness, C-a-i-t-h-n-e-s-s.

7 DR. PELL: Thank you.

8 MS. VAN GUILDER: It's a brand-new plant that
9 just came online. It's Caithness Long Island Energy
10 Center, and it's an energy efficient and
11 environmentally-friendly power plant on Long Island
12 that produces up to 350megawatts of electricity
13 utilizing its combined cycle design so you may have
14 this. And it is a brand-new plant that just came
15 online.

16 There are so many other ways of obtaining
17 electricity that I am appalled at the idea of going to
18 Canada for getting two gigawatts; is that what this
19 is?

20 MR. JESSOME: It's 1,000-megawatts.

21 MS. VAN GUILDER: 1,000-megawatts?

22 MR. JESSOME: 1,000-megawatts or one gigawatt.

1 MS. VAN GUILDER: One gigawatt is a lot less
2 than I thought that this was going to be. The cost
3 does not warrant this kind of expenditure. This is
4 not worth the dollars that this is projected to cost
5 to build.

6 There are manufacturing plants that use a lot
7 of heat, that if you implement those -- I've seen this
8 on the science channel -- and with the heat you can
9 produce electricity. There are chemical plants right
10 now that are existing, and with those chemical plants,
11 as a by-product, you can produce electricity.

12 I myself am going to implement chemical plants
13 that are going to produce electricity. They're going
14 to produce 1,000 megawatts, and that's as a by-product.
15 And they are only going to cost two hundred million
16 dollars.

17 The cost of this plant, this cable, I feel is
18 phenomenal and is not necessary. We do not need this
19 cable. It is absolutely unnecessary, and I do not
20 favor this whatsoever.

21 I feel that this may impact the fish industry.
22 These are cables that are going to go into the water,

1 and it may be environmentally not sound. And also we
2 don't know what the outcome of this is going to be in
3 the future.

4 What if one of these cables breaks? What is
5 going to happen with the electricity, and how is it
6 going to be fixed? How long is it going to take to
7 fix?

8 Why is the federal government getting into the
9 electricity business? Is this going to be another
10 federal takeover? This is my fear. We have had the
11 federal government take over the banking industry, the
12 car industry, the college business.

13 How many more other businesses is it going to
14 get into? We don't need the federal government
15 getting into the electricity business. I do not
16 approve of this. This is not what we need the federal
17 government getting into. We don't need the federal
18 government taking over the electricity business. We
19 have done well up until this point, and I do not think
20 that this is necessary. We have many other businesses
21 that the federal government is into.

22 I did not realize that this had an executive

1 order until the moment that I read this paper. And it
2 just dawned on me that I didn't think of it. And so I
3 am going to do further research, and I am going to
4 give you information on so many power plants that are
5 currently providing electricity that have so much
6 power that you can access so that you will not have to
7 do this.

8 And regarding the statement that this gentleman
9 made, I'm not completely finished but I'm in the
10 process of reading not one drop which has to do with
11 the Exxon Valdez oil spill. And I have to tell you
12 that the Exxon Oil Company, it was documented that the
13 Valdez tanker did not have a double hull, and
14 therefore it spilled so much oil as a result of that.

15 Exxon was extremely not up front with the
16 people, and it misrepresented the amount of oil that
17 was spilled, which is going on right now with BP in
18 that they did not represent the amount oil that was
19 spilled. The Exxon Oil Company has the politicians in
20 their pockets, and they have the agencies in their
21 pockets. And it's taken ten years for the fisheries -
22 - for the fish to come back and regenerate.

1 DR. PELL: Rose --

2 MS. VAN GUILDER: This is the end. And this is
3 what's going to happen on the Gulf Coast. The
4 vacation areas and the industries are all going to be
5 devastated as a result of the oil spill. It's going
6 to be catastrophic for them, and it's going to take 10
7 to 15 years for that area to come back.

8 And, yes, we have a crisis, but we can remedy
9 it in many different ways. And I will come up with
10 solutions; I promise you. But it's going to be
11 environmentally safe, and fisheries do not have to
12 suffer; neither do the birds or people.

13 I'm going to do the best I can because I want
14 to find solutions, but good solutions. Thank you very
15 much.

16 DR. PELL: Thank you very much, Rose.

17 MS. VAN GUILDER: You're welcome.

18 DR. PELL: I appreciate that. These are the
19 only three people who originally asked to speak.

20 MS. VAN GUILDER: Oh, here is some information
21 on Caithness.

22 DR. PELL: Thank you very much. Now, if

1 anybody else wants to talk, we'd be more than
2 interested to listen to you. Just come on up, take
3 the microphone, and tell us who you are.

4 MS. WILSON: Hi, I'm Annie Wilson. I'm with the
5 Sierra Club, chair of the energy committee, Atlantic
6 Chapter. We will be submitting written comments by
7 the August 2nd deadline.

8 But I just wanted to share with everyone here
9 in the room a couple of thoughts on this cable
10 proposal. First of all, it's being promoted as
11 renewable energy. How many people in the room know
12 what the RPS is for New York State -- the renewable
13 portfolio standard? Okay, we have two here today.
14 How many know what the standard is for electricity for
15 New York State for renewable energy? Anyone know?
16 You don't know.

17 The New York State RPS, renewable energy
18 portfolio standard, for renewable energy as it relates
19 to electricity does not allow for flooding, and no
20 project over 30-megawatts.

21 These imports in this proposed cable of
22 electricity from dams will not come from hydroelectric

1 projects that are so-called run of the river. They
2 will come from projects that involve a lot of
3 flooding. That's the first point that I wanted to
4 make as for information for everyone to know.

5 And I think that the promotion of this as
6 renewable energy is extremely misleading and should be
7 at least corrected and/or there should be an
8 explanatory memo explaining that it does not comply
9 with New York State standards, but that it has been
10 given this title of renewable energy because they have
11 chosen to do so.

12 As regards job creation, which is another
13 aspect of this proposal that the project has been
14 promoting itself as, there was recently a bill that
15 didn't get passed by the state legislature; although,
16 it will be reintroduced in the fall.

17 It's a 5,000-megawatt purchase requirement of
18 solar energy by the utilities in New York State by
19 2025. This requirement would create, according to the
20 studies, approximately two thousand jobs. However,
21 this cable proposal has offered somewhere between
22 fifty permanent jobs or up to two hundred jobs for the

1 installation of this so-called cable.

2 If you look at the type of job creation that we
3 need, we should prefer solar energy over this cable.
4 Solar energy also, of all the forms of energy
5 available to us today, creates for the capacity
6 created the biggest amount of jobs per megawatt. It's
7 very important to know that.

8 Now, relating to the requirements of this
9 Presidential permit and the components of
10 environmental impacts and the impacts of electrical
11 reliability, it must be considered.

12 Can we propose alternatives to this cable that
13 will be much more reliable? Distributed generation
14 throughout the state will be a much more reliable
15 option. Imports from a thousand miles away should not
16 be an option when we can be generating this potential
17 of 1,000 megawatts within the state.

18 As stated earlier while there is no need for
19 this proposal, we will submit our written comments by
20 the August 2nd date. Thank you very much.

21 DR. PELL: Did we get your name and
22 affiliation?

1 MS. WILSON: Annie Wilson, Sierra Club, Energy
2 Committee Chair, Atlantic Chapter.

3 DR. PELL: Thank you very much. Anybody else?

4 MR. OLIVIER: Yes, thank you very much. My
5 name is Alain Olivier, and I'm with the Québec
6 Government's office located here in New York.

7 DR. PELL: Can you give us your business card?

8 MR. OLIVIER: Yes, certainly.

9 DR. PELL: Thank you and sorry for the
10 interruption.

11 MR. OLIVIER: I think the comments this
12 afternoon are testimony to the quality of the
13 consultative process in the U.S. And the fact there
14 is a free and open debate, and that everyone can
15 express their views in an open and objective fashion
16 is testimony to American democracy. I would just like
17 to make a few points of information on Québec Power
18 since some of the previous comments have covered the
19 issue. It's important to point out, as is the case in
20 New York State, that power projects in Canada and in
21 Québec go through both a provincial and federal
22 environmental process.

1 And that's the case for such projects;
2 although, previous projects such as the Great Whale
3 that was referenced earlier did not take place.
4 There's been a lot of learning and experience that has
5 been accumulated since that date.

6 Since the 90s -- in fact, in 2002 -- the
7 government of Québec entered into agreement with the
8 Cree Nation which provided benefits to the Crees of
9 two billion dollars over a fifty-year period that
10 would lead to the joint development of hydro projects
11 with the full partnership with the Cree Nation. And
12 that got the government to recognize the Crees as a
13 nation in parallel to the agreement.

14 The same goes with current projects where
15 consultations with other native groups such as the
16 Innus are underway.

17 DR. PELL: Is that the Inuit?

18 MR. OLIVIER: No, the Innu, I-n-n-u. It's not
19 the Inuits but another native group. So those
20 consultations have gone through on the Romaine
21 project, which is Hydro-Quebec's most recent project.

22 The Innu bands that were directly affected by

1 the project had the opportunity to vote by referendum
2 in each of the bands on the project, and they got in.
3 So by popular referendum they said yes to the Romaine
4 project.

5 I'd also like to put into perspective what
6 hydropower means from an environmental perspective.
7 When you compare it to other sources of energy -- for
8 example, gas-fired or coal-fired power plants --
9 hydropower produces 35 times less GHG emissions than
10 gas-fired power plants, and 70 times less GHG
11 emissions than coal-fired power plants.

12 And it should be noted that Hydro-Québec
13 observes all FERC rules and regulations and provides
14 free and open access to its transmission lines for its
15 users at market rates. In a nutshell, without
16 commenting on the project that's before the committee
17 today, it should be noted that hydro, wind, solar,
18 geothermal, and other sorts of renewable energy are
19 part of a portfolio. And in Québec we don't -- there's
20 no wish to substitute hydro for all other renewables.
21 I think we all have an interest in that the power
22 portfolio be as diverse as possible, that local power

1 producers in New York State and other states in the
2 U.S. have the opportunity to benefit from the RPS
3 program, and that hydro should be seen as one among
4 many sources of energy that are out there for U.S.
5 consumers to benefit from.

6 And finally, a point that should be noted,
7 hydro, in a context where New York State pays among
8 the highest rates in the country for its power, I
9 think a lot of people with good will are looking at
10 alternatives, whether it's solar, wind, hydro or
11 others that can provide energy at cheaper rates for
12 consumers. And I think that hydro should be
13 considered among others available for that purpose.

14 DR. PELL: Thank you very much. We do
15 appreciate hearing from you this afternoon. Can I have
16 the microphone back? Thank you for joining us.

17 All right. Would anybody else like to come up?

18 MR. MATSIS: Thank you. My name is Dan Matsis.

19 DR. PELL: Please spell your name for us.

20 MR. MATSIS: Dan Matsis, M-a-t-s-i-s. I live on
21 the upper west side of Manhattan. I just want to
22 address some things. We are on the verge of progress

1 in this area where we have appliances that rely on
2 electric power. In fact, Chevrolet will be coming out
3 with an electric automobile, the Chevrolet Volt, this
4 November. There are home heating systems that are
5 available, and stoves that are available.

6 And there are even now wind turbines available
7 in a small size that can be used in individual homes.
8 That may not apply to the congested areas of New York
9 and Manhattan and so forth, but there are some people
10 that may have the space for these systems.

11 These will displace the need for this
12 particular project. And it has to be considered that
13 the Blackstone Group may be wasting their money on
14 this, and may also be putting the Hudson River at risk
15 while doing so.

16 And the second issue I see is this: Are the
17 Blackstone Group and TDI capable financially of curing
18 any environmental problem they may cause? If not,
19 they should have an insurance bond for that.

20 And as far as the third issue, I'm wondering
21 why there even exists a proposal for another pipeline,
22 for another transmission line down the Hudson River,

1 when we have at least two already.

2 One comes from the Buffalo area along the Erie
3 Canal down the Hudson River. And the other, I guess,
4 is the one that comes from the Canadian border down
5 the Hudson River.

6 Why can't Quebec Hydro just sell its power to
7 the existing lines? Is there some technological
8 problem that prevents this? I think the environmental
9 impact statement should address that.

10 Those are the points I think the environmental
11 impact statement should cover. Thank you.

12 DR. PELL: Thank you, Dan. We still have a
13 little bit of time. If there's anybody else who would
14 like to speak, please come up. Are you sure? Last
15 chance until the draft of this comes out.

16 Well, thank you again for joining us here. We
17 appreciate seeing you here, and hopefully we'll see
18 you again when we have the public hearings on the
19 draft. And we will be here a little bit longer if you
20 want to talk to us personally or to our consultants
21 and the TDI people.

22 So, again, have a great weekend everybody, and

1 thank you.

2

(Time noted: 3:47 p.m.)

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A Hole in the World

Naomi Klein | June 24, 2010

Everyone gathered for the town hall meeting had been repeatedly instructed to show civility to the gentlemen from BP and the federal government. These fine folks had made time in their busy schedules to come to a school gymnasium on a Tuesday night in Plaquemines Parish, Louisiana, one of many coastal communities where brown poison was slithering through the marshes, part of what has come to be described as the largest environmental disaster in US history.

"Speak to others the way you would want to be spoken to," the chair of the meeting pleaded one last time before opening the floor for questions.

And for a while the crowd, mostly made up of fishing families, showed remarkable restraint. They listened patiently to Larry Thomas, a genial BP public relations flack, as he told them that he was committed to "doing better" to process their claims for lost revenue—then passed all the details off to a markedly less friendly subcontractor. They heard out the suit from the Environmental Protection Agency as he informed them that, contrary to what they had read about the lack of testing and the product being banned in Britain, the chemical dispersant being sprayed on the oil was really perfectly safe.

But patience started running out by the third time Ed Stanton, a Coast Guard captain, took to the podium to reassure them that "the Coast Guard intends to make sure that BP cleans it up."

"Put it in writing!" someone shouted out. By now the air-conditioning had shut itself off and the coolers of Budweiser were running low. A shrimper named Matt O'Brien approached the mic. "We don't need to hear this anymore," he declared, hands on hips. It didn't matter what assurances they were offered because, he explained, "we just don't trust you guys!" And with that, such a loud cheer rose up from the bleachers you'd have thought the Oilers (the school's unfortunate name for its sports teams) had scored a touchdown.

The showdown was cathartic, if nothing else. For weeks residents had been subjected to a barrage of pep talks and extravagant promises coming from Washington, Houston and London. Every time they turned on their TVs, there was the BP boss, Tony Hayward, offering his solemn word that he would "make it right." Or else it was President Obama expressing his absolute confidence that his administration would "leave the Gulf Coast in better shape than it was before," that he was "making sure" it "comes back even stronger than it was before this crisis."

It all sounded great. But for people whose livelihoods put them in intimate contact with the delicate chemistry of the wetlands, it also sounded absurd. Once the oil coats the base of the marsh grass, as it had already done just a few miles away, no miracle machine or chemical concoction could safely get it out. You can skim oil off the surface of open water, and you can rake it off a sandy beach, but an oiled marsh just sits there, slowly dying. The larvae of countless species for which the marsh is a spawning ground—shrimp, crab, oysters and fin fish—will be poisoned.

It was already happening. Earlier that day, I traveled through nearby marshes in a shallow-water boat. Fish were jumping in waters encircled by white boom, the strips of thick cotton and mesh BP is using to soak up the oil. The circle of fouled material seemed to be tightening around the fish like a noose. Nearby, a red-winged blackbird perched atop a seven-foot blade of oil-contaminated marsh grass. Death was creeping up the cane; the small bird may as well have been standing on a lighted stick of dynamite.

And then there is the grass itself, or the Roseau cane, as the tall, sharp blades are called. If oil seeps deeply enough into

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the marsh, it will not only kill the grass above ground but also the roots. Those roots are what hold the marsh together, keeping bright-green land from collapsing into the Mississippi River Delta and the Gulf of Mexico. So not only do places like Plaquemines Parish stand to lose their fisheries, but also much of the physical barrier that lessens the intensity of fierce storms like Hurricane Katrina. Which could mean losing everything.

How long will it take for an ecosystem this ravaged to be "restored and made whole," as Obama's interior secretary pledged it would be? It's not at all clear that such a thing is even possible, at least not in a time frame we can easily wrap our heads around. The Alaskan fisheries have yet to recover fully from the 1989 *Exxon Valdez* spill, and some species of fish never returned. Government scientists estimate that as much as a *Valdez*-worth of oil may be entering the Gulf Coast waters every four days. An even worse prognosis emerges from the 1991 Gulf War spill, when an estimated 11 million barrels of oil were dumped into the Persian Gulf—the largest spill ever. It's not a perfect comparison, since so little cleanup was done, but according to a study conducted twelve years after the disaster in the Persian Gulf, nearly 90 percent of the impacted muddy salt marshes and mangroves were still profoundly damaged.

We do know this: far from being "made whole," the Gulf Coast, more than likely, will be diminished. Its rich waters and crowded skies will be less alive than they are today. The physical space many communities occupy on the map will also shrink, thanks to erosion. And the coast's legendary culture will contract and wither. The fishing families up and down the coast do not just gather food, after all. They hold up an intricate network that includes family tradition, cuisine, music, art and endangered languages—much like the roots of grass holding up the land in the marsh. Without fishing, these unique cultures lose their root system, the very ground on which they stand. (BP, for its part, is well aware of the limits of recovery. The company's "Gulf of Mexico Regional Oil Spill Response Plan" specifically instructs officials not to make "promises that property, ecology, or anything else will be restored to normal." Which is no doubt why its officials consistently favor folksy terms like "make it right.")

If Katrina pulled back the curtain on racism, the BP disaster pulls back the curtain on something far more hidden: how little control even the most ingenious among us have over the awesome, intricately interconnected natural forces with which we so casually meddle. BP cannot plug the hole in the Earth that it made. Obama cannot order brown pelicans not to go extinct (no matter whose ass he kicks). No amount of money—not BP's recently pledged \$20 billion, not \$100 billion—can replace a culture that has lost its roots. And while our politicians and corporate leaders have yet to come to terms with these humbling truths, the people whose air, water and livelihoods have been contaminated are losing their illusions fast.

"Everything is dying," a woman said as the town hall meeting was coming to a close. "How can you honestly tell us that our gulf is resilient and will bounce back? Because not one of you up here has a hint as to what is going to happen to our gulf. You sit up here with a straight face and act like you know, when you don't know."

This Gulf Coast crisis is about many things—corruption, deregulation, the addiction to fossil fuels. But underneath it all, it's about this: our culture's dangerous claim to have such complete understanding and command over nature that we can radically manipulate and re-engineer it with minimal risk to the natural systems that sustain us. As the BP disaster has revealed, nature is never as predictable as the most sophisticated mathematical and geological models imagine. During recent Congressional testimony, Hayward said, "The best minds and the deepest expertise are being brought to bear" on the crisis, and that "with the possible exception of the space program in the 1960s, it is difficult to imagine the gathering of a larger, more technically proficient team in one place in peacetime." And yet, in the face of what geologist Jill Schneiderman has described as "Pandora's well," they are like the men at the front of that gymnasium: they act like they know, but they don't know.

BP's Mission Statement

In the arc of human history, the notion that nature is a machine for us to re-engineer at will is a relatively recent conceit. In her groundbreaking 1980 book *The Death of Nature*, environmental historian Carolyn Merchant reminded readers that until the 1600s, the Earth was alive, usually taking the form of a mother. Europeans—like indigenous people the world over—believed the planet to be a living organism, full of life-giving powers but also wrathful tempers. There were, for this reason, strong taboos against actions that would deform and desecrate "the mother," including mining.

The metaphor changed with the unlocking of some (but by no means all) of nature's mysteries during the Scientific Revolution of the 1600s. With nature now cast as a machine, devoid of mystery or divinity, its component parts could

be dammed, extracted and remade with impunity. Nature still sometimes appeared as a woman, but one easily dominated and subdued. In 1623 Sir Francis Bacon best encapsulated the new ethos when he wrote in *De Dignitate et Augmentis Scientiarum* that nature is to be "put in constraint, molded, and made as it were new by art and the hand of man."

Those words may as well have been BP's corporate mission statement. Boldly inhabiting what the company called "the energy frontier," it dabbled in synthesizing methane-producing microbes and announced that "a new area of investigation" would be geo-engineering. And it bragged that, at its Tiber prospect in the Gulf of Mexico, it had "the deepest well ever drilled by the oil and gas industry"—as deep under the ocean floor as jets fly overhead.

Imagining and preparing for what would happen if these experiments went wrong occupied precious little space in the corporate imagination. As we have all discovered, after the Deepwater Horizon rig exploded, the company had no systems in place to respond effectively. Explaining why it did not have even the ultimately unsuccessful containment dome waiting to be activated onshore, BP spokesman Steve Rinehart said, "I don't think anybody foresaw the circumstance that we're faced with now." Apparently, it "seemed inconceivable" that the blowout preventer would ever fail—so why prepare?

This refusal to contemplate failure clearly came straight from the top. A year ago Hayward told a group of graduate students at Stanford University that he has a plaque on his desk that reads, "If you knew you could not fail, what would you try?" Far from being a benign inspirational slogan, this is actually an accurate description of how BP and its competitors behave in the real world. In recent hearings on Capitol Hill, Congressman Ed Markey of Massachusetts grilled representatives from the top oil and gas companies on the ways they had allocated resources. Over three years, they had spent "\$39 billion to explore for new oil and gas. Yet the average investment in research and development for safety, accident prevention and spill response was a paltry \$20 million a year."

These priorities go a long way toward explaining why the "Initial Exploration Plan" BP submitted to the government for the ill-fated Deepwater Horizon well reads like a Greek tragedy about human hubris. The phrase "little risk" appears five times. Even if there is a spill, BP confidently predicts that, thanks to "proven equipment and technology," adverse effects will be minimal. Presenting nature as a predictable and agreeable junior partner (or perhaps subcontractor), the report cheerfully explains that should a spill occur, "Currents and microbial degradation would remove the oil from the water column or dilute the constituents to background levels." The effects on fish, meanwhile, "would likely be sublethal" because of "the capability of adult fish and shellfish to avoid a spill [and] to metabolise hydrocarbons." (In BP's telling, rather than a dire threat, a spill emerges as an all-you-can-eat buffet for aquatic life.)

Best of all, should a major spill occur, there is apparently "little risk of contact or impact to the coastline" because of the company's projected speedy response (!) and "the distance [from the rig] to shore"—about forty-eight miles. This is the most astonishing claim of all. In a gulf that often sees winds of more than forty miles an hour, not to mention hurricanes, BP had so little respect for the ocean's capacity to ebb and flow, surge and heave, that it did not think oil could make a paltry forty-eight-mile trip. (In mid-June a shard of the exploded Deepwater Horizon showed up on a beach in Florida, 190 miles away.)

None of this sloppiness would have been possible, however, had BP not been making its predictions to a political class eager to believe that nature had indeed been mastered. Some, like Republican Lisa Murkowski, were more eager than others. The Alaska senator was so awe-struck by the industry's four-dimensional seismic imaging that she proclaimed deep-sea drilling to have reached the very height of controlled artificiality. "It's better than Disneyland in terms of how you can take technologies and go after a resource that is thousands of years old and do so in an environmentally sound way," she told the Senate Energy Committee just seven months ago.

Drilling without thinking has, of course, been Republican Party policy since May 2008. With gas prices soaring to unprecedented heights, conservative leader Newt Gingrich unveiled the slogan "Drill Here, Drill Now, Pay Less"—with an emphasis on the Now. The wildly popular campaign was a cry against caution, against study, against measured action. In Gingrich's telling, drilling at home wherever the oil and gas might be—locked in Rocky Mountain shale, in the Arctic National Wildlife Refuge or deep offshore—was a surefire way to lower the price at the pump, create jobs and kick Arab ass all at once. In the face of this triple win, caring about the environment was for sissies: as Senator Mitch McConnell put it, "In Alabama and Mississippi and Louisiana and Texas, they think oil rigs are pretty." By the time the infamous "Drill, Baby, Drill" Republican National Convention rolled around, the party base was in such a frenzy for US-made fossil fuels, they would have bored under the convention floor if someone had brought a big enough drill.

Obama eventually gave in, as he invariably does. With cosmic bad timing, just three weeks before the Deepwater Horizon blew up, the president announced he would open up previously protected parts of the country to offshore drilling. The practice was not as risky as he had thought, he explained. "Oil rigs today generally don't cause spills. They are technologically very advanced." That wasn't enough for Sarah Palin, who sneered at the Obama administration's plans to conduct more studies before drilling in some areas. "My goodness, folks, these areas have been studied to death," she told the Southern Republican Leadership Conference in New Orleans, just eleven days before the blowout. "Let's drill, baby, drill, not stall, baby, stall!" And there was much rejoicing.

In his Congressional testimony, Hayward said, "We and the entire industry will learn from this terrible event." And one might well imagine that a catastrophe of this magnitude would indeed instill in BP executives and the "Drill Now" crowd a new sense of humility. There are, however, no signs that this is the case. The response to the disaster—corporate and governmental—has been rife with precisely the brand of arrogance and overly sunny predictions that created the disaster in the first place.

The ocean is big; it can take it, we heard from Hayward in the early days, while spokesman John Curry insisted that hungry microbes would consume whatever oil was in the water system because "nature has a way of helping the situation." But nature has not been playing along. The deep-sea gusher has busted out all of BP's top hats, containment domes and junk shots. The ocean's winds and currents have made a mockery of the lightweight booms BP has laid out to absorb the oil. "We told them," says Byron Encalade, president of the Louisiana Oysters Association. "The oil's gonna go over the booms or underneath the bottom." Indeed it did. Marine biologist Rick Steiner, who has been following the cleanup closely, estimates that "70 percent or 80 percent of the booms are doing absolutely nothing at all."

And then there are the controversial chemical dispersants: more than 1.3 million gallons dumped with the company's trademark "What could go wrong?" attitude. As the angry residents at the Plaquemines Parish town hall pointed out, few tests had been conducted, and there is scant research about what this unprecedented amount of dispersed oil will do to marine life. Nor is there a way to clean up the toxic mixture of oil and chemicals below the surface. Yes, fast-multiplying microbes do devour underwater oil—but in the process they also absorb the water's oxygen, creating a new threat to marine life.

BP had even dared to imagine that it could prevent unflattering images of oil-covered beaches and birds from escaping the disaster zone. When I was on the water with a TV crew, for instance, we were approached by another boat, whose captain asked, "Y'all work for BP?" When we said no, the response—in the open ocean—was, "You can't be here then." But of course these heavy-handed tactics, like all the others, have failed. There is simply too much oil in too many places. "You cannot tell God's air where to flow and go, and you can't tell water where to flow and go," I was told by Debra Ramirez. It was a lesson she had learned from living in Mossville, Louisiana, surrounded by fourteen emissions-spewing petrochemical plants, and watching illness spread from neighbor to neighbor.

Human limitation has been the one constant of this catastrophe. After two months, we still have no idea how much oil is flowing or when it will stop. The company's claim that it will complete relief wells by the end of August—repeated by Obama in his June 15 Oval Office address—is seen by many scientists as a bluff. The procedure is risky and could fail, and there is a real possibility that the oil could continue to leak for years.

The flow of denial shows no sign of abating either. Louisiana politicians indignantly oppose Obama's temporary freeze on deepwater drilling, accusing him of killing the one big industry left standing now that fishing and tourism are in crisis. Palin mused on Facebook that "no human endeavor is ever without risk," while Texas Republican Congressman John Culberson described the disaster as a "statistical anomaly." By far the most sociopathic reaction, however, comes from veteran Washington commentator Llewellyn King: rather than turning away from big engineering risks, we should pause in "wonder that we can build machines so remarkable that they can lift the lid off the underworld."

Make the Bleeding Stop

Thankfully, many others are taking a different lesson from the disaster, standing not in wonder at humanity's power to reshape nature but at our powerlessness to cope with the fierce natural forces we unleash. There is something else, too. It is the feeling that the hole at the bottom of the ocean is more than an engineering accident or a broken machine. It is a violent wound in a living organism; it is part of us. And thanks to BP's live camera feed, we can all watch the Earth's guts gush forth, in real time, twenty-four hours a day.

John Wathen, a conservationist with the Waterkeeper Alliance, was one of the few independent observers to fly over the spill in the early days of the disaster. After filming the thick red streaks of oil that the Coast Guard politely refers to as "rainbow sheen," he observed what many had felt: "The gulf seems to be bleeding." This imagery comes up again and again. Monique Harden, an environmental rights lawyer in New Orleans, refuses to call the disaster an "oil spill" and instead says, "We are hemorrhaging." Others speak of the need to "make the bleeding stop." And I was personally struck, flying with the Coast Guard over the stretch of ocean where the Deepwater Horizon sank, that the swirling shapes the oil made in the ocean waves looked remarkably like cave drawings: a feathery lung gasping for air, eyes staring upward, a prehistoric bird. Messages from the deep.

This is surely the most surprising twist in the Gulf Coast saga: it seems to be waking us up to the reality that the Earth never was a machine. After 400 years of being declared dead, and in the middle of so much death, the Earth is coming alive.

Following the oil's progress through the ecosystem offers a kind of crash course in deep ecology. Every day we learn more about how what seems to be a terrible problem in one part of the world radiates out in ways most of us could never have imagined. One day we learn that the oil could reach Cuba—then Europe. Next we hear that fishermen all the way up the Atlantic in Prince Edward Island, Canada, are worried because the bluefin tuna they catch are born thousands of miles away in those oil-stained gulf waters. And we learn, too, that for birds, the Gulf Coast wetlands are the equivalent of a busy airport hub—everyone seems to have a stopover: 110 species of migratory songbirds and 75 percent of all migratory US waterfowl.

It's one thing to be told by an incomprehensible chaos theorist that a butterfly flapping its wings in Brazil can set off a tornado in Texas. It's another to watch chaos theory unfold before your eyes. Carolyn Merchant puts the lesson like this: "The problem as BP has tragically and belatedly discovered is that nature as an active force cannot be so confined." Predictable outcomes are unusual within ecological systems, while "unpredictable, chaotic events [are] usual." Just in case we still didn't get it, a bolt of lightning recently struck a BP ship like an exclamation point, forcing it to temporarily suspend its containment efforts. And don't even mention what a hurricane will do to BP's toxic soup.

There is, it must be stressed, something perverse about this particular path to enlightenment. They say that Americans learn where foreign countries are by bombing them. Now it seems we are all learning about nature's circulatory systems by poisoning them.

In the late '90s an isolated indigenous group in Colombia captured world headlines with an almost *Avatar*-esque conflict. From their remote home in the Andean cloud forests, the U'wa let it be known that if Occidental Petroleum carried out plans to drill for oil on their territory, they would commit mass ritual suicide by jumping off a cliff. Their elders explained that oil is part of *ruiria*, "the blood of Mother Earth." They believe that all life, including their own, flows from *ruiria*, so pulling out the oil would bring on their destruction. (Oxy eventually withdrew from the region, saying there wasn't as much oil as it had previously thought.)

Virtually all indigenous cultures have myths about gods and spirits living in the natural world—in rocks, mountains, glaciers, forests—as did European culture before the Scientific Revolution. Katja Neves, an anthropologist at Concordia University, points out that the practice serves a practical purpose. Calling the Earth "sacred" is another way of expressing humility in the face of forces we do not fully comprehend. When something is sacred, it demands that we proceed with caution. Even awe.

If we are absorbing this lesson at long last, the implications could be profound. Public support for increased offshore drilling is down 22 percent from the peak of the "Drill Now" frenzy. The issue is not dead, however: it is only a matter of time before the Obama administration announces that, thanks to ingenious new technology and tough new regulations, it is perfectly safe to drill in the deep sea, even in the Arctic, where an under-ice cleanup would be infinitely more complex than the one under way in the gulf. But perhaps this time we won't be so easily reassured, so quick to gamble with the few remaining protected havens.

The same goes for geo-engineering. As climate change negotiations wear on, we should be ready to hear more from Steven Koonin, Obama's under secretary of energy for science. He is one of the leading proponents of the idea that climate change can be combated with techno tricks like releasing sulfate and aluminum particles into the atmosphere—and of course it's all perfectly safe, just like Disneyland! He also happens to be BP's former chief scientist, the man who just fifteen months ago was overseeing the technology behind BP's supposedly safe charge into deepwater drilling. Maybe this time we will opt not to let the good doctor experiment with the physics and chemistry of

the Earth and choose instead to reduce our consumption and shift to renewable energies, which have the virtue that, when they fail, they fail small. As comedian Bill Maher put it, "You know what happens when windmills collapse into the sea? A splash."

The most positive possible outcome of this disaster would be not only an acceleration of renewable energy sources like wind but a full embrace of the precautionary principle of science. The mirror opposite of Hayward's "If you knew you could not fail" credo, the precautionary principle holds that "when an activity raises threats of harm to the environment or human health" we tread carefully, as if failure were possible, even likely. Perhaps we can even get Hayward a new desk plaque to contemplate as he signs compensation checks. "You act like you know, but you don't know."

Source URL: <http://www.thenation.com/article/36608/hole-world>

By REGINALD DESROCHES, OZLEM ERGUN and JULIE SWANN

Atlanta ~~New York Times~~ July 8, 2010 OP-ED Page

http://www.nytimes.com/2010/07/08/opinion/08desroches.html?_r=1&ref=opinion&pagewanted=print

IT has been six months since the earthquake in Haiti left more than 300,000 people dead and destroyed 280,000 homes and businesses. Haiti still faces a long road to recovery, but one of the biggest things literally standing in its way is earthquake debris.

The quake left an astonishing amount of **debris, including concrete and rebar** from collapsed buildings, destroyed belongings and human remains. Twenty million to 25 million cubic yards of debris fill the streets, yards, sidewalks and canals of Port-au-Prince — enough to fill five Louisiana Superdomes.

According to our research and conversations with aid groups in Haiti, **less than 5 percent of this has been removed since January**, and even less has been properly disposed of. A draft of the United States Army Corps of Engineers' debris management plan says it would take a dump truck with a 20-cubic-yard bed 1,000 days to clear the debris, if it carried 1,000 loads a day — or about three years. But the current rate of removal is much lower. Based on our calculations, partially from the United States Agency for International Development's reports on debris removal programs, we estimate that it could take 20 years or more.

Today, debris is one of the most significant issues keeping Haitians from rebuilding Port-au-Prince and resuming normal lives. Much of the stuff has been left in place or simply moved to the center or the sides of roads. Some streets with especially large piles of refuse are impassable. As a result, it can take hours to travel just a few miles. Meanwhile, schools, hospitals, businesses and homes remain blocked.

The debris is also an environmental and health hazard. The daily downpours of the rainy season leach toxic chemicals and carcinogens into the storm water system — and ultimately into the drinking water. Debris has been dumped into the sea, turning the blue water brown.

Initial cleanup efforts were promising. Immediately after the earthquake, the Haitian government's road construction operation began clearing debris. Within a week, the United States Army Corps of Engineers deployed teams to identify sites for sorting and

processing debris and drafted a debris management plan, while the Navy hired Haitian and foreign contractors to open major roads with heavy machinery.

But since then, efforts have lagged. At present, there is no significant, coordinated financing by international aid groups for debris removal using machinery, though some estimates predict the next year and a half of debris management could cost around \$300 million. Instead, almost all of the operations in Port-au-Prince are in the form of cash-for-work programs like the ones sponsored by Usaid and the European Union, which have Haitians, at best, breaking concrete and loading trucks by hand and, at worst, just moving bricks from one side of a road to the other. **Many workers lack masks or gloves.** While this inefficient process may put money into the hands of Haitians, it only further slows rebuilding.

Instead, the United Nations, the World Bank and agencies like Usaid, in conjunction with the Haitian government, should create a task force focused on debris removal to coordinate the cleanup efforts of the hodgepodge of aid groups in the country. The task force should identify critical facilities, like hospitals and schools, and the roads that approach them, to clear first. It should lay down **environmental regulations for debris disposal and landfill management, and regulate the use of cash-for-work programs.** There's no reason these can't continue, but more of the money should be allocated to bringing in heavy equipment and expertise. This kind of task force would serve as a model for future disasters.

Debris isn't sexy. Images of blocked-off streets don't inspire people to help in the way pictures of hungry or needy people do. However, **if Haiti is going to recover, it needs more than food aid and health clinics; it needs functioning, accessible infrastructure.**

Reginald DesRoches is a professor of civil and environmental engineering at the Georgia Institute of Technology, where Ozlem Ergun and Julie Swann are associate professors of industrial and systems engineering and co-directors of the Center for Health and Humanitarian Logistics.

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The Caitness Long Island Energy Center (CLIEC) is the most energy efficient and environmentally friendly power plant on Long Island. It produces up to 350 megawatts of electricity utilizing its combined cycle design.

CLIEC was selected as the on-island component of a diverse portfolio of resources developed under a comprehensive request for proposals process in accordance with the procurement requirements of the State of New York.

The Caitness facility is built in an industrial park in Yaphank in the Brookhaven Town Empire Zone. It is further away from residences than any other power plant on Long Island. The Final Environmental Impact Statement issued under a State Environmental Quality Review Act process concluded that the Caitness project will have no negative impact on the environment or on public health.

A power purchase agreement between LIPA and Caitness Long Island was approved by the Office of the State Comptroller on November 6, 2006. Construction began in the spring of 2007.

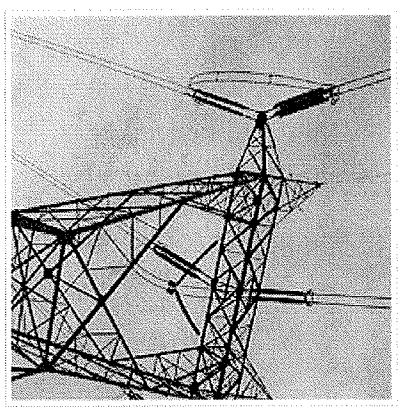
CLIEC came on line in July of 2009 and is now generating electricity for LIPA's customers. Additionally, Caitness has reported that emissions from this facility are even lower than originally expected and are far below permit limits.

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Environmental Impact Statement

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*Submitted
9 July 10
07
Rise von Grunden*

1 DEPARTMENT OF ENERGY ENVIRONMENTAL IMPACT STATEMENT
2 PUBLIC SCOPING MEETING

3
4 -----

5 CHAMPLAIN HUDSON POWER EXPRESS, INC.
6 TRANSMISSION LINE PROPOSAL

7 -----
8

9 Taken at the Royal Regency Hotel, 165 Tuckahoe
10 Road, Yonkers, New York, on July 12, 2010, commencing
11 at 7:00 p.m.

12
13

14 BEFORE: JERRY PELL, PhD, CCM; U.S. Department of
15 Energy, 1000 Independence Avenue, SW; Washington, DC
16 20585

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18

19
20

21
22

1 P R O C E E D I N G S

2 (7:00 p.m.)

3 DR. PELL: Good evening. Perhaps we could
4 get the evening started because there are a fair
5 number of people that are going to be speaking this
6 evening and so that they all have a chance to talk,
7 perhaps we should start.

8 I'm Jerry Pell. I'm an environmental
9 scientist with the Department of Energy in Washington.
10 I've been working on -- just to tell you a little bit
11 about myself, I've been working on energy and
12 environmental issues for 40 years now. I've done
13 everything from anthracite to wind in my 34 years,
14 which was with the Department of Energy. I used to
15 teach at Rutgers. So I lived in the shadow of New
16 York City, just off Exit 9 of the Turnpike in the New
17 Brunswick, New Jersey area. Spent a lot of time in the
18 New York region, but I must confess, this is my first
19 occasion to visit Yonkers. And I'm particularly
20 grateful to have so many of you show up this evening,
21 on a warm Monday evening. Thank you very much for
22 taking the trouble to be with us here today.

1 As you know, the whole purpose of the
2 meeting is the Champlain Hudson project. The nature
3 of the analysis we're doing is an Environmental Impact
4 Statement because the project requires a permit from
5 the Department of Energy. The granting of that permit
6 is considered a major federal action, which invokes
7 the National Environmental Policy Act or NEPA, N-E-P-
8 A, as many of you are familiar.

9 Under NEPA there are several levels of
10 environmental review. The Environmental Impact
11 Statement, or EIS, is the most comprehensive and
12 complete and that's what we're going to be doing for
13 the Champlain Hudson project.

14 The process is fairly prolonged. We start
15 with scoping, which is what this is, which is the
16 formal name given to the process where we ask the
17 public to help us make sure we don't miss anything in
18 our analysis. The whole idea being, if you really
19 want to know what to look at ask the people who live
20 there, and that's why we're having seven of these
21 meetings.

22 After tonight we go on to Kingston and then

1 Albany and Glens Falls, and then finally Plattsburgh.
2 And the whole point being to give people all along the
3 proposed route to have a chance to meet with us. I've
4 never done seven meetings in a row before, so it's
5 quite an interesting experience, but I'm glad to be
6 doing it.

7 I'm going to introduce Don Jessome on my
8 left, who is the Chairman and President of
9 Transmission Developers, Incorporated, the man behind
10 the project. He'll tell you a little bit about the
11 project itself and then we'll start with the comments.

12 MR. JESSOME: Thank you Dr. Pell, and thanks
13 so much for having this meeting here this evening.
14 TDI had a meeting here back on May the 12th to
15 introduce this project in a public format, and
16 actually of the five days this week that Dr. Pell and
17 I are going to be out talking to the public again
18 under the EIS are all of the locations that we
19 actually had our public meetings in March, April or
20 May.

21 I'll tell you a little bit about
22 Transmission Developers; Transmission Developers is a

1 company out of Toronto, Canada, that is developing
2 transmission projects and sort of two key reasons or
3 two key premises as to how we're developing our
4 project. One is technology. We've chosen HVDC
5 transmission technology and the reason we've chosen
6 that technology is because you can put HVDC in buried
7 cable format. And we think that's very important to
8 us to be able to run these projects through
9 communities in a very safe and out-of-sight way. And
10 that's the real beauty of HVDC technology is being
11 able to bury the cables.

12 And secondly, is just the way that these
13 projects are paid for. The way our projects are paid
14 for, the users of our line actually pay for the right
15 to use the transmission on our transmission line. So
16 the project we're here to talk about this evening is a
17 project called, the Champlain Hudson Power Express
18 Project. And sort of the first thing I have to
19 mention is that on July the 6th, Transmission
20 Developers announced publically that we are no longer
21 going to be developing the Connecticut portion of this
22 project. So this is now, it went from a 2,000 megawatt

1 project to 1,000 megawatt project. So instead of
2 being four cables, we're now down to two cables. And
3 the two cables come from the Canada/U.S. border, where
4 they interconnect with Hydro-Québec's Trans-Energie
5 system, down the Richelieu River, Lake Champlain,
6 into the Hudson. We come out of the Hudson River
7 around the PCB dredging area in Glens Falls. Around
8 the capital district we go along two railway rights-
9 of-way, one is CP, the other is CSX, and all buried
10 back into the Hudson River, down the Hudson to
11 Yonkers, where we're proposing to put a converter
12 station. And then the AC cables come from the Yonkers
13 facility to an interconnection point with New York
14 City.

15 And that's why we're here this evening, to
16 talk to the public about this project, to get your
17 input. It's incredibly important to us to get public
18 input. We've had very good meetings prior to this,
19 that TDI was having. And I'm always amazed of the
20 things that we think that we have thought about
21 everything and there's always somebody in the room
22 that comes up with something that we just haven't

1 thought about, and it's incredibly important to us to
2 think about it now and not later on in the process.

3 Appreciate your comments this evening, and
4 with that, I'll pass back to Dr. Pell.

5 DR. PELL: Thank you, very much. Before I
6 start taking actual comments, I guess I should say
7 something about what the process is after this evening
8 and after these scoping meetings. We will be
9 producing a scoping report that will summarize all of
10 the comments we've received during the entire scoping
11 period. And that's not just the people that appear at
12 the seven public meetings, but everything that comes
13 in electronically or on paper between now and August
14 the 2nd, which is the cutoff for the scoping comment
15 period. So that report will summarize everything
16 we've received. During which time we will also be
17 working on preparing the draft EIS itself. When the
18 draft EIS is ready, we will announce it publicly and
19 there will be public hearings on the draft EIS, at
20 which time you'll have the opportunity to actually
21 comment on a document, not just like now where we're
22 talking about scoping with no paper in front of you.

1 When the EIS comes out, you'll be able to look at how
2 we've analyzed the project and whether we've done a
3 good job or not. And you will then have the
4 opportunity to comment on the actual analysis. And we
5 then do a final EIS that incorporates your comments,
6 and included in the final EIS we have what's called a
7 Comment Response Document where we list all the
8 comments that you've given us and how we responded to
9 them, so that you will see your name in print. Unlike
10 in Las Vegas, what happens here will not stay here.
11 But it's a fascinating process. I'm glad to be part
12 of it and I'm glad to have you be part of it tonight,
13 as well.

14 There are quite a number of people that have
15 asked to speak. What we usually do is we start with
16 elected officials, of which there are two this
17 evening, I believe, that have asked to speak. We then
18 go to governmental officials. And then we take people
19 in the order that they signed up, starting with people
20 who pre-registered in advance of the meeting. I'm
21 going to ask each person to try to keep it down to
22 about three minutes or so, so that everybody has a

1 fair chance and so that we can leave here at a
2 reasonable hour since tomorrow is a work day. And let
3 me just point out, that it really doesn't matter if
4 you say everything you want to say on the record, as
5 long as you submit whatever you like in writing. It
6 really doesn't matter how we get your comments,
7 whether it's oral or in writing or electronically or
8 by mail. The impact it's going to have on what we do
9 is exactly the same. All comments get equal
10 consideration, regardless of how it's submitted. So
11 use the oral presentation time to basically go over
12 the highlights of your thoughts and then use the time
13 remaining to provide your comments in writing, at
14 which time you can wax as loquacious as you like.

15 So we'll start with Mr. Chuck Lesnick, who
16 is an elected official from Yonkers, I believe. He
17 did not indicate here his precise position, and I'm
18 sure he'll be happy to tell us. Mr. Lesnick.

19 MR. LESNICK: Thank you very much. My name
20 is Chuck Lesnick, L-E-S-N-I-C-K. I'm the Yonkers City
21 Council President. I'm glad that you're here.
22 Although your desire to hear what the neighbors say,

1 and I just want to on a procedural note say, that
2 Yonkers is a community of many neighborhoods. And it
3 might have been more appropriate to have these public
4 hearings down at the Riverfront Library, which is
5 immediately adjacent to the proposed site that you
6 want to come.

7 DR. PELL: How do you spell the name of that
8 library?

9 MR. LESNICK: The Riverfront Library.

10 DR. PELL: Okay. I appreciate that comment
11 because we will keep that in mind with regard to the
12 meeting we have on the draft EIS itself. I had not
13 known about that before this, so thank you.

14 MR. LESNICK: They have a large room and
15 they have air conditioning, unlike City Hall, where
16 you're welcome to meet any time you like, because we
17 have no air conditioning tonight. Basically, when I
18 look at stuff that goes down on the waterfront I look
19 for things that are either water dependent or water
20 enhanced. And when I look for things that are going
21 to be placed in our downtown, I look at how much tax
22 revenue it's going to bring in, but I also look at how

1 it's going to improve the infrastructure, how it's
2 going to improve downtown. Is it going to bring
3 people, either residents or workers in, that will
4 shop, use the stores or try to improve the downtown?

5 Now, your project is a lot of hardware
6 that's going very close to an area that we're trying
7 to redevelop with our Sawmill. And also, we have
8 tremendous parking needs downtown. So I'm concerned
9 that you're taking up space in the Ipark that could
10 better be used for office residential or parking.
11 There are other places in Yonkers that might be more
12 appropriate. I understand that you need to be as
13 close to the water's edge as possible to minimize the
14 expense of going from the water to your site and then
15 back. And there are two locations that I thought of.
16 One of them is the Glenwood Power Plant, and I
17 believe, the owner is here. But it's a beautiful
18 iconic structure, an old Tudor building, that the New
19 York Preservation League has said a couple years ago
20 is one of the seven most important buildings to
21 preserve in New York State. We have been unable to
22 find a good economic use there, in part because it's

1 sort of landlocked between the train tracks and the
2 Kennedy Marina Park and water, but there is enough to
3 put a roadbed there for a limited use such as this.
4 And it almost has four acres flat, but if you
5 certainly went up and did it on a two-story structure,
6 it's a huge building, it goes up, I don't know, a
7 hundred feet, it's pretty high, you could actually
8 deck this thing. And in the economics of building
9 inside a building might be enough to do the cosmetic
10 repairs you need to the wall, it's structurally very
11 sound and it would preserve an important piece of
12 history for Yonkers. And who could complain about
13 your putting a power plant on a power plant, it's
14 already there on the water.

15 The second location is down in the southern
16 part of Yonkers in the Ludlow area, in between the
17 sewage treatment plant and the refined sugar plant.
18 And I don't know if there's more than four acres in
19 between at which side of that track you'd want to be
20 on. But again, nobody is going to really complain
21 about a piece of industrial hardware next to a sewage
22 treatment plant. And if you were next to the sugar

1 plant, there might be some advantages with the heat
2 that you produce that you would normally need to cool
3 down, and that's one of the reasons why you might be
4 near the river, you might be able to engage in some
5 creative cogeneration with the power plant that needs
6 to produce steam and other energy for the sugar plant
7 itself. So there might be some great economies of
8 scale in locating right next to the sugar plant. I
9 don't know if they're interested, but those are two
10 other locations that you might want to look at.

11 I guess the third location to look at would
12 be any location outside of Yonkers. And I understand
13 that you're looking in Queens and other locations, and
14 while we do recognize the benefits in getting some tax
15 revenue, I don't know how many jobs you're going to be
16 providing. Again, our land is very scarce. It's
17 becoming more and more valuable as our downtown and
18 our waterfront is renovated and to put an industrial
19 use like that in the middle of new plans might be
20 contrapuntal to our desires. So thank you for letting
21 me speak. I will be submitting written comments
22 before the 2nd.

1 DR. PELL: Thank you, Mr. Lesnick. I
2 appreciate that. We do look at alternatives. That's
3 part of the EIS process. So these locations that
4 you've mentioned will be considered and will be
5 reviewed. And we also look at socioeconomic impacts,
6 which include potential employment from the project
7 itself. Typically there are two kinds of employment,
8 as you know. There's the construction employment,
9 which is fairly brief, just lasts for the period of
10 the construction itself. And there is long-term
11 employment from the people that actually operate the
12 facility. And those are the kinds of analyses that
13 are included in the EIS. So thank you for that.

14 I will mention that this is not -- by way of
15 clarification, let me make it absolutely clear. This
16 is not a Department of Energy project. It is a TDI,
17 Transmission Developers, Incorporated, project. DOE's
18 role is to consider whether it is in the public
19 interest to issue a permit. In that consideration, we
20 look at the environmental impacts, which is the EIS
21 itself. But beyond that, we also look at the impact
22 of the proposed project on the general electrical

1 reliability of the grid. We also require the
2 concurrences of the State Department and of the
3 Department of Defense. And we also look at the rather
4 vague, but nevertheless important, concept of public
5 interest. But DOE has no vested interest in the
6 outcome of the project in terms of either whether or
7 not it's constructed or how it's constructed, except
8 that it be constructed with due and proper regard for
9 environmental impact. It's what we call a merchant
10 project. It's a third-party project, that is the
11 proposal of a private sector entity, in this case TDI.
12 And our job is to review it from the permitting
13 aspects of it.

14 I should also say that, as you probably
15 know, the project is also subject to the requirements
16 of state and local authorities. And we have four
17 cooperating agencies that are working with us on this
18 EIS process that are going to be using the
19 environmental analysis for their own purposes. They
20 include the U.S. Army Corps of Engineers. They
21 include the U.S. Environmental Protection Agency, the
22 Region 2 office in New York City. They include two

1 offices of the State of New York, the Public Service
2 Commission and the Department of Environmental
3 Conservation. And one of the PSC people is in the
4 audience tonight, and was also with us in Manhattan.
5 So the document will also serve the needs of five
6 separate and different governmental entities, two of
7 which are state, and three of which are federal. So
8 you can rest assured that the document will certainly
9 touch on all of the important issues that each of
10 these five agencies require for their own permitting
11 and approval processes. But I want to make it clear
12 because Mr. Lesnick was referring to it as, "your
13 project," quote unquote. And I, just for the record,
14 wanted to clarify that it is a TDI project, not a DOE
15 project.

16 Having said that, let's proceed to the next
17 speaker, Mr. Frank Stilo, who is also from Yonkers.
18 And again, Frank, you did not indicate what your
19 precise position is.

20 MR. STILO: Yes. Good evening. My name is
21 Frank Stilo. I'm the President of Grassy Springs
22 Civic Association, which encompasses this area. As

1 you know, we have had Con Edison in our city. It's
2 disrupted our city streets. It's disrupted our
3 traffic. It's done nothing but destruction in our
4 city to get power to New York City with no benefit to
5 this city. I see no reason why we should add another
6 energy corporation to do the same. Thank you very
7 much.

8 DR. PELL: Thank you, Mr. Stilo.

9 Mr. Lee Ellman is a governmental official
10 with the Yonkers, New York, government, City of
11 Yonkers Planning Department -- is it Planning and
12 Development?

13 MR. ELLMAN: Planning and Development, yes.
14 Thank you, Dr. Pell.

15 DR. PELL: Thank you for joining us, Mr.
16 Ellman.

17 MR. ELLMAN: Thank you. It's nice to be on
18 the other side of the table during the EIS. I'm
19 usually sitting in your seat. As you said, I'm
20 speaking on behalf of the City of Yonkers Department
21 of Planning and Development to express the City's
22 position on the proposed Champlain Hudson Power

1 Express project. This is our preliminary statement
2 and we will follow it with amplified written comments.

3 Yonkers has worked hard over the last 20
4 years and has achieved enviable success in the last 10
5 years in its efforts to remake the downtown area to
6 move Yonkers to what we think of as our proper place
7 in the region of successful cities. And it feels to us
8 as if this project will be putting a kink in much of
9 the work that we've done.

10 DR. PELL: Sorry, did you say a kink?

11 MR. ELLMAN: A kink, a problem. Recent
12 significant planning activities have taken place along
13 the Yonkers riverfront, specifically, the Alexander
14 Street area, which encompasses the Ipark Otis Elevator
15 complex. Proposed, as Council President Lesnick had
16 mentioned, is redevelopment in that area, both on the
17 Alexander Street core for mixed use, commercial and
18 residential projects...and then within the Ipark area as
19 primarily a metro center and a transportation center
20 and further commercial development. All of these
21 plans, it's interesting to note, were made with the
22 concurrence of the developer of that property. So I

1 think Yonkers was probably as surprised -- Yonkers in
2 its official capacity, was probably as surprised as
3 anyone that picked the paper up to see that the
4 proposed converter station was being placed in a
5 location that perhaps just months before we still had
6 conversations with the developer as another land use.

7 One of the things I think that we need to
8 look at in this area is a consideration of what is
9 really happening in the Ipark Otis Elevator area
10 versus perhaps what the local zoning is saying.
11 Yonkers has a heavy industry industrial past. The
12 elevator brake, I suppose, the elevator was in
13 existence before Elisha Graves Otis figured out if you
14 put a brake on it, people will actually use it more
15 than two or three stories. So Yonkers history is one
16 that has embraced heavy industry. The zoning in this
17 area continues to look as if it's heavy industrial
18 zoning. However, what I think we need to look past is
19 the simple letter on the map, and understand what is
20 happening in Ipark, what is happening in the Otis
21 Elevator complex.

22 What we have there now is very clean

1 increasingly high tech industrial uses. One of our
2 successes is a biotech firm doing cancer research,
3 Aureon Labs. And even if you look at the Kawasaki
4 facility. The Kawasaki facility, although it
5 assembles rail cars, is really no more of a heavy
6 industrial use than assembling Dell computers or air
7 conditioners, because they're essentially taking large
8 parts, putting them together and then shipping them
9 out. So we have a very clean industry there yet we
10 seem to be returning to a heavy industrial use with
11 the proposed converter station.

12 With that as just a bit of preamble, the
13 city asks that the following impacts be reviewed in
14 the EIS; these are preliminary thoughts: the Otis
15 Elevator complex, the site of the converter, is
16 potentially eligible for the National Register of
17 Historic Places. That is something that we believe
18 needs to be looked at. One of the comment areas in
19 the notice spoke about land use impacts. As I've
20 said, existing land use plans and the city's momentum
21 needs to be looked at in light of the proposed
22 converter station.

1 We would ask that visual impacts from the
2 Yonkers main train station, from the Philipse Manor
3 Historic Site, visual impacts from the Palisades
4 Interstate Park in New York and New Jersey, and visual
5 impacts for users of the Hudson River be looked at.
6 These are common issues that we bring up, as I was
7 saying, when I'm sitting on your side of the table, we
8 certainly ask that these be part of the review of any
9 project.

10 We do ask that there be consideration given
11 to environmental justice issues because Yonkers, as
12 Mr. Milo just before me said, we have an overwhelming
13 presence of infrastructure, regional serving
14 infrastructure, that travels through the City of
15 Yonkers with little or no discernible benefit to the
16 City or its residents. And certainly, at the very
17 least, if we did not want to argue long term regional
18 issues, certainly the construction issues, as you can
19 see still ongoing just outside of the hotel's
20 entrance, have been murder actually, have been a real
21 problem with the City.

22 The other thing that we ask that the EIS

1 consider is the City's ability to develop its harbor.
2 Something that has been a part of our development
3 plans, all of our waterfront development plans have
4 considered the additional use of the Yonkers
5 waterfront for marinas, for all sorts of water
6 dependent uses.

7 Thank you for the opportunity to speak today
8 and we will be submitting formal comments.

9 DR. PELL: That's great, Mr. Ellman. I
10 appreciate that. Let me just clarify for the record
11 to make sure that our stenographer has it. Is that H-
12 Y-D-E Park, the park that you were referring to, I
13 wasn't sure what the actual name of it was.

14 Mr. Ellman: Ipark, I'm sorry. It's I small
15 p-a-r-k. It's the real estate company's brand
16 name. When I know you said Hyde Park, that's a
17 town north of us.

18 DR. PELL: Just trying to make sense of the
19 pronunciation. Thank you, Mr. Ellman. We'll look
20 forward to your written remarks. And I should mention
21 for the benefit of the audience, environmental justice
22 is an important element of the Federal NEPA EIS

1 process, and we do look at that routinely in
2 Environmental Impact Assessments. We also look at
3 global climate change in case you were wondering, in
4 terms of potential impacts on emissions.

5 The next speaker is an individual who
6 preregistered in advance, so he gets the benefit of
7 being next up, Phillip Musegaas. Forgive me if I
8 didn't pronounce that correctly.

9 MR. MUSEGAAS: Musegaas. That's fine, it's
10 a hard name.

11 DR. PELL: Sorry about that. Phillip
12 Musegaas is with Riverkeeper.

13 MR. MUSEGAAS: Just to start, Riverkeeper,
14 for context, is an environmental organization. We're
15 a membership supported nonprofit environmental group
16 in the Hudson valley. We've been working for over 40
17 years. And our mission is to protect the ecological
18 integrity of the Hudson River and the Hudson River
19 watershed.

20 What I'd like to do is give an overview of
21 the four or five main topics that we'll be commenting
22 on. We will be filing more detailed written comments

1 by the August 2nd deadline. So to begin with, just to
2 go back to something you said about the alternatives
3 analysis, we would urge the DOE to take a very hard
4 look at the alternatives that are available, and
5 particularly, the alternative routes that are
6 available for the cable to take. We know that the
7 cable project as it's proposed is actually going to be
8 using about 60 or 70 miles of railroad right-of-way in
9 the upper part of the Hudson to avoid the General
10 Electric dredging site, and we're very happy about
11 that, of course. So we would like to see a real
12 careful in-depth analysis of the environmental impacts
13 and the costs of running the entire cable project
14 underground, whether it's in the railroad right-of-way
15 or some other land portion of the west of Hudson area.
16 And so that's a key piece to us. Can these impacts to
17 the river be offset? And also, a good comparison of
18 the impacts in the Hudson from the proposed route as
19 opposed to the impacts to a land route.

20 Second, just in very general terms, if the
21 cable is going to be run through the Hudson, the
22 Hudson River in the estuary portion, which goes from

1 the Yonkers area, certainly, all the way up to the
2 Troy Dam near Albany, is a tidal estuary and it has a
3 number of special habitats for fish and for wildlife,
4 both federal essential fish habitat, as well as state
5 designated significant coastal essential wildlife
6 habitats. Those are official designations by state
7 and federal agencies. So in terms of assessing the
8 impacts to those particular areas of the river like
9 Haverstraw Bay, like some areas on the upper Hudson,
10 it's very important that the impacts have the
11 construction and laying of the cable, as well as the
12 operation of the cable, be carefully assessed.

13 In addition, another aspect that -- of the
14 cable construction that needs to be looked at very
15 carefully is the -- in the dredging process, whatever
16 type dredging they use, and there's a variety of
17 techniques, I think, some that result in some sediment
18 resuspension and some that result in less, it's very
19 important to minimize the amounts of sediment
20 resuspension and the resuspension of contaminants that
21 are actually in the sediment. And as many people
22 know, the Hudson River has high levels of PCBs in the

1 sediment in different areas of the river. So that has
2 to be looked at, the impact of the resuspension of
3 sediments.

4 Finally, the electromagnetic field that it
5 generated by -- to a lesser degree, I believe, by the
6 high voltage DC cable, but in particular by the AC
7 cable, which there is a portion of the project that is
8 AC cable going through the Harlem River, and I
9 believe, the East River. And so that the impacts of
10 that AC cable and whether or not there are impacts
11 from the electromagnetic field generated by the cable
12 on fish and other wildlife and bentic life in the
13 river, need to be assessed.

14 And also, just a couple of quick points. I
15 would urge the DOE to really make every effort to make
16 the public participation process as open as possible
17 and as informed as possible. And if it is possible to
18 give a little more information about the project
19 itself at the beginning of the meeting, I think that
20 might be useful for people. I think that's it. Thank
21 you very much.

22 DR. PELL: Thank you very much Mr. Musegaas.

1 Let me just tell you, especially that point about the
2 public, that's near and dear to my heart, the Federal
3 Register notice, which we have copies of at the back
4 of the room at the registration desk, includes a
5 website that was designed and is being operated
6 specifically for the purpose of this Environmental
7 Impact Statement and review process. It's
8 CHPEXpressEIS.org. You will find an incredible volume
9 of material that's on that site, some of which is not
10 actually on the site itself, but available through
11 links to other sites as well. The applicant, the
12 Transmission Developers people, have filed a very
13 large quantity of documentation with the State of New
14 York Public Service Commission, and the link to that
15 is available on the website. So if you're interested
16 in more details with regard to the project, I assure
17 you, the one thing that is not lacking is a great deal
18 of information.

19 Also, the website has an opportunity for you
20 to submit your e-mail address on that and we will be
21 maintaining a list of people that have registered on
22 the site and we will be issuing notices as new

1 documents are posted, so that if there's anything new
2 there, you'll be advised of it. For example, when we
3 issue the scoping report, you'll get an e-mail saying
4 the scoping report is now available on the website.

5 And last, but not least, you're always
6 welcome to call me, and if I don't know the answer
7 we'll certainly try to track it down with the
8 applicant. So I think you'll find, if there's one
9 thing that there's an adequate quantity of, even in
10 advance of the EIS, is a great deal of detailed
11 information on the project. The EIS website is
12 CHPEXpressEIS.org. So that's C-H-P-E-X-P-R-E-S-S-E-I-
13 S dot org. And if you pick up a copy of the Federal
14 Register notice in the back of the room, it's in that
15 Federal Register notice. I made sure to advertise it
16 as broadly as we could, and I think I also made sure
17 that we included it in all our newspaper ads. So we
18 are striving very hard to keep this process open. And
19 that's, of course, why I said earlier, we're having as
20 many as seven public meetings and also providing the
21 45-day open comment period. In the past we've been
22 more inclined to hold the scoping period down to only

1 30 days. So we're making great efforts toward
2 openness.

3 The next speaker I have on the list is
4 Hayley Mauskapf?

5 MS. MAUSKAPF: As I said, my name is Hayley
6 Mauskapf. I'm an environmental advocacy associate
7 with Scenic Hudson, a 47-year-old nonprofit
8 environmental organization and separately incorporated
9 land trust, dedicated to protecting and enhancing the
10 scenic, natural, historic, agricultural and
11 recreational treasures of the Hudson River and the
12 Hudson Valley. We understand and appreciate that our
13 future depends on a shift towards clean renewable
14 energy. And for that reason we believe that the
15 proposed transmission line project could have some
16 potential positive environmental impacts. It could
17 have the potential to help make the transition to a
18 greener future, powered by clean renewable energy,
19 would improve our air and water quality and help avert
20 the consequences of global climate change and of sea
21 level rise. However, a project of this magnitude,
22 which is unprecedented in the Hudson Valley, must be

1 designed and implemented in a manner that not harm the
2 sensitive Hudson River estuary or the communities
3 through which the power transmission lines will pass.

4 We urge the Department of Energy to
5 carefully assess the potential negative environmental
6 effects of the proposed project and the EIS. I just
7 have a quick overview of some of our main concerns.
8 We will also be submitting formal written comments
9 later on. One would be the issue of potential
10 resuspension of PCBs in the sediments in the mid and
11 lower Hudson River. The proposed route specifically
12 does avoid burying the cable on the upper Hudson where
13 the concentration of PCBs is highest, however, there
14 is contamination in the sediment in the mid and lower
15 Hudson River where the power line is proposed to be
16 laid. Some areas of cable will be buried using
17 methods that might be less likely to disturb the
18 sediment, but there are areas that are going to need
19 to be either mechanically plowed or dredged which
20 would greatly increase the likelihood that some of
21 that sediment is going to be disturbed.

22 The recent suspension of PCBs would not only

1 impact wildlife and aquatic species but also would
2 impact human health. In addition to recreational uses
3 of the Hudson, such as swimming boating and fishing,
4 there are several communities that have drinking water
5 on the river in areas where the cable is supposed to
6 be installed.

7 Also, the Hudson River and its surrounding
8 tidal wetlands are habitat to a number of sensitive
9 species, including some that are protected by federal
10 and state law, including Shortnose sturgeon, Atlantic
11 sturgeon and bald eagle. We believe that the
12 potential detrimental effects of the construction,
13 installation and maintenance of the cable on aquatic
14 resources and wildlife must be thoroughly evaluated,
15 and especially the potential cumulative impact of the
16 construction, installation and operation.

17 The impact of the siting and installation on
18 subaquatic vegetation near shore marine habitat and
19 riverfront riparian habitat as well as potential
20 shoreline erosion and destruction of wetlands should
21 be evaluated. The potential of the installation
22 process to possibly spread invasive species in the

1 river should be investigated, as well.

2 In addition, the EIS must address the
3 effects of each permanent alteration affecting habitat
4 in those areas where riprap or concrete mats are going
5 to be placed over the cable. We also believe the EIS
6 must evaluate how the electromagnetic field and
7 thermal effects of the cable could affect sensitive
8 aquatic species, including the segment of the
9 transmission line downstream from the converter
10 station, along which the AC current will flow which
11 increases potential impacts of the EMF.

12 Finally, while we understand the potential
13 economic benefits that the proposed converter station
14 here in Yonkers could potentially bring to the city,
15 we believe every effort to be made to ensure that the
16 converter station is designed in a manner and sited in
17 a manner that contributes to, rather than stifles, the
18 successes building from the recent revitalization on
19 the downtown waterfront. The developer proposed this
20 site near Wells Avenue and Alexander Street, which is
21 within the area covered by the Alexander Street master
22 plan. This area is also near Yonkers Station and ripe

1 for development with transit-oriented uses. The master
2 plan includes a vibrant new waterfront of residences,
3 businesses and open spaces, to promote a pedestrian
4 cyclist friendly streetscape, and to increase public
5 access by foot and by vehicle into this area.

6 The construction of the proposed converter
7 station, which is an industrial facility taking up
8 approximately three acres of land which will then be
9 devoid of these public uses, could reflect on the
10 redevelopment effort.

11 So Scenic Hudson urges that the EIS evaluate
12 the effects the proposed converter station will have
13 on the land use goals of the city, and consider viable
14 alternatives for the design and the siting of the
15 converter station. One potential alternative site
16 that we had identified, I believe, was also brought up
17 by Mr. Lesnick before, the old Glenwood Power Station.
18 And if no other viable alternative can be identified,
19 another possibility would be to construct retail
20 and/or office space that would wrap around parts of
21 the converter station facing south and west in order
22 to activate the street and generate pedestrian uses in

1 conformance with the master plan. This way the
2 converter station could further the goals of the plan
3 and avoid the creation of areas devoid of retail and
4 commercial activity.

5 Scenic Hudson seeks to find creative
6 solutions to the impact associated with large
7 utilities on prime real estate and downtown on
8 waterfront that could otherwise be used for transit-
9 oriented development. In addition, the visual impact
10 of the converter station should be assessed and the
11 visual impact mitigated. A thorough visual analysis
12 determining places from which the converter station
13 could be seen should be prepared. This should include
14 a computer-generated visual simulation in order to
15 understand how the converter station would look from
16 various important vantage points. We hope that these
17 comments will inform the Department of Energy's EIS
18 and that the EIS will allow Scenic Hudson and the
19 other intervening parties to better understand the
20 scale of any potential environmental impacts it could
21 have. Thanks for the opportunity to present comments
22 and we'll be submitting formal written comments at a

1 later date.

2 DR. PELL: Thank you very much. Visual
3 impacts are an integral part of the EIS analysis, and
4 we'll certainly be looking at exactly the issues that
5 you've raised, so thank you for that.

6 Next name I have is it Susan, L-E-I-F-E-R.

7 MS. LEIFER: That's correct.

8 DR. PELL: Thank you. Susan Leifer.

9 MS. LEIFER: Thank you, Dr. Pell. I know
10 one of the possibilities of an EIS is a no-build
11 possibility, and I've just been reading that oil and
12 gas get 36 billion in subsidies and incentives and
13 perks. And my question is, when is our stimulus money
14 going to end up in New York State for the benefit of
15 New York State. This is a proposal to export our
16 energy from a dam that has not been built yet, a
17 thousand miles away, that does not meet sustainable
18 criteria because it floods, that's a detriment to its
19 community, in terms of environmental justice. And I
20 would like us to spend the money in New York State
21 with a sustainable wind solar retrofit conservation
22 smart grids. And this would give us many thousands of

1 jobs instead of the 200 or so that are projected from
2 this. And what I'd like to know is, when is our tax
3 money going to benefit us? The oil and gas companies
4 get our tax money. The banks get our tax money. This
5 is stimulus money that's supposed to go to benefit New
6 York State. And so my proposal is a no-build. We can
7 use solar and wind locally. It does not have to go a
8 thousand miles up to Canada and come back to us.

9 DR. PELL: Thank you, Ms. Leifer. And as a
10 matter of fact, you are correct. We do look at the
11 no-action alternative, as we call it, which is
12 essentially the no-build alternative. But again, let
13 me clarify. There are no federal funds supporting
14 this project. There is an application to a separate
15 office of the Department of Energy for a loan
16 guarantee, which does involve stimulus funds, that's
17 totally independent of the Presidential permit process
18 that I'm personally involved in. That's an entirely
19 different process that overlaps my process only to the
20 extent that they would both use the Environmental
21 Impact Statement. But there are no tax dollars being
22 used to build this project. As a matter of fact, in

1 terms of detail, the cost of the Environmental Impact
2 Statement is borne by the applicant. Your tax dollars
3 are not paying for this analysis either. So you may
4 want to know that.

5 Next speaker is George Klein with Sierra
6 Club Lower Hudson Group.

7 MR. KLEIN: Thank you, Dr. Pell. The Lower
8 Hudson Group of the Sierra Club covers Westchester
9 County, Putnam and Rockland County. And we have
10 thousands of members distributed over these counties.
11 The Sierra Club itself is America's oldest
12 environmental organization, and we have many issues
13 that we pursue at once, at any given time. We ask you
14 to consider in this scope -- in the scoping, that this
15 project perpetuates reliance on a traditional type of
16 energy, and thereby helps us fail to encourage
17 domestic renewable energy sources which is what we
18 urgently need to combat climate change. This is a
19 negative impact because it does not help us in
20 stimulating renewable energy, in creating markets for
21 renewable energy, technologies or bringing costs down
22 by building scale, as soon as possible. So it's not

1 in the public interest.

2 The project will encourage dam-powered
3 hydro, which is not defined as a renewable energy
4 source for purposes of New York State's renewable
5 portfolio standard. Other types of hydro, free-
6 flowing hydro, are considered renewable sources for
7 the RPS. Enabling the purchase of energy from outside
8 the state is bad for the state's balance of payments,
9 long term, and bad for the U.S. balance of payments.
10 The socioeconomic impact of this is fewer jobs in New
11 York State than would result from domestic energy
12 production, especially renewables. So the project
13 from that perspective is not in the public interest.
14 So please consider these potential impacts as you
15 define the project's scope. Thank you.

16 DR. PELL: Thank you, Mr. Klein. Are we
17 looking forward to receiving anything from you in
18 writing?

19 MR. KLEIN: Yes.

20 DR. PELL: Next speaker is Tarantelli; is
21 that correct?

22 MR. TARANTELLI: Yes.

1 DR. PELL: I'm sorry, I can't make out your
2 first name.

3 MR. TARANTELLI: Richard.

4 DR. PELL: Richard, okay.

5 MR. TARANTELLI: Thank you, Dr. Pell.

6 DR. PELL: Thank you.

7 MR. TARANTELLI: My main concern is bringing
8 another energy company through the City of Yonkers.
9 We're living in like a nightmare with Con Edison. I
10 live up on Kingston Avenue, and for the past 11 years
11 that I've lived there they've been digging, making
12 noise, we've had two explosions recently, it's been a
13 total disaster for the community. And that is like my
14 concern of the safety factor of this project. I'd
15 like to know more about it. When it gets to its final
16 destination in the Hudson, at Yonkers, where does it
17 go from there, how does it go from there. I hope to
18 God it doesn't go by land up to any other Con Edison
19 power station around my neighborhood, because we're
20 really frustrated with the power authority for the
21 last 11 years, like I say, it's been hell, you know.
22 That's my concern. And I hope you choose to put this

1 in another place, other than Yonkers. Yonkers for
2 some reason, is always getting dumped on. And it's
3 unfair for the people here who are paying fairly high
4 taxes and they're going to go up. We're paying more
5 money and getting less. So I would appreciate, you
6 know, if you could think of putting this project in
7 another location, other than Yonkers. And thank you,
8 Dr. Pell.

9 DR. PELL: Thank you very much. As noted
10 earlier, we do look at alternatives, so we'll
11 certainly take a look at your comments.

12 That completes the people whose names I had
13 as speakers. And now it's open to anybody that would
14 like to speak, all you have to do is raise your hand
15 and come on up.

16 Sir, if you would be kind enough to take the
17 mike and tell us who you are.

18 MR. SCHNEIDER: I'm Cliff Schneider, and I'm
19 the executive director of Beczak Environmental
20 Educational Center.

21 DR. PELL: Can I trouble you to spell both
22 your last name and the name of the center.

1 MR. SCHNEIDER: Schneider, S-C-H-N-E-I-D-E-
2 R. I filled out a yellow sheet there, but not to
3 speak.

4 DR. PELL: That's why I don't have it.

5 MR. SCHNEIDER: And it's B-E-C-Z-A-K. I'm
6 sorry, I don't have any prepared notes, but I just
7 found out about this later today -- earlier today. We
8 have an environmental center and I've worked with
9 almost all the groups in the room at one point or
10 another, Scenic Hudson helped develop us. We work with
11 the City Council. We work with the planning
12 department. And right where this is projected to come
13 in the options are kind of limited. And we have a 2.2
14 acre park right at the point where this is projected
15 to enter into Yonkers. And there's been a lot of
16 planning, as mentioned earlier, with the Alexander
17 Street development and it doesn't seem like this fits
18 into anybody's plan, anybody's zoning, anybody's
19 discussions, about the future of what's supposed to be
20 happening down there. I would like to know -- I guess
21 if I go to the website that you mentioned, they'll
22 have more specific details, but is it in enough detail

1 that shows exactly where this is planned to come into
2 Yonkers? We've heard where it's planned on being
3 located, but you're sort of limited as to -- unless
4 you want to go through brand new high-rise apartment
5 buildings or my 2.2 acres of park or one street that
6 has a straight shot into that. So I'm concerned about
7 that for my own self interest and my motives. But I'm
8 also concerned about, there's a lot of recreational
9 activity that takes place in this exact spot. And
10 it's not the kind of thing that's going to show up in
11 any studies or any evaluations or anything, but it's
12 one of the oldest paddle rowing clubs in the country,
13 and it's exactly at this location where it's projected
14 to be entering. And my last sort of question is, as
15 much as I can agree with the previous speaker about
16 the disruption of Con Ed on our streets and the havoc
17 that it's raised in this town for years and years and
18 years. Seems like they dig up one street and they
19 bury it and it's just a series of potholes and then it
20 gets paved up and then they decide another project and
21 rip it all up again. So I'm worried about, what's
22 this going to do for the commercial trade on the

1 Hudson River? I don't know how a project this large -
2 - that there's now a lot of really interesting barge
3 traffic and recreational traffic and everything. So
4 does this disrupt barge traffic and commercial
5 shipping that is going up and down the Hudson River?
6 What's it do to recreational people while it's being
7 done? And if it's all approved, how long does it
8 take? I guess, I'll read all that in the guidelines.
9 But it's really important to say that there's a lot of
10 little people that depend on the Hudson River, and I
11 hope they'll look at them, because you're not going to
12 have many people that are speaking for them. So thank
13 you.

14 DR. PELL: Thank you, Mr. Schneider. We do
15 look at recreational impacts, as a matter of fact. So
16 we will be considering your comments in that regard.
17 If you have any details that you would like to provide
18 subsequent to today in writing we would sure
19 appreciate that.

20 Anybody else? Come on, don't be shy, we're
21 all friends here. Nobody? I'll tell you what, if
22 you're really sure nobody else wants to talk, we'll go

1 off the record. I'll ask Debbie, our stenographer to
2 stay with us a little bit longer in case somebody
3 suddenly changes their mind.

4 It's about 8:30 now. We'll hang around just
5 a little bit in case you want to talk to any of us in
6 person. That includes me, the Transmission
7 Developer's people and our contractors that are
8 preparing the EIS. Those are the gentlemen that have
9 been manning the registration desk. And I just want
10 you to know, this has been a very productive and
11 useful meeting. And the sum total of which has been
12 bringing to our attention a number of substantive
13 issues that we will look at. So your being here
14 tonight has been very worthwhile and we appreciate
15 that. Thank you very much and good night.

16 (Wherein the proceedings concluded at 8:45
17 p.m.)

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1 DEPARTMENT OF ENERGY ENVIRONMENTAL IMPACT STATEMENT
2 PUBLIC SCOPING MEETING

3

4 -----

5 CHAMPLAIN HUDSON POWER EXPRESS, INC.

6 TRANSMISSION LINE PROPOSAL

7 -----

8

9 Taken at Holiday Inn, 503 Washington Avenue,
10 Kingston, New York, on July 13, 2010, commencing at
11 7:35 p.m.

12

13 BEFORE: JERRY PELL, PhD, CCM, U.S. Department of
14 Energy 1000 Independence Avenue, SW Washington, DC
15 20585

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1 P R O C E E D I N G S

2 (7:35 p.m.)

3 BY DR. PELL:

4 Good evening. If we're all ready, I'd like to
5 start.

6 I'll tell you a little bit about who I am first,
7 tell you a little bit about myself so you know who the
8 guy is behind the mic. I'm Jerry Pell, an
9 Environmental Scientist, and I'm the Project Manager
10 for this particular project. I've been with the
11 Department of Energy for 34 years, and the reason I
12 haven't retired is because I still enjoy meetings just
13 like this one, and as long as I keep having fun, I'm
14 not going to retire. I've been doing environment and
15 energy work of one kind or another for 40 years,
16 everything from anthracite to wind, including global
17 warming, and now transmission line projects just like
18 this one.

19 The proposed project is not a Department of
20 Energy project. I want that clear from the outset.
21 The project is proposed to us by Transmission
22 Developers, Incorporated, of which Don Jessome here is

1 the President, and he will be telling you a little bit
2 about the project shortly.

3 It requires what we call a Presidential permit,
4 which is actually a requirement that was initiated
5 about 50 years ago by a White House Executive Order.
6 And the permit is required whenever a transmission
7 line wishes to cross the international border either
8 from Canada into the United States or from Mexico into
9 the United States -- and of course in this case, it's
10 from Canada.

11 When the Federal Government has to issue a
12 permit or consider issuing a permit, that triggers the
13 National Environmental Policy Act -- NEPA, as many of
14 you know, is the abbreviation -- and under NEPA, there
15 are several levels of environmental review depending
16 on the project. The Environmental Impact Statement or
17 EIS, which is the type of review we're doing for
18 Champlain Hudson, is the most comprehensive,
19 exhaustive environmental assessment there is, and it
20 literally embraces the entire spectrum of potential
21 impacts, good and bad, including issues like
22 environmental justice, socioeconomic impacts, purpose

1 and need, et cetera -- and alternatives, cumulative
2 impacts.

3 And that brings me to the reason we're here
4 tonight. We're having seven of these meetings, of
5 which this is the third one now. We had one in
6 Bridgeport, Connecticut, then in Manhattan -- sorry,
7 this is the fourth one. You lose track after a while.
8 Yonkers last night, now here in Kingston. Tomorrow we
9 go on to Albany, then Glens Falls, then finally
10 Plattsburgh. So what we're trying to do is give
11 people along the entire route an opportunity to meet
12 with us and to help us define the scope of the EIS,
13 and make sure if there are issues that you are
14 concerned about, that we know about them and include
15 them in our analysis. So the reason we're here
16 tonight is to obtain your input as to what we should
17 be looking at in the content of the EIS.

18 This will culminate in a scoping report -- which
19 is not actually required by NEPA, but which we do
20 because I think it's a valuable document -- that will
21 summarize the comments that we've received during the
22 seven meetings and during the open comment period

1 which closes on August 2nd. And of course, I'm
2 expecting that we will be obtaining comments in
3 writing either electronically or by mail between now
4 and the August 2nd deadline. It doesn't matter how
5 your comments come in, whether you speak here tonight
6 or mail them to me or e-mail them to me, your comments
7 receive equal weight no matter how they're received.
8 But that scoping report will summarize the comments
9 that did come in over the seven meetings. That will
10 be a public document, it will be on our website, and
11 if you subscribe to our website mailing list, you will
12 get a notice advising you that the report is on the
13 web and is now available.

14 That's essentially the calm before the storm.
15 The really large product is the draft Environmental
16 Impact Statement itself, which will come out sometime
17 thereafter, and that will be the document that now you
18 can comment on in terms of actually reviewing our look
19 at the impacts. And there will be a series of meetings
20 just like this one, but at that time you'll actually
21 have an opportunity to review our analysis. And those
22 comments that you provide to us at that point will

1 shape the final Environmental Impact Statement. And
2 in the process, we also produce a comment and response
3 document which identifies your comments and how we
4 dealt with things.

5 So it's an extremely transparent, open public
6 process. Everything we say and do is available to
7 everyone else and it's on the Internet and freely
8 available.

9 So that's basically the essence of why we're
10 here. I have a list of several people that have asked
11 to speak, I will take them in order. Then after that,
12 I will open the floor to anybody who has any thoughts
13 they wish to add, and we will not adjourn until
14 everyone has had a chance to say their piece.

15 But first, Don Jessome has some information to
16 share about the project itself.

17 BY MR. JESSOME:

18 Thank you Dr. Pell. As Dr. Pell mentioned, my
19 name is Don Jessome. I'm President and CEO of
20 Transmission Developers, Inc., who is a proponent
21 looking to develop this project.

22 The project's name is the Champlain Hudson Power

1 Express project. And when we first started to develop
2 this project, it was a 2,000-megawatt project, 1,000
3 into New York City and 1,000 into southwest
4 Connecticut.

5 The first statement I'd like to make is on July
6 6, we made a public announcement that we were no
7 longer developing the Connecticut portion of this
8 line. So the impacts at this point in time are only
9 with respect to the New York component of the project,
10 as we're no longer developing the 1,000 megawatts over
11 southwest Connecticut.

12 So the project is an HVDC or high voltage direct
13 current transmission project that's interconnecting
14 Canada to its New York City marketplace, 1,000
15 megawatts. And just in general terms, 1,000 megawatts
16 represents approximately a million residential homes
17 in terms of the energy usage. So it's a fairly
18 significant project in terms of size. However, to
19 also put it in perspective, the New York State
20 marketplace is about 35,000 megawatts in terms of
21 total capacity, so although it's a large project, it's
22 one of very many projects that are already in the

1 State of New York.

2 The project is what we call bipole, 1,000
3 megawatt bipole. There are two cables. Each cable
4 carries 500 megawatts. The cables are approximately
5 five inches in diameter. And all the information I'm
6 providing to you here is available on our website, and
7 certainly there are information packages over there,
8 and we have to go through a very rigorous
9 environmental permitting process through the Article 7
10 process and Public Service Commission. So all of this
11 is available and we encourage people to sign up for
12 our website to get all this information.

13 The cables themselves will interconnect with a
14 Hydro-Québec's transmission system at the border, it
15 will come down to the Richelieu River, and the cables
16 are physically buried in the waterways I'm talking
17 about. They're buried approximately 3 feet below the
18 sediment level. They're buried for one reason: To
19 protect the cables against anchors, and that's the
20 most important reason we bury them. The two cables
21 will come down the Richelieu River into Lake Champlain
22 into the Hudson River. They come down as far as Glens

1 Falls, then we come out of the waterway, still buried,
2 go onto the CP railway line, and go around the Capital
3 District and onto the CSX railway line. The reason we
4 do that is we're avoiding the PCB dredging area that
5 is in the Hudson River. It's something we're
6 obviously concerned about from an environmental
7 perspective, and we found an alternative route and
8 felt that that was appropriate for that area. We come
9 back into the Hudson River at Coeymans, down into the
10 Hudson to Yonkers, where we'll build a converter
11 station. A converter station just takes AC -- or in
12 this case, DC power, and converts it back into AC
13 power. All of the lights and other equipment that we
14 use today are AC power. And two cables will go out
15 back down into either a ConEd or a NYPA
16 interconnection point in New York City. We're
17 currently studying four different locations where we
18 can interconnect, but it's narrowing very quickly.

19 That transmission project is a \$1.9 billion
20 project, and we're actually going to be going out for
21 bids very shortly in early August to firm up the cost
22 of the project.

1 You know, a lot of people ask how do we pay for
2 this project. The easy answer is it's the shippers on
3 the line, so this is a little different model than
4 other transmission projects. We actually go out and
5 find customers who are interested in shipping their
6 power on our line. So as transmission line developers,
7 we never actually own the electricity, we simply
8 transport it. We're like the truck that takes it from
9 the manufacturing facility down to the retail
10 customer. We never actually own the electricity in
11 between. So our job is to have a transmission line
12 that connects generation to load in a safe, secure,
13 and environmentally respectful manner.

14 I appreciate the opportunity to hear your
15 comments this evening, and as Dr. Pell said, I will be
16 here all evening and happy to take questions once the
17 formal proceeding is over.

18 BY DR. PELL:

19 Thank you very much, Don. While Don was
20 speaking, it gave me a chance to think about what else
21 I might mention to you. A couple of things. There is
22 a DOE website separate from Don's website which is

1 specifically for the preparation of the Environmental
2 Impact Statement. And it's in the notice which is at
3 the registration desk, and I'll tell it to you again,
4 it's chpexpresseis.org. All of our environmental
5 documents will be on that site, and the two sites
6 actually are linked together, so if you go to one site
7 you can easily get to the other. That's done
8 deliberately as a convenience to you so you can see
9 everything that's out there that's in the public
10 domain. And our website actually also gives you a
11 link to the State of New York Public Service
12 Commission, because the applicant has filed a major
13 document with the PSC, and this will take you directly
14 to that site as well. So there's a great deal of
15 material for you to read, and also there's a link to
16 our Department of Energy Presidential permit site that
17 provides the original application that was filed by
18 TDI for a Presidential permit. So as I said earlier,
19 it's all there for you to peruse at your convenience.

20 This is not a DOE Environmental Impact Statement
21 alone. We have four cooperating agencies that are
22 partners with us in the preparation of the document

1 and that intend to use this same document for their
2 own regulatory purposes. They include the U.S. Army
3 Corps of Engineers; the United States Environmental
4 Protection Agency Region 2, which is headquartered in
5 Manhattan; and two other State of New York agencies:
6 the Public Service Commission, and the Department of
7 Environmental Conservation. So there are five bodies
8 involved in the preparation of this document. It's
9 conceivable before too much time elapses that other
10 agencies could join as well, because the process does
11 provide for governmental agencies to request
12 cooperating agency status if they have special
13 expertise in the subject.

14 So I think that pretty much covers most of the
15 things I could tell you. Of course, if I think of
16 anything else, I will do so.

17 Now I'm going to move to the actual presentation
18 of comments themselves. And the first speaker tonight
19 is a State Senator from the 42nd District of New York,
20 John Bonacic.

21 BY SENATOR BONACIC:

22 Thank you. I'll be brief. I want to thank you,

1 Dr. Pell, for coming, and I'd like to thank Mr.
2 Jessome for being here and making the brief
3 presentation.

4 I just have a few questions, just so I can
5 become more educated. We had a bad experience with
6 the NYRI line, which had eight counties very upset
7 with hurting property values, blight on the land, and
8 increasing the energy rates had that project gone
9 forward. I know that this will not affect property
10 values, I know it's not going to hurt the blight on
11 the land. My question specifically was the impact on
12 utility rates for the people living outside the City
13 of New York. And I had the opportunity to speak to Mr.
14 Jessome privately. His generic answer is that there
15 would be a tendency to be downward, but that is a
16 decision within the jurisdiction of the Public Service
17 Commission. So far so good?

18 BY DR. PELL:

19 So far so good.

20 BY SENATOR BONACIC:

21 How did you decide the capacity for this line to
22 enhance 1 million residents in Manhattan, and what

1 percentage of the City's needs would this cable line
2 take care of, if you know?

3 BY DR. PELL:

4 Mr. Bonacic, this is not intended to be a Q and
5 A, but let me add, they are fair questions and they
6 should be directed to Don Jessome. And like I said,
7 he's going to be here after the formal taking of
8 comments is completed, so please avail yourself of
9 him. I do not have those answers.

10 BY SENATOR BONACIC:

11 Last but not least, I like the idea of hydro and
12 wind coming out of Canada. Will there always be an
13 endless supply that this transporting of energy will
14 always have the capacity to feed the City?

15 BY DR. PELL:

16 Again, I am not familiar with the precise
17 sources of power that Mr. Jessome hopes to deliver.
18 Since the sources are in Canada, we do not look at
19 them in any great detail from my vantage point in the
20 DOE. Again, that's a fair question and Don's the guy
21 to answer it.

22 BY SENATOR BONACIC:

1 This may be a stupid question...

2 BY DR. PELL:

3 There are no stupid questions.

4 BY SENATOR BONACIC:

5 When you put a line in the Hudson River, you're
6 still above the ground, the cable itself, or is it
7 under the ground under the river?

8 BY DR. PELL:

9 It's submerged beneath the surface except where
10 there are rock outcrops that cannot be dredged, in
11 which case they'd place a concrete blanket or
12 something similar over the cable. The cable is never
13 exposed, because if it's exposed, then you run the
14 risk of the cable being snagged by a ship's anchor,
15 and that would be very serious damage.

16 BY SENATOR BONACIC:

17 So it's protected. Thank you very much.

18 BY DR. PELL:

19 Thank you very much for joining us this evening,
20 Mr. Bonacic. The next gentleman was also with us
21 yesterday in Yonkers, Phillip Musegaas. Tell us who
22 you're with, please.

1 BY MR. MUSEGAAS:

2 I'm here representing Riverkeeper. Thank you,
3 Dr. Pell.

4 What I'd like to do is give an overview of what
5 our written comments are going to be focused on. Just
6 to start, so everyone knows what Riverkeeper is, we
7 are a member-supported environmental organization,
8 non-profit organization that has been working for over
9 40 years to protect the ecological integrity of the
10 Hudson River and Hudson River Valley and Hudson River
11 watershed. So, as a result, of course, the proposal
12 to put the cable in the Hudson River is of great
13 interest to us.

14 I have four quick comments to make, and these
15 are basically requests for assessments of these
16 particular impacts, environmental impacts. The first
17 one has to do with the alternatives analysis under
18 NEPA. We would request that the Department of Energy
19 take a hard look at particularly two aspects of the
20 alternatives, and the first one is the route of the
21 cable. We know as Don Jessome described that a
22 portion of the cable route will be run under the

1 railroad right-of-way to avoid the GE PCB dredging
2 site, and we would like to have a full examination of
3 an alternative that looks at running the entire cable
4 under the land, under the railroad right-of-way,
5 comparing the environmental impacts of that to the
6 impacts of running the cable in the river.

7 The second alternative analysis would be dealing
8 with the converter station location. I believe the
9 primary proposal is for the Yonkers site to be the
10 site of the converter station. We would ask that the
11 alternative of, I believe, the Astoria, Queens
12 converter station be looked at very carefully.

13 Second, in terms of the disturbance of habitat
14 in the Hudson River, assuming the primary proposal of
15 running the cable in the Hudson would go forward,
16 looking at the disturbance particularly of designated
17 sensitive habitat for fish species and other wildlife.
18 The Hudson River has several areas that are very
19 important ecologically that are designated either by
20 Federal or State agencies as essential fish habitat or
21 significant coastal fish and wildlife habitat, and we
22 know that the cable has to run through some of these.

1 We know that there are some efforts to mitigate some
2 of the impacts, but we really urge the agency to take
3 a very, very careful look at the methods that are
4 going to be proposed for mitigating the impact to
5 these areas. The Hudson River is a very biologically
6 diverse and productive area, but fish species are
7 under great duress. Many fish species are in decline
8 in the river from a variety of impacts and sources,
9 and we don't want to see an additional source of
10 stress and source of disturbance to these sensitive
11 habitats.

12 Third, we would like to see a complete
13 assessment of the effects of the dredging itself so
14 any re-suspension of sediment in the Hudson River,
15 particularly sediments that contain contaminants like
16 PCBs and pollution that have accumulated over time in
17 the Hudson River. You know, there are different types
18 of dredging techniques that are proposed to be used,
19 so we'd like to see a kind of a cumulative impact
20 analysis of all the different dredging techniques, as
21 well as the laying of concrete matting or other types
22 of protective covering over the cables in general.

1 And then in terms of the sediments, looking at what
2 kinds of impacts result from re-suspension settlement.

3 Fourth, we would like to see a full review of
4 the impacts of once the cable is installed in the
5 river and operating, the impacts of electromagnetic
6 fields basically in two areas: one for the HVDC cable.
7 We know there's not a typical EMF field produced like
8 there is with an AC cable, but we would still like to
9 see a full literature review and analysis of if there
10 are any impacts to fish species, and particularly to
11 fish migration and fish spawning patterns and habits.
12 And then, with the section of AC cable that's proposed
13 for , I believe, the Harlem and East River going from
14 the converter station to the substation, we would like
15 to see a full analysis of those impacts as well from
16 that EMF field.

17 And we will be submitting more detailed
18 written comments by the August 2nd deadline. Thank you
19 very much.

20 BY DR. PELL:

21 Thank you very much, Phillip. It's probably
22 worth mentioning the difference between AC and DC.

1 Your car battery is a DC device, direct current
2 device. Your flashlight battery is direct current.
3 Your wall outlet is an AC current device, alternating
4 current device. The difference is, if you were to put
5 a voltmeter or gauge on the device, on a direct
6 current device, the meter would go up to the level of
7 the voltage and then just continue straight across.
8 With alternating current, if it were a good enough
9 meter or oscilloscope, you would see that the current
10 actually goes in a 60-cycle sine wave. In an altering
11 current situation, when you do have electromagnetic
12 fields, in other words, the current does generate both
13 a magnetic and an electric field. In a direct current
14 situation, there is no magnetic field generated, but
15 there does remain an electric field. So I just
16 thought I'd mention that by way of clarification.

17 Also, with regard to fish and wildlife in
18 general, I suspect we'll be doing consultations with
19 the Fish and Wildlife Service specifically on that
20 subject. We will probably find ourselves doing a
21 biological assessment, and if that's the case, we will
22 then request a formal biological opinion from the Fish

1 and Wildlife Service. So this area will be given
2 appropriate scrutiny.

3 I'd like to move onto Hayley Mauskapf with the
4 Scenic Hudson.

5 BY MS. MAUSKAPF:

6 Thank you, Dr. Pell.

7 As you said, my name is Hayley Mauskapf, I'm
8 with Scenic Hudson, and by way of introduction, we're
9 a 47-year-old non-profit environmental organization
10 and a separately incorporated land trust. We're
11 dedicated to protecting and enhancing the scenic,
12 natural, historic, agricultural, ecological, and
13 recreational treasures of the Hudson River and its
14 valley.

15 We understand and appreciate that our future
16 relies on a shift towards clean, renewable energy, and
17 for that reason, we believe the proposed project could
18 possibly have some positive environmental benefits.

19 It could have the potential to help make the
20 transition to a greater future powered by a more
21 clean, renewable energy, which could therefore help
22 improve our air and water quality and avert the

1 consequences of global climate change.

2 However, any project of this magnitude, which is
3 unprecedented in the Hudson Valley, needs to be
4 designed and implemented in a manner that's not going
5 to harm the sensitive Hudson River estuary or the
6 communities through which the transmission lines will
7 pass. Therefore, we urge the Department of Energy to
8 carefully assess the potential negative environmental
9 effects in the EIS.

10 I'm just going to go over a few of the main
11 concerns that we have, which we will expand upon later
12 in written comments. The Hudson River, from Hudson
13 Falls to Manhattan, has been designated a superfund
14 site due to the PCBs that were dumped into the river
15 by GE, and they remain on the river bottom as far as
16 we know. And the proposed route for the transmission
17 line as Don said, avoids the area in the upper Hudson
18 where the dredging has begun and where the
19 concentration of PCBs is greatest. However, the EIS
20 needs to address the potential for re-suspension of
21 PCBs and other contaminants in the mid and lower
22 Hudson River due to the burying of cable in that

1 contaminated sediment and the process for installing
2 that cable. While some areas of cable are going to be
3 buried by methods which might be less likely to
4 greatly stir up sediment, other areas are going to
5 need to be mechanically plowed or dredged, which will
6 significantly increase this risk. The EIS should also
7 investigate and analyze the method by which TDI is
8 going to determine which method of burial to use in
9 which area.

10 The re-suspension of PCBs and other contaminants
11 would not only affect wildlife and aquatic species,
12 but also human health. In addition to the
13 recreational uses of the Hudson such as swimming,
14 boating, and fishing, there are several communities
15 that still have drinking water intake along the
16 Hudson, which includes Rhinebeck, Port Ewen, and
17 Poughkeepsie.

18 On to effects on sensitive species and habitat
19 in the Hudson River. We know that the Hudson River
20 and surrounding tidal wetlands are home to a number of
21 sensitive species, including species protected by
22 Federal and State law, including short-nosed sturgeon,

1 Atlantic sturgeon, and the bald eagle. We believe the
2 potential detrimental effects of the project on
3 aquatic resources and wildlife need to be thoroughly
4 evaluated, and especially the cumulative impact of the
5 installation, the operation, and then later on, for 30
6 or 50 years of maintenance of the cable.

7 The impact of the siting and installation of the
8 cable on subaquatic vegetation, the New York marine
9 habitat, and the riverfront riparian habitat, as well
10 as a potential for shoreline erosion and the
11 destruction of wetlands during the installation of the
12 cable needs to be evaluated. And also the potential
13 for the installation process to possibly spread to
14 some of the invasive species that we've seen over the
15 past several years.

16 BY DR. PELL:

17 Excuse me, Hayley, let me interrupt. What
18 water-based species are at stake here?

19 BY MS. MAUSKAPF:

20 The zebra mussel is one that I know of off the
21 top of my head, and I know there are a couple of
22 aquatic plant species whose names I don't remember,

1 but we will be listing them specifically in our formal
2 written comments.

3 BY DR. PELL:

4 Thank you. Great.

5 BY MS. MAUSKAPF:

6 Also one thing we're particularly concerned
7 about would be would be what would amount to the
8 permanent alteration of the habitat in those areas as
9 we mentioned where concrete matting will have to be
10 placed over the cable rather than having it buried.

11 We also urge that the EIS evaluate how the
12 electromagnetic field and thermal effects of the cable
13 might affect the sensitive aquatic species, especially
14 including the segment of the alternating current
15 downstream from the converter station. The
16 electromagnetic field and thermal impacts specifically
17 on fish migration and spawning behavior should be
18 analyzed, as well as the impact on benthic organisms
19 and shellfish, as their habitat is obviously much
20 closer to where the cable will be buried.

21 We also urge that the EIS thoroughly evaluate
22 the potential of the alternative routes, including the

1 alternative land routes, and whether any of these
2 alternative routes might further mitigate
3 environmental impacts to an extent more than what has
4 been the chosen alternative.

5 It's important that the EIS identify that on any
6 particular segment of the river. Depending on the
7 characteristics of the soil, geology, and aquatic life
8 in that particular segment of the river, the cable
9 should be strategically sited at such a depth and in
10 such an area in that segment where it would have the
11 minimal environmental impact as opposed to simply
12 putting it either in the shortest route or the easiest
13 route.

14 So we hope these comments will inform the
15 Department of Energy EIS on this project, and that the
16 EIS will then allow Scenic Hudson and other
17 intervening and interested parties to better
18 understand the potential impacts of the project.

19 Thanks for the opportunity to provide comments, and we
20 will be submitting the formal written comments by
21 August 2nd.

22 BY DR. PELL:

1 Thank you, Hayley. We'll be looking forward to
2 your comments. I appreciate your being with us
3 tonight.

4 The next speaker is William Ovenstone.

5 BY MR. OVENSTONE:

6 Since the other people already mentioned what I
7 was going to talk about, it doesn't leave me much to
8 say.

9 BY DR. PELL:

10 I have every confidence in you.

11 BY MR. OVENSTONE:

12 There are legal questions involved in a right-
13 of-way for people who own property on the river and
14 boatyards. In other words, you got a cable that's
15 nearby, will they have to pay the company for the
16 right to drive a boat over the cable that may be near
17 their property on the water line or boatyard, or do
18 they have to pay an annual fee to the company or
19 whatever?

20 Another thing that strikes me as strange is we
21 have tons of power transmission lines all over the
22 place. Why can't we upgrade a few of them instead of

1 playing around with the Hudson River? It's also a
2 little crazy because the entire length of the Hudson
3 River is an ancient earthquake fault, so let's work
4 with the transmission lines that we have and leave the
5 Hudson River alone.

6 The Hudson River is our friend. I live a mile
7 away from there. Thank you.

8 BY DR. PELL:

9 Thank you, Mr. Ovenstone. You'll be pleased to
10 hear we do look at seismic potential impacts and
11 geology and quakes, and those kinds of things will be
12 in the EIS to review.

13 I'd like to move on now to Mr. David Laudenheim.

14 BY MR. LAUDENHEIM:

15 I will be sending in written comments.

16 BY DR. PELL:

17 Thank you. Jurgen Wekerle, and he's with the
18 Sierra Club.

19 BY MR. WEKERLE:

20 Good evening, Dr. Pell. My name is Jurgen
21 Wekerle, I'm conservation chair of the Ramapo-Catskill
22 group of the Sierra Club.

1 The Champlain Hudson Power Express is a very
2 impressive project. It stands alone from traditional
3 applications since it is a long distance transmission
4 cable only. As Senator Bonacic mentioned earlier, it
5 is very similar to the NYRI project, which was a power
6 line on towers, but it was the same principal. It
7 does not generate or produce electricity, nor does it
8 serve as a utility which distributes electricity to
9 retail customers. This presentation is a classic
10 example of segmentation, and that is something that
11 the whole NEPA and the Article 7 process should
12 acknowledge and should be a little bit more careful in
13 terms of the source of the electricity and the end
14 users of that electricity. The project takes no
15 responsibility for the supply, for the reliability,
16 for the need, or for the end use of that electricity.

17 It is the cumulative environmental, social,
18 economic, public cost impacts that will both drive
19 this project and will be driven by this project that
20 must be examined by the EIS, not just the construction
21 aspects in isolation of the total picture.

22 The EIS must establish whether a need actually

1 exists for the new source of supply to the New York
2 City/North Jersey metro region. NEPA and Article 7
3 both require a declaration of public need and the
4 taking of a hard look at a full range of alternatives
5 to any added supply. If there is no need, the no
6 action option should prevail.

7 As late as April of this year, the New York
8 State Independent Systems Operators, the outfit
9 comprised of all merchants in the field that govern
10 the distribution of electricity throughout New York
11 State, indicated that there was no existing or
12 anticipated need for electricity in New York State
13 during the next ten-year planning cycle.

14 New York ISO has declared, however, that the
15 priority goal for New York State is to upgrade the
16 existing substation and distribution system of each
17 utility and to modernize the regional grid.

18 The EIS must evaluate the results of efficiency.
19 An example is a closing of a plant in Rockland County
20 further downstream on the Hudson River. During the
21 spring of '07, the Mirant-owned Lovett coal fired
22 power plant located on the Hudson at Stony Point was

1 under a consent decree to upgrade the emission system.
2 Instead, Lovett and Mirant petitioned to be
3 decommissioned. Due to the fact that the Orange and
4 Rockland Utilities reconstructed a major local
5 substation and power line, efficiencies were created
6 which made up for the loss of the Lovett power
7 production in its totality -- just the efficiency
8 alone. The request was granted by the Public Service
9 Commission for decommissioning, and the plant has
10 since been deconstructed and dismantled.

11 The EIS must evaluate recent additions to the
12 supply, such as the cable under Long Island Sound from
13 Connecticut to Suffolk and Nassau Counties, and the
14 cable across New York Harbor from New Jersey to Long
15 Island.

16 The EIS must evaluate the current projects in
17 advance planning on the books here in New York right
18 as we speak, which also probably have no need as I'm
19 describing this scenario. But there they are in
20 competition, so to speak. The Cross Hudson cable from
21 north Jersey to mid Manhattan, the 49th Street ConEd
22 station, has been on the books for a generation now,

1 has never been constructed, will get fast-tracked when
2 the time comes, because there has been no need. The
3 time has not been right. It's ready to go.

4 The Transco gas pipeline extension through north
5 Jersey to lower Manhattan, that's in the pipeline so
6 to speak.

7 The 1,000-megawatt Cricket Valley Power Plant in
8 the Town of Dover across the Hudson just east of us
9 here near the Connecticut border, that gas-generated
10 power plant will feed into the ConEd transmission line
11 that leads to the Bronx.

12 The 630-megawatt competitive power venture power
13 plant in the Town of Waywayanda outside of Middletown
14 in Orange County that will feed into the Marcy-South
15 power line.

16 The 63-megawatts to be generated from existing
17 New York City reservoirs in the Catskills.

18 Cumulatively, there's an awful lot of
19 electricity that's needed above and beyond the
20 estimates of no additional need by ISO. All of the
21 projects I just mentioned use existing transmission
22 infrastructure with little or no additional expense to

1 create new transmission lines.

2 The EIS must evaluate the applicant's own New
3 England project, the Maine Express, I believe it's
4 called, which will transport the same sources of
5 Québec-generated electricity by back cable to Boston
6 and to the New England ISO. Also, the ability of
7 sharing that electricity with the New York State ISO
8 must be evaluated and detailed in the EIS.

9 The EIS must examine the full range of demand-
10 side initiatives from improved building codes and code
11 enforcement to smart meters, which include the simple,
12 really dated time-of-day meters to the fully digitized
13 systems that are planned.

14 The current heat wave in New York City is
15 another example where ConEd has arranged through radio
16 transmission to cut back on major building central air
17 conditioning systems to reduce the need for the
18 overloads, and again, that's where the problem has
19 been identified. The overload within the
20 distribution, within the city limits from substations
21 to the neighborhood distribution to the consumer.

22 The EIS must evaluate alternate supply from

1 renewable sources such as programs funded by NYSERDA,
2 the New York agency, including household solar and
3 wind net metering projects for residences, and now
4 that's been expanded for commercial property.

5 The issues of cogeneration, which are coming
6 online, are getting special subsidies that -- that's
7 from heat, will produce electricity for many
8 generators -- also has to be looked at.

9 Several routes are proposed for this cable. The
10 EIS must describe the role of eminent domain in
11 acquiring the properties for those routes.

12 Sources of electricity. The applicant states
13 that electricity to be transported will be renewable,
14 which is related to its U.S. government-funded
15 subsidy. During a prior presentation -- actually, I
16 think it was right here in this very room earlier this
17 spring -- the applicant indicated that the sources
18 would be both hydropower and wind power. The
19 hydropower would be from the Hydro-Québec lower
20 Churchill Falls project yet to be constructed. The
21 wind power would originate from wind turbines in New
22 York State, with power being wheeled north across the

1 Canadian border and east to the Hertel substation
2 outside of Montreal, and then south to the project's
3 cable connection as described earlier.

4 The EIS must detail the sources of electricity
5 and evaluate if they really are a net renewable eco-
6 friendly source. Dams are yet to be built and forests
7 are yet to be cleared and flooded. What effect will
8 the loss of forest and habitat have on increasing
9 greenhouse gases and on the wildlife to be displaced?
10 What is the chance that methane and other climate
11 changing chemicals will be introduced into the
12 atmosphere as a result of the flooding? The
13 hydropower is to be generated from artificially
14 created reservoirs, not streams and rivers.

15 BY DR. PELL:

16 Excuse me. Do you have a great deal more? I'm
17 afraid of being unfair to the other speakers.

18 BY MR. WEKERLE:

19 I could stop, and when everyone else is
20 finished, I could pick up.

21 BY DR. PELL:

22 Let me ask you this, were you planning to submit

1 written comments?

2 BY MR. WEKERLE:

3 I can submit written comments, yes.

4 BY DR. PELL:

5 Because I think it's very useful to have a
6 transcription of your comments. Let me give you a few
7 more minutes. If you could perhaps skim over what
8 you've got or summarize the rest of what you've got,
9 that will be appreciated. Then whatever you submit in
10 writing, you can make it as long as you want.

11 BY MR. WEKERLE:

12 Just to shorten this one here, the factor of
13 reservoirs and the high evaporation rate, how reliable
14 can we depend on that form of electricity in the
15 middle of summer and drought conditions when the water
16 flow is lowest and the demand is highest? A cost
17 benefit analysis must also be included in the EIS.

18 The applicant stated that a fast-track permit
19 approach process is requested not just to supply the
20 required demand, but to obtain U.S. government
21 economic stimulus subsidies. All the subsidies have
22 to be looked at from Federal, State, and local

1 government, including county and municipal government
2 agencies which provide tax abatements, interest free
3 loans, and property tax exemptions.

4 Construction issues. The construction of the
5 cable under water appears to have been carefully
6 considered, avoiding the GE PCB dredging in the Fort
7 Edward to Troy vicinity is a very good example.

8 However, hot pockets of PCB accumulation from the full
9 length of the Hudson River exist, as well other buried
10 pollutants such as cold tar deposits from electric
11 utilities which produced coal gas from another era.

12 The EIS must document those deposits and also evaluate
13 the consequences of riverbed channeling, especially in
14 the active, dynamic tidal river as is the Hudson. The
15 underwater shifting of channels are akin to shoreline
16 wave action and the shifting beach dunes. The Army
17 Corps of Engineers took that into consideration when
18 they were going through the review process of the PCB
19 dredging.

20 BY DR. PELL:

21 You know that they're a cooperating agency with
22 us, and I assume that they're going to be looking at

1 these things very carefully.

2 BY MR. WEKERLE:

3 And it's one of those things that we overlook
4 because no matter how well this is buried, the channel
5 moves. And it can be unburied, it can expose other
6 pollutants, and the comments earlier about the re-
7 suspension of pollutants is important. And what was
8 discovered were these hot pockets right to the
9 Atlantic ocean of PCBs that accumulated from the Troy
10 Dam area.

11 BY DR. PELL:

12 We'll be sure to look at that. I do have a
13 question for you. I'm not sure I'm familiar with the
14 NYRI project. Is that the New York Regional
15 Interconnect?

16 BY MR. WEKERLE:

17 Yes, it is. It's NYRI. And the similarity is
18 post deregulation is a whole new era of evaluating
19 electricity projects. Once a separation from
20 generation to the distribution by utilities took
21 place, that took a while to digest. A project like
22 this is a transmission only, and that creates a unique

1 problem in how do we actually handle this and what are
2 the responsibilities of the applicant. And it creates
3 that kind of a segmentation where nobody's really in
4 charge of the cause and effect, and we're dealing with
5 the middle part of the project. Value that it has, it
6 can't be really and truly evaluated until the entire
7 cause, transmission, and effect are also taken into
8 consideration.

9 BY DR. PELL:

10 Thank you very much. I'll look forward to your
11 written comments.

12 I should make a couple points in clarification
13 in response to some of the things that Jurgen raised.
14 There are no Department of Energy or other Federal
15 subsidies involved in this project per se. The
16 company has applied to another office of the
17 Department of Energy independent of mine, to the Loan
18 Guarantee Program Office for a loan guarantee that
19 employs monies from the ARRA, American Recovery and
20 Reinvestment Act. That application of that review
21 process is totally separate from the Presidential
22 permit process that I'm representing here tonight.

1 There is an overlap in that they will be interested in
2 our Environmental Impact Statement for their own
3 purposes if they decide to go forward with considering
4 the application, but there are no subsidies involved,
5 so I just wanted to make that clear.

6 And again, I reiterate what I said earlier. This
7 is not a Federal government or Department of Energy
8 project. It is a private sector investment by a
9 private sector entity, Transmission Developers, which
10 is headquartered in Toronto, Canada.

11 I'd like to now call on Randolph Horner.

12 BY MR. HORNER:

13 Thank you. First of all, Dr. Pell, I would like
14 to correct a couple of misstatements made by Mr.
15 Jessome just for the sake of clarity in the record.
16 This is a one-gigawatt project as it's now been
17 downsized, and Mr. Jessome said that's about a million
18 households. Just as a matter of common sense, that
19 would be about ten conventional light bulbs or one
20 small hair dryer per household. It would be more apt
21 to say this is about 250,000 households at four
22 kilowatts per household.

1 Additionally, notwithstanding my ardent support
2 for Scenic Hudson, I believe the comments made were
3 apt, but I would note that there is no assurance --
4 and all of my remarks have to do with scoping, please
5 interpret them as urgently requesting that these
6 matters be thoroughly looked into because this is a
7 scoping hearing. But although this has been
8 represented to be a renewable energy related project,
9 actually, merchant transmission projects are
10 indifferent to the source of electricity as we just
11 heard from the Sierra Club. In fact, the proponents
12 have admitted that these resources do not now exist as
13 we just heard in the previous presentation. So to
14 characterize this with all respect to the fact that we
15 want more renewable energy, more greenhouse gas
16 abatement, more global warming abatement -- and I'll
17 relate this remark to the core of the scoping document
18 as I see it -- but notwithstanding the fact that we
19 want these things to happen, because the resources do
20 not now exist, there is no assurance whatsoever that
21 whatever the source of the investment, once this
22 merchant transmission facility is constructed, it will

1 be able to transmit the dirtiest of power as well as
2 the cleanest of power. There will be an overwhelming
3 necessity to obtain tariffs or revenues from
4 transmission in order to repay the financing.

5 As to the matter of financing, this proponent
6 has made it quite clear. I will not say that this
7 project has been rushed ahead to try to make an
8 inappropriate access to the 1705 loan guarantee.
9 However, whatever the circumstances, the 1705 was
10 designed to stimulate job creation and reinvestment in
11 the American Reinvestment and Recovery Act. The
12 intention is that those funds, even when they are loan
13 guarantees -- which are, Dr. Pell, with all respect, a
14 very important subsidy -- those loan guarantees place
15 the faith and credit of the United States government
16 behind the borrower, in this case, a foreign borrower,
17 even though I have the warmest of feelings to our very
18 fine neighbor to the north, and I have extensive
19 business involvement with Toronto and other
20 enterprises in Canada and I'm very fond of those
21 connections. Nevertheless, we're talking about 1705
22 loan guarantees, and it is impossible, since these

1 intentions have been made clear by the proponents,
2 it's impossible to separate those issues.

3 So driving in the interest of time to the core
4 issue, the core issue is that, loving the river as I
5 do, concerned with the benthic environment as I am,
6 the real issue is, why will this arguably unneeded
7 facility be constructed with what is tantamount to
8 American taxpayer subsidy in the form of loan
9 guarantees, when it is itself uneconomic? We're
10 taking the proponent at its word that this will be a
11 \$2 billion project, give or take, to create one
12 gigawatt of transmission capacity, not one gigawatt of
13 generation.

14 We in the beneficiary area -- the goal, the
15 target, metro New York -- we, for merely three times
16 this investment per watt, at small scale, we can
17 create distributed generation on-load on-site, making
18 tens, maybe even hundreds of thousands of new jobs in
19 the manufacturing, in the installation sector for New
20 York. If there's any appropriate application of a
21 1705 loan guarantee, that would be it. Leaving aside
22 whether the applicant goes forward to attempt to

1 obtain these loan guarantees, the project is itself
2 uneconomic, because when we move to utility scale,
3 we're already able to create solar energy generation
4 on-load on-site for in the neighborhood of \$4 a watt,
5 electricity on-site for only twice what this facility
6 would cost to capitalize before it has to obtain the
7 energy from off our shores, pay for the energy
8 charges, and then pay the transmission tariff. So
9 this project, besides the excellent comments that were
10 made by the Sierra Club about the fact that there is
11 no need, and many other projects including energy
12 efficiency and demand-side measures are in play at
13 this moment reducing the load in metro New York.
14 Finally, a 9-plus gigawatt solar development
15 opportunity has been identified, not by wild-eyed
16 visionaries, but has been articulated by ConEd's
17 Director of Strategic Planning herself at the recent
18 New York City solar summit.

19 So the point I'm making is that the scoping
20 document must rigorously take not only a hard look,
21 but dig very, very deeply into the way in which this
22 proposed project would undercut and undermine the

1 infant renewable energy industry in the State of New
2 York, which we intend to grow into a major force.

3 And finally, this is not timely. The reservoirs
4 that would provide additional Hydro-Québec power to be
5 introduced into this merchant transmission facility do
6 not now exist, as has been freely admitted by the
7 proponents and has been reiterated in tonight's
8 hearing. Between now and 2015, we're dealing with a
9 stated goal of the State of New York to reach 45 by
10 '15. That's 30 percent renewable energy when we only
11 have about 18 at present, and about a 15 percent
12 efficiency reduction. So over the same period of
13 time, when scarce and valuable resources -- including
14 the regulatory and review efforts of the Public
15 Service Commission, the United States Department of
16 Energy, and all the other concerned agencies -- during
17 the same period when we seek to mobilize our resources
18 to make many, many thousands of jobs and real economic
19 development that's sustainable and useful, during that
20 same period of time, we could first be taken up with a
21 lengthy proceeding for this questionable project, and
22 then see it take up a great deal of attention when we

1 need to be building renewable energy and energy
2 efficiency resources on-site in the five boroughs of
3 New York where the path is clearly ahead of us.

4 So I would say with all respect to all of our
5 colleagues here tonight, the most overwhelming
6 environmental consequence is that actual sustainable
7 action to ameliorate the global warming problem, to
8 increase our independence from imported oil -- we're
9 not going to increase that independence by buying
10 foreign electricity, that's just a different sort of
11 overseas expenditure -- real progress along these
12 lines needs to be made by concerted action. And in
13 the case of a 35-gigawatt ISO, even if this project
14 had any measure of success -- and I believe that this
15 Environmental Impact Statement must rigorously
16 investigate all the things that have been cited here
17 and at other hearings -- even if this project were
18 successful, it would not generate one single kilowatt
19 hour of electricity, it will merely transport
20 electricity, and the amount of electricity it imported
21 would be less than 3 percent of the New York ISO.

22 So thank you for the opportunity to address

1 these remarks to the issue of a thorough comprehensive
2 and effective scoping.

3 BY DR. PELL:

4 Thank you very much, Randolph.

5 A couple thoughts that came to my mind while I
6 was listening to you. First of all, you might wish to
7 consider submitting your remarks about the loan
8 guarantee application to the Loan Guarantee Program
9 Office, where it would be much more relevant than the
10 process that I'm involved in.

11 The other thing too is, you probably know this,
12 but for the benefit of some of the others here, the
13 project has to go through a very lengthy series of
14 permitting requirements, not just the Presidential
15 permit. The Presidential permit would actually be the
16 least of it. One of the things the project has done,
17 and Don, correct me if I'm wrong, but I believe you've
18 been before the Federal Energy Regulatory Commission,
19 FERC, and received favorable review from FERC and also
20 state and local Public Service Commissions -- and as I
21 mentioned earlier, the Public Service Commission is a
22 cooperating agency.

1 There are a lot of hurdles for Don to cross
2 before the project can be built, so those of you who
3 have views you wish to see expressed, you have many
4 outlets for those views within the confines of your
5 own state and local governmental structure.

6 BY MR. HORNER:

7 Dr. Pell, as I mentioned during my remarks, that
8 takes up a great deal of regulatory and review
9 capacity. What we really need to be doing is building
10 a sustainable energy system for the State of New York,
11 for the northeastern region, and the United States of
12 America.

13 BY DR. PELL:

14 I'd like to believe that one does not
15 necessarily displace the other, but thank you.

16 Let's move on now to Geddy Sveikauskas. You're
17 with Ulster Publishing Company, are you not?

18 BY MR. SVEIKAUSKAS:

19 That's correct. Mr. Jessome was kind enough to
20 talk to me a couple months ago when the project was a
21 little bit different, and I've had some time to
22 reflect on it. I very much appreciate what the other

1 people have said and your willingness to listen to it
2 all. You're a patient man.

3 I think the question of demand studies is at
4 least one central core to what we're talking about
5 here. I have seen in recent days these full page
6 advertisements from Indian Point where they talk about
7 the importance of what they supply to megawatts to the
8 New York City area, and I notice particularly the
9 statement, "And no one else has proposed an
10 alternative that would do the same thing." Now that
11 just isn't congruent with what Mr. Jessome is saying
12 and what the gentleman said about the various projects
13 that are in different parts of the pipeline. The
14 possibility of Canadian power has been kind of a holy
15 grail in this state for something like 30 or 40 years,
16 and if it's still a good solution, I think there's
17 much to be said for finding a way to do it.

18 In addition, as you know, New York City has been
19 increasing in population every year more than probably
20 double the population of Kingston, about 40,000 a
21 year. We don't know if this pace is going to
22 continue, but there are -- people's predictions are

1 based on so many factors that the predictability of
2 demand seems to be very difficult to do. So some
3 people focus on the solar power being the solution,
4 others talk about that it's not the amount of power
5 but how to get it to the City, et cetera and so on,
6 and the bottom line is that the scoping document has
7 to contain some kind of analysis bringing in all those
8 factors: The economic, the demographic, the nature of
9 New York City, what's likely to happen in new energy,
10 our desires, the State energy plan, and other things.
11 It's clearly a very complex analysis and requires a
12 lot of research and work. The second thing that has
13 been said about this project that I think is important
14 is, of course, the environmental impact. I only
15 mention this because nobody else has yet. But
16 apparently, projects using direct current are quite
17 numerous in other continents and places, and by now,
18 there should be quite a record of what the
19 environmental consequences are of these projects. And
20 I would like to see part of what the Energy Department
21 is going to do, a real search of the literature, both
22 of the projects all over the world that use direct

1 current and studies about the environmental
2 consequences. I think that's pretty important.

3 Third and finally, this cable is kind of a --
4 it's a complex thing in terms that, as you know, it
5 seems sort of free in that it uses the bottom of a
6 body of water which is invisible. And the
7 consequences of it, of doing that, kind of always seem
8 to come up over time. And the question is who should
9 be responsible for those consequences. There's
10 something about looking at when cable was laid after
11 the Civil War to Europe -- in Europe and the United
12 States -- and the history of that was fascinating.
13 And as you know, some of the early cables were rather
14 primitive and broke, et cetera, et cetera, and there
15 is a huge -- and there's still environmental
16 consequences of them finding pieces of cable in
17 various places. So I think it's important that part
18 of the indirect cost of this project would be to
19 include all the possibilities. If, for instance, the
20 cable is disturbed by dredging, what are the
21 consequences of that, who should pay? Does that go to
22 court for ten years, or is that clear from the

1 contract at the very beginning who's responsible
2 financially?

3 There are things like not only the dredging and
4 other forms of cable disturbance, but really the
5 interruption of the power for whatever reason. We
6 tend to get dependent and take for granted things that
7 perhaps we shouldn't, and it seems to me, all things
8 being equal, that it's better to have more sources of
9 power and projects that provide power as long as I
10 don't have to pay for it.

11 And the Blackstone Group, which is or was
12 connected, is not lacking in financial capacity and
13 ability to calculate risk. And if they want to take a
14 bet on something, which is a good form of insurance
15 for our society, economic, et cetera, I think it's
16 certainly worth looking at as long as the contract
17 makes sure that it's not a free ride for the
18 developer.

19 Thank you very much.

20 BY DR. PELL:

21 Geddy, thank you very much. I appreciate that.

22 Geddy is the last person who has signed up, so

1 now it's open mike. Anybody who would like to
2 contribute? Yes, ma'am. Please come to the mike and
3 tell us your name.

4 BY MS. SANDERSON:

5 June Sanderson, I live in the Town of Clinton 20
6 minutes from here. And I really -- I'm so happy I
7 came to hear more than I would be reading in the
8 newspaper.

9 My initial impression of this is renewable,
10 hidden, not disturbing the landscape, wonderful. More
11 issues came up, but I'm going to direct my comments,
12 which might not on the surface be related, but we care
13 about it. And it relates to what Senator Bonacic
14 mentioned was utility rates, specifically electricity
15 rates. Can you imagine how we felt here in the Hudson
16 Valley when Central Hudson increased their rates
17 because of conservation? That gets right down to the
18 issue that we all care about, and it just isn't fair.
19 On the other hand, the good part of what we're here
20 tonight about is that we're not in China, and we do
21 care about input, and we do care about the
22 environment, and there are hints from the speakers of

1 unintended consequences.

2 So you've seen both views from me and let's say
3 almost everyone here is grateful for Central Hudson's
4 relatively low rates, but if you don't encourage
5 conservation, we're going in the wrong direction.

6 Thanks.

7 BY DR. PELL:

8 Thank you. Anybody else like to speak? Yes,
9 sir. And then the lady behind you I believe also
10 wanted to speak. You'll be next.

11 BY MR. SANDERSON:

12 This is a quickie. I'm George Sanderson from
13 the same place, Clinton, across the river.

14 One thing I would like to find out somewhere
15 along the line is what's the end gain/loss of power in
16 the transmission line so that you can essentially
17 compute from that what the local temperature rise
18 might be, and also the same number including the two
19 up and down converter stations at each end so we note
20 the efficiency?

21 BY DR. PELL:

22 Thank you very much. That's actually an

1 interesting question because one of the reasons DC is
2 popular for long distance transmission is because
3 there are lower losses than AC. You're absolutely
4 correct. Any time you pass current through a wire,
5 there is warming, and it is something we will be
6 looking at, yes.

7 BY MS. TILLOU:

8 Hi, I'm Sondra Tillou from Kingston. I
9 appreciate everyone's comments and your presentation
10 here and the concern we have around our energy usage
11 and our production.

12 I'm glad I came tonight because I had been
13 thinking I would pull for anything that supported
14 getting more alternative energy into anything, and I
15 appreciate having to go home and think about -- I also
16 thought there were already things on the bottom of the
17 river doing this, and I guess not, and obviously, you
18 guys have to figure out a lot of stuff.

19 I hope that image of what's going on in the Gulf
20 is in everyone's mind of how stupid we get around what
21 we intend to do if something goes wrong. We have
22 pulled too many years to get this river cleaned up. I

1 grew up on this river, everybody here I bet grew up on
2 this river. We watched it be beautiful, we watched it
3 become polluted, and it's been hard to get it back.

4 If as it's been said we don't need this project
5 or we don't need it from Canada, or why can't we get
6 it from our own rooftops, I'm all for anything.
7 Having failed to cash my rebate check during Bush's
8 administration because I didn't want to participate, I
9 am going to send it back and ask for a little
10 converter box. I always thought, why a check? Why
11 not something to help us get going? It's not the big
12 projects. That's up to you guys. But as he was
13 saying, on-site, right here, I want my car wheels
14 spinning to make electric that feeds into a line on
15 the road. How come that isn't happening?

16 BY DR. PELL:

17 Thank you very much. By the way, Geddy, I meant
18 to mention, there is a large body of documentation on
19 high voltage DC transmission, and it's been very
20 common and popular in the European countries. And so
21 yes, you are right, there's a lot of material to
22 review.

1 Was there someone else wanting to speak? Yes,
2 sir.

3 BY MR. VOGEL:

4 Hi. I'm Kenneth Vogel from Plattekill, New
5 York.

6 Taking an assessment of what I've heard so far
7 tonight and what I've heard pretty much since energy
8 prices increased in 2007, and having been in the
9 construction business since the early '80s, that I've
10 always seen these kind of scoping hearings for the
11 likes of pro-developer and the environmentalist. And
12 what I've seen today is actually a pro/pro, and what
13 I've and seen since 2007, which is a hard way to put
14 this, but it was more like environmentalist against
15 environmentalist rather than environmentalist against
16 the developer.

17 There being, as you heard, as many concerns
18 about the environment, it's still a product utility.
19 It seems like that's not the issue. What I've seen
20 tonight also, and I'm guessing at this one, but the
21 gentleman mentioned about a line that didn't get built
22 between New Jersey and New York City.

1 BY MR. WEKERLE:

2 It's in the wings.

3 BY MR. VOGEL:

4 That sort of goes along the lines of other
5 things that I've heard, that it seems more of an issue
6 of crossing borders: For example, US and Canada, New
7 York and New Jersey, New York and Connecticut. That
8 may be one of the reasons why you got this one line
9 instead of the offshoot, it's more of an issue than it
10 is the actual building of it.

11 BY DR. PELL:

12 I don't know if you realize just what an
13 important energy issue you just mentioned, because I'm
14 talking about not this project now but in terms of
15 national power grid improvement and modernization.
16 One of the biggest issues we have in the Department of
17 Energy is the concept of regional transmission line
18 planning. Communities in general have a great deal of
19 concern about transmission lines that pass through
20 their neighborhoods or pass through their states or
21 counties and don't deliver power as they pass through,
22 and yet the lines do have a certain amount of

1 environmental concerns for those people even though
2 they don't get any benefit from it. This is a very
3 difficult issue. There are no easy answers to this
4 issue. I'm certainly not going to propose an easy
5 answer. But it's a major concern because inevitably,
6 in final analysis, when you look at the continental
7 United States, the lower 48, you look at it as a
8 whole. There are vast areas with terrific wind and
9 solar power capacity not near the people that will use
10 it, and the only way to get from point A to point B is
11 a straight line, and that straight line has to pass
12 through areas where people are concerned. And anyone
13 that has any suggestions, we sure appreciate hearing
14 them, because this is an age old policy issue and, as
15 I said, no simple answers. I know there have been
16 several attempts in Congress. We've made several
17 attempts. As you know, my office has issued a
18 National Interest Energy Transmission Corridors of
19 concern for designation in the northeast and the
20 southwest, and they have been very controversial --
21 the NIETC, it's been called. So thank you for
22 mentioning that because it's worth hearing about, it's

1 worth speaking about.

2 Would anybody else like to speak? Okay. Yes,
3 sir.

4 BY MR. McCABE:

5 Michael McCabe from Kingston, New York.

6 I don't understand a lot about this. This is
7 the first time I've been to something like this, and I
8 understand all the environmental concerns and they do
9 concern me, too. But one thing I haven't heard of,
10 from what I've been reading on, it looks like this
11 transmission line will either follow public land or
12 very specific private land, being the railroad right-
13 of-way. So I don't know how that works in terms of
14 taxation for the communities it goes through. I would
15 assume if it's running down the middle of the river,
16 the adjacent city's probably not getting anything out
17 of it. However, is there a taxation base along the
18 railroad right-of-ways? I don't know how that works.
19 My point being is that even though it is on a railroad
20 right-of-way, there will be impact to the villages and
21 townships that it goes through, whether it's street
22 crossings, or you mentioned the bridges, any kind of

1 culvert work, any of that kind of stuff. So I'm just
2 wondering anywhere where it affects the towns, outside
3 of the initial cost of building it, is there any
4 maintenance or any services that the localities have
5 to take care of, do they do it on their own, is that
6 being funded by the company that puts the line in?

7 Thanks.

8 BY DR. PELL:

9 Thank you very much. Those are interesting
10 questions. Once we adjourn, you may want to ask Mr.
11 Don Jessome, he may have some answers for you. But I
12 personally know nothing about implications on tax
13 structure or taxing capacity and what have you.

14 Anything else, anybody else? Okay. If that's
15 the case, I want to thank you very much again. It's
16 been a most useful evening. I hope you got something
17 out of it. I certainly did. This will certainly go a
18 long way to improve our environmental impact
19 assessment process. So thank you, have a good night,
20 and we hope to see you again when we have the draft
21 document itself available to review.

22

1 DEPARTMENT OF ENERGY ENVIRONMENTAL IMPACT STATEMENT
2 PUBLIC SCOPING MEETING

3

4 -----

5 CHAMPLAIN HUDSON POWER EXPRESS, INC.

6 TRANSMISSION LINE PROPOSAL

7 -----

8

9 Taken at the Holiday Inn, 205 Wolf Road,
10 Albany, New York, on July 14, 2010, commencing at
11 7:45 p.m.

12

13 BEFORE: JERRY PELL, PhD, CCM; U.S. Department of
14 Energy, 1000 Independence Avenue, SW., Washington, DC
15 20585

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1 P R O C E E D I N G S

2 (7:45 p.m.)

3 DR. PELL: I am now going to open the
4 official taking of comments under the scoping process
5 for the Champlain Hudson Power Express project.

6 I am Jerry Pell, with the U.S. Department of
7 Energy. I am an environmental scientist and also the
8 project manager for the Champlain Hudson project.
9 I've been with DOE for 34 years and I've been doing
10 energy and environmental work for 40 years.

11 The only reason I haven't retired is because
12 I enjoy meetings just like this one too much. I say
13 that very sincerely. I find that it's interesting,
14 it's stimulating, it's provocative, and it's where the
15 rubber -- if you will pardon the trite expression --
16 it's where the rubber does meet the road in terms of
17 public service.

18 It's a lot different from the vantage point
19 you have in DC. So, I actually, believe it or not,
20 find the meetings pleasurable. I don't like the idea
21 of checking in and out of a different hotel every
22 night pleasurable, but the meetings themselves are.

1 If you watch me, I think you'll find that I enjoy it.
2 And I'm glad to be here tonight and I'm glad you're
3 here tonight.

4 My wife and I are both ex-Montrealers and we
5 have traveled the Adirondack Northway many, many, many
6 times over the years. We have been married for --
7 this is our fortieth anniversary, by the way. We
8 traveled the Adirondack Northway a lot of times coming
9 through the Albany area, so, when we speak of the
10 Hudson River and the Adirondack Northway, that's
11 familiar territory for us. So, it's not like we are
12 alien to the territory.

13 The scoping process is one of ensuring that
14 we check with the public on what issues should be
15 included in the Environmental Impact Statement.
16 Basically, that's why we are here, to take your
17 input, to make sure that when we do the study, when we
18 review the potential impacts that the project could
19 cause and look at alternatives, that we have the
20 benefit of hearing your concerns so that we don't miss
21 much.

22 The comment period closes on August the 2nd,

1 and you're welcome to submit written or electronic
2 comments up until that date. It doesn't matter how
3 you submit comments. They are taken at value
4 regardless of whether you speak orally tonight or
5 whether you send them in writing or electronically.
6 All comments are given equal weight and consideration.

7 The process feeds into the Environmental
8 Impact Statement itself. We will produce a scoping
9 report which summarizes the comments that have been
10 received in the seven scoping meetings.

11 That will be public on our website,
12 chpexpresseis.org. If you haven't visited the website
13 I encourage you to do so. You can sign up on it to
14 subscribe to notices, and those notices will come out
15 and be broadcast every time something new is on the
16 website and you might be interested in seeing it. So,
17 you will be kept fully informed of new documentation.

18 The site also includes a link to the
19 application by TDI to the State Public Service
20 Commission. And there are voluminous amounts of
21 material on that State Public Service Commission
22 website. We give you a link to it to save you having

1 to search for it.

2 Also, the project developer site, the TDI
3 site, which is separate from ours, the two sites are
4 linked, so that if you go to one you can easily find
5 the other.

6 And you all know how to reach me through the
7 Federal Register notice process. You can see my name,
8 address, phone number and vital statistics. So, I
9 certainly will be glad to hear from any of you at any
10 time.

11 The process culminates in a Draft
12 Environmental Impact Statement, which will be public.
13 That will bring us back out to more public hearings,
14 just like this one. We will be back. You know that
15 old Arnold Schwarzenegger "we will be back" line. We
16 will be back to hear your comments on the actual
17 Environmental Impact Statement itself.

18 There are four cooperating agencies involved
19 with us in the preparation of the document. There is
20 the U.S. Army Corps of Engineers, there's the U.S.
21 Environmental Protection Agency out of the Region 2
22 office in New York City. There are two State of New

1 York agencies -- the Public Service Commission, as
2 represented by Jim Austin on my right, to whom I will
3 turn in a minute; and also the State Department of
4 Environmental Conservation is with us in the audience
5 tonight.

6 So, you have five separate governmental
7 entities looking at environmental impacts together in
8 a collegial, collaborative fashion.

9 After the EIS draft is reviewed we will
10 prepare a final report, which will also become public.
11 At that point the NEPA process stops, the
12 environmental review process has run its course, it
13 leaves my hands and turns to the management of the
14 department apart from me on whether or not to issue
15 the Presidential permit.

16 I fortunately do not get to make that
17 decision, which is perfectly fine with me. That
18 decision is predicated upon not just the EIS process
19 and the preferred environmental alternative that the
20 EIS concludes, but is also predicated upon an
21 assessment of reliability on the grid, whether or not
22 the project would have any adverse impacts on the

1 existing electrical grid of the United States. It
2 also requires concurrences from the State Department
3 and from the U.S. Department of Defense. And finally,
4 we do look at whether it's in the public interest to
5 grant the Presidential permit.

6 So, you see that, in addition to the
7 environmental aspect, there's a whole other second
8 side to the consideration of whether a permit should
9 be granted. All that the permit does is allow Don, if
10 he chooses to, to cross the border. He still has to
11 go through the regulatory process with state and local
12 governments independent of the Presidential permit
13 process.

14 So, if you remember your mathematics, when
15 you talked about necessary but not adequate, the
16 Presidential permit is necessary but not by itself
17 adequate to build a project by any stretch of the
18 imagination.

19 As I was mentioning, Jim Austin, on my
20 right, is with the State Public Service Commission.
21 He's the Deputy Director of the Office of Energy
22 Efficiency and the Environment. I'm going to turn to

1 Jim who will talk to you specifically about the state
2 process.

3 MR. AUSTIN: Thank you, Dr. Pell.

4 As he said, I am Jim Austin. I'm with the
5 Department of Public Service. Also, there are several
6 other people here from the department with me tonight.
7 Jim DeWaal Malefyt, who is also in the Office of
8 Energy Efficiency and Environment, is our project
9 leader for this project. And Diane Cooper's with our
10 Office of Public Policy. They just created a new
11 office: Office of Consumer Policy. And their job is
12 primarily to ensure that our process is as transparent
13 as possible.

14 Dr. Pell referenced our process. Any
15 electric transmission line that wants to be built in
16 New York State has to apply for a Certificate of
17 Public Convenience and Necessity from the Public
18 Service Commission.

19 They submit an application, actually, to
20 petition to our Secretary, the Secretary to the
21 Commission, and the staff reviews that petition to see
22 if the application is complete.

1 At this point the project has submitted an
2 application and at this point it has not been deemed
3 complete. So, we're still working with the applicant
4 and other parties to get a complete application in
5 front of us.

6 After that, the Public Service Law, Article
7 VII of the Public Service Law, has no deadline for how
8 long we can take to review the process; however, the
9 2005 Energy Policy Act created something called
10 National Electric Interest Transmission Corridors, I
11 may have gotten that backward, but a NIETC corridor,
12 and basically what that did is it said that if an area
13 is deemed congested by the federal government, that we
14 basically have one year from a complete application to
15 review and act on that application.

16 If we don't do so within a year, the
17 applicant can go to the federal government and seek
18 them to take over the process. To my knowledge,
19 that's never happened at this point. We've only had a
20 couple of other NIETC projects in front of us and none
21 of them actually made it to the whole year yet. So,
22 nothing's actually gone back to the federals.

1 So, we do have basically a one year timeline
2 from the submission of an application, complete
3 application, to when the Commission acts. We don't
4 have one yet. I suspect we will get one sometime this
5 summer and then we will have one year from that point.

6 Our process is intended as one stop
7 shopping. Prior to Article VII, you would have to go
8 through local zoning, you would have to get local
9 approvals, you would have to get multiple state agency
10 reviews and approvals, and the legislature thought
11 that it would be in the public interest to have
12 basically one stop shopping for these types of
13 projects. It covers natural gas and electric
14 transmission.

15 So, the state law says that the only permit
16 you have to get is the Article VII certificate from
17 the Department of Public Service, the Commission.
18 There is an exception to that. There's an exception
19 to everything obviously.

20 There are permits that the federal
21 government has delegated to state agencies and only
22 those state agencies can issue those permits. In this

1 case we are probably looking at what's called a
2 stormwater protection permit under the State Pollution
3 Discharge Elimination System, and DEC has to issue
4 that permit. So, there is an extra permit that has to
5 be issued.

6 There is one other state process. It's
7 called the Coastal Zone Consistency Review. It's
8 actually a federal law, but it's delegated to a state
9 agency. In this case the agency is the New York State
10 Department of State. They will have to find that the
11 project is consistent with the Coastal Zone Management
12 Plans that have been filed for the coastal parts of
13 the project.

14 In New York State, the CZM, coastal zone
15 management, requirement covers from New York City
16 harbor up to the Troy dam. So, the Department of
17 State will have to find, on top of our process, on top
18 of DEC's process, DOS will have to find that the
19 project is consistent with coastal zone management
20 practices.

21 Our process, there's basically two ways you
22 can participate. One, you can ask the Secretary to be

1 on a mailing list where any document that's filed to
2 us can be sent to you. Anyone in the public can do
3 that now with the Document and Matters Management
4 System on our website.

5 You can go and plug in the case number and
6 all the documents that have been filed are available
7 to the general public. But a person can ask to be on
8 the mailing list basically.

9 The second level and the higher level is
10 what's called party status. Party status, with
11 additional benefits, also gets you obligations in that
12 an Administrative Law Judge can set schedules that a
13 party has to adhere to.

14 People haven't applied for party status yet.
15 People can still be a party if they wanted to. If
16 people are interested I can give you the address for
17 doing that.

18 Our process -- we talked about the NEPA
19 process before. Our process is, with regard to
20 environmental review, is substantially identical to
21 the State Environmental Quality Review Act. It is not
22 SEQR, however. It's a separate process.

1 It's conducted primarily by staff from my
2 office, with input from other interested agencies,
3 including and especially the Department of
4 Environmental Conservation, Agriculture and Markets,
5 the State Historic Preservation Office, and others.

6 Granting of a Presidential permit does not
7 in any way guarantee a granting of a Certificate of
8 Public Convenience and Necessity by the Public Service
9 Commission.

10 The five members of the Commission have to
11 find that the project is needed, necessary, and that
12 the benefits outweigh, in particular, the
13 environmental impacts of the project.

14 So, as Dr. Pell said, the Presidential
15 permit is a permit to go across the border. This is
16 the permit for the rest of the way.

17 I don't think I missed anything, but I am
18 looking at the people who know more than I do. I
19 think that pretty well covers it. Thank you very
20 much.

21 DR. PELL: Thank you, Jim.

22 Let me just say, the National Interest

1 Electricity Transmission Corridors, the NIETC, that
2 Jim referred to, did come out of my office and they
3 are on the Department of Energy website.

4 They are required by the Energy Policy Act
5 of 2005 to issue annual reports. The most recent
6 report came out just about a month ago. If you are
7 interested it's on the Department of Energy's website
8 as well.

9 Pretty much everything we do is out there
10 for you if you want to avail yourself of it. In fact,
11 TDI's application for the Presidential permit is on
12 the website as well. If you go to the EIS website,
13 there is a link to the Presidential permit application
14 as well. So, there's no shortage of reading material
15 out there.

16 Let me now introduce Don Jessome from TDI
17 who will tell you about the project.

18 MR. JESSOME: Thank you, Dr. Pell.

19 My name is Don Jessome, I'm President and
20 CEO of Transmission Developers, Inc. I'm going to
21 tell you a little bit about both Transmission
22 Developers, Inc. and the project here before us.

1 Transmission Developers, Inc., was formed
2 back in 2008. So, it's a relatively new company. But
3 the premise of the company was quite simple. We were
4 looking at developing transmission projects.

5 In particular, the criteria that we were
6 looking for is to develop transmission projects that
7 were both looking to try and interconnect
8 environmental new supply into very congested
9 marketplaces. To do it in a very community responsive
10 manner. And also to figure out how to commercialize
11 these projects in what we call the merchant
12 transmission world.

13 So, let me just tell you how we kind of came
14 to those conclusions and what we have done to make
15 that happen. Probably the most important thing we
16 have done is selected the technology. So, the
17 technology we selected is what we call high voltage
18 direct current, or HVDC is the acronym that we use,
19 and the key to HVDC technology is the fact that it's
20 in cable format and can be buried.

21 That's one of the nicest criteria that we
22 have with respect to HVDC technology. Although

1 there's lots and lots and thousands of miles of high
2 voltage AC cable and AC cable all over the world today
3 that's buried, it has a limitation on the distance
4 that it can run efficiently with respect to moving
5 that power. So, that's why we chose HVDC technology.

6 With respect to how it's going to be paid
7 for, these transmission lines, we went to what's
8 called a merchant transmission model. All that really
9 means is we have to go out and seek customers. So, we
10 have to find customers who will take long term service
11 on our transmission line. So, that's the obligation
12 for TDI is finding customers for our projects.

13 So, when we first started looking for
14 projects, no surprise that the New York market was of
15 interest to us because of the fact of what Dr. Pell
16 and Jim had mentioned, that National Interest
17 Electricity Transmission Corridors.

18 We looked at those very carefully. There is
19 just a tremendous amount of information that the
20 Department of Energy has provided to the public. And
21 we saw that there was a need for an additional supply
22 into the New York City marketplace, and we felt that

1 the pathway that we have chosen, being all buried in
2 waterways and up land routes, would fit into the
3 criteria for the project that we look to develop.

4 The original project, called the Champlain
5 Hudson Power Express Project, was actually going to be
6 2,000 megawatts. It was going to be a thousand into
7 New York City and a thousand over in southwest
8 Connecticut.

9 On July 6th, TDI made a public announcement
10 that we were no longer going to be participating in
11 southwest Connecticut. It was very clear to us, when
12 we went out to try and commercialize both legs of this
13 transmission project, the marketplace was very clear
14 that they very much wanted to proceed with the New
15 York component, but they were less interested in the
16 Connecticut component.

17 And when the market speaks, we listen. So,
18 we are no longer proceeding with the thousand
19 megawatts on southwest Connecticut. So, the project
20 is now a thousand megawatt project, two cables that
21 come down the Richelieu River in Lake Champlain into
22 the Hudson, come out in Glens Falls, which is just

1 north of the PCB dredging area around the Capital
2 District.

3 The cables will go on railroad rights of
4 way, CP and CSX, back into the Hudson River system at
5 Coeymans, down to Yonkers where we are looking at
6 building a converter station. The converter station
7 takes the DC power and converts it back to AC and then
8 down into the Con Ed system to interconnect to the
9 marketplace.

10 It's a pleasure to be here tonight and I'm
11 looking forward to your questions.

12 DR. PELL: We will now turn to the taking of
13 comments from the public. I have so far, from the
14 registration desk, I have received only two requests
15 to speak. So, we will listen to both of those and
16 after that I will ask if there's anybody in the
17 audience that would like to speak. And we will be
18 taking your comments free style.

19 We will start with Mr. Scott Lorey who is
20 with the Adirondack Council.

21 MR. LOREY: Good evening and thank you. I
22 will make my comments very brief.

1 The Adirondack Council is a 501(c)(3) not-
2 for-profit organization dedicated to ensure the
3 ecological integrity and character of the Adirondack
4 Park. We will be submitting written comments so I
5 will just quickly touch upon four points I have here.

6 One is, we believe that the alternative
7 should look at additional terrestrial undergrounding.
8 We believe that if the company can underground power
9 lines in terrestrial along the railroad right of ways
10 for 70 or 90 miles they can do it for a further
11 distance, which we believe may alleviate some of the
12 aquatic concerns we do have. So, we believe that
13 should be an additional alternative to consider.

14 Secondly, we believe that there should be a
15 great deal of study and examination of data on
16 electromagnetic fields and their effect on aquatic
17 wildlife. We would like to see that included in the
18 EIS as well.

19 On the same vein, we believe that the
20 possibility of increased turbidity and re-suspension
21 of silt and sediment should be studied, looked at the
22 possible effect on aquatic wildlife and reproduction

1 and other processes for that aquatic wildlife.

2 And finally, the EIS mentions a few federal
3 species, but we would like the list greatly included
4 to include state endangered threatened species as
5 well, including lake sturgeon, moon eye, eastern sand
6 darter, round white fish for aquatic species; and
7 terrestrial species including bald eagles, peregrines,
8 falcons, short-eared owls, Indiana bats and timber
9 rattlesnakes.

10 Thank you.

11 DR. PELL: Thank you very much, Scott.
12 Appreciate that, and we will look forward to your
13 written comments.

14 On the subject of electromagnetic fields,
15 just by way of a mini tutorial for some of you who may
16 not be familiar with the terminology. Your car
17 battery is a DC device. Batteries in general are DC
18 devices, like your flashlight battery, your watch
19 battery, your cell phone battery. Those are all
20 direct current or DC devices. Of course, what you get
21 out of the wall is alternating current.

22 Back in the day when I was growing up and

1 fancying new cars, the generator in the car was called
2 a generator, not an alternator. And they were two
3 separate parts. There was a generator and voltage
4 regulator. Now they are all combined into an
5 alternator.

6 The reason I am mentioning that is the
7 generation portion of your car alternator actually
8 generates alternating current, and it does so with
9 magnetic windings. I won't go into the details of
10 that.

11 The electronics within your car alternator
12 rectify the current into DC, which the automobile
13 uses, just like the DC battery does. So, therein lies
14 the distinction between DC and AC.

15 Alternating current does generate electric
16 and magnetic fields, or EMF as it's combined -- as
17 it's known, combined electromagnetic fields.

18 Direct current generates an electric field.
19 All electrons moving through a material generate an
20 electric field, but in a DC situation you do not get
21 magnetic fields. That's unique to alternating
22 current.

1 So, for what it's worth, I just thought I
2 would share that with you. I used to teach. I miss
3 it.

4 Our next speaker is Tom Ellis, who is with
5 the Citizens Environmental Coalition.

6 MR. ELLIS: Good evening, everybody. My
7 name is Tom Ellis. I live in the City of Albany.

8 I stand opposed to the Transmission
9 Developers, Inc.'s, proposal to construct a power line
10 between Québec and New York City. I believe the
11 project, if approved, would have a devastating impact
12 on the environment in Canada and the Canadian First
13 Nations.

14 I represent the Citizens Environmental
15 Coalition and the Solidarity Committee of the Capital
16 District. Both groups were formed in 1983. Both of
17 the groups successfully opposed efforts 20 years ago
18 by the New York Power Authority to import Québec
19 hydropower.

20 As a result, Hydro Québec cancelled its
21 proposal to dam to shore the Great Whale River and
22 other nearby rivers that flow into James and Hudson

1 Bays one thousand miles north of here.

2 We worked in support of Cree Indians in
3 Québec, whose way of life has been ruined by
4 hydroelectric development since the 1970s, the
5 formerly free flowing rivers.

6 The Citizens Environmental Coalition and the
7 Solidarity Committee call upon the Federal Department
8 of Energy to, as part of the environmental review,
9 carefully examine the health and environmental impacts
10 of existing and proposed large scale hydroelectric
11 development in Québec and Labrador. There is a vast
12 amount of literature available that can be reviewed.

13 Some might argue that it is inappropriate to
14 consider health and environmental impacts of electric
15 generating stations when considering a power line
16 proposal. I disagree. Approval of this project will
17 stimulate construction of additional generating
18 stations in Canada of a type that, in the past and
19 present, has proven to be very harmful.

20 Some might argue that it is inappropriate
21 for the United States to review environmental and
22 health impacts in a foreign nation; however, such

1 reviews are common. In fact, at this time the
2 President and Congress are reviewing a proposed
3 pipeline that would bring Canadian tar sands oil from
4 Alberta into the United States.

5 The New York Times reported July 7th that 50
6 members of Congress sent a letter to the Secretary of
7 State Hillary Clinton expressing concerns about the
8 pipeline and the source of the oil. Representative
9 Henry Waxman recently wrote that the proposed pipeline
10 would "expand our reliance on the dirtiest source of
11 transportation fuel currently available".

12 Some might wonder why an environmental group
13 would oppose hydroelectric development and they are
14 entitled to an answer. When Hydro Québec builds in
15 the James Bay region it's not conventional hydropower
16 where power plants are constructed alongside of a
17 waterfall.

18 Instead, Hydro Québec builds dams and many
19 miles of dikes around the long river valleys,
20 impounding vast amounts of water, flooding entire
21 river valleys, and then generates electricity at the
22 dam sites.

1 Huge areas are impacted. Already existing
2 Hydro Québec hydro projects in the James region, James
3 Bay region, impact the region larger than New York
4 State.

5 During the last three years, Hydro Québec
6 destroyed the Rupert River that had flowed into the
7 southern tip of James Bay. More than 100 square miles
8 of land was flooded to create a hydro reservoir.

9 As was and is the case with the earlier Le
10 Grande river projects, environmental and health
11 impacts from the Rupert River project will include
12 elevated levels of methyl mercury in the water and
13 fish in the reservoirs; and an increase in mercury
14 poisoning in animals at the top of the food chain; and
15 people, especially those with the diet high in fish
16 consumption.

17 Other impacts are a loss of habitat and
18 resulting loss of wildlife necessary to the Native
19 Indian diet, methane gas releases from decaying
20 vegetation in flooded regions and considerable social
21 impacts on Native peoples as they try to adjust to
22 their damaged homelands.

1 The flooding of highly productive low lands
2 and wetlands along the river strikes caribou nesting
3 grounds, spawning habitat for fish, and nesting sites
4 for birds. Many organizations can provide information
5 as part of the environmental review, including the
6 International Rivers Network, Friends of the Earth
7 United States, The Indigenous Environmental Network,
8 Project Laundry List, Protect, and the Institute for
9 Social Ecology in Vermont.

10 Other information is available. For
11 example, the Northeast Indian Quarterly Akwe:kon
12 Journal devoted its winter 1991 issue to James Bay
13 hydroelectric issues.

14 For a good discussion of the impacts on the
15 Crees, the first 20 years of Hydro Québec
16 hydroelectric development in that region, consult the
17 1991 book, "Strangers Devour Their Land" by Boyce
18 Richardson, or you can read "James Bay Memoirs: A
19 Cree Woman's Ode to Her Homeland," by Margaret Sam-
20 Cromarty, and you will begin to understand the
21 profound loss Crees experienced as Hydro Québec
22 invaded and wrecked much of their homeland.

1 In addition to these concerns, the
2 Solidarity Committee of the Capital District has
3 others. The report in the February 24th Albany Times
4 Union indicated that the power line would generate
5 about 50 jobs.

6 Solidarity Committee's members would rather
7 invest \$1.9 million here in New York on weatherization
8 and conservation projects, improving energy
9 efficiencies and putting residents of New York to
10 work. Investing almost \$2 billion in such a manner
11 would put thousands of New York electricians,
12 plumbers, sheet metal workers, carpenters, glazers,
13 and other building tradespeople to work.

14 The unemployment and underemployment rate in
15 New York is very high. Young people, and especially
16 young men, have been hard hit by the ongoing
17 recession. Many young people have never had a good
18 job. Many African-Americans or minority people have
19 never had a good job in their lives either.

20 We should use our energy policy to put
21 Americans to work, rather than exporting the wealth of
22 our state or our country out of the country. If the

1 power line is constructed, many tens of millions of
2 dollars in wealth will flow out of New York each year.
3 It would be much better to implement ways, develop and
4 implement ways of keeping the wealth of New York
5 circulating in New York, rather than watch it
6 disappear.

7 With smart leadership, New York can probably
8 create incentives to attract the manufacturers of
9 energy efficient motors and appliances to build
10 factories within New York State. More than 20 years
11 ago, the American Council for an Energy Efficient
12 Economy reported that New York had vastly reduced its
13 overall use of electricity and summer and winter peak
14 demands by installing highly efficient lighting,
15 appliances and motors.

16 Some improvements have been made since then
17 but much more can be done. Since the first energy
18 crisis of 1973, 1975, the demand for electricity in
19 New York has continued to increase at least 10 times
20 faster than human population growth in the state.
21 Does anyone think that we can continue to do this
22 indefinitely?

1 Electricity provides many benefits that we
2 all appreciate, but it has huge and often
3 underappreciated environmental and health impacts.
4 The question before us tonight is whether additional
5 rivers and watersheds in Québec, and maybe Labrador,
6 should be literally destroyed so people living in the
7 northeastern part of the United States can continue to
8 increase their already high electricity use.

9 I say no. The river should not be
10 destroyed. Thank you very much.

11 DR. PELL: Thank you, Tom. Did you say that
12 the coalition was going to be submitting anything in
13 writing?

14 MR. ELLIS: I doubt it.

15 DR. PELL: By the way, just by way of
16 information, the pipeline Tom is referring to is
17 rather interesting. If you want to build an electric
18 power line across the border then you come to the
19 Department of Energy for the Presidential permit that
20 we are talking about tonight.

21 If you want to build a pipeline, oil or gas,
22 across the border, interestingly enough, the way the

1 law is structured, you go to the Department of State
2 and you get a Presidential permit from them. So, it's
3 a parallel process but run out of the State Department
4 for pipelines as opposed to out of the Energy
5 Department for electric power lines. Just thought I
6 would mention that by way of information. That
7 completes the list that I had and now it's up to
8 anybody who would like to speak. Just raise your
9 hand. No afterthoughts?

10 Yes, please. Tell us your name when you
11 come up, please, and affiliation.

12 MR. MILLER: My name is Ron Miller. I
13 really have three affiliations. I was formerly with
14 EnCon for 23 years as an economist there in the policy
15 office. I am now an elected village trustee in the
16 Village of Menands, which happens to border the Hudson
17 River right north of the City of Albany.

18 Although this project will not necessarily
19 go near the village if it's coming over land, and on
20 the railroad lines, I don't know which railroad line
21 it's coming through. We do happen to have a CS line
22 through the village.

1 Also, I'm a consulting environmental and
2 recreational economist. I have a couple of issues I
3 think are germane, I know they are germane to what I
4 know best, SEQR and Article X, which is defunct, the
5 Article X. I think it's germane to Article VII and
6 NEPA.

7 The one thing that wasn't mentioned here, an
8 interested state agency, OGS, owns underwater state
9 land. So, I would assume that if the developer of the
10 project is approved and it's going to build it, it
11 would be either paying leasing rights to OGS and/or on
12 land there is property tax. The utilities pay
13 property tax and the State Office of Real Property
14 Services does the valuation of what the property taxes
15 should be.

16 I think that should be part of the benefit
17 analysis, because what these Article X, Article VII
18 and NEPA are is trade offs between benefits and
19 adverse impacts.

20 The other issue is more germane to I think
21 core issues of the Hudson River. That's the
22 recreational -- potential recreational impacts on the

1 Hudson. It's a great water recreation body, boating,
2 and I think it's important that when this -- if this
3 line is constructed, that there is a minimization of
4 any adverse effects on recreation, boating and other
5 things.

6 I think that's an issue that the Article VII
7 and the NEPA has to look at. And the issue of
8 benefits to local governments of any property tax
9 revenue should be identified, you know, if not
10 measured quantitatively.

11 And the whole issue of the state, the
12 benefit to the state, of OGS getting revenue from
13 leasing rights, I think is a legitimate issue. Given
14 the state of the state's fiscal picture and this
15 project, I think that should be addressed.

16 Those are my remarks. Thank you.

17 DR. PELL: Don't go away. What is OGS?

18 MR. MILLER: Office of General Services.

19 That's the state agency that owns underwater state
20 land and does other things, but the context is their
21 management of underwater state land.

22 MR. AUSTIN: You are absolutely correct. The

1 applicant would have to seek and receive a lease
2 agreement from the Office of General Services for the
3 underwater lands that are used. Absolutely correct.

4 MR. MILLER: Thank you.

5 DR. PELL: Thank you, both.

6 Anybody else? I see a hand in the back.
7 Please tell us your name and affiliation.

8 MR. OLIVIER: My name Alain Olivier. I'm
9 with the Quebec Government Office in New York City.

10 So, I welcome the opportunity to make
11 comments before the committee tonight. I won't be
12 making any comments on the project per se, but I would
13 like to bring a few elements of information that may
14 be interesting for the record on Québec's record with
15 the Native peoples.

16 It was alluded to that the Great Whale
17 project 20 years ago had been cancelled because of
18 environmental and Native rights issues. I would like
19 to say that, since that period, Québec has moved
20 forward in partnership with the Native peoples in a
21 very important way.

22 In 2002, the government concluded what was

1 known as the Peace of the Grave agreement with the
2 Cree people, which provided for sharing of resources
3 of \$2 billion over a 50 year period for the
4 development of the east bank of Rupert River.

5 Eleven percent of the hires on the project
6 are Cree natives. And it should be noted the Native
7 peoples on other hydro projects that were launched
8 recently, notably the Romaine project, which
9 construction began in 2009.

10 The four Native bands, Inuit people, who
11 were directly affected by the project were consulted
12 by referendum, and the call for bands were voted in
13 favor of the project because they saw serious economic
14 development possibilities for their communities.

15 Regarding the environmental impact of Québec
16 hydro project, I would like to point out that on the
17 Romaine River there is a 20 year program to protect
18 Atlantic salmon in the watershed.

19 And I would like to quote from Hydro
20 Québec's 2009 Sustainability Report on the issue of
21 mercury. The report says, "A number of studies are
22 conducted to ensure that the temporary increase in

1 fish mercury levels, a consequence of reservoir
2 impoundment, does not have any impact on water quality
3 or aquatic organisms." And also, "The follow-up on
4 fish mercury levels in the western part of the Le
5 Grande complex confirmed that for nonpiscivorous fish
6 of standard length, mercury levels returned to the
7 natural average about 20 years after impoundment."

8 So, the point I would like to make, I think
9 a lot of valid comments are made on the environmental
10 Native rights issues, which are extremely important,
11 and we want to -- as a representative of the Québec
12 government I wanted it to be made clear that hydro
13 projects in the current day are done not against
14 Native peoples, but in partnership with them, creating
15 economic development opportunities for both parties.

16 Thank you very much.

17 DR. PELL: Thank you very much. It's a
18 pleasure to have the Gouvernement du Québec with us
19 this evening. I thank you for troubling to join us
20 and for sharing your thoughts with us.

21 Any other comments that people would like to
22 make? Anybody else like to speak? You are all

1 satisfied that you have nothing further to add for the
2 record?

3 MR. AUSTIN: May I add one thing.

4 DR. PELL: You may add at least one thing.

5 MR. AUSTIN: I apologize. There is one
6 thing I forgot to mention before about our process
7 because it's recently created. The state legislature
8 has enacted laws that require the applicant of
9 projects similar to this one to provide for what's
10 called intervener funding.

11 Intervener funding is available for
12 organizations, local governments, to hire experts and
13 the law actually says legal representation to
14 represent, to help with scientific, engineering and
15 other purposes that the local governments and
16 organizations might not have.

17 So, there is information about the
18 intervener funding on our website. And this project
19 would be required to put up intervener funding. That
20 would be available.

21 And perhaps Jim can correct me if I am
22 wrong, but I believe the way it happens is that it's

1 put into a fund and an Administrative Law Judge
2 determines how much should go to whom, and to what
3 parties, and for what purpose. So, I just wanted to
4 mention that because it is a new development.

5 Thank you, sir.

6 DR. PELL: Thank you, Jim.

7 Anybody else?

8 MR. ELLIS: Can I provide a copy of the
9 latest newsletter for the two groups I represent?

10 DR. PELL: Certainly. Why don't you just
11 give it to my contractor, the gentleman in the white
12 shirt at the back of the room. They are handling the
13 administrative record for me so they will enter it.
14 We will scan it and include it as an attachment to
15 your remarks on the EIS website.

16 Thank you. Anybody else? No further
17 comments? If that's the case, I want to thank you all
18 very much for joining me here tonight, and for joining
19 Jim and Don. I think we've learned a great deal from
20 you. I hope that you found it as useful as we have.
21 And look forward to seeing you again when we have the
22 draft EIS available for your review.

1 And beyond that, let me just say have a good
2 night. Thank you.

3 (Proceedings concluded at 8:45 p.m.)

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1 DEPARTMENT OF ENERGY ENVIRONMENTAL IMPACT STATEMENT
2 PUBLIC SCOPING MEETING

3
4 -----

5 CHAMPLAIN HUDSON POWER EXPRESS, INC.
6 TRANSMISSION LINE PROPOSAL

7 -----
8

9 Taken at the Ramada Glens Falls/Lake George
10 Area, 1 Abby Lane, Queensbury, New York, on July 15,
11 2010, commencing at 7:45 p.m.

12
13

14 BEFORE: JERRY PELL, PhD, CCM, U.S. Department of
15 Energy, 1000 Independence Avenue, SW, Washington, DC
16 20585

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1 P R O C E E D I N G S

2 (7:45 p.m.)

3 DR. PELL: We're now going to the formal
4 recorded portion of the meeting. Our stenographer is
5 now commencing to take recorded notes. This is a
6 great opportunity for us to meet with the public.
7 We've had seven meetings. Let me tell you a little
8 bit about myself first. I'm Jerry Pell. I'm an
9 environmental scientist with DOE. I've been with DOE
10 for 34 years. I've actually been working on
11 environmental and energy issues ever since I finished
12 my doctorate 40 years ago.

13 And the reason that we're here tonight is
14 because we have received an application at the
15 Department of Energy for a Presidential permit, which
16 is required by virtue of the applicants desiring to
17 cross with a transmission line from Canada across the
18 U.S. border into the United States. That requires a
19 Presidential permit which results from a White House
20 Executive Order that is about 50 years old, and it's
21 been on the books all this time.

22 When we consider whether or not to issue a

1 Presidential permit, that's considered a major Federal
2 action under the auspices of the National
3 Environmental Policy Act, N-E-P-A or NEPA as a lot of
4 you know. Under NEPA, there are several levels of
5 environmental review depending on the nature and type
6 of project. In this particular instance, we're doing
7 an Environmental Impact Statement or EIS which is the
8 most comprehensive level of review available, and we
9 solicit everything literally imaginable from
10 alternatives to socioeconomic impact, environmental
11 justice, geology, biology, aquatic impacts,
12 socioeconomics. It does not leave much out. One area
13 that it does not particularly focus on is the
14 economics. It's not considered within the scope of
15 environmental analysis.

16 The scoping process is the beginning of the
17 preparation of the Environmental Impact Statement
18 whereby we published a Federal Register notice, which
19 I hope some of you, if not all of you, have read. I
20 try to make those things read as friendly as possible
21 but you always run into the lawyers, and they don't
22 necessarily let you use regular English when you write

1 these things, but we do a have a fairly good range of
2 ideas as to what we should include in the document but
3 until you meet with the public that lives along the
4 route, you never know if you're missing anything, so
5 the whole point of us being here at these seven
6 meetings which started in Bridgeport, then went on to
7 Manhattan, then went on to Yonkers followed by
8 Kingston followed by Albany last night followed by
9 here in Glens Falls here tonight, tomorrow ending in
10 Plattsburgh which is as close to the border as you can
11 get pretty much, the whole point is to make sure we
12 don't miss anything, and that's why we're glad to see
13 you tonight so that if there are impacts we should
14 consider that we might not be aware of, this is our --
15 the hope is that we'll find out from these meetings.

16 Now, as I said, this is just the beginning
17 of the process. We will then produce two things that
18 you will get to see. There will be a scoping report
19 which will not be going out for comment. It will be a
20 final document that -- it will summarize everything
21 that we received by way of input during these seven
22 meetings, and that will be on the website and will be

1 publicly available, and I do encourage you go to the
2 EIS website which is at CHPEXpressEIS.org; again, CHP
3 as in Champlain Hudson Power Express EIS as in
4 Environmental Impact Statement.org. That is the
5 website for the environmental study that we're
6 conducting at DOE. Everything we do is public and
7 will be posted on that website. Comments, official
8 documents, the entire spectrum of material relative to
9 the EIS will be available to you. There's also an
10 opportunity to subscribe so that when something new is
11 put on the web that you might be interested in, we
12 will issue a broadcast that will make you aware of it.

13 There's another website also from the
14 company that TDI itself has. The two websites are
15 linked together so if you do a Google and find
16 yourself on either one, you can easily get to the
17 other.

18 And if you go to the EIS website, you will
19 find links to the actual Presidential permit
20 application that TDI filed with the Department of
21 Energy. You'll find a link to the New York State
22 Public Service Commission filing where there's a

1 voluminous quantity of material including highly
2 detailed maps and will continue to provide future
3 documents, as I said, including the scoping report.

4 Now, subsequent to that, we will be issuing
5 a draft Environmental Impact Statement for public
6 review, and that will be followed by a series of
7 public meetings just like these probably in the same
8 locations where now you will have the opportunity to
9 comment on the actual written document which will be a
10 draft, and your comments at that point will be
11 factored into the preparation of the final EIS.

12 Once the final EIS is completed, that, too,
13 becomes public, and at that point I leave the
14 environmental portion of the process and it then goes
15 to other people in the Department of Energy who will
16 look at electrical power reliability, potential
17 impacts of the project on the electrical -- existing
18 American electric power grid.

19 We are also required to check with the State
20 Department and with the Defense Department. They have
21 to concur on issuing the permit if we decide we are
22 going to do that, and we issue a Record of Decision

1 which announces the process that we went through and
2 whether or not we have elected to issue the
3 Presidential permit.

4 If we decide to issue the permit, that's
5 then followed by the actual Presidential permit
6 itself, and all of these documents will be public.

7 So it's a long process. The Environmental
8 Impact Study process is input to the process but not
9 the only -- not the only consideration that enters
10 into whether or not to grant the Presidential permit.

11 What I want to do now is turn it over to Don
12 Jessome, let him talk to you about the project. He's
13 the President and Chief Executive Officer of
14 Transmission Developers and let you hear how he sees
15 it from his perspective, and then after that, we'll
16 take your comments.

17 MR. JESSOME: Thank you Dr. Pell. Pleasure
18 to be here this evening and I am certainly looking
19 forward to the comments from the audience here later
20 this evening after I've had my spiel here, but let me
21 just tell you about Transmission Developers and also
22 about the project that we're here to talk about this

1 evening.

2 Transmission Developers was formed in 2008,
3 and it's a company that is looking specifically, as
4 the name applies, looking at transmission projects.
5 Very early on, our mandate was to look at a couple of
6 things. One was the -- to choose technology that met
7 with the criteria that our company was looking at
8 trying to achieve. And the key criteria that we
9 wanted to achieve is to bury the cables or bury the
10 transmission line.

11 The reason we wanted to do that is because
12 we felt that it was important for transmission to be
13 built, and transmission has had a lot of hurdles
14 thrown in front of it, and primarily it's because
15 people are concerned about getting transmission towers
16 in their backyards and the viewscape that is
17 associated with that.

18 So we chose a technology very early on to be
19 HVDC technology so that we could bury the cables.
20 I'll talk a little bit more as to why it's DC as
21 opposed to AC in just a minute.

22 The other thing -- the other criteria that

1 we're looking for is to look for projects that were in
2 particularly congested markets and areas where we
3 could bring clean renewable energy to these markets
4 and so that that was another very important criteria
5 for our company; and then thirdly, it's -- again, at
6 the end of the day, someone has to pay for all of
7 these projects, and, you know, there's sort of two
8 different models out there for transmission projects
9 as to how they're paid for. One is sort of the
10 traditional what we call socialized methodology and
11 that would be the traditional, utilities would look
12 into building a transmission project, they would go to
13 their local regulator, the local regulator would take
14 it through the bases to determine whether or not the
15 transmission project should be built, and if it was,
16 it was rolled into what they call a rate base and the
17 customers paid for it.

18 Our project is different. There's a new
19 model that's come in the marketplace over the last 15
20 years. It's called merchants, and really all this
21 means is that we have to go out and find customers to
22 pay for this line. So it's a very different process

1 that we go through. We actually -- I literally have
2 to go out and sign up customers in order to pay for
3 the use of this transmission line.

4 Just a couple of points on that. We are a
5 transmission company, so we are just the transporter
6 of the electricity. We actually do not take title to
7 the electricity. What we do is we provide customers.
8 Typically generators are the customers who look at
9 these types of projects. Generators look at us as a,
10 you know, like a long extension cord to get into the
11 markets that they want to sell their electricity to.
12 So what we provide is a safe, secure, reliable
13 capacity, and in this particular case, it's a thousand
14 megawatts that they can utilize and sell their
15 electricity to any customers.

16 Let me just tell you a little bit about the
17 project itself. The Champlain Hudson Power Express
18 Project we announced back in February of this year was
19 originally a 2000 megawatt project. A thousand
20 megawatts was going to be delivered into New York City
21 and a thousand over to southwest Connecticut. On July
22 the 6th of this year we made a public announcement

1 that we were no longer proceeding with the southwest
2 Connecticut portion of the project, so this evening's
3 discussion is specifically around the thousand
4 megawatts that's going into New York City.

5 The cables themselves are buried starting in
6 Québec and connected to Hydro Québec's system. We
7 will not own the assets in Québec. Those will be
8 built by Hydro Québec. We can't title past the border
9 so the cables are buried, two cables coming down
10 Richelieu River into Lake Champlain. They come out at
11 Whitehall where we go onto a railroad right-of-way of
12 CP Railroad, and we go around the Capital District on
13 to CSX Railway line, and this is all buried cable, so
14 even though we start in the waterways, we go on to
15 land. We actually maintain a fully buried cable
16 system. We come back into the waters of the lower
17 Hudson at Coeymans and down to Yonkers where we're
18 proposing to build a converter station.

19 The converter station is designed such that
20 it takes the DC power and converts it back to AC, and
21 then we have two AC cables that connect to New York
22 City in the metropolitan marketplace.

1 DC technology has been around actually since
2 Thomas Edison first started working on the lightbulbs
3 in New York City over a hundred years ago, and it's --
4 the classic is, as I describe it, the BETA versus VHS,
5 which technology was going to win, and the technology
6 that won the day was AC, and the key reason was Nikola
7 Tesla was able to determine that a transformer could
8 step voltage up and move power very efficiently in
9 overhead transmission lines with AC power, and that
10 won the technology battle, and it has made our lives
11 tremendously easy because of that, and more that
12 electricity occurred, transmission was spread all over
13 the country and, you know, the rest of the story is
14 history.

15 DC never went away though. Dc power is
16 particularly useful in cable format because you can --
17 you can run cables very long distances with DC power.
18 AC is less efficient moving large volumes of power
19 over long distances, so the technology has become very
20 refined over the last 25 years in particular and so
21 HVDC technology is very mainstream today. There's
22 many, many projects all over the world. It's

1 completely compatible with the AC system through the
2 converter stations, and it's a welcome tool in the
3 toolbox of regulator -- not regulators, the control
4 systems that these projects go into because of the
5 ease of being able to move power very efficiently.

6 So with that, I will hand this back to Dr.
7 Pell.

8 DR. PELL: Thank you, Don. A couple of
9 things come to mind listening to Mr. Jessome talk
10 about AC versus DC. DC is not new to transmission in
11 the United States either. There's a major north-south
12 transmission line in the west that is high voltage
13 that is direct current. Now, it's not on the ground,
14 it's above ground on conventional towers but they're
15 the reason that HVDC was chosen was because, just like
16 Don said, the losses are fewer, and so over a long
17 distance, the losses could really have a significant
18 impact on the amount of power being delivered being
19 less than the amount being generated, so DC is the
20 transmission mechanism of choice for long distance
21 transmission.

22 Your car battery is DC, in case you didn't

1 know that. Your battery in your cell phone is DC.
2 The batteries that you're all probably familiar with
3 are all DC devices.

4 Your automobile alternator is called an
5 alternator because it actually generates AC,
6 alternating current. Within the alternator built in
7 is a circuit, a rectifier circuit that converts back
8 alternating current produced by the generator to
9 direct current for use by the automobile. As I said,
10 your car battery's DC, and the alternator ultimately
11 puts out DC although it starts as AC.

12 I wanted to mention also for the record just
13 to be very clear because there has been some question
14 about this at previous meetings, this is not a
15 Department of Energy project. As Don mentioned, it is
16 a merchant project. Don comes to us for a permit.
17 Whether or not the project goes forward is not -- we
18 have no vested interest in that outcome, and if the
19 project does go forward, DOE has no vested interest in
20 its success.

21 The Presidential permit only permits Don's
22 line to cross the border. He still has the complete

1 set of State and local permitting requirements to
2 satisfy so he needs the Presidential permit, it's a
3 necessary condition, but it's certainly not a
4 sufficient condition so this -- the process here at
5 DOE is superimposed on top of everything else that the
6 applicant has to obtain approvals on.

7 There are four cooperating agencies working
8 with DOE on this report: U.S. Army Corps of
9 Engineers; U.S. Environmental Protection Agency; and
10 two State agencies, the New York State Department of
11 Public Service Commission and New York State
12 Department of Environmental Conservation, so you have
13 five agencies involved in making sure that the EIS
14 satisfies each of these agencies' needs as complete
15 and comprehensive, so it's an intensely collaborative
16 and cooperative process, which means State government
17 and Federal government.

18 Having said all that, I'd like to turn to
19 the comments themselves. Are there any officials here
20 that are elected that would like to be recognized
21 before they make a comment?

22 (There was no response.)

1 DR. PELL: Are there any government
2 officials that would like to be recognized and perhaps
3 make a comment?

4 (There was no response.)

5 DR. PELL: Okay. Since there are no elected
6 or governmental officials asking to be recognized, we
7 will proceed with the people who have asked to speak
8 starting with Ms. Julia Stokes who is with an
9 organization called the Saratoga P.L.A.N. Good
10 evening, Julia.

11 JULIA STOKES: Hi. Saratoga P.L.A.N. is the
12 Regional Land Trust and Open Space Small Growth Group
13 in Saratoga County, and we're interested in two
14 issues, and since you're going to be using the
15 railroad right-of-way all the way through Saratoga
16 County -- I'm sorry, or Mr. Jessome will be, where
17 there are areas where the railroad right-of-way is
18 wide enough that they bring the power corridor all the
19 way to the edge, we'd like the opportunity for trail
20 corridors along that with appropriate fencing. We've
21 worked very successfully with CSX and with Norfolk
22 Southern to accommodate trails along the Mechanicville

1 railroad property and just south of the City of
2 Saratoga Springs is the CSX, so we'd like to be able
3 to look at the maps to see where those rail corridors
4 are actually wide enough to accommodate putting the
5 trail on top of that line.

6 The other issue that we would like to raise
7 would be archaeology. I'm sure that the State
8 Preservation Office in New York will be involved.
9 Particularly where you're coming out of the Champlain
10 and you're crossing Saratoga County, that is where a
11 major portion of the Revolutionary War was fought, and
12 we want to make sure that any archaeological resources
13 are protected as well. Thank you.

14 DR. PELL: Thank you, Julia. As a matter of
15 fact, archaeology is a routine portion of the
16 Environmental Impact Statement, and with regard to
17 your question about pedestrian walkways and paths of
18 that nature, are you planning on submitting anything
19 written for the record that elaborates on exactly what
20 you have in mind?

21 JULIA STOKES: I can.

22 DR. PELL: It might be useful, if you can.

1 It's not a requirement or a request, of course. It's
2 just a suggestion you may want to consider doing.

3 JULIA STOKES: I drew some maps for Mr.
4 Jessome what I was talking about.

5 DR. PELL: Can you hear that?

6 JULIA STOKES: I'm sorry. I drew some
7 diagrams, but I can do that. Saratoga P.L.A.N. also
8 received "active party status," so we'll be filing
9 along with that.

10 DR. PELL: That's great. The more input we
11 get, the better. Thank you.

12 I'd like to go on now to Mr. Gordon Boyd
13 who's with an organization called Energy Next,
14 Incorporated.

15 GORDON M. BOYD: Thank you very much. I'm
16 Gordon Boyd. I'm President of Energy Next. We are an
17 energy consulting firm based in Saratoga Springs. We
18 are buyers' agents for energy consumers through
19 Chambers of Commerce, trade associations and municipal
20 governments across New York State but particularly
21 here in the Capital Region.

22 Electric consumers in Capital Region's Zone

1 F pay between a \$100 and \$200 million in premium
2 electric costs every year because of transmission
3 congestion. This is a vestige of the way the old
4 utility system was constructed but under our semi-
5 deregulated market system, it means that people who
6 are downstream of bottlenecks and congestion points in
7 the transmission system pay more, and that's the
8 pretext and the reason for your project, the Champlain
9 Hudson project to relieve congestion in New York City.

10 But there is congestion here on the pathway
11 of that project in between Québec and New York City,
12 and we would like to recommend that the project
13 consider dropping off some of that power on its way
14 through the Capital Region.

15 Now, I've mentioned the economic
16 justification for doing that, which is compelling, I
17 think, from the consumer's point of view, but I
18 believe there are also environmental benefits that
19 would accrue from that as well. One is that a number
20 of customers in the Capital Region desire to purchase
21 renewable energy, but because the price of power here
22 is such a premium compared with areas of the state to

1 the west and the north where a number of renewable
2 projects are being developed and are looking for
3 customers, the power from those renewable energy
4 projects is unaffordable by the time it gets to the
5 Capital Region, again, because of the overall cost of
6 congestion.

7 The second environmental benefit that would
8 accrue from relieving congestion here would be to
9 relieve the pressure on existing fossil generation
10 both within the region and that generation we do
11 import, so I think that would be an overall
12 environmental benefit but there is a tremendous cost
13 that we're paying here analogous to New York City but
14 not in such large numbers because we don't have as
15 many kilowatt hours going through the system here, but
16 we would recommend that be considered as part of the
17 EIS. Thank you.

18 DR. PELL: Thank you very much, Gordon. You
19 mention congestion. As somebody who's with DOE, it
20 was my office of Electricity Delivery and Energy
21 Reliability, OE. OE has issued a congestion study that
22 designated National Interest Electricity Transmission

1 Corridors, one of which was the northeast corridor
2 along the coast down to the New York City area, so
3 we're well familiar with the congestion issue, and I
4 thank you for bringing that up.

5 As far as dropping power off in the Capital
6 area, that's a comment for Don to take under
7 advisement. Don, correct me if I'm right or wrong on
8 this, but it seems to me that if I'm right, you would
9 have to establish a new converter station in the
10 Capital area in order for that power to be useful to
11 be dropped off. That converter station would both be
12 an expensive proposition plus have impacts of its own,
13 so I guess what I'm really trying to say is nothing is
14 easy.

15 GORDON M. BOYD: I didn't say it would be
16 easy or free, but since we are paying an extra cost
17 for power here that if you look over the last number
18 of years is running between a hundred to \$2 million a
19 year to about a million consumers, so it's a
20 significant amount of money to our local economy. I
21 think that the cost of converting and so on could be
22 amortized into that surplus to everybody's benefit.

1 One way to do it would be to, obviously,
2 convert and then reconvert on the way down. Another
3 option the -- the developers might want to consider is
4 just laying a second pair of cables that would
5 terminate somewhere here in the region and handle it
6 that way.

7 DR. PELL: Thank you very much, Gordon.
8 Don, do you want to add anything to that, or do you
9 think we've covered it adequately?

10 MR. JESSOME: No, it's quite accurate.

11 DR. PELL: Go into the microphone, please.

12 MR. JESSOME: Sure. So absolutely, if we
13 were to try and interconnect to the Albany area, we
14 would have to put another converter station, and just
15 to, you know, from a price perspective, a thousand
16 megawatts, I'm not saying we could build a converter
17 station for \$200 million, so -- and it's fairly
18 linear. Depending upon the size, it could actually go
19 up slightly depending on the sites, but that's the
20 kind of cost we're talking about, so, you know, this
21 project is, you know -- all of the studies that we
22 have done, particularly with the system operator which

1 is absolutely critical for liability reasons is from
2 point A to point B, and we picked those two points at
3 this point in time. You know, future projects can
4 certainly be considered, but at this point in time,
5 the project that we're looking at does terminate down
6 by the Yonkers facility.

7 DR. PELL: Okay. Thank you, Don. That
8 completes the list of people. The speakers now are
9 open to the floor. If anybody wants to speak, we'd be
10 glad to hear from you. All you have to do is raise
11 your hand and come forward. Nobody wishes -- there we
12 go. Sir, would you be kind enough to come to the
13 microphone and give us your name?

14 SKIP STRANAHAN: Yeah. I didn't come
15 prepared. I actually came right from work. I
16 apologize for my looks.

17 DR. PELL: No problem, no problem.

18 SKIP STRANAHAN: I represent "We the People"
19 in Warren County. I'd like to know who is paying for
20 this \$3.8 billion --

21 COURT REPORTER: I need your name, please.

22 DR. PELL: Can we at least get your name

1 first, please?

2 SKIP STRANAHAN: Skip Stranahan.

3 DR. PELL: Thank you. Can we spell that for
4 the benefit of the stenographer?

5 SKIP STRANAHAN: S-T-R-A-N-A-H-A-N.

6 DR. PELL: Thank you, sir. Tell us again
7 the name of the organization.

8 SKIP STRANAHAN: "We the People." We're a
9 foundation for constitutional government. We think
10 that it's been neglected for years here, but my
11 question is simple, is there public funding in this
12 \$3.8 billion you intend to spend or whose money are
13 you spending?

14 DR. PELL: Well, this isn't supposed to be Q
15 and A, but I will answer your question because it's
16 important. The short answer is no. As I mentioned
17 before, DOE has no vested interest, there's no
18 taxpayer money involved. As Don mentioned, it's a
19 merchant proposition. The money comes from TDI and
20 from their financial affiliations. Your taxpayers'
21 dollars are involved not at all. In fact, the conduct
22 of these meetings and the Environmental Impact

1 Statement preparation are all paid for by TDI, so the
2 short answer to your question is there are no taxpayer
3 dollars involved, but just as a matter of detail, now
4 that the Connecticut portion of the proposed project
5 has been dropped, I think now the overall cost of the
6 project has come down from the proposed 3.8 to about
7 half that, \$1.9 billion, but no, no tax money.

8 SKIP STRANAHAN: I have a second question.
9 What kind of impact would us using all Canadian power
10 off this line have on the people here as far as
11 employment and us being self-sufficient with energy in
12 America?

13 DR. PELL: We do look at socioeconomic
14 impacts, and we will look at the potential employment
15 benefits that would improve in the construction of the
16 project and within the operation so the EIS will
17 address that to some extent.

18 SKIP STRANAHAN: Thank you.

19 DR. PELL: You are more than welcome. Thank
20 you. Anybody else care to comment?

21 (There was no response.)

22 DR. PELL: Nobody? We're all satisfied we

1 have nothing further to say, is that true?

2 (There was no response.)

3 DR. PELL: We're all friends here. You're
4 more than welcome to come forward. Well, okay, I'll
5 tell you what, we'll adjourn the formal portion of the
6 meeting. Don and I will hang around for a while.
7 It's still early. If you want to talk to either of us
8 off-the-record, we'll be glad to chat with you.

9 Again, I can't thank you enough for coming
10 out tonight. It's really great hearing from you. It
11 will be a while before it happens, but I look forward
12 to seeing you all again when the draft EIS is out for
13 review.

14 In the meantime, you have our website, you
15 know how to reach me, and you're more than welcome and
16 invited to contact us at any time for any reason. If
17 we can be of any assistance, I assure you, we will.
18 So have a good night. Thank you very much.

19 (Time noted: 8:32 p.m.)

20

21

22

1 DEPARTMENT OF ENERGY ENVIRONMENTAL IMPACT STATEMENT
2 PUBLIC SCOPING MEETING

3
4 -----

5 CHAMPLAIN HUDSON POWER EXPRESS, INC.
6 TRANSMISSION LINE PROPOSAL

7 -----
8

9 Taken at the Plattsburgh-North-Country Chamber
10 of Commerce, 7061 State Route 9, Plattsburgh, New
11 York, on July 16, 2010, commencing at 8:15 p.m.

12
13

14 BEFORE: JERRY PELL, PhD, CCM, U.S. Department of
15 Energy, 1000 Independence Avenue, SW., Washington, DC
16 20585

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18
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20
21
22

1 P R O C E E D I N G S

2 (8:15 p.m.)

3 DR. PELL: Let's go to the formal part of
4 the meeting, and we'll now start the process of taking
5 formal record.

6 We'll start the formal portion of the
7 meeting at this point. And I will start by
8 introducing myself. I'm Jerry Pell. I'm an
9 environmental scientist with the Department of Energy
10 in Washington, D.C.

11 I've been doing this for 34 years with DOE.
12 I've been working on energy and environment for 40
13 years, ever since I finished my doctorate.

14 And I'm going to start off by telling you a
15 personal human interest story.

16 Both my wife and I are from Montreal. And
17 when I grew up as a kid, Plattsburgh was the place to
18 go on weekends for the beach.

19 And all my toys came from Plattsburgh. I
20 had a -- some of you who may be old enough to
21 remember, there was a Montgomery Ward at the time that
22 was at the end of Margaret Street. And as you were

1 coming into the city, I remember specifically it was
2 on the left-hand side.

3 I had my dad buy me a Hallicrafters
4 shortwave radio out of the basement of Montgomery
5 Ward. And after that, of course, as we got older, you
6 came to Plattsburgh for the drive-in movies because
7 the Province of Québec would not permit drive-in
8 movies.

9 So here I am now, 68 years of age, 34 years
10 into my career with the Department of Energy, on the
11 verge of thinking about retirement, back in
12 Plattsburgh. It's a very emotional experience for me.
13 And I'm delighted to be here. It's like a homecoming
14 in its own right.

15 So it's really great to be back in town,
16 folks. It brings back a lot of memories.

17 I'm glad to see that the -- the paper mill,
18 paper company, Georgia-Pacific -- didn't that used to
19 be a match company at one point, historically?

20 UNIDENTIFIED AUDIENCE MEMBER: Separate
21 complex.

22 DR. PELL: Separate complex. Okay.

1 UNIDENTIFIED AUDIENCE MEMBER: Still a paper
2 mill, but --

3 UNIDENTIFIED AUDIENCE MEMBER: J.C. Penney.

4 DR. PELL: J.C. Penney. Well, Montgomery
5 Ward is gone, too, for that matter.

6 UNIDENTIFIED AUDIENCE MEMBER: But we got
7 their property.

8 UNIDENTIFIED AUDIENCE MEMBER: After they
9 dumped chemicals in our lake.

10 DR. PELL: Maybe I shouldn't have brought up
11 the subject.

12 UNIDENTIFIED AUDIENCE MEMBER: No. I'm
13 talking about the woods.

14 DR. PELL: Anyway, it's great to be here.
15 I'm glad to see you here. I'm going to let Don
16 introduce himself, Don Jessome, the president and
17 chief executive officer of the company, for the record
18 to tell us about the Champlain Hudson Project, and
19 then we'll start taking the comments.

20 MR. JESSOME: Thank you Dr. Pell. It's a
21 pleasure to be back here. I was -- I had the pleasure
22 of having a public meeting here back in -- I think it

1 was in April of this year.

2 My name is Don Jessome. I am the president
3 and CEO of Transmission Developers, Inc., and I'm here
4 to give you a little bit of a description of the
5 project that we're proposing, called the Champlain
6 Hudson Power Express.

7 It's a 1,000-megawatt project. And I just
8 want to let this audience know the project originally
9 was a 2,000-megawatt project. So we were actually
10 looking at two cables going into New York City and two
11 over in southwest Connecticut. That was the original
12 concept of the project.

13 On July the 6th, we made a public
14 announcement that we are no longer proceeding with the
15 Connecticut portion of the project. So it's only a
16 1,000-megawatt project now, two cables going into New
17 York City.

18 So it's a HVDC project, or a high-voltage,
19 direct current project. And high-voltage, direct
20 current just means that as opposed to the AC current
21 and power that we all use in our home, this is --
22 instead of a sinusoidal wave, or a wave that goes like

1 this, it's actually a constant voltage, and no wave
2 form to it.

3 And the nice part of that technology is the
4 fact that you can run in cable format for very long
5 distances very efficiently.

6 As we all know, AC overhead is run very,
7 very long distances. And it's a very efficient
8 technology. It's made our lives all very easy, to be
9 honest.

10 DC is a technology that is very
11 complementary to AC, but its real claim to fame is
12 that you can put it in cable format and you can run it
13 long distances.

14 The reason we chose the technology is very
15 specific. We chose the technology not because it's
16 less expensive than overhead transmission -- far from
17 it; it's much more expensive.

18 The reason we chose the technology is
19 because we can bury it. It's important to us that the
20 communities that we go through, we can bury the
21 transmission line, and it's not going to be a visual
22 impact to the community. And that's why we chose that

1 technology.

2 The other thing that's important to know
3 about this project is who's going to pay for it. And
4 this project is what's called a merchant transmission
5 project.

6 A merchant transmission project just means
7 that the people who will actually ship the electricity
8 on the line will be the ones who pay for it.

9 We do not own the electricity. We don't
10 sell the electricity. We don't buy the electricity.

11 We're like a -- I like to describe ourselves
12 as the freight truck that takes from the manufacturing
13 facility to the retail store.

14 We don't take ownership of those products in
15 between. We simply have a service that allows others
16 to sell their electricity into the marketplace.

17 We're currently talking to multiple
18 suppliers who would look at taking service on our
19 line. And those are primarily Canadian -- well, they
20 are. At this point in time, they're Canadian
21 suppliers who are hydro and wind supply.

22 Unfortunately, at this point in time, due to

1 confidentiality, I can't disclose who they are. But
2 that will become very public in the very near future.

3 One of the questions I get asked on occasion
4 is: What happens when you bury those cables if an
5 anchor hits the cable? You know, do we fry all the
6 fish? Does anything, you know, disastrous happen?

7 And, you know, the very simple answer is:
8 No, they do not. The technology that's on either end
9 of this transmission line, these converter stations
10 and the equipment to actually control the flow of
11 power, act in super, very, very high speed --
12 microseconds -- to kill the power if anything happens
13 to the cable itself.

14 The cable is buried. And the reason it's
15 buried is so that we don't have any of these issues.
16 And that's why you bury cables. It's just to avoid
17 having anchors or draggers or other equipment
18 interfere with the cable.

19 The actual -- the construction period that
20 we're looking at is starting in the fall of next year,
21 2011. And it will take about three years for this
22 project to be fully constructed. So it will go into

1 service around early 2015.

2 It's a delight -- it's a delight to be back
3 here again. And with that, I will pass it back to Dr.
4 Pell.

5 DR. PELL: Thank you, Don. The first person
6 -- let me just ask: Are there any elected officials
7 here that would like to identify themselves and that
8 would like to speak?

9 Are there any state, local, or federal
10 officials here from the government that would like to
11 speak and identify themselves?

12 Since there aren't any, we will start with
13 Mr. James Tyler Frakes, who is the first person to
14 have submitted his name to present comments with us
15 tonight.

16 And Mr. Frakes is with the Adirondack
17 Council.

18 MR. FRAKES: I work for an environmental
19 nonprofit helping to protect ecological integrity and
20 welfare to the Adirondack Park. If you're not
21 familiar with it, 6 million acres right down the road.
22 Lake Champlain is part of it.

1 I think just our main concern is aquatic
2 wildlife and what impacts that are going to be on it.

3 And I've read the scoping documents. They
4 do a very good job. And we look forward to reviewing
5 an EIS.

6 I mean, basically, our concern's with
7 benthic organisms. Lake Champlain, you play at the
8 beach. You know, there are mollusks.

9 I mean, we're worried about substrate, how
10 long that's going to be in the water column, what
11 effects that it's going to have on those organisms.

12 The concrete blankets that you're going to -
13 - that the company is going to be placing over the
14 cables and in the portions where they cannot be
15 buried, what effects is that going to have on the --
16 the environment afterwards? Is that going to be
17 receptive for species to come back in?

18 And basically, I don't really understand why
19 the company is choosing to -- to put it in a body of
20 water that portions are 400 feet deep when there are -
21 - is a railroad running all the way down to New York
22 City. There is a highway running all the way down to

1 New York City. Why can't the right-of-way be used?

2 And I think that's about it. And I thank
3 you for giving me the opportunity to voice my opinion.
4 Thank you.

5 DR. PELL: Thank you, Mr. Frakes. The
6 question of running along the railway or the highway
7 has been raised by others before tonight. And one
8 thing we do look at in the EIS is alternatives.

9 I want to proceed now to Mr. David -- it
10 looks like Maxwell. Is that correct?

11 MR. MANWELL: Manwell.

12 DR. PELL: David, I've got to tell you,
13 looking at your form, you checked that you want a copy
14 of the EIS. I could not begin to figure out your
15 address the way this was written.

16 MR. MANWELL: Oh.

17 DR. PELL: So if you get a chance and want
18 to write a new one that we might actually be able to
19 read, that would be great.

20 If you could spell your last name for the
21 stenographer, please.

22 MR. MANWELL: M-a-n-w-e-l-l.

1 DR. PELL: Thank you very much.

2 MR. MANWELL: My concern is it -- you --
3 many people have claimed -- have voiced concern that
4 the North Country won't get anything out of the -- the
5 power line. But at present, I've spoken with people
6 from Noble and asked them why many of the --

7 DR. PELL: You've spoken with people from
8 where?

9 MR. MANWELL: Noble Environmental Power, the
10 developer of our wind power in the --

11 DR. PELL: Oh, okay. Okay.

12 MR. MANWELL: -- northwestern and eastern
13 Franklin County.

14 Many of -- there are many times when some of
15 their turbines are idle but there's plenty of wind.
16 You can see that the -- the trees are blowing well and
17 the grass is blowing around.

18 And I've asked them why that is. And they
19 said it's because NYISO directs them to do that
20 because there isn't enough capacity in the power lines
21 to ship out the power.

22 If they can ship out their power on -- on

1 something like this, then that will benefit the North
2 Country. Granted, if it helps Yonkers or someplace
3 get cheaper power, that's fine. They're paying for
4 it, paying us for it.

5 And the North Country is not a rich place.
6 It's a rather depressed economy. We will benefit from
7 it. That's my point.

8 DR. PELL: Thank you very much, David. I
9 appreciate that.

10 The third person who registered to speak is
11 Peter Delia (phonetic), is it?

12 MR. DELIA: Yes. But I got my questions
13 asked during the informal session.

14 DR. PELL: Okay.

15 MR. DELIA: And I thank those gentlemen.

16 DR. PELL: Great. Thank you, Peter. That
17 completes the list. Now it's open to anyone that
18 would like to make comments. It's open mic.

19 So if you need to -- if you want to address
20 us, just please raise your hand, come on up, tell us
21 who you are, and use the mic.

22 We're all friends here. There we go. I

1 knew somebody would rise to the occasion.

2 MS. FISHER: Hi. I'm Lori Fisher. I'm
3 director of the Lake Champlain Committee. And we are
4 a bi-state organization. And we're dedicated to Lake
5 Champlain's water quality and ensuring it's an
6 accessible lake, as well.

7 DR. PELL: How do you spell your last name,
8 please?

9 MS. FISHER: Fisher, F-i-s-h-e-r. I filled
10 out a card.

11 DR. PELL: Okay.

12 MS. FISHER: And I'm on the mailing list and
13 been here before.

14 So we're concerned about any recreational
15 impacts, the mapping route for cultural resources,
16 recreational impacts, as well as water quality impacts
17 and share the concern about benefit to communities and
18 the re-suspension, how that's going to effect things,
19 as well as have that larger question of: Is this the
20 best route for this to take and the one where
21 particularly the environmental impacts would be best
22 mitigated?

1 And we also have concerns about the
2 electromagnetic fields. I know that's a part of your
3 investigations.

4 But we'd be looking at that, and the heat
5 issue, in terms of, you know, the impacts to aquatic
6 species. So we look forward to the EIS. Thank you.

7 DR. PELL: Thank you very much. Who else
8 would like to submit some comments for the record?
9 Nobody? Last chance.

10 MR. DELIA: Could I help out with the
11 electromagnetic field?

12 DR. PELL: Sure.

13 MR. DELIA: Okay.

14 DR. PELL: You have to come to the mic,
15 though, because we're on the record and I need the
16 stenographer to be able to hear you.

17 MR. DELIA: I'm 75, so you've got to give me
18 more time.

19 DR. PELL: I'm catching up to you. I'm 68.
20 That's not that far behind.

21 MR. DELIA: Wait until you get to 75.

22 DR. PELL: All right. I'll -- I'll keep

1 that in mind.

2 Let's get your name first, again.

3 MR. DELIA: Peter Delia.

4 To answer your question with DC, there is no
5 electromagnetic field, not unless you wrap it around a
6 piece of iron bar and shake it.

7 DR. PELL: Well, you get an electric field.

8 MR. DELIA: There's no radiation.

9 DR. PELL: There's no magnetic field.

10 MR. DELIA: The electromagnetic field is
11 just power, but I think first radiated electricity,
12 something leaving the wire.

13 DR. PELL: Okay. Thank you, Peter. I
14 appreciate it.

15 MR. DELIA: You're welcome, sir.

16 DR. PELL: Anybody else?

17 HDR TEAM MEMBER: We just had someone come
18 in.

19 DR. PELL: Okay. Would that gentleman be
20 interested in speaking for the record?

21 MR. HILLS: Have you had questions going all
22 along?

1 Okay. I'm Jack Hills. I'm a U.S. Air Force
2 retired captain development engineer.

3 DR. PELL: Is that H-i-l-l-s?

4 MR. HILLS: H-i-l-l-s, yes.

5 DR. PELL: Thank you.

6 MR. HILLS: About a year and a half, two
7 years ago, I started tracking running power by land
8 from here around the mountains, through Utica, and on
9 down to Albany, and then down to New York City.

10 Lot of approval conflicts because of the way
11 the state constitution is written.

12 And I've found that the environmental
13 studies that various companies did went no further
14 than the local community that they were in. They were
15 never integrated, no big picture. No one had a total
16 view of what impact the long -- the big picture was
17 going to have.

18 This, to me -- since I heard that Canada was
19 looking for a quick solution to getting power to New
20 York City, that's well and good, but my concern was:
21 What does it do for communities along the way?

22 There are reasons for tapping into power for

1 the communities that are going to benefit the future.

2 Have you been looking at those aspects?

3 Like, for instance, what power is needed to
4 power something like a modern car, an electrical car?
5 The Volt electric car.

6 Is this going to benefit the North Country
7 so that we can have power upgrades, benefit the home,
8 the average individual, so that they can be up-to-date
9 in technology, or is it just a path to New York City
10 directly?

11 That was my concern initially. And I think
12 it's a big -- a great choice to have this option.

13 And it is a federal environmental study,
14 right?

15 DR. PELL: That is correct.

16 MR. HILLS: Okay. That's going to integrate
17 it. And that, to me, is a great feature about
18 something like this.

19 That's what I was used to doing as a
20 development engineer, was integrating things from the
21 big picture to get a project going.

22 It's complicated, but to me it seems like

1 this would simplify a lot of the problems of power
2 distribution, as long as it's not just a straight
3 shoot to benefit New York City, which is what a lot of
4 distribution around the East Coast is. It all funnels
5 into New York City.

6 But it also goes past New York City and taps
7 into Philadelphia. And then we -- we can go west,
8 which is what the President's been wanting to do. And
9 it seems to me it could feature that integration.

10 And I think the mayor has done a great job
11 to work on future applications and move things along.
12 It seems to me this would move things along quite
13 well, make it a lot easier to look at our country's
14 needs, not just necessarily community needs.

15 That's basically why I wanted to get here. I
16 had other obligations, figured you had a handout that
17 I could look at, a plan.

18 And that's basically two questions: Will it
19 benefit the community? And will it benefit our
20 nation's goal of integrating East Coast power into a
21 unified way that helps the rest of us in the country?

22 I was raised in the Midwest, and that's --

1 even in the Midwest, we feed power back here to New
2 York City. So it seems that that complicates the
3 problem to folks in New York City.

4 DR. PELL: Thank you very much for those
5 comments.

6 Don Jessome is with us this evening. He's
7 the head of the Transmission Developers, Incorporated,
8 company who wants to build the project. And I'm sure
9 that he would be glad to chat with you after we
10 adjourn the meeting. You may want to ask these
11 questions of Mr. Jessome.

12 MR. HILLS: Okay. Thank you.

13 DR. PELL: By the way, just as a matter of
14 national policy, as you know, the Department of Energy
15 is very interested in the national grid and in
16 modernizing it.

17 And we like to think that the best way to
18 contemplate the national grid is regionally or
19 nationally rather than locally, because what happens
20 so often is that the source of the power where it's
21 available and the people that need it, where they
22 happen to be living, are far apart. And connecting

1 the two together becomes a major -- a major issue.

2 Is there anybody else that would like to
3 speak. No one?

4 Well, let me -- let me, first of all, before
5 we adjourn, I want to thank the HDR team. We've had,
6 as I mentioned, seven of these. It's been a long week
7 and a half. And I want to thank them for their
8 support.

9 And I want to thank them in advance for the
10 work they're going to be doing on the environmental
11 impact statement.

12 I didn't mention this before only because I
13 didn't think of it. We are going to be preparing a
14 scoping report, which will summarize the comments that
15 were received during these seven meetings.

16 And, also, the comment period is open until
17 August the 2nd. And if you would like to get
18 something in to us electronically or by regular paper
19 mail or through the Internet website, we'd certainly -
20 - certainly be glad to hear from you. All comments
21 are considered the same, regardless of how we receive
22 them. And, so, you do have some time yet to get some

1 thoughts in to us.

2 And once the August 2nd date has passed,
3 we'll be putting together a scoping report that
4 summarizes everything that came in. That will be a
5 public document. It will be on the website, and you
6 will get to see what we heard at each of the seven
7 meetings.

8 All these seven meetings are being
9 transcribed. All the transcripts will be on the
10 record.

11 So, again, great being here. Thank you for
12 coming here. And have a wonderful weekend. And we're
13 going to hang around a little if you want to talk to
14 us in person after we adjourn.

15 So thanks again. Have a good night.

16 (Meeting adjourned at 8:38 p.m.)

17 . * * * *

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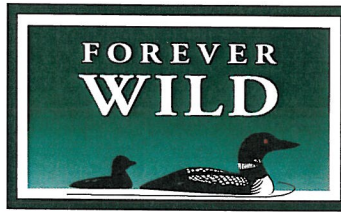
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APPENDIX E
COMMENT LETTERS



ADIRONDACK COUNCIL
Defending the East's Greatest Wilderness

August 2, 2010

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Office of Electricity Delivery and Reliability (OE-20)
US Department of Energy
1000 Independence Ave, SW
Washington, DC 20585

**Re: Champlain Hudson Power Express Inc. (CHPEI); Comments
regarding Notice of Intent to prepare an Environmental Impact Statement
(EIS)**

KEVIN ARQUIT
JEFFREY BRONHEIM
DAVID E. BRONSTON
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TONY ZAZULA

EXECUTIVE DIRECTOR
BRIAN L. HOUSEAL

Dear Dr. Pell,

The Adirondack Council would like to register our concerns, re; the Champlain Hudson Power Express Project, a power line proposed to run underwater the length of Lake Champlain and much of the Hudson River. The Adirondack Council is a non-profit environmental advocacy organization, with members in all fifty states. We are dedicated to ensuring the ecological integrity and wild character of New York's Adirondack Park. At 6 million acres, Adirondack Park is the largest in the lower 48 States; nearly half is publicly protected Forest Preserve, under the "Forever Wild" clause of the New York State Constitution. The Park extends half way across Lake Champlain, where New York meets Vermont. The proposed power line route, on the New York side of the lake, is within the Adirondack Park and in the middle of the Champlain-Adirondack Biosphere Reserve, the latter an honorary designation bestowed by the United Nations on the area to recognize the ecological and cultural importance of the whole Champlain watershed.

Our main concerns with the Champlain power line proposal are that energy conservation and efficiency, as alternatives to expanded infrastructure, are not adequately considered; less damaging routes along existing roads and railroads are barely discussed; and the impacts on Canada's waterways and lands from

The mission of the ADIRONDACK COUNCIL is to ensure the ecological integrity and wild character of the ADIRONDACK PARK.

103 HAND AVENUE, SUITE 3 P.O. BOX D-2 ELIZABETHTOWN, NEW YORK 12932-0640 tel 518-873-2240 fax 518-873-6675
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more exports of “clean” energy are not disclosed. Conservation should be the top priority, infrastructure should stay in already developed areas, and large dams should not be built.

The Adirondack Council supports clean energy and recognizes the need for reliable sources of clean power for all New Yorkers. We respectfully remind consumers and energy providers that the cleanest and most reliable means of meeting energy needs are through *conservation* and *efficiency*. Helping New Yorkers drive less, better insulate their homes, and reduce daily electricity demand will do more to secure our energy future than will any new sources of electricity. Decentralized power production systems – “distributed energy” – will generally be cleaner and safer than will massive centralized systems. At too large a scale, even wind, solar, and hydro power become environmentally destructive.

Although the Adirondack Park is the Adirondack Council’s focus, we favor protection of wild lands and waters wherever possible, and we recognize that ultimately, preserving and restoring wildlife in the Park depends on preserving and restoring wildlife throughout eastern North America. Ecological systems are interconnected. New Yorkers should not export the environmental costs of their consumption. To the extent that Hydro-Quebec dams rivers to meet Americans’ excessive appetite for cheap power, energy coming from eastern Canada will not be clean or green. The Champlain Hudson Power Express Inc. (CHPEI) project should not be marketed as “clean energy” if it encourages more dams to be built.

Nor will the energy be clean if it damages American waters. Burying the CHPEI electric transmission line beneath Lake Champlain and the Hudson River may be unnecessarily disruptive ecologically and hydrologically. Why not bury the line entirely along existing railroads and roads? We believe this should be considered as an alternative. If land-owner permission is a problem, cannot railroad and highway right-of-ways be used? The land-owner issues of a land-based line are minor compared to the potential ecological problems stirred up by dredging in Lake Champlain and the Hudson River. The safety record of underwater lines may be good, but why incur the ecological costs of lake and river bottom dredging when rail and road corridors run the whole distance on the US side?

A much fuller ecological and climatological (carbon-footprint) analysis of the project is needed. It is laudable that the CHPEI project would significantly reduce emissions of carbon dioxide, sulfur dioxide, and nitrogen by New York City (p.9-10 Application of CHPEI for Certificate of Environmental Compatibility and Public Need); but what about emissions and effects in Quebec? Large dams are not climate-friendly. Their construction involves heavy use of fossil fuels, and their impoundments lead to slow releases of methane. Large dams and wind turbines disrupt wildlife movement and flood or fragment forest habitat.

A full Environmental Impact Statement (EIS) should be required, as the applicant anticipates (Information Regarding Potential Environmental Impacts, p.15). The EIS should carefully review all relevant studies on the effects of power lines on aquatic and terrestrial wildlife and habitats, including possible effects from increased turbidity in the water column, resuspension of contaminants, electromagnetic fields, thermal resistivity, and shoreline disturbance. The EIS should also anticipate possible worst-case scenarios (as the present crisis in the Gulf of Mexico so painfully reminds us), if any of the infrastructure or equipment used in its installation fails in any way.

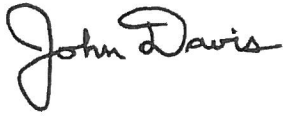
We are concerned about the implications of possible ecological effects, such as these: “The presence of the cable and protective covering would permanently alter the type and contour of the substrate. The covering may also modify and/or reduce the habitat value of the original substrate ...” (Information Regarding Potential Environmental Effects, p.17-18). “Resuspension of silt and sediments may result in an increase in turbidity, which can impair aquatic communities and habitats” ... (Info p.24) “Resuspension may cause contaminants adsorbed to sediment particles to dissociate from the sediment particles, thereby becoming more readily available to aquatic organisms” (Info p.25).

Lake Champlain and the Hudson River both have rich faunas, together providing habitat for scores of native fish species. The proposed power line would go through or near habitats of many aquatic species listed as threatened or endangered by the state or federal government, including Lake Sturgeon, Mooneye, Eastern Sand Darter, Round Whitefish, and in the Hudson River, Shortnose and Atlantic Sturgeon (Info p.43). It would also cross or approach habitats of numerous threatened or endangered terrestrial species, including Piping Plover, Roseate and Common Terns, Bald Eagle, Peregrine Falcon, Short-eared Owl, Northern Harrier, Upland Sandpiper, Least Bittern, Sedge Wren, Indiana Bat, Timber Rattlesnake, Seabeach Amaranth, Sandplain Gerardia, and Small-whorled Pogonia. Possibly even more disturbing as a precedent, the power line would cut through the Hudson River National Estuarine Research Reserve, one of the few Marine Protected Areas in a region that urgently needs more and more-strictly protected MPAs. The EIS should fully examine the potential impacts on each of these species listed above.

In sum, the Adirondack Council is not convinced that utility officials have found the best way to provide electricity for New York City. One of the possible energy source companies, Hydro-Quebec, has a dubious environmental record, including some of the most destructive dams in North America. The planned route on lake and river bottoms could mean damage to critical habitats and wildlife. The potential energy sources need to be carefully screened for ecological compatibility; the power line should be buried in existing railroad and road right-of-ways, sparing Lake Champlain and the Hudson River avoidable harm.

All appropriate mitigation measures should be considered to avoid sensitive aquatic and terrestrial habitats, cable installation during mating, spawning and migration seasons, resuspension of contaminants and permanent alternation of lake and/or river bed substrates. We urge government officials to require CHPEI parties to pursue conservation measures and consider an alternative route along roads and railroads. Lake Champlain and the Hudson are state and national treasures; we should avoid any undue adverse impacts to their beds, waters, flora and fauna.

Respectfully,

A handwritten signature in black ink that reads "John Davis". The signature is written in a cursive style with a large, looped initial "J".

John Davis, Conservation Director

Champlain Hudson Power Express, Inc.
OE Docket No. PP-362
Comments on Scope of DEIS
28 July 2010

By: Roland R. Vosburgh, Principal Planner

This list deals exclusively with potential issues related to the burial of the direct current power cables in the Hudson River in the vicinity of Columbia County

Construction Phase Issues

- 1) Impacts on fish habitat and spawning periods
- 2) Impacts on recreational and commercial river traffic
- 3) Impacts on existing infrastructure (Rip Van Winkle Bridge piers, pipelines or cables buried beneath or laying on the riverbed)
- 4) Impacts of disturbance and re-suspension of riverbed sediments and contaminants found in riverbed sediments
- 5) Landside staging area requirements for power cable installation (if any)

Operational Phase Issues

- 1) Impacts (physical and biological) of functioning power cables for human, plant, and animal life
- 2) Impacts on other adjacent infrastructure (pipelines or cables, whether crossed or parallel, and municipal and industrial outfall points) and, conversely, the impacts of operational infrastructure (pipelines, cables, or outfalls) on the power cables
- 3) Impacts on the Hudson River Federal Navigation Channel which is authorized at 32 foot depth and how to avoid damage to the power cables due to periodic maintenance dredging to maintain the 32 foot depth
- 4) Impacts of scheduled maintenance for the power cables
- 5) Impacts of power cables needing repair or catastrophic failure (severance) of the power cables
- 6) Proposed signage to alert river users to the presence of the buried power cables to avoid disturbance and damage
- 7) Proposed protocol for emergency first responders to secure human health and safety in the event of power cable damage/failure
- 8) Impact of seismic activity on power cable integrity



M. Jodi Rell
GOVERNOR
STATE OF CONNECTICUT

July 30, 2010

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

Re: Notice of Intent to Prepare an Environmental Impact Statement and To Conduct Public Scoping Meetings, and Notice of Floodplains and Wetlands Involvement; Champlain Hudson Power Express, Inc.

Dear Doctor Pell:

On behalf of the State of Connecticut, I write to offer comments on the Champlain Hudson Power Express, Inc. proposal to construct a direct current transmission line between Quebec, Canada, and Yonkers, New York, but which no longer proposes to extend an additional direct current transmission line to Bridgeport, Connecticut.

Thank you for holding a public scoping meeting in Bridgeport on July 8, 2010. I firmly believe that open and frequent communication among stakeholders and decision makers is critical when contemplating a proposal of this magnitude. Connecticut appreciates the high level of communication that we have had with the project sponsors over the last year as we have discussed and evaluated the environmental effects of various options for cable placement within Connecticut waters and at the cable's Connecticut landfall. I hope that the U. S. Department of Energy (DOE) will continue to actively engage all stakeholders in this process including the New York State resource agencies.

The State of Connecticut has long recognized the linkages between energy policy, environmental policy and our economy. We strive to develop and implement policies that recognize these linkages and leverage each for the benefit of the others. Innovative projects such as that embodied in the Champlain Hudson application have the potential to serve a similar purpose. While I am surprised that the project developers have reduced the scope of the proposed project before Connecticut's resource agencies could reach a conclusion concerning the project's environmental efficacy, it is very likely that Connecticut will nonetheless benefit indirectly from an additional regional supply of clean energy. Connecticut recognizes the potential benefits of the original proposal in supplying Connecticut with non-carbon-based, renewable energy which

could have substantially assisted in achieving our goal of deriving 20% of our electric energy from such sources by the year 2020.

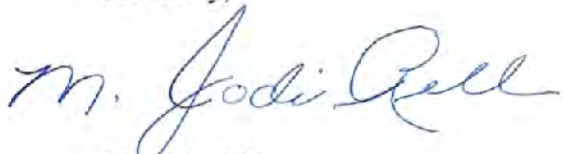
The State of Connecticut has garnered a national reputation for taking decisive actions designed to reduce air pollution and protect water quality, natural resources and submerged lands for our citizens and their environment, while implementing policies aimed at ensuring an affordable and reliable supply of electricity to meet our needs. As federal air quality standards are strengthened to further protect public health, effectively managing our energy policy becomes even more critical to achieving our environmental goals. The key to our future success is closely linked to federal energy policy. Like our homes and businesses and even our cars and trucks, our nation's energy infrastructure must become cleaner and more efficient. By adopting energy efficiency and renewable energy targets, Connecticut is among the states which have taken the lead to synchronize environmental and energy goals. The federal government must be an active partner working with states to ensure that federal energy policy complements and enhances existing state policies.

As DOE prepares a draft environmental impact statement (EIS) as a prelude to acting on the Champlain Hudson application, I urge you to consider the following:

- The Environmental Protection Agency (EPA) is on the verge of finalizing a revised National Ambient Air Quality Standard for ozone. The new standard will be 20-40% more stringent than the current standard and will require significant emission reductions, possibly by 70% or more, within the eastern United States.
- DOE should work with the New York Independent System Operator (NY-ISO) and the New York Public Service Commission (NY PSC) to assess the air quality impacts associated with importing an additional 1,000 MW of clean new capacity to the greater New York City (NYC) metropolitan area. This effort should assess ozone precursor reductions, toxic air pollutant emissions reductions, and any environmental justice benefits associated with reduced emissions from older, less efficient electric generating units (EGUs) in the area to be served by this new capacity.
- DOE should also work with NY-ISO to identify those EGUs likely to become uneconomic as a result of an influx of significant new capacity so that EPA may develop appropriate air quality modeling assumptions for the implementation of the revised ozone standard.
- DOE should evaluate the economic benefits of this additional 1,000 MW arising from its impact on marginal electric supply costs, including the potential for these benefits to accrue beyond the immediate NYC metropolitan area.
- The EIS should consider and discuss the potential of the proposed cable, now terminating at Yonkers, to be extended in geographic reach or expanded in capacity if market conditions should become favorable to such enhancements in future years. Consideration of this possibility in the EIS should include potential environmental impacts associated with extending infrastructure, such as cables, east into Long Island Sound.

Thank you for the opportunity to comment. Please do not hesitate to contact Amey Marrella, Commissioner of Environmental Protection, if the State of Connecticut may be of further assistance regarding these comments.

Sincerely,

A handwritten signature in blue ink that reads "M. Jodi Rell". The signature is fluid and cursive, with the first letter of each name being capitalized and prominent.

M. Jodi Rell
Governor

MJR/awm/pef

cc: Kevin M. DelGobbo

Pell, Jerry

From: Pell, Jerry
Sent: Thursday, July 29, 2010 10:04 AM
To: 'w2sgd@juno.com'
Cc: 'Cotton, Douglas E'; Hoover, Mike
Subject: RE: Keeping the lights on in NYC

Mr. Davis,

Thank you for your message. We are accepting your remarks as a "scoping comment," and will include it as input to our process for preparation of the Environmental Impact Statement.

Best regards,

Dr. Jerry Pell, CCM

Principal NEPA* Document Manager
Permitting, Siting, and Analysis (OE-20)
Office of Electricity Delivery and Energy Reliability
U.S. Department of Energy
Washington, DC 20585
Tel. 202-586-3362
Fax 202-318-7761
Cell 240-529-3553

**National Environmental Policy Act*



-----Original Message-----

From: w2sgd@juno.com [mailto:w2sgd@juno.com]
Sent: Wednesday, July 21, 2010 1:46 PM
To: editor@poststar.com; thomas.congdon@chamber.state.ny.us; Pell, Jerry; info@nrdc.org; OutdoorLighting-Forum@yahoo.com
Cc: mcmahon@mail.lemoyne.edu; missy.utica@yahoo.com; donannie@earthlink.net
Subject: Keeping the lights on in NYC

http://poststar.com/news/local/article_9c75be5c-8f67-11df-b5f9-001cc4c03286.html

Editor:

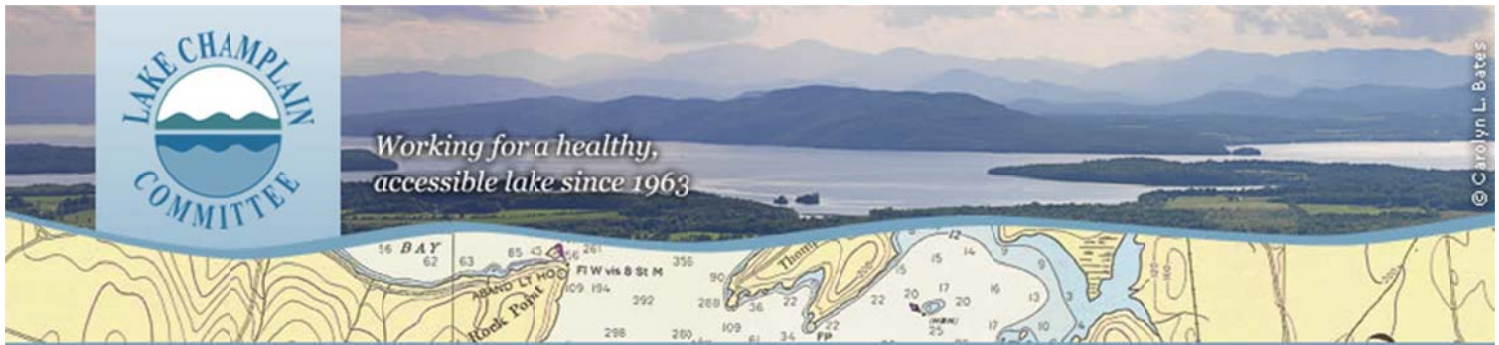
As if having PCBs in the Hudson River wasn't a problem, don't try swimming or boating in it for other reasons: the electric field currents will kill you - aided by the conductivity of the medium (water) and like BP in the Gulf, there will be no leakage... Leakage off overhead transmission lines is common.

I can hear the lifeguard at Moreau State Park blowing the whistle to "get out of the water" due to the approaching thunderstorm.

The EPA had to stop the PCB dredging, after saying their initial studies and research indicated there would be no problems with PCB resuspension in the water. Now some greedy power company wants to stir up the PCB's and cause other problems to feed NYC.

Is that part of NYSEnergyPlan? It might be a smart idea to use less energy and avoid all the other problems.

-Steve Davis



August 1, 2010

Dr. Jerry Pell
Principal NEPA Document Manager
Office of Electricity Delivery and Energy Reliability (OE-20)
U.S. Department of Energy
1000 Independence Avenue, SW.
Washington, DC 20585
Jerry.Pell@hq.doe.gov

Dear Dr. Pell,

On behalf of the Lake Champlain Committee (LCC) I am writing to provide input to the Public Scoping Report on the Champlain Hudson Power Express Project. LCC is a bi-state membership supported non-profit organization dedicated to protecting Lake Champlain's environmental integrity and recreational resources for this and future generations. Lake Champlain is a waterbody of international ecological and cultural significance. It is a designated National Heritage area and forms the core of the United Nations [Champlain Adirondack International Biosphere Reserve](#), a designation that recognizes it as "one of the world's important ecosystems." The Champlain Hudson Power Express project proposes to lay an electric cable below Lake Champlain and along its entire length, and thus is of great interest to our organization.

The scope of the Environmental Impact Statement should include the following items:

Purpose and Need For Action

The purpose of the proposed project is to meet the existing and future electricity demands of New York City. The scope of the EIS should be similarly broad. The proposed power line is only one of many alternatives to meeting those needs. Other alternatives to be addressed in the EIS include aggressive energy efficiency and conservation measures, diversified generation within and around the city, and transmission from locations other than Quebec.

Alternatives

One alternative for transmitting electricity from Quebec to New York that should be considered in the Environmental Impact Statement would be utilization of existing rights of way, including rail lines. This alternative could eliminate the need for burying a cable in Lake Champlain.

Impacts

The proposed power line under Lake Champlain presents many possible impacts which need to be thoroughly investigated in the EIS:

- Fish and other wildlife – After consulting with New York DEC, Vermont Fish and Wildlife, and the US Fish and Wildlife Service, the EIS should address whether the proposed line disrupts any known fish spawning areas.
- Lake bottom sediment disturbance – The installation of the cable will cause both permanent (where concrete mats or rip-rap are needed) and temporary disturbances of sediments. The EIS should indicate the location and extent of any proposed permanent alterations to the lake and the project should make every effort to minimize the extent of such disturbances. Some examples of areas of concern include:
 - The impacts of these disturbances on benthic populations and any known or discovered fish spawning areas.
 - There are known or likely accumulations of paper-processing waste including PCBs in the areas of Cumberland Bay and near the mouth of the LaChute River. The area around the existing International Paper Plant in Ticonderoga should also be considered a potential area of contamination.
- Recreation – The EIS should explain impacts of the proposed project and alternatives on anchoring boats in Lake Champlain. The issue would be particularly relevant in the shallow and narrow southern part of the lake. If there are any risks to swimmers, divers, or snorkelers, these should also be addressed in the EIS.
- Electromagnetic fields – The EIS should examine impacts permanent electric fields generated by a submerged cable would have on behavior and reproduction of fish and other animals.
- The proposed route needs to avoid:
 - Wetlands - The route of the proposed cable should avoid disruption to any lake side wetlands, particularly in the southern portion of Lake Champlain.
 - Historic shipwrecks - There are numerous historic shipwrecks on the bottom of Lake Champlain. The power line route should minimize any impacts to these.

Cumulative Impacts

As part of the discussion of the cumulative impacts of the proposed project the EIS should consider the source of the energy that would be transmitted by the power line. If the power line creates a demand for additional large-scale hydroelectric dams in northern Quebec then the cumulative environmental impacts of the power line will extend far beyond the project itself.

Mitigation

Finally, the proposed project will pass through Lake Champlain but provide no benefits to the communities of the Lake Champlain region. Project proposers should consider mitigation opportunities for these communities. As one possible example, there have been discussions about the role of the Champlain Canal as a vector for invasive species into Lake Champlain. Would it be possible for the electric cable, whose planned route passes by the canal, to supply power for an invasive species barrier in the canal?

Thank you for the opportunity to provide input into the Scoping Report on the Champlain Hudson Power Express Project. We will have additional comments after the EIS is prepared and the full impacts of the project become clearer. Please do not hesitate to contact us for further information on our questions and concerns.

Sincerely,

Mike Winslow
Staff Scientist
Lake Champlain Committee



STATE OF NEW YORK
DEPARTMENT OF STATE
ONE COMMERCE PLAZA
99 WASHINGTON AVENUE
ALBANY, NY 12231-0001

DAVID A. PATERSON
GOVERNOR

LORRAINE A. CORTÉS-VÁZQUEZ
SECRETARY OF STATE

August 02, 2010

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

Re: S-2010-0025
DOE Docket #: PP-362
NYS PSC Case: 10-T-0139
Champlain Hudson Power Express
**Environmental Impact Statement Scoping
Comments**

Dear Dr. Pell:

The New York State Department of State (DOS) is the New York State agency responsible for the administration of New York State's federally approved Coastal Management Program (CMP) prepared pursuant to the Coastal Zone Management Act (CZMA). Pursuant to 15 CFR part 930, DOS, reviews most federal permitting or other authorization actions within or affecting New York's federally approved coastal area. An applicant seeking authorization for an activity within or affecting New York's Coastal Area must certify that the activity would be conducted in a manner consistent with the CMP and applicable Local Waterfront Revitalization Plans (LWRP). Prior to federal authorization of an activity within or affecting the NY's Coastal Area, DOS must concur with the applicant's certification or DOS concurrence must be conclusively presumed. If DOS objects to an applicant's consistency certification, the applicable federal agency may not authorize the proposed action.

DOS does not seek Cooperating Agency status pursuant to NEPA, as the provisions of the CZMA provide DOS with comparable authority. The federal consistency provisions of the CZMA are separate and distinct from NEPA. However NEPA documents may be used as a vehicle for necessary and additional data required by 15 CFR part 930 and as such, DOS provides the following comments.

A comprehensive analysis of alternatives should be provided that examines all feasible alternatives to the project as currently proposed.

Currently the project proposes to influence a significant length of the Hudson River via the installation, operation and maintenance of a High Voltage Direct Current (HVDC) transmission line and as such, comparable routes should be examined and dismissed prior to the selection of the proposed route. It would be desirable for the current analysis (available under the NYS Public Service Commission Case 10-T-0139) to be expanded to consider: an HVDC line buried within existing utility corridors, and an HVDC line utilizing the currently proposed route from the United States border to the vicinity of

Albany, NY and then transitioning to a buried configuration within existing upland utility corridors for the remainder of the route.

In addition to alternative siting options, comparable investment in alternative and distributed generation sources, upgrades to existing transmission infrastructure and demand side management alternatives should likewise be considered.

Should a complete alternative analysis demonstrate that the currently proposed route remains the preferred alternative or if an alternative route that would still have coastal effects is selected, the Environmental Impact Statement (EIS) should include an analysis of all applicable CMP and LWRP policies.

DOS requires all applicants seeking concurrence with a consistency certification to provide an analysis of all applicable CMP or applicable LWRP policies. If the applicant proposes to utilize the NEPA documentation as a vehicle for necessary and additional information, all applicable CMP and LWRP policies should be evaluated within the EIS.

The proposed action would traverse multiple communities with federally approved LWRPs and as such where the proposed action would have an effect on such a community, an analysis of applicable LWRP policies for each LWRP community should be provided.

The applicant should provide a full characterization of the entire corridor in which the transmission line is proposed to be constructed and characterize potential effects relating to the installation, operation and maintenance of said line.

The applicant should provide a characterization of sediment size and soil type along the entire route and characterize the suitability of each area to utilize the proposed installation methodology. For the in water portions this analysis should characterize proposed and maximum achievable burial depths and susceptibility to sediment re-suspension. In underwater areas where burial is not possible, the potential effects of the proposed concrete mats should be discussed.

The applicant should identify and characterize all pollutants along the route and analyze the likelihood of re-suspension or release. Where specific pollutants are identified, adequate preventative measures, including applicable alternatives, should be analyzed and their anticipated coastal effects included in the scope of the EIS.

The applicant should analyze all Significant Coastal Fish and Wildlife Habitats (SCFWHs) that would be affected by the installation, operation or maintenance of the proposed transmission line and determine if those effects would affect the viability of the SCFWHs. Any difference in effects between installations in disturbed versus undisturbed areas of applicable SCFWHs should be discussed. All data necessary to support this evaluation should be included.

The applicant should characterize all public access opportunities and recreation activities that would be affected by the proposed transmission line. This should include effects anticipated during installation operation and maintenance activities.

The applicant should characterize all visual resources that may be affected by the installation, operation or maintenance of the proposed transmission line and other

proposed infrastructure. DOS has designated certain areas along the proposed route as Scenic Areas of Statewide Significance (SASS) that may assist the applicant in characterizing potential visual effects in these areas.

The applicant should characterize all historic resources to the satisfaction of the New York State Office of Parks Recreation and Historic Preservation (OPRHP).

The applicant should identify and characterize all agricultural land that may be affected by the proposed transmission line.

The applicant should identify and characterize all freshwater and tidal wetlands along the proposed route.

The applicant should discuss potential coastal effects of stormwater discharges along above ground portions of the proposed transmission line during installation, operation and maintenance.

The applicant should characterize the potential effects of the installation, operation and maintenance of the proposed transmission line on the ground and surface water regime along all buried portions of the route including freshwater and tidal wetlands.

The applicant should characterize the potential coastal effects of the electric generation source that will supply the proposed transmission line including the potential for said generation to affect air quality.

The applicant should determine the Hudson River navigation channel's maximum depth practicable to support existing and future commercial navigation given existing, authorized depths, topography, necessary channel side slopes, port infrastructure and aerial clearances.

These comments are provided as guidance and are based solely on cursory review of materials provided to DOS and do not necessarily represent the balance of materials necessary for DOS to begin or complete a review of the applicant's anticipated consistency certification.

Thank you for the opportunity to provide scoping comments on the above referenced project. DOS looks forward to reviewing and commenting on interim documents during the NEPA process and completing its federal consistency responsibilities pursuant to 15 CFR Part 930.

If further information or clarification is required please contact Matthew Maraglio at 518-474-5290 (email: matthew.maraglio@dos.state.ny.us) and reference our file number S-2010-0025.

Sincerely,

Jeffrey Zappieri
Supervisor, Consistency Review Unit
Office of Coastal, Local Government
and Community Sustainability



John L. Buono
Chairman

New York State Thruway Authority
New York State Canal Corporation

200 Southern Blvd., P.O. Box 189, Albany, NY 12201-0189

www.nysthruway.gov



Michael R. Fleischer
Executive Director
TDD/TTY 1-800-253-6244

July 29, 2010

Via Certified and Electronic Mail
Jerry.Pell@hq.doe.gov

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

Telephone: 202-586-3362

Re: Presidential Permit application by Champlain Hudson
Power Express/Department of Energy's Request for
Scoping Comments pursuant to National Environmental
Policy Act as set forth in Federal Register: June 18, 2010
(Volume 75, No. 117)

Dear Dr. Pell:

The following are comments from the New York State Thruway Authority (NYSTA) and the New York State Canal Corporation (NYSCC) for the above-referenced matter. The New York State Thruway Authority and New York State Canal Corporation are public benefit corporations organized and existing pursuant to Article 2, Title 9 of the New York State Public Authorities Law (PAL). The NYSCC operates and maintains the New York State Canal System, a state constitutionally protected resource, pursuant to the New York State Canal Law.

The NYSTA maintains jurisdictional control over the New York Thruway System, including the Tappan Zee Bridge (TZB), which crosses the Hudson River between Tarrytown, Westchester County, NY and Nyack, Rockland County, New York. The NYSCC maintains jurisdictional control over certain canal systems within the State of New York, including the portions of the Champlain Canal that the above-referenced project proposes to utilize.

All proposed alternatives will run directly underneath the existing TZB. The NYSTA conducts comprehensive above and below water maintenance on the existing bridge and maintains a robust capital improvement program for the TZB. To effectuate the maintenance and

Dr. Jerry Pell
July 29, 2010
Page Two

capital improvement programs the NYSTA uses various barges and tugs along the length of the bridge. The above-referenced project Draft Environmental Impact Statement (DEIS) should consider potential impacts to NYSTA's ongoing maintenance and capital improvements of the existing TZB, including but not limited to, potential impacts to tug and barge operations at the existing bridge. Additionally, the NYSTA is partnering with the NYS Department of Transportation (NYSDOT), Metropolitan Transportation Authority/MetroNorth Railroad (MTA/MNR), Federal Highway Administration (FHWA) and Federal Transit Administration (FTA) in the development of a DEIS for the potential replacement of the existing TZB. The Department of Energy's (DOE) DEIS for the above-referenced project should identify the TZB DEIS as a potential future project and discuss it in the DOE DEIS.

The Champlain and Erie Canal systems are designated as a National Heritage Corridor. The DOE's DEIS should consider impacts to the operation, maintenance and use of the Champlain Canal by the project, including, but not limited to, the following:

1. Underground Utility Depth Requirements

The NYSCC generally requires that utilities be placed a minimum of 5 feet below the official channel bottom and that sufficient protection is provided to the cover of the utility at the 5 foot depth mark (not higher). Where horizontal directional drilling is used, a minimum of 10 feet is required. The CHPEI report prepared pursuant to Article VII of the New York State Public Services Law (CHPEI report) states that the cables will be placed 3 feet below the current channel bottom. The requirement to place utilities no higher than 5 feet below official channel bottom is to protect the utility conduits from accidental damage from vessel anchors and from dredging operations. The DOE's DEIS should consider potential impact of the proposed cable depth of 3 feet on the Champlain canal, including vessel use of the canal and operation and maintenance activity by the NYSCC. An alternative depth of no less than 5 feet below official navigational depths should be discussed and identified as a mitigation measure for the potential impacts to vessel operations and maintenance of the channel.

2. Rock Crossings

At locations where rock or a hard surface is located, the CHPEI report calls for the cable to be placed on top of the rock, and then covered with a concrete or similar mat. This would place the cables within the official channel. Any encroachment into the channel is not acceptable and not permitted. There is one location where the channel is in a rock cut for approximately 400 feet, about 3 miles south of Lock C-11.

Alternatives to effectively crossing rock within the Champlain Canal that do not impact the use and maintenance of the channel should be discussed in DOE's DEIS.

3. Real Property Rights

The DOE's DEIS should acknowledge that certain real property rights or a permit must be acquired from the NYSCC by the project sponsor to utilize the Champlain Canal.

4. Extent of Project on Canal Corporations Operations

The impact of the cables to the canal is significant as the Project corridor linearly follows along the channel. If the corridor width is considered to be 25 feet, the proposed corridor is 33 percent of the official channel width of 75 feet. Any impacts of the project, including the cables installation, operation and future maintenance on the NYSCC's operations, maintenance, or engineering of the canal should be considered in the DOE's DEIS.

5. Commercial Navigation

The CHPEI report states that the project vessels installing the cable may cause delays in commercial boating traffic. It is not acceptable to disrupt commercial traffic; however, it would be appropriate to coordinate commercial traffic with the NYSCC. The DOE's DEIS should discuss construction related impacts of the project on the Champlain Canal, including possible mitigation measures such as coordinating construction activity with the NYSCC.

6. Safety to Employees

The NYSCC utilizes spuds on its barges to secure vessels during maintenance and dredging activities. These spuds could potentially pierce the cables. Any precautions and future coordination with NYSCC to mitigate this potential impact should be discussed in the DOE's DEIS, including, but not limited to potential effects on the canal system and NYSCC employees in the event a cable is compromised.

7. Impact of Electromagnetism

The CHPEI report on electromagnetism concludes that there is no danger or impact due electromagnetism. The results show that for the length of cable in the channel, a

Dr. Jerry Pell
July 29, 2010
Page Four

maximum of 394 milligauss is calculated. The readings on canal lands show a maximum of 755 milligauss calculated. Both are above the CHPEI report's 200 milligauss recommended maximum at the edge of Right of Way.¹ The DOE's DEIS should discuss the potential impact of electromagnetism on NYSTA/ NYSCC employees, and on directional and communication equipment used by boaters and NYSTA/NYSCC employees.

8. Turbidity

The DOE's DEIS should discuss impacts associated with turbidity within the Champlain Canal system.

9. National Historic Register

The CHPEI report's discussion on Historic and Archeological Resources fails to mention that the Canal System is eligible for the State and National Historic Register, and that the Champlain Canal is part of the Erie Canalway National Heritage Corridor. DOE's DEIS should identify the Champlain Canal as part of a National Heritage Corridor and its eligibility for the State and National Historic Register.

The NYSTA and NYSCC thank you for the opportunity to provide these comments and look forward to working with the DOE and the cooperating agencies in the development of the DEIS. Please do not hesitate to contact me at (518) 436-2860 if you have any questions regarding this letter.

Sincerely,



Peter M. Casper
Assistant Counsel

Cc: Via Email
Carmella Mantello
Bill Estes
Ted Nadratowski
Steve Sweeny
Tom McGuinness

¹ See Exhibit E-5 of CHPEI report.

Cotton, Douglas E

From: Hanbury, Liz
Sent: Thursday, July 08, 2010 7:50 PM
To: Cotton, Douglas E; Murphy, Sean
Subject: FW: Welcome

From: Angela Pernice [angela.pernice@yahoo.com]
Sent: Thursday, July 08, 2010 6:14 PM
To: info@chpexpresseis.org
Subject: Re: Welcome

Thank you for responding to my email.

There is a meeting tomorrow at EPA, 290 Broadway, NYC regarding Champlain Hudson Power Express Cable Proposal.
@ 2:00 PM. I am planning to attend.

I would appreciate your emailing me any information you may have on this project.

As you know there are many other OPTIONS available that do NOT REQUIRE this tremendous expenditure. I would like a cost analysis. I will then inform you of other options that are currently available which would not require an outlay of huge funds.

Thank you again for your contacting me and for your kind cooperation.

Sincerely,

Angela Pernice
President/CEO
Alliance for Independent Long Island

From: "info@chpexpresseis.org" <info@chpexpresseis.org>
To: angela.pernice@yahoo.com
Sent: Thu, July 8, 2010 10:28:40 AM
Subject: Welcome

Thank you for your interest in the preparation of the Champlain Hudson Power Express Environmental Impact Statement (EIS).
Throughout the entire preparation process, we will be issuing updates and notices via email.
You are now signed up to receive these EIS updates.

For more information about the preparation of the EIS for this project, please contact Dr. Jerry Pell, as follows:

Dr. Jerry Pell
Principal NEPA Document Manager
Office of Electricity Delivery and Energy Reliability (OE-20) U.S. Department of Energy 1000 Independence Avenue, SW.
Washington, DC 20585
Jerry.Pell@hq.doe.gov<mailto:Jerry.Pell@hq.doe.gov>
Telephone: 202-586-3362
Fax: 202-318-7761

PROTECT
408 Steamboat Station
Southampton, PA 18966
215-364-3460
protect@pobox.com

Dr. Jerry Pell, CCM
Principal NEPA* Document Manager
Permitting, Siting, and Analysis (OE-20)
Office of Electricity Delivery and Energy Reliability
U.S. Department of Energy
Washington, DC 20585

Re: B watt Underrwater cable, Quebec to NY
Docket # PP-362

Dear Dr. Pell,

PROTECT has since 1982 actively opposed import of Canadian hydropower and construction of high voltage transmission facilities to accommodate that power. We were involved initially in legal action to oppose the Marcy-South Transmission Line which brings hydropower from James Bay in Quebec and have since been active participants in other efforts to limit this policy of bringing enormous electricity resources south from Canada for consumption in the United States.

PROTECT has partnered with many organizations in advocacy of legislative action and in legal actions concerning energy projects – partners such as Sierra Club, Audubon Society, Friends of the Earth, NRDC, Solidarity, Citizens Environmental Coalition, Hudson River Sloop Clearwater, the Grand Council of the Crees of Quebec¹, the City of New York, and many others representing a very broad and comprehensive cross-section of American and North American communities.

¹ PROTECT was a registered agent for the Grand Council of the Crees of Quebec during the 1990s but that registration is no longer applicable and we do not in any way represent the Crees at this time, nor since 1997.

Our concerns are primarily environmental. The generation and transmission of electricity has serious environmental impacts regardless of where it occurs. This activity across a national border will for example result in the following:

- It will limit efforts to constrain the disproportional consumption of electricity in the United States because in part the environmental impacts involved are far out of sight and mind, suffered only by distant and often native people whose concerns are not of concern to US consumers. This power will support the illusion that electricity is an unlimited resource and can be used and wasted without concern.
- It will limit production of power in this nation for our own consumption in part because the availability of imported power removes the sense of urgency for development of power here that is environmentally acceptable, for which we take responsibility for its development, construction and full range of impacts including socioeconomic impacts.
- Impacts upon the Canadian environment and the social and economic impacts upon native people affected by hydropower development in Canada are severe and must not be ignored by the United States. Canada is under censorship internationally for its refusal to fully honor the rights of its aboriginal people. The United States must not become party to that by purchasing the power generated at the expense of those native communities. New York State has in the past declared hydropower from Quebec to be so environmentally devastating in Quebec that it is not acceptable in New York. NEPA must consider the advisability of a similar decision.
- It is important to note that while this power is supposedly from Labrador, in fact, it is part of the pool of power in which Hydro-Quebec is involved, a pool that is supplied by ever-increasing damming and diking and flooding of rivers and wilderness areas in Quebec, almost exclusively on native lands. The relationship between the Labrador facility and Hydro-Quebec's overall development plans needs close examination. The United States should not be Hydro-Quebec's partner in their *Plan du Nord*.
- The profits will be in Canada. How will the US re-coup fiscal damages in the event of a disaster?

The proposed cable itself is also of enormous concern and we ask that you consider the serious threat to water supplies should some accident or engineering flaw result in leaks or breaks in that line. It appears to be policy that permits are granted in the belief that no accidents will occur: There will be no leaks from under-sea oil drilling, no explosions or water contamination from Marcellus gas extraction; no mine explosions from coal mining. Recent history and the enormous environmental damages done as a result of those assumptions have proven that the energy industry is naive or irresponsible about the consequences of its actions, and that it is the American people and future generations who will ultimately bear the cost of the related errors in judgment on the part of governmental agencies which have allowed these

activities to continue without adequate planning for the problems they can (and lately often do) cause.

American Rivers has recently announced that the Delaware River is THE most endangered river in our nation, because of the Marcellus gas extraction. The sort of thinking that has led to this horrendous situation must change for the protection of the American people! The B-watt Underwater Cable, Quebec to NY, poses potentially disastrous consequences for major waterways, Champlain and the Hudson River, as well as Long Island Sound, and for surrounding communities.

Proponents of this facility must be held accountable by NEPA for considering and discussing openly every possible contingency, every possible problem that the line could cause, and every detailed plan to immediately repair damages and prevent contamination of the environment through which the line passes. It is not enough for them to simply say that such facilities are being operated successfully elsewhere. That no accident has occurred to date does not mean that no accident will occur. The question is what will be done to contain damages should problems develop? – And, further, is it even possible to consider or imagine every sort of problem that may develop in the future?

Our major waterways must not be used for the experimentation this project represents.

It is past time for the US Government and government at all levels to look ahead at the negative possibilities and refuse to permit development of what are essentially experimental facilities when the worst-case scenarios threaten the water we must have to continue as a society and a culture; the safety and the environmental health that are far more essential to our lives than is another supply of electricity for us to consume in excess at rates far beyond the per capita rate of energy consumption in other parts of the world.

There is an alternative to this line and that alternative is sensible and easily applicable energy efficiency, from which experts such as Rocky Mountain Institute estimate we could obtain another 60% and more of the power available to us today. In other words, we are wasting through inefficiency more than half the power we produce (a modest estimate compared to those proposed by most energy experts today). Through elimination of that waste we could provide electricity to tide us over until non-fossil fuel resources are developed within the United States.

PROTECT urges you to seriously and comprehensively consider alternatives to this proposed transmission line.

Please include us in all correspondence and activity regarding the EIS for this project. We ask that this letter be included in the record.

Sincerely,

Doris Delaney

Doris Delaney
For PROTECT

Cotton, Douglas E

From: Pell, Jerry [Jerry.Pell@hq.doe.gov]
Sent: Monday, June 21, 2010 10:51 AM
To: Hoover, Mike; Cotton, Douglas E
Subject: FW: PUBLIC comment ON FEDERAL REGISTER

The below should be treated and recorded as a scoping comment. Also gets posted on our EIS Web site.

From: jean public[SMTP:USACITIZEN1@LIVE.COM]
Sent: Saturday, June 19, 2010 1:50:47 PM
To: askNEPA; carol.bergstrom@hq.doe.gov; americanvoices@mail.house.gov; comments@whitehouse.gov; sf.nancy@mail.house.gov; information@sierraclub.org
Cc: info@earthjustice.org; center@biologicaldiversity.org; today@nbc.com
Subject: PUBLIC comment ON FEDERAL REGISTER
Auto forwarded by a Rule

THERE IS NOT SUFFICIENT ENVIRONMENTAL IMPACT STUDIES DONE TO LET THIS PROJECT GO FORWARD. IT IS ALSO IMPORTANT THAT THE BUSH CHENEY SCUM CROWD HAD ALOT OF SECRET MEETINGS ON HOW THEY WERE GOING TO MAKE A KILLING WHILE OUR COUNTRY IS CUT UP FOR THE BIG TIME, RICH ENERGY CROWD. OUR ENERGY COSTS HAVE SKYROCKETED WITHOUT SOUND PLANNING AND THE BUSH CHENEY SCUM WERE ALL IN IT FOR THEMSELVES.

I DO NOT FAVOR LETTING RICH PROFITEERS BUILD THIS PROJECT. BURNING COAL FOR POWER SO RICH PROFITEERS CAN SELL IT TO CANADA DOES NOT HELP AMERICA IN THE LONG RUN. WE ALL DIE FROM AIR POLLUTION.

THE AREA CONSIDERED HERE IS ALREADY FILLED WITH HORRIBLE AMOUNTS OF PCBS FROM GENERAL ELECTIC CAUSING CANCER TO BE RAMPANT IN THIS AREA. I SEE NO REASON PRECAUTIONS TO CLEAN UP THE AREA FROM THE LAST SPILL. THIS AREA IS ECONOMICALLY DEPRESSED AND NEEDS HELP, NOT MORE POLLUTION. DOE DID NOTHING TO PREVENT GENERAL ELECTRIC FROM POLLUTING THIS ENTIRE AREA WITH PCBS, WHICH REMAIN THERE CAUSING CANCER TO THIS DAY BECAUSE DOE HAS DONE NOTHING EXCEPT LET RICH POLLUTERS RUN WILD. THE RELATIONSHIP OF RICH POLLUTER WITH DOE IS LIKE MMS WITH BP-SAME DAMN THING

THIS PROJECT SHOULD BE SHUT DOWN NOW. LET THE RICH POLLUTERS GO BROKE.WE ARE SICK OF GETTING CANCER WHILE THEY GET RICH
JEAN PUBLIC 8 WINTERBERRY COURT WHITEHOUSE STATION NJ 08889



RIVERKEEPER.
NY's clean water advocate

August 2, 2010

VIA ELECTRONIC MAIL

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

Re: Environmental Impact Statement Scoping Comments for Docket No. PP-362

Dear Sir:

I am hereby submitting the attached comments on behalf of Riverkeeper, Inc. in response to the *Notice of Intent to Prepare an Environmental Impact Statement and to Conduct Scoping Process* filed in the Federal Register on June 18, 2010 regarding Champlain Hudson Power Express, Inc.'s application for a Presidential permit to construct, operate, maintain, and connect an electric transmission line across the US-Canada border in northeastern New York State.

Riverkeeper is a member-supported, independent not-for-profit environmental group based in Westchester County, NY. Our mission is to protect and preserve the ecological integrity of the Hudson River and its tributaries as well as safeguard the drinking water supply of New York City. With the help of our diverse membership, which includes an array of constituents from local fisherman and upstate rural families to urbanites and suburbanites, we use a toolbox of litigation, advocacy and public education to pursue our goal of a "fishable, swimmable" Hudson River.

As a steward of the Hudson River, Riverkeeper has a vested interest in assuring that comprehensive studies are performed for the production of the Draft Environmental Impact Statement. Clean energy sources are desirable if they are provided without adversely affecting the ecological integrity of the natural environment. Riverkeeper urges the Department of Energy staff, in collaboration with the U.S. Environmental Protection Agency, the U.S. Army Corps of Engineers, the New York State Department of Environmental Conservation, and the New York Public Service Commission, to fully consider the following comments in its preparation for the draft Environmental Impact Statement.

Riverkeeper looks forward to participating throughout the environmental review process.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Phillip Musegaas". The signature is written in a cursive, flowing style.

Phillip Musegaas
Hudson River Program Director
828 South Broadway
Tarrytown, NY 10591
914-478-4501 ext 224
phillip@riverkeeper.org

**Riverkeeper, Inc. Scoping Comments for the Champlain Hudson Power Express
Transmission Line Project Draft Environmental Impact Statement, Docket No. PP-362**

1. The DOE must include in its Draft Environmental Impact Statement (DEIS) a detailed study of the effects of the transmission line installation on the sediment and contaminants existing in the Hudson River to avoid or minimize adverse impacts on the estuarine and riverine ecosystem and potential impacts to public health.

A. The need for comprehensive sediment sampling

The DEIS must include a survey of sediment types at strategic locations along the underwater route. To fully analyze the sediment content for heavy metals and other toxic contaminants, the samples must be taken down to the depth at which trenching will reach. Additionally, each sediment type must be evaluated to understand the rate at which the various contaminants will be reabsorbed. This is an indispensable basis for a thorough evaluation of the safety of this project for the human and natural environments.

Contaminants existing in the sediment of the Hudson River will be resuspended into the water column at varying rates by each of the trenching methods. While contaminants do settle over time, it is vital that the DEIS include a study of the length of time it will take for each type to resettle or be reabsorbed into the sediment. In order for the DOE to make an informed decision about the safety of this project's impacts on the aquatic ecosystem, the DEIS must also study the rates of resettlement and re-absorption for each type of sediment likely to be encountered.

Disturbing contaminants results in an increase in bioavailability as particles are resuspended into the water column. This is particularly dangerous for toxics such as PCBs that are bioaccumulative; in other words, the level of toxicity increases as the contaminant moves up the food chain, culminating with the human diet. Various other human uses also rely on the safety of the water quality in the Hudson River, including recreational activities, fishing and drinking-water intake systems. It is vital that the DEIS comprehensively assesses the effects from installation on these activities in order to move ahead in the permitting process with due caution.

B. Strategic sampling locations

Specific locations of concern should be directly targeted for gathering sediment samples. These include areas in which heavy concentrations of contaminants are known or even suspected to exist and at which drinking water intake systems operate. Particular attention should be paid to understanding the amount of contaminants that would be resuspended by each type of trenching and the rate at which re-absorption of existing contaminants would occur in these specific locations. This information could then be used to take decisive actions to avoid these areas or implement a water quality warning system if necessary.

- i. Areas of specific concern regarding known sites of heavy metals and other toxic contaminants

Contaminants such as polychlorinated biphenyls (PCBs), mercury, cadmium and strontium 90 are known to exist at toxic levels in the Hudson,¹ and have been proven harmful to both the estuarine ecosystem and the humans who rely on it. PCBs are of particular concern as they are classified by the Environmental Protection Agency (EPA) as “probable carcinogens” and are recognized as having both neurological and developmental effects on humans.² In addition to these direct impacts, PCBs bioaccumulate, increasing in quantity and toxicity as they move up the food chain from small/young fish until they reach humans at significantly elevated levels.

In order to minimize the negative impacts of this project, the locations and concentrations of each must be identified. Areas at which concerns have been raised should be specifically targeted for sampling, in addition to regularly spaced intervals. Areas of concern include, but are not limited to, the Hudson River near the former Anaconda Copper and Wire Company site and the Tappan Terminal site in Hastings-on-Hudson, New York, as well as the Hudson River in the vicinity of the Indian Point nuclear power plant in Buchanan, New York. The DEIS should identify and assess all areas on the proposed cable route that are known to contain high levels of contaminated sediment. Contaminants of concern include PCBs, heavy metals (copper, cadmium, etc.), hydrocarbons, petroleum, and radionuclides that attach to sediment, such as strontium-90 and cesium-137.

ii. Areas of specific concern regarding drinking water intake systems.

Assessing the contamination levels as well as the substrate type near water intake systems is vital in order to minimize disturbance of these areas and to keep the public informed of any possible dangers. Areas with drinking water intake systems include Stillwater, Halfmoon, Waterford, Green Island, Rhinebeck, Port Ewen and Poughkeepsie. If toxics are discovered at any of these points, the project should be routed to avoid them.

C. Implement contaminant safety standards and public notification procedures during installation.

If the project is permitted to go forward, a contaminant monitoring system should be relied on during installation in order to minimize resuspension of PCBs and other contaminants into the water column. In considering this option, the DOE should look to the example of the GE PCB Dredging Project, meant to eliminate 100,000 pounds of the approximately 1.3 million pounds of PCBs discharged into the Hudson River by GE between 1947 and 1977. During the first phase of the dredging project, the Federal Safe Drinking Water Act standard was used as a safety warning. When levels of PCBs exceeded the safety standard of 500 parts per trillion (ppt), dredging was halted until the contaminant levels resettled to a less dangerous load.³ Additionally, Quality of Life Performance Standards were used during the PCB dredging project to reduce the negative effects of the project on “people, businesses, recreation, and community activity.”⁴ If

¹ Riverkeeper.com, Other Hudson River Pollutants, <http://www.riverkeeper.org/water-quality/udson/other-pollutants> (last visited July 27, 2010).

² EPA.gov, Hudson River PCBs: Frequently Asked Questions, <http://www.epa.gov/udson/faqs.htm> (last visited July 27, 2010).

³ USEPA, Hudson River PCBs Superfund Site: Phase I Dredging Factsheet, 2 (2009), <http://hudsondredgingdata.com>

⁴ USEPA, Hudson River PCBs: Quality of Life Performance Standards, http://www.epa.gov/udson/quality_life.htm (last visited July 27, 2010).

the project proposed by CHPEI moves forward, a similar program of safety precautions should be implemented to keep the public informed and to ensure a higher degree of safety to people and the estuarine habitat.

2. The DOE must carefully appraise alternative locations for the facilities and transmission line route to identify the path that minimizes both the localized and cumulative environmental impacts.

A. Facility location alternatives

The locations for the converter station and substation, sited in Yonkers, NY and Queens, NY, respectively, need to be compared to other available alternatives to ensure the selection of sites that would most effectively mitigate the harmful environmental impacts from both the construction and operation of this project. The sites currently proposed by CHPEI require laying approximately 15 miles of Alternating Current (AC) cables under the Hudson, Harlem, and East Rivers to connect the two facilities.

AC cables in operation produce electromagnetic fields (EMFs), which can affect electro sensitive fish and could alter fish migratory patterns. To mitigate these negative impacts to the highest extent possible, the DOE should strongly consider the alternative Queens location for the converter station, which would be adjacent to the preferred location for the substation. This would avoid any effects associated with higher EMFs produced by the AC cables on the aquatic environment. Additionally, this alternative would minimize the unavoidable visual impacts by having essentially a single site for both stations.

B. Underwater route siting - considering impacts during operation

In addition to the effects from installation, the DOE must assess the possible effects of ambient heat during operation of the transmission line on the benthic environment to determine if there is a need to mitigate through further insulation or by rerouting to avoid sensitive habitats. The DEIS must evaluate whether the ambient heat will encourage leaching of contaminants from the sediment, and whether the heat will affect infaunal species, fish in general, and specifically fish that use heat sensory to locate food.

C. Underground route alternative

The DOE must closely consider the possibility of the underground route along railroad right of ways (ROWs) being preferable to the underwater route. CHPEI (hereafter, "the applicant") has stated that one reason for choosing the underwater route is to minimize the environmental impacts of the project; however, the DEIS must conduct an independent analysis into the accuracy of this assertion.

The DEIS should address the following questions:

- Would expanding the ROWs to allow for the installation of the cables affect any ecologically sensitive areas?
- If so, would it have a greater affect on these terrestrial areas than on sensitive aquatic habitats?

- Would the cumulative impacts of an underground route be greater or lesser than the proposed underwater route?

Since railroad ROWs are previously disturbed areas, it seems possible that burying cables along them would not significantly impact those environments. These issues must be carefully studied before concluding that the environmental impacts would be lesser on the aquatic environment than they would be along the railroad ROWs.

3. The DEIS must analyze the effects of each installation method on existing habitats and carefully evaluate CHPEI's selections to ensure the least harmful method is chosen for each habitat.

A. Trenching methods

i. Method-selection process for individual locations

Various trenching methods are proposed to be used, including water jetting, plowing and conventional dredging. The applicant has stated that it will select which method to use based on the sediment type and other obstacles that might prohibit the use of their first-choice method of water jetting. The DEIS must comprehensively assess the impacts of each trenching method on the specific estuarine environment in which it is proposed to be employed, as well as the reasonable alternatives and/or mitigation measures available to avoid or minimize the impacts.

This analysis must also include a study of the impacts from any vessels required for each installation technique. For example, conventional dredging will require the use of stabilizing marine vessels, which may have large "jack-up legs" with between 80 and 300 square foot pads.⁵ These are large enough to have a significant impact on the riverbed, fish habitat and Sub-aquatic vegetation ("SAV") where they are placed, and their proposed use in sensitive areas like Haverstraw Bay must be carefully assessed as a part of the DEIS.

Before assessing the applicant's selection process, the DOE must understand the effects of each method on the different habitats and substrate types throughout the Hudson. Specifically, the DEIS must show what the effects of each method are on SAV, endangered or protected species and state and federally designated essential and significant habitats.

ii. Impacts from concrete mattress on benthic community

Of specific concern is the use of concrete mattresses as a protective barrier in areas where the transmission cable will not be able to be buried in the sediment. The applicant states that the environmental effects on these areas will be short lived and that the mattresses will quickly be repopulated as a new reef-like habitat. The DOE must assess the ability of the proposed material to actually be used by aquatic wildlife in this manner. If the proposed material is not porous or otherwise conducive to re-habitation, alternatives must be explored.

iii. Impacts from each on officially designated habitats

⁵ CHPEI, Inc., Art. VII Application for Certificate of Environmental Compatibility and Public Need, §4.7.1.2, 4-184 (March 30, 2010).

The effects of each trenching method on protected habitats, especially, must be closely scrutinized and the DOE must ensure that potential impacts to Significant Coastal Fish and Wildlife Habitats and Essential Fish Habitats are fully assessed, as well as alternatives and mitigation measures that could avoid or minimize such impacts.

While there are many protected habitats throughout the Hudson Estuary, the Haverstraw Bay habitat in particular is a distinctively productive area that provides essential habitat for most estuarine-dependent species in the Hudson River. Significantly, this habitat includes species protected under the Endangered Species Act and the Magnuson-Stevens Act. Many of these species join populations throughout the North Atlantic at various stages of their lives. Fish species in Haverstraw Bay include striped bass, American eel, Atlantic tomcod, American shad, blueback herring and the federally listed endangered Shortnose Sturgeon.⁶

The environmental health of habitats like Haverstraw Bay is of national interest, as reflected in its designation as a Significant Coastal Fish and Wildlife Habitat by the New York State Coastal Management Program (CMP), as a Significant Habitat and Habitat Complex of the New York Bight Watershed by the U.S. Fish and Wildlife Service (USFWS), and as an Essential Fish Habitat under the Magnuson-Stevens Act by the National Oceanic Atmospheric Administration's National Marine Fisheries Service (NOAA's Fisheries).

B. Horizontal Directional Drilling

i. Impacts from frack-out materials

Horizontal Directional Drilling (HDD) is a technique proposed by the applicant to allow the transmission line to enter and exit the waterways while only minimally interfering with near shore habitats. The HDD process may sometimes use an additive to assist in the removal of materials from the drilling hole. The applicant indicates that Benseal®, sodium bentonite, is most likely to be used in this situation.

Benseal® is frequently used to seal dams and ponds because of its high expansion ability. While the applicant has stated that “[t]his material is not toxic and will not have a negative environmental impact,”⁷ the catalog sheet submitted by the applicant to describe Benseal® states that escaped bentonite particles can “[interfere] with the gill action of fish.”⁸ The DOE must research the environmental impacts that could occur in the case of a frack-out during the HDD process. Effects on near shore and marine habitats and species, as well as on drinking water and groundwater must be studied to fully evaluate whether this product is indeed environmentally benign.

ii. Impacts from feet of vessel used

⁶ The New York Department of State's (DOS) description of the Haverstraw Bay Significant Coastal Fish and Wildlife Habitat can be found on the DOS website, at http://nyswaterfronts.com/downloads/pdfs/sig_hab/hudsonriver/Haverstraw_Bay.pdf, last accessed August 2, 2010.

⁷ CHPEI, Response to Interrog. Request RVK-3, 2 (July 22, 2010).

⁸ *Id.* at 4.

Part of the HDD process requires the use of marine vessels, which may have large “jack-up legs” to stabilize the work. These legs may have 80 to 300 square foot pads,⁹ large enough to have a significant impact on the riverbed, fish habitat and SAV where they are placed. The DOE must pay close attention to where these types of vessels will be used and what the impacts would be in those locations. The DEIS should include a review of the factors that influence the process of selecting vessel types for HDD and weigh them against the impacts of using these large “jack-up legs.”

iii. Impacts from the construction and use of cofferdams and excavation pits

The HDD process also includes the creation of a cofferdam, a dry work space created on the riverbed where drilling hole would exit. The cofferdam will also include an excavated area meant to catch any drilling fluid returns and spills in the case of a frack-out. The process of constructing the cofferdam and excavation pit must be studied to determine the level of inevitable impact to the benthic as well as shoreline riparian habitat. Also, the exact placement must be scrutinized to minimize the impacts to the maximum extent possible.

4. It is essential that the DOE conduct a rigorous and independent analysis of the effects of Electromagnetic Fields (EMFs) produced by both Direct Current (DC) and Alternating Current (AC) transmission lines on the marine ecosystem; the DOE should rely on the precautionary principle to frame the DEIS.

A. Impacts from electromagnetic fields on the aquatic environment

Electromagnetic Fields (EMFs) will be produced by electric current running through the transmission lines, and will be made up of both electric fields and induced magnetic fields. While electric fields can be contained in insulation, magnetic fields cannot. These magnetic fields then induce secondary electric fields, thus creating EMFs that exist outside of the transmission line.¹⁰ Additionally, “[b]ecause neither sand nor seawater has magnetic properties, burying a cable will not affect the magnitude of the magnetic (B) field; that is, the B fields at the same distance from the cable are identical, whether in water or sediment.”¹¹ Unlike the Earth’s naturally occurring geomagnetic fields and DC fields, which are static, AC cables produce a current that has a cycling polarity.¹² Therefore, as aquatic organisms are likely to react differently to static and cycling EMFs, separate studies need to be done on the effects of both DC and AC cables.

Various aquatic species are known to use and react to electrical and magnetic fields. For example, some elasmobranchs, a subclass of cartilaginous fish, have specialized tissue that detect electrical fields, which the animals use to detect predators, competitors and prey. Other species, including two known species of sturgeon, will respond to changing electrical or geomagnetic

⁹ CHPEI, Inc., *supra* note 6.

¹⁰ USDOE, *Report to Congress on the Potential Environmental Effects of Marine and Hydrokinetic Energy Technologies*, Appendix D: Electromagnetic Fields in the Aquatic Environment and their effects on Aquatic Animals D-1 (2009). Available at http://www1.eere.energy.gov/windandhydro/marine_hydro_market_acceleration.html (follow hyperlink on right hand side of page to pdf).

¹¹ *Id.* at D-2.

¹² *Id.*

fields, but don't seem to use the same mechanism as the elasmobranchs.¹³ Sturgeon also use electroreceptors to locate prey.¹⁴ Since these abilities directly affect the ability of these, and many other, species to survive, an in-depth study must be performed to properly weigh the risks of altering the naturally occurring electrical and magnetic fields along the substrate.

Altering electrical, magnetic and electromagnetic fields can have adverse affects on the bodies of marine life, their ability to detect predators and prey, and potentially on their migratory abilities. At least one study has shown a decelerated heart rate by American Eels in response to low levels of DC electrical fields (.07 to 0.67 uV/cm) and a 2003 study on an AC cable noted that the electrical field "would likely be detectable by a dogfish...at a radial distance of 20 m."¹⁵

There is a concern that fish migration may be affected by EMFs due to some migratory species' electro-sensory detection of food sources. Additionally, many species, such as Sturgeon and Eel use magnetosensitivity to Earth's magnetic fields for long-distance migration and Riverkeeper is concerned that these sensory abilities may be affected by the EMFs produced.¹⁶ Because the Sturgeon family includes the shortnose sturgeon, a federally-listed endangered species that travels long-distances to spawn in the Hudson Estuary, they are of specific concern regarding the affects of the EMFs that will be produced by both the DC and AC cables proposed for this project.

B. Use of the precautionary principle

While many adverse effects of EMFs are known, many are yet unproven. This is precisely the type of issue that benefits from reliance on the precautionary principle, which was adopted by the United Nations as part of the Rio Declaration on Environment and Development in 1992. It stated, in part:

In order to protect the environment, the precautionary approach shall be widely applied by States according to their capabilities. Where there are threats of serious or irreversible damage, lack of full scientific certainty shall not be used as a reason for postponing cost-effective measures to prevent environmental degradation.¹⁷

As the United States is a signatory, and has ratified, the Rio Declaration, it is bound by it. The question is not whether the United States will use the precautionary principle, but rather how and when. While the principle is not explicitly stated, it is consistent with the language of current environmental legislation in the US, including The National Environmental Policy Act of 1969 and The Pollution Prevention Act of 1990.¹⁸

Though some impacts from EMFs on aquatic wildlife are supported by scientific studies, many remain unproven. Therefore, an action that would result in the production of EMFs throughout

¹³ *Id.* at D-4

¹⁴ *Id.* at D-5.

¹⁵ *Id.*

¹⁶ *Id.*

¹⁷ Rio Declaration on Environment and Development, June 14, 1992, 31 ILM 874.

¹⁸ Joel Tickner & Carolyn Raffensperger, *The Precautionary Principle in Action: A Handbook*. 1st Ed. (1998). Available at <http://www.sehn.org/precaution.html#pub> (follow hyperlink "The Precautionary Principle Handbook").

the Hudson River estuary is precisely the type of circumstance that warrants adherence to the precautionary principle. While the burden of proving an activity harmful is usually placed on those opposing an action, use of the precautionary principle here would shift the burden to the Applicant, who would then need to prove either no harm will occur or that no less harmful alternative exists. The DOE should use the precautionary principle as a basis for its approach to assessing these impacts in the DEIS and adhere to it moving forward in the permitting process.

5. If the Applicant is exploring the use of upstate wind or other US energy sources, the DOE must include environmental impacts from those source in its DEIS as well.

The Applicant indicates that the energy for this project will come from Canadian sources; however, if the project has the potential to include energy generated in the US, there will undoubtedly be environmental impacts, and those should be assessed in the DEIS.

6. The DOE must comprehensively assess the cumulative impacts of both the construction and operation of the transmission line on the ecosystem of the Hudson River estuary as a whole.

In addition to assessing individual elements of the project's installation and operation, the DOE must also consider the cumulative impacts of the installation and operation of the Champlain cable for the projected lifespan of the transmission lines. An assessment of the cumulative impacts of the cable's installation and operation should be based on an accurate assessment of the cable's expected useful lifespan, and what measures will be taken at the end of its useful life to either replace the cable or leave it in place. The environmental impacts of replacing, removing or leaving the cable in place need also are assessed.

The DOE must also include in the DEIS an assessment of any impacts resulting from periodic scheduled or unscheduled maintenance and repair of the cable. In addition, any impacts, short term or long term, resulting from damage to the cable once it's in operation (e.g. from an anchor strike or accidental dredging/construction disturbance) should be assessed.

August 2, 2010

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

Re: Champlain Hudson Power Express

Dear Dr. Pell:

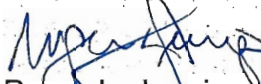
My Qualifications My Company has designed and supplied over 4000 high voltage electrical substations and transmission tower projects over 30 years. The customers included Rouses Point, NY, Plattsburgh Municipal Lighting, GE at IBM in Essex Jct., VT, GE's design for the AC-DC converter station in VT, and ConEd. When the Hydro-Quebec towers all collapsed in a winter storm all of our facilities performed without a flaw.

Rate History There was an energy crisis when President Carter was in office. FERC mandated that public utilities had to pay 6 cents per KWH to any independent that could produce power. The Chairman of ConEd at the annual shareholders' meeting stated that ConEd received so many proposals from independents that another generation project would not have to be considered for at least 50 years. Then NY passed Power Choice removing the obligation of utilities. Independent producers of power lost their customers. To sell power today, the independent is faced with a "wheeling" charge that makes the price excessively high.

Recommendation Move to eliminate wheeling charges so that any producer of power can sell to any buyer. Entrepreneurs will step in to produce power like they did previously. The U.S. will create jobs and will avoid a long term commitment that will worsen our balance of payments.

The proposed project is designed to serve the interests of a foreign corporation rather than the interests of the U.S.

Very truly yours,


Roger L. Jennings
President

Scenic Hudson, Inc.
One Civic Center Plaza, Suite 200
Poughkeepsie, NY 12601-3157
Tel: 845 473 4440
Fax: 845 473 2648
email: info@scenichudson.org
www.scenichudson.org



August 2, 2010

Via e-mail to: Jerry.Pell@hq.doe.gov

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

Dear Dr. Pell:

Scenic Hudson, Inc. is a 47-year-old nonprofit environmental organization and separately incorporated land trust dedicated to protecting and enhancing the scenic, natural, historic, agricultural and recreational treasures of the Hudson River and its valley.

Scenic Hudson has been protecting the Hudson Valley's cherished landscapes and ecosystem since 1963. We understand and appreciate that our future depends on a shift toward clean, renewable energy and that the project proponents believe the proposed Champlain Hudson Power Express ("CHPE") transmission line project will move us in that direction. The scope of the Draft Environmental Impacts Statement ("DEIS") should take a hard look at the benefits and costs of the project in this context.

A project of this magnitude – unprecedented in the Hudson Valley – must be designed and implemented in a manner that will not harm the sensitive Hudson River estuary or the communities through which the power transmission lines will pass. Scenic Hudson urges the Department of Energy ("DOE") to carefully assess the potential negative environmental effects of the proposed project in the DEIS.

1. Re-suspension of PCBs and other contaminants

The installation of the portion of the proposed transmission line that will be buried under the Hudson River has the potential to re-suspend and re-distribute contaminants settled in the River's sediment, impacting the water quality, aquatic and wetlands species and human health. In some areas, conventional dredging is proposed as the preferred method to install the cable, increasing the likelihood of re-suspension of contaminants. This DEIS must evaluate how CHPE will determine which method (water jet trenching, mechanical plowing or dredging) will be used in which area and the varying environmental impact of each of these methods, as well as the potential for re-suspension of contaminants and ways that risk can be minimized.

The contaminants known to exist in the Hudson River include pesticides such as DDT as well as concentrations of heavy metals.¹ Most pervasively, PCBs have settled in the sediment and could pose a major hazard if re-suspended. PCBs are human carcinogens and can also cause non-cancer health effects, such as reduced ability to fight infections, low birth weights, and learning problems. PCBs can build up in the tissue of humans exposed through direct contact, drinking water or, most often, by eating contaminated fish.²

The Hudson River from Hudson Falls to Manhattan was declared a Superfund site over 25 years ago due to the presence of PCB contamination. PCBs dumped into the river by General Electric over a period of thirty years remain buried in sediment along the river bottom³. The proposed route for the transmission line specifically avoids burying cable under the River for a stretch of the Upper Hudson near Fort Edwards, where the Environmental Protection Agency ("EPA") has begun dredging, due to the concern about the potential for re-suspension of these PCBs.

This DEIS must address the potential for re-suspension of PCBs and other contaminants in the Mid- and Lower-Hudson River due to the burying of cable in contaminated sediment. While the concentration of PCBs is greatest in the Upper Hudson, it is undisputed that PCBs contaminate the Mid- and Lower-Hudson River as well.⁴ Some areas of cable may be buried using methods such as horizontal water jet trenching that are less likely to greatly disturb the sediment, but other areas are proposed to be mechanically plowed or dredged, significantly increasing this risk. These different methods and their environmental impacts should all receive a hard look.

The re-suspension of PCBs would impact wildlife and aquatic species, as well as human health. In addition to recreational uses of the Hudson such as swimming, boating, and fishing, there are several communities that have drinking water intakes on the Hudson River in the areas where cable is proposed to be installed, including but not limited to Rhinebeck, Port Ewen, Lloyd and Poughkeepsie.

2. Effects on Aquatic Organisms and Habitat

The Hudson River and its surrounding valley are habitat to a number of sensitive species that could be adversely impacted by the proposed CHPE project. These include several species protected by federal or state law as well as sensitive benthic communities that are most prone to the effects from installation of the cable as well as ongoing effects from the operation of the transmission cables. Scenic Hudson believes that the potential detrimental effects of the construction, installation and maintenance of the transmission cable on aquatic resources and wildlife must be thoroughly evaluated, especially the potential cumulative effects of the installation and operation of the cable along with existing stresses such as contamination.

The impact of installation of the cable on sub-aquatic vegetation and riverfront riparian habitat should be carefully investigated. Sub-aquatic vegetation is an important component of the Hudson River ecosystem, as it supports benthic communities. Many species of fish use sub-aquatic vegetation beds as foraging and nursery habitat, as well as use these beds to hide from predators.⁵

¹ U.S. Geological Survey, Water Quality in the Hudson River Basin.

² U.S. Environmental Protection Agency, Human Health Risk Assessment for Mid-Hudson River Executive Summary, December 1999.

³ U.S. Environmental Protection Agency, Hudson River Dredging Project Background, available at: <http://www.epa.gov/hudson/>

⁴ *Id.*

⁵ Lawrence P. Rozas, Fish and macrocrustacean use of submerged plant beds.

Benthic organisms have the greatest potential to be adversely impacted by proposed project, as they live in the sediment in which the cables will be buried. Benthic organisms play an important role in the aquatic ecosystem, regulating plankton abundance, processing sediments, providing food for other species, and often acting as the foundation of commercial fisheries.⁶ This DEIS must address the effects of both the temporary disturbance of benthic habitat during installation and the permanent alteration of benthic habitat in those areas where rip-rap or concrete mats will be placed over the cable rather than burying it. In addition, alternative systems that would be porous and mitigate impacts to benthic communities should be investigated.

A. Thermal and Electromagnetic Effects

Scenic Hudson also believes that the DEIS must evaluate how the electromagnetic field (“EMF”) and thermal effects of the cable might affect sensitive aquatic species. This should include the segment of the transmission line downstream from the converter station, along which alternating current will flow, presenting the potential for increased EMF impacts.

EMF may affect aquatic species that use the earth's magnetic field for orientation during navigation. Electro-sensitive species could be attracted or repelled by the electrical fields generated by the transmission cables. Areas of breeding, feeding or nursing are particularly prone to these effects because of the congregation or dispersion of sensitive individuals in the benthic community.⁷

CHPE asserts that the effects from the heat effusing from the transmission cables will be negligible due to the depth beneath the riverbed at which the cable will be buried. However, even if effects were negligible on many aquatic species, those benthic species and shellfish that live within the sediment could be affected to a greater degree. Even a small increase in heat can affect not only survival, but spawning and migration behavior of aquatic species. Elevated temperature typically decreases the level of dissolved oxygen water, which can harm aquatic animals such as fish, amphibians and copepods. Thermal pollution may also increase the metabolic rate of aquatic animals, resulting in these organisms consuming more food in a shorter time than if their environment were not changed. As a result food chains are compromised and biodiversity can be decreased as a result.⁸

B. Protected Species

The Hudson River and its surrounding tidal wetlands are habitat to a number of species protected by federal and state law and thus deserving special attention to ensure they are not impacted by the CHPE. Scenic Hudson urges that the DEIS carefully consider any impacts of the construction, operation and maintenance of the transmission line may have on these designated species.

- Shortnose sturgeon have been protected under the U.S. Endangered Species Act since its inception in 1973, and habitat for juveniles to adults is found all along the Hudson River in areas where the transmission cable is proposed to run.⁹ Atlantic sturgeon are currently

⁶ The Hudson River Project, available at: http://www.riverproject.org/riverdive_today.php

⁷ Intelligent Energy Europe, “Electromagnetic Fields and Marine Organisms”, available at: <http://www.wind-energy-the-facts.org/en/environment/chapter-2-environmental-impacts/electromagnetic-fields-and-marine-organisms.html>

⁸ U.S. Environmental Protection Agency, Technical Development Document for the Final 316(b) Phase III Rule, June 2006.

⁹ New York Department of Environmental Conservation, “Freshwater Fishes – Sturgeon”, available at: <http://www.dec.ny.gov/animals/7025.html>

protected under a fishing moratorium that may extend until 2038 and are a candidate for listing under the Endangered Species Act.¹⁰

- Federally endangered bald eagles breed and winter in marshes, coves, and inlets the Hudson River¹¹, and the potential of construction activity to disturb birds nesting nearby and of the clearing or altering of land along the portions of the route to be buried underground to disturb foraging areas must be evaluated.
- Bog turtles are present in the mid-Hudson Valley wetlands and are endangered in New York State and threatened under federal law due to degradation of habitat.¹²

In addition to giving special attention to the species mentioned above, Scenic Hudson urges that the DEIS evaluate the potential impacts to Significant Coastal Fish and Wildlife Habitat (“SCFWH”), Essential Fish Habitat and New York Natural Heritage Program Rare Species designated by state or federal agencies as requiring special protection.

C. Spread of Invasive Species

The potential of the installation process to spread invasive species must be investigated in the DEIS as well. Over the past several decades, several non-native species have been introduced into the Hudson River Estuary. Since they have no natural predators in the Estuary, some have multiplied exponentially and have driven the numbers of other, native species down dramatically.

One of the most prominent of these species is the zebra mussel, whose filtration of the water column is believed to be changing the distribution of sub-aquatic vegetation in the Hudson River and thus altering important habitat for other aquatic species. Zebra mussel’s introduction to the River has also contributed to the decline of various zooplankton, a food source for many species as well as consumers themselves of phytoplankton and detrital material. Zebra mussel has also dramatically changed the benthic macroinvertebrate community in the mid-Hudson Estuary since the early 1990s.¹³

More recently, the invasive Chinese mitten crab has been collected in the Hudson River. It competes aggressively with native crustacean populations and damages native vegetation and increases shoreline erosion.¹⁴

Invasive plant species in the Hudson River include the water chestnut, which starves other organisms of oxygen via hypoxia by dissolving the oxygen content of the water¹⁵, as well as purple loosestrife.¹⁶ Invasive species pose a great risk to biodiversity of the Hudson River, and can result in habitat loss. Therefore, the potential of the CHPE project to aggravate the spread of these species must be assessed.

¹⁰ *Id.*

¹¹ New York State Department of Environmental Conservation, “Bird Species – Bald Eagle”, available at: <http://www.dec.ny.gov/animals/9382.html>

¹² Hudson River Valley Institute, “Bog Turtle”.

¹³ David L. Strayer, “Zebra Mussels and the Hudson River”.

¹⁴ New York Department of Environmental Conservation, “Chinese Mitten Crab Alert for the Hudson River Estuary”, available at: <http://www.dec.ny.gov/animals/35888.html>

¹⁵ Cary Institute of Ecosystem Studies, “No Longer Henry’s Hudson: Exotic Species Alters River Habitat”, 2002-2003.

¹⁶ Bernd Blossey, “Purple loosestrife management plan for the lower Hudson River Valley”, 2003.

3. Floodplains and Wetlands

The portions of the proposed route utilizing the railroad right-of-way would cross Federal Emergency Management Agency-mapped floodplains associated with the Hudson River, as would the underground connection to the Yonkers converter station.¹⁷ The DEIS must carefully assess the impacts of having the cable cross floodplain areas and alternatives that would not take the cable across floodplain areas.

Wetlands serve as natural habitat for many species of plants and animals and absorb the forces of flood and tidal erosion to prevent loss of upland soil. There are thirty-two wetlands mapped by NYSDEC along the proposed route¹⁸, which are vitally important to the biodiversity of the Hudson River Estuary's ecosystem. Wetlands are some of the most ecologically and economically valuable habitats in the Hudson Valley, but they are also one of the most threatened.¹⁹

There is the potential for the proposed project to have a detrimental impact on these sensitive and vitally important areas, especially during the construction and installation phase. Any potential impacts from construction equipment and activities on wetlands should be evaluated in the DEIS. Further, the impacts of Horizontal Directional Drilling ("HDD"), which is proposed for transition points where the cables enter and exit the water, on wetlands must be investigated.

4. Alternate Routes

Scenic Hudson urges that the DOE examine the feasibility of using the I-87 (NYS Thruway/Northway) corridor, immediately parallel to the Hudson River, as an alternative, land-based overhead route for the transmission cables in the DEIS. This could potentially mitigate environmental impacts to a greater extent than either the proposed submerged route or alternative route buried along the existing railroad right-of-way. New York has a policy of preventing linear co-location of utility facilities, other than telecommunications, with the highway right-of-way; however, exceptions to this policy can be granted.²⁰ The DEIS should examine the environmental impacts of this alternative and, if it further mitigates environmental impacts, direct CHPE to seek an exception to this policy.

Effects of the proposed alternative land route on sensitive wetlands need to be evaluated as well. A visual assessment should also be included to determine the extent of visual impact. If an alternative land route is chosen, whether overhead or buried along the railroad right of way, the potential for greater or lesser environmental impacts than the preferred submerged route needs to be assessed.

5. Renewable Potential of Electricity Source

This DEIS must carefully examine and analyze the renewable nature of the proposed power source and the assurances from CHPE that the source will remain renewable in the form of a new hydroelectric dam to be constructed in Quebec.

New dam construction does not meet the criteria for New York State's Renewable Energy Portfolio, which only recognizes new hydroelectric facilities as "renewable" for purposes of the Renewable Energy Portfolio when they are sourced from low-impact run-of-river with no new storage impoundment and a

¹⁷ CHPE Supplement to Article VII Application, Attachment B.

¹⁸ *Id.*

¹⁹ New York State Department of Environmental Conservation, "Conserving Wetlands in the Hudson Valley".

²⁰ New York State Energy Planning Board, 2009 State Energy Plan, at 67-68.

capacity of 30MW or less.²¹ Yet studies presented by CHPE claim that this project would expand New York's renewable energy base in the RPS by 13%.²² This conflict must be investigated and the true overall renewable nature of the energy source identified.

The DEIS must explore the true renewable qualities of the energy source, as well as the possibility that CHPE could end up using a different source of power for transmission through its cables as the project progresses.

6. Yonkers Converter Station

Scenic Hudson understands there may be economic benefits the proposed converter station could possibly bring to the City of Yonkers. However, if the converter station is built on the site proposed by CHPE, every effort should be made to ensure that the converter station is designed in a manner that contributes to, rather than stifles, revitalization on the downtown waterfront.

The developer of the project has proposed to site this station near Wells Avenue and Alexander Street, within the area covered by the Alexander Street Master Plan. This area is also near Yonkers Station and ripe for development with transit-oriented uses, such as the recently constructed Hudson Park at Yonkers project.

The Master Plan aims to create a vibrant new waterfront neighborhood of residences, businesses, and open spaces; provide public access to the Hudson River; promote a pedestrian and cyclist friendly streetscape; maintain and improve public views of the Hudson River; and increase public access by foot and by vehicle into and within the Master Plan Area.²³ However, the construction of the proposed converter station - an industrial facility taking up approximately three acres of land devoid of public uses - could conflict with these redevelopment goals.

Scenic Hudson urges that the DEIS evaluate the effect the proposed converter station will have on the land use goals of the City of Yonkers, and consider viable alternatives for the design of the converter station. One possibility is to construct retail and/or office space that "wraps around" parts of the converter station facing south and west in order to activate the street and generate pedestrian uses in conformance with the Master Plan. This way, the converter station could bring needed economic benefit to the area, while also furthering the goals in the Master Plan and avoiding the creation of areas devoid of retail and commercial activity in close proximity to Yonkers Station and the new library. The DEIS should evaluate whether there would be adverse health effects associated with such human uses in close proximity to the converter station.

Another possibility would be to find an alternative site for the converter station, such as the old Glenwood Power Station. This former power station is currently for sale, fits with the location preference of CHPE (sited near the Hudson River and close to Manhattan), and is already an industrial site.

Again, Scenic Hudson recognizes there may be economic benefits the converter station could potentially bring to the City, but seeks to find creative solutions to impacts associated with large utilities - in this case

²¹ State of New York Public Service Commission Case 03-E-0188, Attachment "Eligible Electric Generation Technologies". This case limits facilities eligible for New York's Renewable Portfolio Standard to upgrades with no new storage impoundment, and new facilities are limited to low-impact run-of-river facilities with capacity of 30 MW or less and no new storage impoundment.

²² CHPE Supplement to Article VII Application, Attachment A.

²³ Yonkers Alexander Street Master Plan at 3-1.

three acres - on prime real estate on a downtown waterfront that would otherwise be used for transit-oriented development.

7. Visual Impacts

The visual impact of the converter station and mitigation strategies must be assessed in the DEIS. A thorough visual analysis determining places from which the converted station would be seen should be prepared. The analysis should include computer-generated visual simulations in order to understand how the converter station would look from important vantage points. These should include the Library, Yonkers Station, Hudson River, upland neighborhoods, adjacent sidewalks, and nearby intersections. Views from Palisades Interstate Park (National Natural Landmark), located across the river in New Jersey and in Rockland County, as well as views from Philipse Manor Hall, listed on the National Register of Historic Places and a State Historic Site²⁴, must be assessed. Other locations should be identified in consultation with City officials.

In addition, temporary visual impacts along the Hudson River due to equipment and nighttime lighting must be evaluated. CHPE has indicated that construction will often go on 24 hours a day, 7 days a week due to the nature of installing the cable under the riverbed. The impacts of increased vessel activity in the River during installation should be investigated as well.

We hope that these comments will inform the scope of the DOE's DEIS on this project, and that the DEIS will allow Scenic Hudson and other intervening parties to better understand the scale of the potential environmental impacts of the project.

Conclusion

Scenic Hudson understands and appreciates that our future depends on a shift toward clean, renewable energy and urge that the DEIS take a hard look at whether the proposed CHPE transmission line project will have positive environmental benefits. A project of this magnitude – unprecedented in the Hudson Valley – must be designed and implemented in a manner that will not harm the sensitive Hudson River estuary or the communities through which the power transmission lines will pass. Scenic Hudson urges the DOE to carefully assess the potential negative environmental effects of the proposed project in the DEIS.

Scenic Hudson hopes that these scoping comments will result in a DEIS that provides a thorough evaluation of all potential impacts of this project.

Sincerely,



Hayley Mauskapf
Environmental Advocacy Associate

²⁴ New York State Office of Parks, Recreation and Historic Preservation, <http://nysparks.state.ny.us/historic-sites/37/details.aspx>



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 2
290 BROADWAY
NEW YORK, NY 10007-1866

JUL 28 2010

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

Re: Champlain Hudson Power Express Transmission Line Project Environmental
Impact Statement (DOE/EIS-0447)

Dear Dr. Pell:

The U.S. Environmental Protection Agency (EPA) is providing scoping comments on the U.S. Department of Energy's (DOE) Notice of Intent to prepare an environmental impact statement (EIS) for the DOE's proposed action of granting a Presidential permit to Champlain Hudson Power Express, Inc. (Champlain Hudson) to construct, operate, maintain, and connect a new electric transmission line across the U.S.- Canada border in northeastern New York State. Champlain Hudson proposes to construct and operate an underground and submarine high-voltage direct current (HVDC) electric transmission line that would originate at a converter station in Hertel, Canada and ultimately terminate in Yonkers, New York. The transmission line is a 1,000-megawatt (MW) HVDC Voltage Source Converter (VSC) controllable transmission system, composed of one 1,000-MW HVDC bipole which is two submarine or underground cables connected as a bipole pair. The original notice of intent described two such bipoles, with the other terminating in Bridgeport, Connecticut. During the public scoping meetings, Champlain Hudson announced that the Bridgeport portion of the project had been cancelled.

EPA's scoping comments are as follows:

- The purpose and need statement should establish the evidence that the need for electricity exists in the area, or will exist if projected population and planned land use growth are realized.
- An evaluation of alternatives to the proposed action, including reasonable alternatives not within the jurisdiction of the lead agency.
- A discussion of all potential permits, including Section 404 permits from the U.S. Army Corps of Engineers that may be required for this project should be included in the EIS.
- A comprehensive evaluation of cumulative, indirect, and secondary impacts. The cumulative impacts analysis should consider the environmental impacts of the project as a whole, and if any, as one of a number of other past, present, and

reasonably foreseeable future projects and/or actions in the project area. Please refer to the Council on Environmental Quality's January 1997 guidance, Considering Cumulative Effects Under the National Environmental Policy Act, which can be found at www.whitehouse.gov/ceq/, if you require further guidance on the requirements of this analysis. The evaluation should include, but not be limited to, the impacts from the demolition and replacement of the Crown Point Bridge.

- EPA recommends that the General Conformity Applicability Analyses be included in the environment impact analysis and any environmental performance commitments must be cited in the Record of Decision.
- A full discussion of the siting and environmental impacts of the Yonkers converter station, including the risks of possible flashovers, should be included in the EIS. The siting of the converter station may require a detailed environmental justice analysis.
- Discuss the expected project life, and how the cable will be repaired if necessary.
- With regard to the upland placement of the cables, the General Accounting Office briefing on "Issues Associated with High-Voltage Direct-Current Transmission Lines along Transportation Rights of Way" dated February 2008, stated that electromagnetic fields and stray current could interfere with railroad signaling systems and highway traffic operations, and accelerate pipeline corrosion. The briefing also states that workers may be more likely to be injured given increased safety risk from close proximity of transmission lines to transportation rights of way. These issues should be discussed in the EIS.
- Describe the area and quality of benthic habitat (including oyster beds, submerged aquatic vegetation, etc.) that will be disturbed due to the placement of the cables in the sediments of Lake Champlain and the Hudson River. Also, discuss the area and quality of benthic habitat that will be permanently lost due to the placement of concrete mats on the cables if it is laid on the surface of the sediment. All mitigation plans should be included in the EIS.
- The Champlain Hudson Power Express Cable System Study Report dated January 18, 2010 describes laying the cables using water jetting and mechanical plows. The EIS should clearly describe what construction methods will be used, and where they will be used. The document should also include a discussion of sediment testing and the suspension of sediments during cable laying.
- The EIS should include the historic and cultural reviews of the Hudson River and Lake Champlain.
- EPA Region 2 is involved in the investigation of a tugboat wreck, i.e., the McAllister which sank in Lake Champlain in 1963, for possible fuel tank leaks. The wreck is in approximately 160 feet of water off the coast of Westport, NY. The following link should be reviewed to determine if the cable path may impact upon this area. http://www.epaos.org/site/site_profile.aspx?site_id=5728
- The EIS should discuss whether the proposed project will effect the proliferation of aquatic invasive species in Lake Champlain or the Hudson River.

EPA would also like to use this opportunity to encourage you to implement green practices and techniques during design and construction. For example, air emissions during construction will include particulate matter (PM_{2.5} and PM₁₀). To reduce the potential health and environmental impacts of these pollutants in the project area and to improve the conditions for the workers, the installation of diesel particulate filters (DPF) on construction equipment should be considered. DPFs can reduce diesel particulate emissions by 90 percent for stationary and non-stationary diesel equipment. To learn more about this technology and its application, you may reference DPFs at <http://www.epa.gov/oms/retrofit/nonroad-list.htm> or contact us directly.

EPA appreciates the opportunity to comment on this scoping document. If you have any questions, please call Lingard Knutson of my staff at (212) 637-3747.

Sincerely,

A handwritten signature in cursive script, appearing to read "Grace Musumeci".

Grace Musumeci, Chief
Environmental Review Section



**SIERRA
CLUB**
FOUNDED 1892

LOWER HUDSON GROUP

c/o George Klein
74 Croton Dam Road
Ossining, NY 10562
(914) 941-2505

August 2, 2010

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

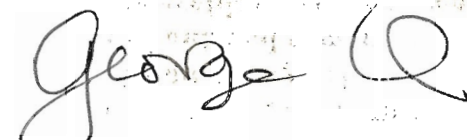
Re: Application for Presidential Permit;
Champlain Hudson Power Express, Inc.
Scoping Comments

Dear Dr. Pell,

These are our respectfully submitted comments on scoping for the EIS in this matter.

- 1. The Champlain Hudson Power Express project would encourage perpetuation of reliance on an antiquated type of energy production and consumption, instead of encouraging domestic renewable energy sources, which we urgently need to combat climate change. If the Champlain Hudson Power Express project were simply not to be built, and demand continued to grow, there would be more relative demand for renewable energy. For renewable energy to succeed, it needs more demand, more markets, and lowering of costs that come with increasing scale, as soon as possible. Therefore, the public interest would be better served if Champlain Hudson Power Express were not built, and we regard this as worthy of inclusion in the scoping.**
- 2. The Champlain Hudson Power Express project would encourage construction of dam-powered hydropower, which raises serious environmental justice issues in Quebec. This type of power is not defined as a renewable energy source for the purposes of New York State's Renewable Energy Portfolio (free-flowing river water is defined as renewable). These two points we regard as worthy of inclusion in the scoping.**
- 3. From an economic perspective, purchasing of energy from outside New York State is bad for the state's balance of payments, as well as our national balance of payments. The public interest would not be served by the project from this perspective, and we ask that this be considered in the scoping.**

Sincerely,


George Klein
Chairman

Received 20 August 2010



STERLING FOREST/HIGHLANDS COMMITTEE

CONTACT PERSON: Jürgen Wekerle
P. O. Box 287
Walden, NY 12586
Tel. (845) 744-5116

August 2, 2010

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

Attn: Dr. Jerry Pell

**UNITED STATES DEPARTMENT OF ENERGY
OE DOCKET NO. PP-362
DOE/EIS - 0447**

**SCOPING COMMENTS FOR ENVIRONMENTAL IMPACT STATEMENT (EIS)
RE: CHAMPLAIN HUDSON POWER EXPRESS (TRANSMISSION
DEVELOPERS, INC.) APPLICATION FOR A PRESIDENTIAL PERMIT,
AND APPLICATION FOR AMERICAN RECOVERY AND REINVESTMENT
ACT FUNDING TO CONSTRUCT AND OPERATE A 1,000 MW
ELECTRIC TRANSMISSION CABLE FROM QUEBEC, CANADA, TO THE
NEW YORK METRO REGION.**

Dear Dr. Pell:

The following written comments are to supplement the Sierra Club comments made at the July 13, 2010, Scoping Meeting held in Kingston, NY. This also supplements testimony provided by other Atlantic Chapter representatives of the Sierra Club, a national, state, and local grassroots membership organization committed to protecting the natural and human environment which we share.

OVERVIEW

To be funded with American Recovery and Reinvestment Act subsidies, the Champlain Hudson Power Express transmission project (the Project), was proposed to the US Department of Energy (DOE) on January 27, 2010, as a 420 mile-long submarine power cable from the Hertel Substation in Quebec, Canada, running under Lake Champlain and the Hudson River to the NY Metro region. The cable

system was to have had the capacity to deliver 2,000 megawatts (MGW) of power to be generated from new, companion wind and hydro sources in Canada which were to be constructed at some future date. At a stated cost of \$3.8 billion, the Project would have been able to transport 1,000 MGW to the NY Metro region, and 1,000 MGW to New England. During July, 2010, the Project surprisingly eliminated the New England component. The Project, thus has been reduced in half.

Two primary reasons are noted in the June 16, 2010, Federal Register for conducting this EIS: 1) the necessity of the Project to obtain a "Presidential Permit" since both the cable and electric power are to cross the international US-Canada border; and, 2) the EIS will also be used to satisfy NEPA requirements regarding the Project's application to obtain American Recovery and Reinvestment Act funding. Eligibility for that subsidy require development of renewable energy sources, and a construction start date commencing by September 30, 2011.

Remarkably, the Project seeks to enter an energy market that already has an oversupply of electricity at a time of contracting economic activity and in a business climate fostering energy efficiency and conservation initiatives that collectively are reducing the demand for existing supply.

The Project development appears to be dependent not on current or projected market conditions, but rather on federal loan guarantees of at least \$1.52 billion pursuant to provisions of the Energy Policy Act of 2005 (EPAAct), and pursuant to the American Recovery and Reinvestment Act of 2009 (the Recovery Act, better known as the Federal Economic Stimulus Package...). Those federal subsidies would underwrite at least 80 percent of the Project's cost. Additionally, the Project would be eligible for a plethora of other federal-state-local subsidies and business incentives such as state and county Industrial Development Agency sales tax exemption, property tax abatement, IRS accelerated and bonus depreciation allowances, job creation credits, brown field redevelopment grants, etc... It is possible that the collective public subsidy may equal or even exceed the total cost of the Project, all of which must be detailed in the EIS.

DETERMINATION OF NEED

Before the specifics of the Project are even considered, the EIS must establish the need for such a new source of long-distance power supply to the NY Metro region. NEPA requires a declaration of public need and the taking of a "HARD LOOK" at new proposals as well as at a full range of alternatives and strategies that could also satisfy the Project's stated purpose.

And, New York State regulations require an evaluation of impacts on the use and conservation of energy including a demonstration that the Project will satisfy generating capacity and other electric system needs in a manner consistent with the state energy plan. It does not matter if the proposal is for "green and clean" power, or for "dirty" fossil fuel power. It does not matter if the proposal

is funded by private investors or if the federal subsidies will fund a proposal with "free money." If there is no need, the "no action" option prevails.

Further, any proposal should serve the transmission/distribution requirements of the power grid which serves the entire state. The Project as proposed, however, will for the most part bypass existing power lines and interconnection possibilities, and will not integrate itself into the existing state-wide grid. New York power producers will effectively be excluded from use of the cable which will not modernize the existing state transmission infrastructure.

New York and New Jersey officials, regulatory agencies, distribution merchants and industry oversight entities like the New York Independent Systems Operator (NYISO), all clearly state that a lack of additional long-distance transmission is not an issue. The critical Metro NY-NJ concern is maintaining and upgrading local and neighborhood transformers and substations and power lines that interconnect with all generation sources.

There are always new demands for more or different sources of supply, especially for retiring and replacing existing power plants. But, there are always solutions anticipating those needs that are being prepared in an ongoing planning cycle of ten or more years out into the future. The state and NY Metro problems involve aging distribution infrastructure which caused the Queens, NYCity power outage crisis during the summer of 2006. No amount of extra, outside supply could have changed those events.

Currently, the Hudson Valley has six major power plants in addition to those in New York City and in North Jersey. They use a mix of gas, oil, coal, hydro and nuclear fuel. Two north-to-south long-distance transmission systems also serve the region. The NYS Power Authority Marcy-South power line from the EDIC/Utica substation to the Rock Tavern substation in Orange County is located west of the Hudson River. The Central Hudson to Con Ed complex from the Albany area to the Bronx is located east of the Hudson. All systems interface with the Metro NY load zone which is also supplied by transmission cables from Connecticut and New Jersey.

Most of the above plants are operating below capacity and have reserves immediately to ramp up production to meet seasonal peak demand. Further, seven proposals in recent years for new generating facilities in Rockland and Orange Counties alone never materialized due to unfavorable market conditions that did not justify the return on investment because of competition from existing sources including Demand Side Management achievements, and because additional supply could not be absorbed by the market.

As late as April, 2010, the NYISO, which manages the supply/reliability of electricity produced and traded among NYS merchants, has stated that there is no existing or anticipated need for additional power in NYS during the next 10-year planning cycle. In fact, the use of electricity in NYS starting in 2008 has dropped significantly. The NYISO has reaffirmed that the top priority in NYS is to modernize

the local utility distribution systems and the regional grid.

The EIS must evaluate the total consumption patterns within the state and the capacity of all supply sources, especially those that are within the NY Metro region including the following:

- the installation of the Cross Sound cable from New Haven, Ct., to Shoreham, Long Island;

- the installation of the Neptune cable from Sayreville, N.J., to Levittown, Long Island; and,

- the implementation of the State energy plan which promotes efficiency, conservation, improved building codes and decentralized solar and wind net-metering applications.

The EIS must evaluate the supply projects that are nearing approval and construction such as:

- the Cross-Hudson cable from Ridgefield, N.J., to the 49th Street substation in Manhattan which will link Con Ed with the existing NJ PSE&G/PJM power systems in place west of the Hudson River;

- the Transco Gas pipeline extension through North Jersey to lower Manhattan;

- the 1,000 MGW Cricket Valley Power Plant in the Town of Dover, Dutchess County, that will connect directly to the Con Ed transmission line to the Bronx;

- the 630 MGW Competitive Power Ventures Power Plant in the Town of Wawayanda, Orange County, that will connect directly to the Marcy-South power line; and,

- the 63 MGW hydro projects to be generated from existing New York City reservoir spillways in the Catskill Mountains that will connect directly to the Marcy-South power line.

The above generating facilities will use existing transmission infrastructure that will avoid costs for any new transmission line construction.

If there is increased demand and a need for additional supply, many alternatives exist beyond the reflexive response to increase generating capacity. The EIS must evaluate the impacts of the full range of alternatives that would obviate the stated purpose and need for the Project. The EIS must evaluate competing proposals/ technologies; efficiency and conservation initiatives; changing development/construction trends; and, changing economic/consumption conditions.

- The EIS must consider the example of efficiency represented by the Lovett power plant that demonstrates the importance of the NYS priority to modernize the local grid/distribution system.

During 2007, the Mirant-owned Lovett coal-fired power plant, located on the Hudson River in Rockland County, was under a consent decree to upgrade its emission system. Instead, Lovett petitioned the PSC to be decommissioned. Due to O&R Utility reconstruction of a major substation and local power lines, efficiencies were created which made up for the loss of the Lovett power production. The request was granted by the PSC, the plant has since been demolished, and no new power generation was needed as a replacement for Lovett.

- The EIS must evaluate the full range of Demand-Side-Management (DSM) strategies and technologies ranging from dynamic time-of-day pricing to various digital metering systems within a home that regulate appliance on and off cycles and sequential use, to grid-based, system-wide controls. The radio-controlled thermostats for cooling systems in large buildings that were activated by Con Ed to reduce NYC peak load during the July, 2010 heat wave is a good example of a relatively low-tech, low cost solution.

- The EIS must include the findings of the January 9, 2008, DOE report which shows that implementing the system-wide technology of digital time-of-day temperature and price metering could reduce peak electric loads by up to 15 percent a year and thus save over \$70 billion no longer needed to build new power facilities such as the proposed Champlain Hudson Power Express Project. Such a strategy would simultaneously remedy pollution, climate change emissions, supply concerns, and reduce consumer expenses.

- The EIS must evaluate the unused, available reserve capacity of all power plants supplying the NY Metro region. For example, the Bow Line power plant on the Hudson River is producing minimum power due to low demand and high costs. However, Bow Line can quickly generate its maximum capacity if needed at peak load times.

- The EIS must evaluate the New York City regulations that require the ability to produce 80 percent of peak load from generating facilities located within the City.

- The EIS must evaluate all of the alternate supply, efficiency, and conservation programs conducted by the NYS Energy Research and Development Authority (NYSERDA) which make the Project unnecessary.

- The EIS must examine the impact on reduced power consumption due to state and local improved building construction codes and code enforcement. A recent example was O & R Utilities contracting with Bechtold Co. to construct three power plants in anticipation of population growth in Orange County, the fastest growing county in the State. The population estimates were correct but the expected energy consumption per household plummeted due to improved building insulation practices. Those power plants, as a consequence, were never built. O & R, however, had to sue in State Supreme Court to have the contracts with Bechtold rescinded.

- The EIS must examine the impact of the Recovery Act's funding weatherization and other energy efficient programs designed to reduce

and conserve energy which conflict with the Project's application for funding from the same federal economic stimulus source to increase energy consumption.

- The EIS must evaluate the impact of all the solar energy products which are replacing traditional electric generation use and which also reduces the need for new transmission facilities. The Solar Energy Consortium in Kingston, NY, has created over 400 production jobs during 2010 alone. Commercial and residential net-metering programs, solar-thermal hot water systems, solar powered LED street and building lighting have not only produced renewable, "clean" power, but also have removed those sources from the power line, thus making more grid capacity available to other merchants.

- The EIS must evaluate the impact of decentralized, land-based and off-shore wind power which is close to points of consumption, and which uses existing transmission/distribution infrastructure.

- The greatest gain in energy supply in recent years has been through the development of "negawatts," the freeing up of existing power through reduced consumption supported by the State energy plan. The EIS must consider those cost effective outcomes in its full range of alternatives which support the "no action" or "no build" option, and which may demonstrate the Project to be unnecessary.

- One half of the original Project proposal, the 1,000 MGW cable to Bridgeport, CT, intended to supply the New England ISO, was aborted at the last moment due to the lack of need for that power. The EIS must examine the circumstances that caused the Project reduction and determine if those circumstances and lack of need also apply to the New York State portion of the Project.

UNIQUE TRANSMISSION-ONLY FUNCTION

The Project stands apart from traditional power merchants since it provides a specialized long-distance transmission-only function which is separate from but totally dependent on bulk power producers at the cable entry point, and on wholesale utility consumers at the cable exit point. The transmission cable is just like a giant household extension cord with plugs at each end.

The Project does not generate electricity nor does it serve as a utility which distributes electricity to retail customers. It has no control over the sources or the price or the end use of the power to be transported. The Project can take no responsibility for the fuel or methods needed to generate the electricity; for the conduct of the suppliers or of the consumers; for the reliability or need for the electricity; or, for the price of the electricity and tax costs which are passed on to the retail consumer.

The Project function is identical to that of the failed New York Regional Interconnect (NYRI) transmission proposal which was dismissed with prejudice on April 21, 2009, (Case No. 06-T-0650), by the New York State Public Service Commission (PSC). NYRI is the model for this Project with three differences: NYRI was an above-ground power line,

was located wholly within New York State, and wanted construction costs assessed to ratepayers; while this Project is a submarine/underground cable, is located in both Canada and New York State, and wants construction costs supported by US taxpayers through government subsidies and American Recovery Act guaranteed loans.

Both NYRI and this Project pose classic cases of segmentation within a deregulated energy market for the EIS process. Although treated as a separate entity, the transmission Project is totally dependent upon and cannot exist without production/supply and distribution components. The EIS, therefore, must consider in an equally thorough manner, all components as a single conjoined enterprise.

Further, the EIS must examine how the Project will interface with the regional transmission grid serving the entire state.

PROJECT SEGMENTATION AND RECOVERY ACT FUNDING

Neither the Project's transmission cable nor the Canadian hydro power facilities currently exist. Both are to be constructed when funding is secured. Although legally compartmentalized into transmission and hydro generation components, the Project's transmission function is inseparable from the Lower Churchill Falls dam/artificial impoundment construction and supply function. The financing considerations are equally conjoined. Further, the generation component in Canada may not be finalized without the transmission Project first being approved for American Recovery Act funding.

Since the funding streams for each component may be segregated for accounting purposes, and since each component supports the total funding required to develop the enterprise in common, the EIS should evaluate the cumulative impacts of both transmission and generating components as two steps of the same action, not as disconnected, unrelated actions.

Further, the EIS should evaluate the fungibility of all funding from all public and private sources, and detail how American Recovery Act subsidies will support construction of the underlying generation facilities in Canada, and how those facilities will compete with generating facilities in New York State.

PROJECT HAS NO ABILITY TO PRODUCE "RENEWABLE" ENERGY

The Project has applied for \$1.52 billion in Recovery Act loan guarantees, and states that it will transport the prerequisite renewable wind and/or hydro power into New York from facilities at Lower Churchill Falls, Canada. Those facilities are still to be constructed.

If and when new renewable energy becomes available, that electricity could enter the NYISO market via the existing transmission grid without this Project.

The proposed "renewable" supply will be transported from Lower Churchill Falls over the existing grid to the Hertel substation for conversion to the DC cable. That same electricity could connect with the New York and New England grids right now without any need for the cable at all.

The construction of the cable, however, would provide an exclusive route for any and all electricity that reached Hertel to be leap-frogged to the NY Metro region which would give that supply a special advantage over renewable and other power produced within NYS.

If the intent really is to promote renewable energy throughout the US and Canadian service areas, then future Canadian renewable energy should enter the US market via the conventional grid shared by all suppliers, and should compete on equal footing with NYS renewable energy producers.

Central to the promotion of the Project is the promise to import "green" renewable energy into the NYISO service area. But as a transmission-only facility, the Project has no ability to create/produce renewable or non-renewable energy, and has no control over the source or quality of the commodity it transports.

Further, the Project has never asserted that it will only transport renewable wind and hydro power over the useable life of the cable. It has not said that it would not transport non-renewable power from coal, nuclear or tar/oil sand sources, or that it may transport from all sources in some combination. It is unlikely that the Project can legally refuse to deliver energy from any source, a circumstance germane to its subsidy application.

The EIS must evaluate the delivery potential of all power from all sources and from all locations for cumulative environmental impact reasons, and for Recovery Act subsidy eligibility reasons.

IS CHURCHILL FALLS HYDRO POWER "RENEWABLE" AND REALLY ELIGIBLE FOR AMERICAN RECOVERY ACT SUBSIDIES?

All hydro power is not the same. "Renewable" hydro power is generally defined as power from free-running rivers such as that from Niagara Falls and the St. Lawrence River.

The Project has stated that the anticipated Hydro power would be from the Lower Churchill Falls project which may not be developed should the Champlain Hudson Power Express cable not first be approved.

Dams at Churchill Falls are yet to be built, and forests are yet to be cut down and flooded. What effect will the loss of forests and habitat have on the wildlife to be displaced, and on a net increase of greenhouse gases? What is the chance that methane and other climate changing chemicals will be introduced into the atmosphere as a result of the proposed flooding?

The hydro power is to be generated from artificially created impoundments, not from free-running streams. What effect on energy reliability would impoundment-generated power have during high heat, summer drought conditions causing high rates of evaporation and low water flow at the same time New York consumer demand for electricity is the highest?

The EIS must detail the sources and quality of the hydro power that is promised by the Project and evaluate whether or not those Canadian sources are really renewable and eco-friendly, both from an environmental perspective and as a precondition for Federal Recovery Act funding.

EXCLUSIONARY DESIGN AND ANTI-COMPETITIVE NATURE OF THE PROJECT

The Project is a 355 mile-long Direct Current (DC) transmission cable starting at the Hertel substation in Canada, 35 miles north of the Quebec-New York State (NYS) border. The cable runs the entire north-south length of NYS, terminating at a specialized converter station in Yonkers. At that point, the power is transformed from DC back to Alternating Current (AC), and enters the conventional distribution grid.

Transmission-only facilities like that of the Project are to transport power from all suppliers over the same shared line or cable. AC power allows entry/exit hookups throughout the grid. However, this DC cable has no access connections along the 355 mile intervening length, and essentially is a separate DC system from the existing AC grid. Further, the entry point at Hertel appears to be reserved to transport supply only from Lower Churchill Falls if and when that Canadian generation ever comes on line.

Most troubling is the Project design that blocks cable access to competing US/NYS power merchants who are prevented from using the cable to transport electricity generated and distributed within the state. Likewise, state producers are denied the ability to transport and sell NYS generated power via the cable into the Canadian market. The Project effectively is a one-way monopoly that channels trade-protected Canadian power into the high-use but already well-supplied NY Metro market at a disadvantage to NYS merchants.

It appears that the exclusionary design of the Project violates both the purpose of the Recovery Act to support US/NYS enterprise, and the priorities of the NYS energy plan, especially the task to upgrade the existing transmission/distribution grid within the NYISO service area.

The unfair trade advantage given to Canadian power producers by the Project design also is in conflict with DOE policy that requires cross border trade in electric energy between Canada and the USA to follow the same comparable open access and non-discrimination principles that apply to interstate electric transmission within the USA.

The EIS must evaluate the anti-competitive, monopoly aspects of the Project as they relate to DOE open access and non-discrimination trade policies, and to the related funding requirements of the Recovery Act. Further, the EIS must reconcile the policy contradictions and financial absurdity of Recovery Act funding that will promote competition with the existing grid rather than assist to upgrade that grid; that will give an advantage to imported "renewable" energy at the expense of domestically produced renewables; and, that will underwrite a very expensive transmission cable that NYS energy producers cannot use.

UNREALISTIC MARKET AND PROJECT EXPECTATIONS

The Project's claims defy market realities which demonstrate on a daily basis that a plentiful supply of power exists within the NY Metro region and throughout NYS. It takes no account of the collective actions by power merchants which continue to diminish a need for long-distance and local supplies. It ignores the grid modernization and efficiency priorities of NYISO and the State energy plan. It remains oblivious to a contracting economy and declining trends in overall energy use in NYS. The Project is cost prohibitive and cannot compete with existing merchants who can provide the same or more net electric power through a much lower cost structure. It cannot be constructed and import Canadian electricity without massive US and Canadian public subsidies. It would gain an incredibly unfair business advantage over its US market competitors who do not receive the same government subsidies.

The greatest business threat to new and existing energy merchants, however, is not the result of competition or favoritism among power merchants, or from revolutionary technologies, but from an economy in recession and the related steady reduction in energy consumption across all commercial sectors. Annual statewide use of electricity has declined during the past three years. Even then, seasonal spikes in usage will continue such as that currently being experienced throughout NYS due to the unusually high summer temperatures. NYS has set an all-time monthly record for electric consumption during July, 2010. No adverse delivery or supply problems have been noted, reaffirming the existence of sufficient supply and system capacity.

Not only are jobs and whole industries vanishing from the region, replacement jobs and replacement buildings are anticipated to use far less power than their predecessors. And, the new jobs that are being developed are in the decentralized solar and wind power fields which will further drive down the need for traditional electricity sources and transmission lines.

The lack of need for long distance power surely influenced the Applicant to reduce the Project in half by cancelling the New England segment during July, 2010.

The current economic and financial conditions are just like those faced by the NYRI transmission-only power line project during 2007, 2008, and 2009. NYRI banked on government stimulus subsidies and

special consideration that totally would have misapplied federal programs for funding. The plan was to protect investors by artfully shifting construction costs from investors to ratepayers via a special surcharge/fee rather than to pay from customary but doubtful revenue. The resulting delivery and total costs to customers would have sky-rocketed. When denied, NYRI's lack of a credible business plan no longer could be masked. Investors refused to risk their own money, and the NYRI transmission project folded.

VIABILITY OF PROJECT AND ABSENCE OF REALISTIC BUSINESS PLAN

The Project states that at a cost of \$1.9 billion, it would be one of the largest energy "investments" in NYS. It would cost twice as much to construct than that of a local power plant that could add the same amount of electricity into the NYISO service area. For instance, the Cricket Valley Power Plant will cost half as much to construct, is located 300 miles closer to the NY Metro region, will produce the same 1,000 MGW, and can connect to the existing Con Ed transmission lines at no extra construction cost. Added to the cost of the Project is the uncertain cost and uncertain completion date of the proposed Canadian power supply, as well as the uncertain eligibility of that power as a "renewable" source. The total costs very soon escalate ever upward.

The chicken-and-egg relationship between the transmission Project and the Lower Churchill Falls generating project must be evaluated in the EIS since the cable would not connect to an existing supply source. Is the construction of the cable really a device to justify construction of Canadian dams and artificial impoundments with US subsidies?

The lack of an available, legitimate renewable supply, and a lack of a demand for a new supply from any source at a reasonable price raises doubts about the viability of the Project with or without public subsidies.

It appears that market forces cannot justify this transmission-only Project. Just as with NYRI, private investors are unwilling to risk their own money on this power cable venture. The Project can go forward only with uncritical public incentives and funding. To that end, the Project is seeking fast-track approval for a Presidential Permit and related construction permits. Such authorization, in turn, underlies a second, more significant application for immense loan guarantees by the American Recovery and Reinvestment Act which requires both renewable energy production, and a construction start date by September 30, 2011. The loan guarantees by themselves would cover 80 percent of the Project cost and would expose the US taxpayer to at least \$1.52 billion in Project obligations.

The EIS must evaluate the risk of financial default requiring a US Government financial rescue. Is the Project cost-effective and viable at all in today's market? Will revenue be sufficient and sustainable to cover debt service and operating expenses without additional public

subsidies? If the Project is sound and such a smart plan, why do the investors need government guaranteed funds at all? What risk and exposure would the investors have in the event of default and bankruptcy?

The EIS must evaluate the total cost of the Project, the total cost of the tandem generating project upon which it depends, and the total public subsidies for which both projects are eligible. The EIS should consider the impact that the failure of either project would have on the other.

Further, the EIS must detail how subsidies awarded to this Project will absorb available finite public resources that will displace and/or delay renewable energy priorities of NYISO and job creation in solar/wind/smart grid programs promoted by the State energy plan.

NEGATIVE GROWTH ACTION ALTERNATIVE

The EIS must evaluate the effect of the economic recession on energy trends and on the transformation of industry and lifestyles that need less, rather than more, energy. With a protracted economic downturn in place, the EIS should add a "negative growth action alternative" as a companion scenario to that of the standard "no action" alternative. Such a scenario would address practical responses requiring system-wide adjustments to an economy having excess capacity and under-utilization of power in general. In fact, on May 14, 2010, the NYS PSC directed all utility companies to prepare austerity plans should the recession linger or even worsen.

An honest public policy reality check must take place throughout the electric power industry and must consider which facilities to close or to consolidate much like the review of unused military bases or of the elimination of excess hospital beds. In the case of this Project, if the required "hard look" is not taken, Recovery Act subsidies may be misallocated and lost while forfeiting the opportunity to fund more worthwhile energy initiatives that are in the public interest.

Respectfully submitted,



Jürgen Wekerle
Chair, Sterling Forest/Highlands
Committee, Sierra Club, Atlantic
Chapter

JW/idi



Sierra Club
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August 2, 2010

Dr. Jerry Pell
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Washington, DC 20585

Sierra Club Atlantic Chapter Comments for the Scope of the Environmental Impact Statement – DOE /EIS-40447 Champlain Hudson Power Express Transmission Line Project

Dear Dr. Pell

The Scope of the Environmental Impact Statement must consider the following:

- The exact trajectory route and depths for the proposed underwater electric cable must be determined.
- A analysis of the projected underwater sediment disturbance caused by the dredging and or trenching techniques throughout the trajectory via the Richelieu River, Lake Champlain and the Hudson River onto wildlife, fish habitat, endangered species, micro-organisms, vegetation and human activities such as swimming and fishing.
- The potential impacts of sediment disturbances in the Superfund Area onto drinking water quality supplied by the Hudson River to the residents of Rhinebeck, Port Ewen and Poughkeepsie.

- A cumulative analysis for the potential resuspension and redistribution of the PCBs in the Hudson River.
- A analysis of impacts caused by the electromagnetic frequencies for the High Voltage direct current (DC) and the alternating current (AC) sections of the proposed transmission cable and the impacts onto wildlife, fish habitat, endangered species, micro-organisms, vegetation and human activities.
- The technology used by the proposed underwater cable has never been installed over 50 miles. What is the feasibility of installing such a system beyond 300 miles?
- How will the reliability of the regional electric grid be impacted?
- The proposed electric transmission line is designed to transport electricity from hydroelectric dams built on lands and rivers belonging to the Innu People in the Canadian Provinces of Quebec and Labrador-Newfoundland. **Segmentation exists between the electric source supply and it's delivery to New York electric consumers.**
- The EIS must address the Environmental Justice concerns expressed by the Town of Yonkers and the impacts of the proposed action onto the Indigenous communities caused by the construction of more hydroelectric dams.
<http://www.grandriverkeeperlabrador.ca/files/Download/HydropowerNotGreen.PDF>
- The eligibility criteria for hydropower in the New York State Renewable Standard, effective since September 24, 2004, does not allow for projects that include water impoundment which causes flooding and run-of-the-river projects with over 30 mw capacity.
<http://documents.dps.state.ny.us/public/Common/ViewDoc.aspx?DocRefId=%7BB1830060-A43F-426D-8948-F60E6B754734%7D> See Appendix B, page 2.

The developer of the project, Transmission Developers Incorporated, must discontinue misleading decision-makers and the public by promoting the source of the electric supply as “Renewable Energy”. The DOE must require that a retraction with explanation be made and publicized to counter balance this misrepresentation of fact.

- Is there a need for the proposed action?
- Is this electric transmission proposal in the public interest?
- Alternatives studies must include the “No Action” alternative as a reasonable course of action.

Thank you for your consideration of these Comments.

Sincerely,

Annie Wilson

Energy Committee Chair
energy@newyork.sierraclub.org

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A V O C A T S

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Monday, August 2, 2010

BY EMAIL: jerry.pell@hq.doe.gov

Dr. Jerry Pell
Office of Electricity Delivery and
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U.S. Department of Energy
1000 Independence Avenue SW
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20585, USA

**Re: Notice of Intent to Prepare an Environmental Impact Statement
and to Conduct Public Scoping Meetings –
Champlain Hudson Power Express, Inc. –
Submissions of the Uashaunnuat,
Innu of Uashat mak Mani-Utenam**

Dear Sir,

This has reference to the intention of the Department of Energy (DOE) to prepare an environmental impact statement (EIS) to assess the potential environmental impacts from its proposed Federal action of granting a Presidential permit to Champlain Hudson Power Express, Inc. to construct, operate, maintain, and connect a new electric transmission line across the U.S. – Canada border in northeastern New York State.

The Uashaunnuat, Innu of Uashat mak Mani-Utenam, submit the following statements for your consideration in determining the appropriate scope of the EIS and to assist you in identifying significant environmental, socio-economic and cultural issues.

The Uashaunnuat, the Innu of Uashat mak Mani-Utenam, who are comprised of traditional Innu families, are a First Nation whose traditional lands are located in the North Shore region of Quebec as well as in Labrador, Canada.

The Uashaunnuat assert Aboriginal title, Aboriginal rights and treaty rights in their traditional lands located in Quebec and in Labrador. Their firm position is that any use or occupation of their traditional lands without their consent is unconstitutional and illegal and that all developments, past, present or future, in or regarding these lands or the natural resources thereof cannot proceed without their consent.

The Uashaunnuat affirm that the existing or proposed production and transportation of energy in or across their traditional lands from hydroelectric complexes such as the proposed La Romaine Project, the Upper Churchill Project and the proposed Lower Churchill Project are illegal and that the Governments of Quebec, Newfoundland and Labrador and Canada, Nalcor Energy and Hydro-Quebec have flagrantly breached and continue to flagrantly breach the rights of the Uashaunnuat in respect to those projects (the "Hydroelectric Projects").

The Uashaunnuat state that their consent must be obtained for the Hydroelectric Projects (including the La Romaine Project and the Lower Churchill Project) and was required for all projects of the past located within their traditional lands, but was never sought or obtained.

The position of the Uashaunnuat with respect to the Hydroelectric Projects has been made public through, among others, various judicial proceedings at the Federal Court of Canada and at the Superior Court of Quebec, as well as proceedings before the Public Utilities Board of Newfoundland and Labrador. The outcome of these judicial proceedings is still pending.

The Uashaunnuat have also asserted, in the context of the La Romaine Project and the Lower Churchill Project, that the division of the environmental assessment process into hydroelectric power stations and reservoirs on the one hand and the transmission lines on the other hand is in itself incoherent, arbitrary, illegal and disrespectful of the principles of a sound environmental assessment.

More particularly, the position of the Uashaunnuat is that these projects each constitute a single project comprised of several inseparable components, including the power stations, the reservoirs and the related works, such as roads, transformers and transmission lines. Remarkably, for the purpose of the environmental impact assessment process of these projects, the transmission lines and transformers were totally severed from the remainder of the project.

Considering that the proposed Champlain Hudson Power Express Transmission Line Project ("the Project") may enable or facilitate the construction, operation, maintenance and connection of the Hydroelectric Projects because it may use electricity produced by the Hydroelectric Projects, the proposed Project will have negative and irreparable impacts beyond those identified within the State of New York.

Far from being green energy, the Hydroelectric Projects have significantly and negatively impacted and will significantly and negatively impact the traditional way of life of the Uashaunnuat, their traditional lands, the flora and the fauna and all the natural resources of the territory. These projects also have affected and will affect the intimate relationship between the Uashaunnuat, their traditional lands and the natural resources thereof and would prevent the Uashaunnuat from fulfilling their obligations as the caretakers of their traditional lands which are at the heart of their identity.

The negative impacts on the Uashaunnuat of the Hydroelectric Projects include, but are not limited to:

- net loss of land due to flooding and deforestation and reduced ability of the Uashaunnuat to use the affected lands;
- loss of significant hunting and trapping territories and fishing sites;
- destruction of flora and fauna and their habitat;
- alteration of navigable waters;
- accumulation of mercury;
- reduced quality of water and meat;
- loss of lands used for transmission of traditional knowledge;
- greater access, for non-Aboriginal persons, to the traditional lands of the Uashaunnuat and thus greater use of and stress on the traditional lands by non-Aboriginal persons;
- the noise and electromagnetic field of the transmission lines;
- spreading of chemicals along the transmission lines;
- disturbance of the migration of certain species of fauna (such as the caribou);
- destruction of parts of certain nature reserves (such as the ecological reserve of the Matamec).

There is no doubt that the Uashaunnuat carry out their traditional activities, including hunting, fishing, trapping and gathering, within their traditional lands which are or will be affected by the Hydroelectric Projects and that the negative impacts of these Hydroelectric Projects on the traditional way of the life of the Uashaunnuat must constitute an essential part of any environmental assessment of the Project.

The elements which relate to Aboriginal rights and interests and which should be included in the Project's environmental assessment are:

- The Applicant and the DOE must take into account that the Uashaunnuat claim Aboriginal title over a significant part of northern Quebec and Labrador, at a collective level. The Uashaunnuat constitute a distinct society which has occupied, in an exclusive manner, this part of Quebec and Labrador before assertion of European sovereignty over these lands, continued to occupy these lands and occupy them still, according to a distinctive way of life and customs, practices and traditions which are a part of their distinctive culture.
- The Applicant and the DOE must take into account that the exercise in northern Quebec and Labrador of the customs, practices and traditions of the Uashaunnuat and of their distinctive way of life based on hunting, fishing, trapping and gathering has effectively continued well after contact with Europeans and to this day without extinguishment or voluntary cession.
- The Applicant and the DOE must take into account that any development project, including hydroelectric projects, and all associated works which relate to Uashaunnuat traditional lands and traditional territories of Uashaunnuat families require the consent of the Uashaunnuat and of the affected Uashaunnuat families.

- The Applicant and the DOE must take into account the negative impacts that the Hydroelectric Projects have had and will have on the traditional way of life, fundamental activities, customs, practices and traditions of the Uashaunnuat, the traditional lands and natural resources thereof and the rights and interests of the Uashaunnuat. In that regard, the Applicant and the DOE should meet with representatives of the band council Innu TakuaiKAN Uashat mak Mani-Utenam and with representatives of affected Innu families in order to determine with some degree of precision the negative impacts of the Project. This may include the identification of significant sites, natural resources as well as fundamental activities, customs, practices and traditions which are exercised by the Uashaunnuat in the traditional lands affected by the Hydroelectric Projects.
- The Applicant and the DOE must take into account all works relating to the Hydroelectric Projects, including so-called "preliminary" works, as well as works allowing transportation of energy and access to the traditional lands.
- The Applicant and the DOE must be aware of the judicial proceedings of the Uashaunnuat with respect to their traditional lands and specifically the Hydroelectric Projects.

The Uashaunnuat therefore request that you consider the rights, interests and concerns of the Uashaunnuat in your environmental assessment process and in the evaluation of the impacts of the proposed Project.

Furthermore, the Uashaunnuat request that there be no issuance of a Presidential permit for the Project as long as there is no consent of the Uashaunnuat to the Hydroelectric Projects: as long as there is no consent of the Uashaunnuat to the Hydroelectric Projects, the proposed Project will be inconsistent with public interest and inconsistent with principles of environmental justice and the rights of Indigenous peoples.

We thank you for your consideration of the Uashaunnuat's position and remain,

Yours truly,



O'REILLY & ASSOCIÉS
Patrycja Ochman



United States Department of the Interior



FISH AND WILDLIFE SERVICE

3817 Luker Road
Cortland, NY 13045

August 2, 2010

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

Dear Dr. Pell:

This is in response to a June 18, 2010, Notice to Intent to Prepare an Environmental Impact Statement (EIS) for the proposed granting of a Presidential Permit to Champlain Hudson Power Express, Inc., to construct, operate, maintain, and connect a new electric transmission line across the U.S.–Canada border in northeastern New York. The approximately 380 mile long project would deliver electricity via a direct current buried cable within Lake Champlain and the Hudson River. Several land routes would also be used to avoid navigation locks and the Hudson River polychlorinated biphenyl clean-up site.

We offer the following comments as technical assistance pursuant to the Endangered Species Act of 1973 (ESA) (87 Stat. 884, as amended; 16 U.S.C. 1531 *et seq.*) and the National Environmental Policy Act (42 U.S.C. 4321 *et seq.*). The U.S. Fish and Wildlife Service (Service) may provide additional information and comments on the project pursuant to the Bald and Golden Eagle Protection Act (16 U.S.C. 668-668d), Fish and Wildlife Coordination Act (48 Stat. 401, as amended; 16 U.S.C. 661 *et seq.*), and the Migratory Bird Treaty Act (40 Stat. 755; 16 U.S.C. 703-712), as applicable.

As part of the scoping process, the Department of Energy is requesting input on the range of studies which should be incorporated into the project planning process. Thirteen items are listed in the Federal Register as being issues which should be addressed in further detail in the EIS. Potential impacts to aquatic biological resources are listed but no studies are proposed for terrestrial plants and animals. We recommend the EIS include an analysis of terrestrial biota which may be affected by the project. In those areas where earth disturbance and overhead lines are proposed, the EIS should thoroughly define existing terrestrial wildlife and habitat resources as well as the potential impact of the project to these resources.

In addition, the EIS should explore potential secondary and cumulative effects of this and other projects which may affect the resources of the project area. This analysis should consider previous and future dredging activities and their effects on project area waterways.

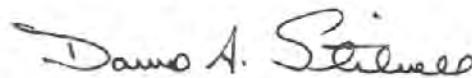
Federal agencies have responsibilities under Section 7(a)(2) of the ESA to consult with the Service regarding projects that may adversely affect Federally-listed species or "critical habitat," and confer with the Service regarding projects that may adversely affect Federally-proposed species or proposed "critical habitat." Several Federally-listed species were addressed in the June 2010 Federal Register Notice. It appears that species primarily under National Oceanic and Atmospheric Administration Fisheries jurisdiction were addressed; however, species under Service jurisdiction were not. The Service has been coordinating directly with TRC Solutions, Inc., consultants for Champlain Hudson Power Express, Inc. (CHPEI), for several months on Service jurisdiction species and CHPEI should provide you with copies of all project-related correspondence. While there are several species that will need to be considered and addressed in the EIS (see information about our listed species website below), the species that has the greatest potential for impacts from the proposed project is the Federally-listed endangered Karner blue butterfly (*Lycaeides melissa samuelis*). Surveys for Karner blue butterfly habitat were conducted in 2010. Suitable habitat occurs in several portions of the project, as well as some known occurrences of Karner blue butterflies. Butterfly surveys were initiated late in the season and additional surveys are recommended for next year.

The most recent compilation of Federally-listed and proposed endangered and threatened species in New York is available for your information.* Until the proposed project is complete, we recommend that you check our website every 90 days from the date of this letter to ensure that listed species presence/absence information for the proposed project is current.

Species listed by the Service are also protected by the State of New York. Additional information regarding the project and its potential to impact listed species should be coordinated with both this office and with the New York State Department of Environmental Conservation (NYSDEC). The NYSDEC contact for the Endangered Species Program is Mr. Peter Nye, Endangered Species Unit, 625 Broadway, Albany, NY 12233 (telephone: 518-402-8859).

Thank you for your time. If you require additional information please contact Timothy Sullivan or Robyn Niver at 607-753-9334.

Sincerely,



David A. Stilwell
Field Supervisor

*Additional information referred to above may be found on our website at:
<http://www.fws.gov/northeast/nyfo/es/section7.htm>

cc: NYSDEC, Schenectady, NY
NYSDEC, Albany, NY (Endangered Species; Attn: P. Nye/K. O'Brien)
NYSDEC, Albany, NY (Natural Heritage)
COE, New York, NY



Via Electronic Mail to Jerry.Pell@hq.doe.gov

August 1, 2010

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

Subject: Scoping Comments, Champlain Hudson Power Express Transmission Line Project Environmental Impact Statement (DOE/EIS-0447)

Dear Dr. Pell:

Please see below comments on scoping for the above-referenced proposed environmental impact statement (EIS) for the Champlain Hudson Power Express (CHPE) transmission line project.

1. *Cooperating Agencies* – The National Oceanic and Atmospheric Association (NOAA) should be included as a cooperating agency because of the agency's expertise in evaluating impacts to fisheries and aquatic biota. In addition, the New York State Hudson Valley Greenway Council should also be included as a cooperating agency to evaluate potential project impacts and consistency with the criteria established by New York State during the creation of this organization. See New York Environmental Conservation Law Article 44, Hudson River Valley Greenway.

2. *Visual Resources* – DOE's June 18, 2010 Notice of Intent (NOI) to prepare an EIS for the project includes visual impacts among the listed impacts identified for analysis. 75 Federal Register 117, at 34,723 (Fri., June 18, 2010). The analysis should also consider visual impacts during construction of the facilities as well as maintenance. This should apply to below-ground, submarine, and above-ground facilities. The proposed submarine cables will pass through several areas that have been specially designated as scenic districts by New York State under New York Environmental Conservation Law Article 49, Protection of Natural and Man-Made Beauty (e.g., the Tappan Zee East Scenic District, Olana Scenic District). Extended construction and/or maintenance of facilities, included below-ground facilities, can produce visual and aesthetic impacts. As such, these impacts should be identified and evaluated. Presently, the NOI only states that above-ground components will be evaluated. NOI at 34,723 (item #10).

3. *Environmental Impacts of Electric Reliability* – While the evaluation of the Presidential Permit will separately assess the impact on electric reliability for consistency with the public interest, it

is also necessary to consider the environmental impacts from any necessary facilities, maintenance, or other activities that are needed to ensure the CHPE project is compliant with North American Electric Reliability (NERC) standards. Compliance with NERC standards, such as vegetation management, can sometimes yield significant environmental impacts. It is not clear what NERC standards would be applicable to the proposed CHPE facilities; but such NERC standards should be identified and evaluated for potential environmental impacts in construction and operation of the CHPE facilities.

4. Potential Power Generation and Transmission Uses – The NOI indicates the proposed CHPE facilities will transmit electricity that is produced from renewable sources in Canada for delivery to New York recipients. NOI at 34,721. In the event that renewable resources are not utilized for power generation or are discontinued, then the environmental impact of the project would vary from the proposal. Therefore, the EIS should consider alternative power generation sources, for example fossil fuel sources, that may be used with the new CHPE facilities and evaluate environmental impacts. In addition, it is possible that the CHPE facilities would be used to transmit New York –generated electricity for export to Canada. Under this scenario fossil-fuel sources, rather than renewable sources, might be utilized. Alternative transmission and generation scenarios should thus be considered in the evaluation of environmental impacts.

5. Impacts Upon Existing Infrastructure – The construction and operation of the CHPE facilities could produce environmental impacts because of the existing infrastructure at or near the proposed facilities' location. For example, the HVDC and AC cables in Yonkers will pass near the Westchester County North Yonkers Pump Station, which pumps large volumes of sewage to the Yonkers Joint Wastewater Treatment Plant (a 120 MGD WWTP located south of the proposed converter station in Yonkers). There are several large diameter pipelines near the North Yonkers pump station that deliver sewage to the WWTP, and the proposed location of cables would likely cross over or under these pipelines. In the event that construction or operation of the CHPE facilities results in a release of sewage, such as through inadvertently fracturing a pipeline, this would produce substantial environmental impacts. As another example, the HVDC and AC cables will pass under the high-voltage electrified lines along the Metro-North Railroad (MNR). Potential electrical or magnetic interference with CHPE facilities because of the proximity of the MNR lines should be evaluated along with environmental impacts. Any other possible infrastructure impacts should be identified in the EIS.

6. Cumulative Impacts The impacts analysis should consider cumulative effects of other potential projects and uses in the vicinity of the project site. The downtown Yonkers area is undergoing substantial renovation, and there are believed to be several projects of significant size proposed in the vicinity of the proposed converter station location. As such, a cumulative impacts analysis is necessary to properly identify the scale of potential impacts that might occur should several projects and the CHPE project go forward.

7. Facility Decommissioning – The analysis should include the environmental impacts of decommissioning or abandoning the proposed CHPE facilities. For example, what types of decommissioning might occur and what are the accompanying environmental impacts?

8. Transparency of Mitigation and Monitoring – The environmental review and EIS development should proceed with a perspective of incorporating transparency during the review

process and post-approval (if approved). The alternatives that are evaluated should include a consideration of opportunity for public scrutiny of impacts, such as through review of monitoring data. Accordingly, the alternatives design should incorporate facilities or options that promote public assessment during the project lifetime. These might be metering abilities, equipment locations, or other facilities that aid in sampling and reviewing project impacts and success of mitigation measures.

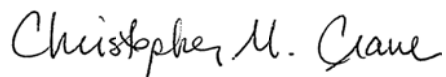
9. *Energy Conservation and Energy Efficiency Alternatives* – The NOI describes three proposed alternatives that only differ in location of the cables and alternative substations. NOI at 34,722-23. The EIS should also consider the potential for demand reduction, utility energy efficiency requirements, and initiatives of the New York Public Service Commission (NYSPSC) and New York State Energy Research and Development Authority (NYSERDA) to influence the scope of the project. By reducing customer electric demand, such measures could also reduce the size of new projects. In addition, the need for the CHPE project should be provided, with adequate quantitative support, to help evaluate the project environmental impacts against electric reliability needs.

10. *Open Access Requirements* – If the proposed CHPE facilities must provide non-discriminatory “open-access” to other electric providers, then the EIS should consider any accompanying environmental impacts to accommodate such open access.

11. *Relationship to New York ISO and Other Regional Entities* – The EIS should include an evaluation regarding operation of the proposed CHPE facilities in relationship to the New York Independent System Operator (NYISO) or regional entities (NEISO, PJM, NPCC). For example, would CHPE operation in relationship to other facilities and regions yield any environmental impacts? See, e.g., Presidential Permit No. PP-299, Sea Breeze Pacific Regional Transmission System, Inc., at 2 (June 11, 2008) [describing post-contingency conditions, relationship with Western Electricity Coordinating Council].

Thank you for this opportunity to provide comments on this important matter. If I can provide any further information, please do not hesitate to contact me at (914) 995-2104.

Very truly yours,



Christopher M. Crane, Esq.
Legislative Counsel



OFFICE OF THE CITY COUNCIL PRESIDENT

CHUCK LESNICK

CITY COUNCIL PRESIDENT

August 2, 2010

Dr. Jerry Pell

U.S. Department of Energy
1000 Independence Ave., SW
Washington, DC 20585

Fax 202-586-4403

jerry.pell@hq.doe.gov

Dear Dr. Pell

These written comments, are intended to supplement my verbal comments made at the public scoping session on July 22, 2010. The proposed Champlain Hudson Power Express project should consider the following additional comments when creating their EIS statement.

Yonkers has work diligently toward revitalization, preservation, and rehabilitation of our Downtown Water Front district, specifically the area around the Alexander Street proposed portion of the I-park. This proposed project does not add people to the downtown to utilize our restaurants and shops, provides no housing, few employees, and seems to take away valuable parking spaces. It may even ruin the view for some. It remains to be seen what benefits, if any, the project will bring to Yonkers. Before you decide to locate the project in Yonkers please show the visual impact of the structure from the library, the BOE, and from the Beczak Community Center. In addition look at the impact on job creation, parking, and upon local business. I see no reason to site the project in Yonkers and would recommend other locations. If it must be situated in Yonkers, we would like you to look at other alternatives.

CITY HALL ▪ 40 SOUTH BROADWAY ▪ ROOM 403 ▪ YONKERS, NY 10701

TEL. 914/377-6060 FAX 914/964-1949

The Glenwood Power Plant has been deemed "Seven to Save" by the Preservation League of New York State. The Yonkers Landmarks Board recommended local landmarks designation to the City Council in 2005. Although the Council did not adopt the designation it did adopt the Alexander Street Master Plan, which called for the adaptive reuse of the Glenwood Power Plant. If the Glenwood Power Plant can be used it would be a public policy benefit to keep the building intact. If there would be enough income generated to do minor reinforcement of the facade, which as we understand it is not structurally damaged, then it would be a good idea to site this project at the Glenwood Power Plant. There is no policy benefit to using this building or area if the building is not preserved.

Currently the Glenwood Power Plant does not have a tenant and is immediately available for reconstruction. The Glenwood Power Plant's area is 2.03 acres. The building stands 10 stories high. The building could be decked to meet the needs of TDI's project. There is an area on its south side that could be filled to add additional area. If this were necessary the additional benefit is that Alexander Street could be extended as per the Alexander Street Master Plan and GEIS, which you need to do to access that area. The possibility for a limited access free standing building off this land should also be considered.

Also any and all co-generation ideas should be considered with the Westchester County Water Treatment Plant or the American Sugar Refinery with potential steam creation. These industrial users in Yonkers, and perhaps other users, would be interested in receiving some of the transformed energy. Please examine the possibility for local access to less expensive energy, particularly within the downtown area near the proposed site. It has yet to be shown Yonkers would benefit from the electricity or steam created. Lots that should also be considered are on the south side of the American Sugar Refinery. East of Ludlow 6.15-16 - 2.33 acres, 6.15-30 - 1.69 acres.

Thank you for consideration,

Sincerely,



Chuck Lesnick,
City Council President

CITY HALL ▪ 40 SOUTH BROADWAY ▪ ROOM 403 ▪ YONKERS, NY 10701

TEL. 914/377-6060 FAX 914/964-1949

WILLIAM REGAN
DEPUTY MAYOR



LISA MRIJAJ
CHIEF OF STAFF

OFFICE OF THE MAYOR
PHILIP A. AMICONE

August 2, 2010

Dr. Jerry Pell, CCM
Principal NEPA Document Manager
Permitting, Sitting and Analysis
Office of Electricity Delivery and
Energy Reliability
U.S. Department of Energy
Washington, DC 20585

Dear Dr. Pell:

Champlain Hudson Power Express, Inc., (CHPEI) proposes to construct, operate and maintain a new 1000 megawatt underwater/underground electric transmission system to be known as the Champlain Hudson Power Express Project. The circuit would extend approximately 319 miles from the Canadian border to Yonkers, New York, where it would connect with a converter station to be owned by CHPEI. As such, it is the only place along the planned 385 mile route that will be subject to a permanent, visible installation.

The proposed site for the converter station is in an area of the City of Yonkers adjacent to the Hudson River that formerly was an industrial area. Today, it is more appropriate to characterize this same area as a suburban mixed use office/commercial park. As such, there is a significant number of people who use this area including public access uses such as the Board of Education, the Main Branch of the Yonkers Public Library and five hundred feet from the proposed converter station is the Beczak Environmental Education Center.

Even though the proposed transmission line will make landfall here in the City of Yonkers, we recognize the need for the converter station. Essentially, the City has concluded that the overall benefits of this project will outweigh any detriment. It is for this reason that I write in support of the project.

The City, nevertheless, harbors certain concerns about the proposed development. However, these issues are being addressed in earnest by the parties and we hope to conclude these discussions in an expeditious fashion to arrive at a solution mutually agreeable to all.

The City recognizes that the project represents approximately \$1.9 billion in new capital investment and will bring much needed employment opportunities to a region clamoring for such an incentive. The project will also deliver a clean renewable energy from Canadian and American sources to the greater New York Metropolitan Area and will provide significant rate relief to this area. Furthermore, upon completion of the converter station, the new construction will place a new ratable on the City's ledger generating a new source of tax revenue which will assist to stabilize the City's tax base.

I look forward to completion of this project and am available to discuss any issues or concerns that you or any member of your staff might possess.

Sincerely,



Philip A. Amicone
Mayor

PHILIP A. AMICONE
MAYOR

LEE J. ELLMAN, AICP
PLANNING DIRECTOR



87 NEPPERHAN AVENUE, ROOM 320
YONKERS, NEW YORK 10701-3892
914-377-6555
FAX 914-377-6552

PLANNING BUREAU
CITY OF YONKERS

July 30, 2010

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:

On behalf of the City of Yonkers attached are comments on the scope of the DEIS being prepared for the proposed Champlain Hudson Power Express project.

If you have any questions regarding this material please do not hesitate to call me.

Sincerely,

Lee J. Ellman, AICP

**Champlain Hudson Power Express
Transmission Line Project
Environmental Impact Statement (DOE/ EIS-0447)**

City of Yonkers, NY Scoping Comments

The City of Yonkers, NY is the proposed location of the inverter station for the proposed Champlain Hudson Transmission Line Project. As such, it is the only place along the entire 385 mile route that will be subject to a permanent, visible, landscape and land use changing installation. The inverter station will be a significant addition to the Yonkers landscape changing the potential uses of the site upon which it sits. The scale of the inverter building will cause construction period impacts that are different than the short term impacts that other communities will experience from the cable burial. The landfall of the cables to and from the inverter will have both physical construction period impacts and long term developmental impacts upon the city as the cables may forestall development over them. Yonkers seeks to point out the areas of investigation that must be made a part of the DEIS for the CHPE Transmission line project.

1. Impacts on Land Use

The proposed project site is in an area of Yonkers that was formerly an industrial precinct. Industrial uses have been fading away in the vast majority of the area around the project site. It is more accurate to characterize the IPark/inverter site portion of the project site as a mixed use commercial park. There is as much office use as there is “industrial use” at this site; the industrial uses are what a planner would characterize as “light, non-nuisance, assembly and fabrication” and not as heavy industrial uses. The uses found around the proposed inverter site have more in common with a modern suburban mixed use office/commercial park than with the areas industrial history.

The proposed inverter site and the land fall area of the cables to and from that site are undergoing changes in land use that may not be reflected in the current zoning of these sites. The city of Yonkers would like to see the following areas addressed in the DEIS:

- 1.1. Properly characterize the areas land uses in a quarter mile radius around the inverter station and at the cable land fall.
- 1.2. Discuss the actual land uses in the IPark area that the inverter station is proposed to be located within in. Compare the compatibility of the inverter station to those uses. Discuss the impacts of the inverter station upon those current uses and upon the marketability of the site for such uses with the inverter station building in place.
- 1.3. Discuss the Alexander Street Master Plan (Master Plan, Urban Renewal Plan and BOA Plan) in light of that plans recent adoption, its land use controls over the proposed area for the inverter station and stated intentions for redevelopment by the City of Yonkers.

**Champlain Hudson Power Express
Transmission Line Project
Environmental Impact Statement (DOE/ EIS-0447)
City of Yonkers, NY Scoping Comments
Page 2**

- 1.4. Discuss the potential impacts of the inverter station on future economic development activities in the area including foreclosure of potential plans for commuter parking, redevelopment of the IPark parking lot and impacts of the industrial land use upon current plans.
- 1.5. Discuss the status of planning programs currently underway by the City of Yonkers and others that may be affected by the proposed cable land fall and by the location of the inverter station.
- 1.6. Discuss the potential impacts upon marina development and harbor management by the city of Yonkers due to the cables being in the Hudson River in the Yonkers area and the impact caused by the cables land fall in Yonkers.
- 1.7. Discuss the impact, if any, upon the Beczak Environmental Education Program and on the Yonkers Canoe Club.
- 1.8. Discuss the impact, if any, upon the continued use of the Yonkers Recreation Pier as a ferry port and a point of embarkation for other ship borne uses.
- 1.9. Discuss Alternative siting options for the inverter station. Can the station be moved within the general area of the current IPark proposal? Identify other sites for the inverter that will reduce or eliminate impacts to proposed plans. Identify other sites for the inverter that will have a positive land use impact.

2. Impacts on Cultural and Historical Resources

The proposed inverter station and the cable land fall are occurring in the oldest developed part of the city of Yonkers. The inverter station is proposed to be built on lands of the former Otis Elevator Plant. The older buildings surrounding the proposed inverter site have been determined to be National Register of Historic Places eligible. There are other potentially historic structures in the vicinity that need to be taken into account during permitting.

The following areas of investigation should be included in the DEIS:

- 2.1. The former Otis Elevator Plant, now called IPark, surrounds the proposed inverter site. Discuss the impacts upon these potentially historic buildings stemming from the construction of the inverter station. Discuss means to blend the proposed station into the historic architecture of the former Otis Plant.

**Champlain Hudson Power Express
Transmission Line Project
Environmental Impact Statement (DOE/ EIS-0447)
City of Yonkers, NY Scoping Comments
Page 3**

- 2.2. The Philips Manor Hall is approximately 500 feet from the proposed inverter site. Discuss potential construction and operational impacts upon this 17th century building stemming from the inverter station. Based upon local knowledge of the inverter site it is likely that pile driving will be required for construction. Additionally, delivery of construction materials to the inverter and land fall sites will likely pass the Manor Hall site. An important architectural historical feature of the Manor Hall is the papier mache ceiling in the parlor that has been deemed highly susceptible to vibration impacts. Discuss the impacts of construction activity (delivery of construction materials and pile driving) and operations activity (delivery of materials) from the inverter upon the Manor Hall.
- 2.3. Approximately 350 feet from the inverter site is the City of Yonkers Jail. Discuss the impacts of the inverter station construction and operations upon the city jail a) in its current use as a city jail and b) under proposals for reuse found in the Alexander Street Master Plan.
- 2.4. Approximately 500 feet from the inverter station is the Beczak Environmental Education Center. Discuss the impacts of the inverter and the cable land fall upon the operations and mission of the center and upon its potentially historic building (the former Habishaw Club site).
- 2.5. Approximately 350 feet from the inverter station and in the area of the cable land fall is the Westchester County North Yonkers Pump station. The 1930's vintage building is historically notable for its smoke stack built to appear as a light house. Discuss the impacts, if any, of the construction of the inverter and the cable land fall upon this locally important visual and historical resource.
- 2.6. Special care needs to be taken to properly characterize the archeological issues surrounding the inverter station site and the cable land fall. Local experience suggests that a Phase 1A archeological survey will be the minimum required and that there may be a need to have archeologists on site during construction. The nature and extent of archeological study needs to be determined in the course of the DEIS.
- 2.7. The Glenwood Power Station has been deemed in 2008, by the Preservation League of New York State, as one of their most threatened historic buildings in New York State. If the cable land fall will occur anywhere in the vicinity of this building the impacts of cable siting upon this building needs to be taken into account in the DEIS

**Champlain Hudson Power Express
Transmission Line Project
Environmental Impact Statement (DOE/ EIS-0447)
City of Yonkers, NY Scoping Comments
Page 4**

3. Impact upon Human Health: The area immediately surrounding the proposed inverter station and the area of the cable land fall (including the exit of the AC cable from the inverter station) are areas of high density of human use. The IPark/Otis Plant area is a densely populated mixed-use office and manufacturing area including public access uses such as the Yonkers Board of Education and the Yonkers Main Branch Public Library. Unlike a heavy industrial and commercial neighborhood there is significant numbers of persons using the area that have no reason to believe that there may be any health or safety issue present in the vicinity. Additionally, planning efforts on the part of the city of Yonkers would have this neighborhood even more densely populated with both employees and residents.

The following areas of investigation should be included in the DEIS

- 3.1. Explain the operation of the inverter station and the cables serving the station. Discuss the potential for explosion and/or fire of electrical equipment contained in the facility. Discuss mitigation measure to be taken to reduce impacts of potential fire and/or explosion such are deluge systems, fire suppression systems and the like.
 - 3.2. Discuss the presence of any toxic materials used at the facility. Are there non-toxic materials used at the facility that when combined with other non-toxic materials at the faculty might become toxic?
 - 3.3. Explain the electrical and magnetic field impacts of the proposed inverter station and the DC/AC cables coming to and leaving the station. The Alexander Street area is planned to become increasingly residential; are there any known impacts that would hinder that conversion from industrial to residential/mixed use usages? Are there any human health impacts upon workers in adjacent buildings in the IPark/Otis Plant complex? Are there any potential impacts upon equipment or manufacturing or research activities that may take place in the buildings surrounding the proposed inverter station or adjacent to the cables serving the station.
4. Impacts upon Air Quality: There are several businesses and many area employees and residents proximate to the proposed inverter station and the cable land fall that may be impacted by air quality issues. The city of Yonkers requests that the following issues be investigated and discussed in the DEIS:
 - 4.1. Investigate and discuss area businesses that would be negatively impacted by construction period air quality impacts. Discuss mitigation that can be instituted to eliminate any air quality impacts.

**Champlain Hudson Power Express
Transmission Line Project
Environmental Impact Statement (DOE/ EIS-0447)
City of Yonkers, NY Scoping Comments
Page 5**

- 4.2. Discuss air quality impacts of operation of the inverter station. Will there be ozone creation from the electrical equipment? Will there be any public health issues to area residents from the operation of the plant? What mitigation can be instituted to deal with air quality issues to area residents?
- 4.3. Yonkers has had several major transformer fires at Con Edison sub-stations. Discuss the potential for the same type of issues to occur at this facility. What impacts can be reasonably expected from such an event given the high population density in the area? What mitigation measures will be taken to reduce the potential for electrical substation type of fires?
- 4.4. Southwest Yonkers is an asthma problem area. Discuss any impact that might add to the asthma problem stemming from the proposed inverter station.
5. Visual Impacts: The proposed inverter site is in the forefront of a potential national register eligible site. Discuss the visual impacts of the proposed new structure and how these visual impacts might be mitigated by alternative design or siting. Prepare sections though the site to allow a good understanding of the relative heights of the new versus the old buildings. It is important to also prepare and show in the DEIS visual simulations of the proposed new building in its setting from public viewing locations. At a minimum the visual impacts from the Yonkers Train Station Platform should be shown. Typical to DEIS practice in NYS would be to also produce visual simulations of the impacts of the new visual element upon users of local resources including area parks, the Hudson River, the Palisade Interstate Park overlooks and from areas such as the Phillips Manor Hall, the Bell Place National Register Historic District, the Old Croton Aqueduct State Park, the locally landmarked Phillips Manor Hall historic district and notable viewing areas of the downtown such as Leslie Sutherland Park overlook in the Park Hill neighborhood. It is important that visual impact simulations be produced even from those sites, such as the Philips Manor Hall site, that may be screened from the inverter site. Proving the null impact to these important sites is a crucial part of the environmental review.

**Champlain Hudson Power Express
Transmission Line Project
Environmental Impact Statement (DOE/ EIS-0447)
City of Yonkers, NY Scoping Comments
Page 6**

6. Socio-economic impacts: the downtown area of Yonkers is making a positive transition after significant effort on the part of the city government, community and business groups and the various property owners in the downtown area. There is concern that the proposed inverter station may have negative impacts upon plans for the area and for the move towards a mixed use, commercial- residential downtown. The following issues should be investigated and discussed in the DEIS:
 - 6.1. Discuss the property tax implications of the proposed inverter station and any other real property installations that are a part of the proposed action.
 - 6.2. Examine and analyze the impacts of the proposed inverter station and cable land fall upon other properties in their vicinity. Will the inverter station have a positive or negative net property tax impact upon the city of Yonkers?
 - 6.3. Examine and analyze the occupancy impacts of the inverter station upon nearby properties. Will the inverter station cause a change in the quality of occupancy in the commercial buildings to the east of the proposed site? Will the inverter station have any impacts upon the residential community to the north of the IPark/Otis site?
 - 6.4. Examine the impacts upon the planned changes to the downtown area around the site of the proposed inverter station adopted planning documents. What socio-economic changes are likely with and without the inverter station?
 - 6.5. Can planned building programs be carried out with the inverter station in place? If the planned Metro Center program cannot be built with the inverter station in place detail the socio-economic differences between the Metro Center project and the inverter station project.
 - 6.6. Detail the tax impacts of the inverter station versus other planned uses of the site. Discuss employment at the site, income tax implications of employment at the site, sales tax spin-off impacts of employment at the site and the impacts upon the surrounding downtown with the inverter, with other planned uses and without the inverter.

**Champlain Hudson Power Express
Transmission Line Project
Environmental Impact Statement (DOE/ EIS-0447)
City of Yonkers, NY Scoping Comments
Page 7**

7. Environmental Justice: The city of Yonkers location within the regions geography has resulted is a large amount of region serving utility and transportation land uses that may have disproportionate impacts upon area residents. Yonkers hosts two major Con Edison substation facilities as well as other Con Ed transmission lines. The New York City water supply reservoir and aqueducts cross the city of Yonkers causing a level of development impacts. Transportation corridors such as the New York State Thruway and the several parkways use a larger amount of land in Yonkers than in other communities that these roads transit. While there are undoubtedly positive impacts from each of the above cited examples they nonetheless raise the question of whether or not the city of Yonkers and its residents are shouldering more than their fair share of the regions burden of these uses. Additionally, the city of Yonkers has a higher share of the county's low income and minority populations than would be proportionate to its share of the county's overall population. The area around the proposed inverter station is overwhelmingly low income and minority. The following issues should be discussed and examined in the DEIS:

7.1. Analyze and discuss in the DEIS the impacted population in the vicinity of the proposed inverter station that may be subject to environmental justice issues.

8. Miscellaneous issues.

8.1. Utility issues. The area surrounding the proposed inverter station is the oldest developed portion of the city. The city's experience with other development projects has shown that there are significant problems to be dealt with due to underground utilities that may not show on available plans. It is likely that work required underground will take longer than otherwise anticipated and may cause larger impacts to traffic than in other cases. The DEIS should take this fact into account in all relevant sections.

8.2. Made land. The area surrounding the proposed inverter station, particularly the Alexander Street area, is made land that did not exist 100 years ago. Projects built in the immediate vicinity have had to drive piles to approximate depths of 100 feet. The impact of pile driving on other land uses and historic buildings has been noted in earlier comments. The cable land fall may have to be supported on piles and the impacts of that activity should be investigated in the DEIS.

8.3. City of Yonkers infrastructure. Will the inverter station require service from city of Yonkers infrastructure including water, storm or sanitary sewer? What volume of water will be required at the inverter station? Will potable water be used for any reason other than human consumption and sanitary needs? Where will connections for city infrastructure be made? Does sufficient capacity exist for the needs of the inverter station or will new connections be required to be made?

APPENDIX F

DETAILED ROUTE MAPS

Appendix F

Appendix F presents detailed maps of the entire proposed project route. The source of the base maps, prepared by the Applicant, is either National Oceanic and Atmospheric Administration bathymetric charts or New York State Department of Transportation 1:24,000-scale planimetric quadrangle maps. **Table F-1** lists each of the maps presented in this appendix. The maps are presented geographically from north to south and contain local parks, state parks, historic sites, scenic areas, and untouched wilderness found along the proposed project route.

Table F-1. Map Guide

Map Number	Mile Posts	Geographic Area	Key Geographic Feature
1	0-8	Upper Lake Champlain Segment	Rouses Point, NY
2	9-17	Upper Lake Champlain Segment	Isle La Motte
3	18-25	Upper Lake Champlain Segment	Point Au Roche, NY
4	26-33	Upper Lake Champlain Segment	Plattsburgh Air Force Base
5	34-43	Upper Lake Champlain Segment	Port Kent, NY
6	44-51	Middle Lake Champlain Segment	Willsboro Point, NY
7	52-61	Middle Lake Champlain Segment	Essex Village, NY
8	62-70	Middle Lake Champlain Segment	Camp Dudley, NY
9	71-78	Middle Lake Champlain Segment	Port Henry, NY
10	79-87	Lower Lake Champlain Segment	Crown Point, NY
11	88-96	Lower Lake Champlain Segment	Ticonderoga, NY
12	97-105	Lower Lake Champlain Segment	Putnam Station, NY
13	106-114	Lower Lake Champlain Segment	Whitehall, NY
14	115-124	Upper Railroad ROW Segment	Fort Ann, NY
15	125-132	Upper Railroad ROW Segment	Baldwin Corner, NY
16	133-142	Upper Railroad ROW Segment	Hudson Falls, NY
17	143-154	Upper Railroad ROW Segment	Saratoga Springs, NY
18	155-162	Lower Railroad ROW Segment	Ballston Spa, NY

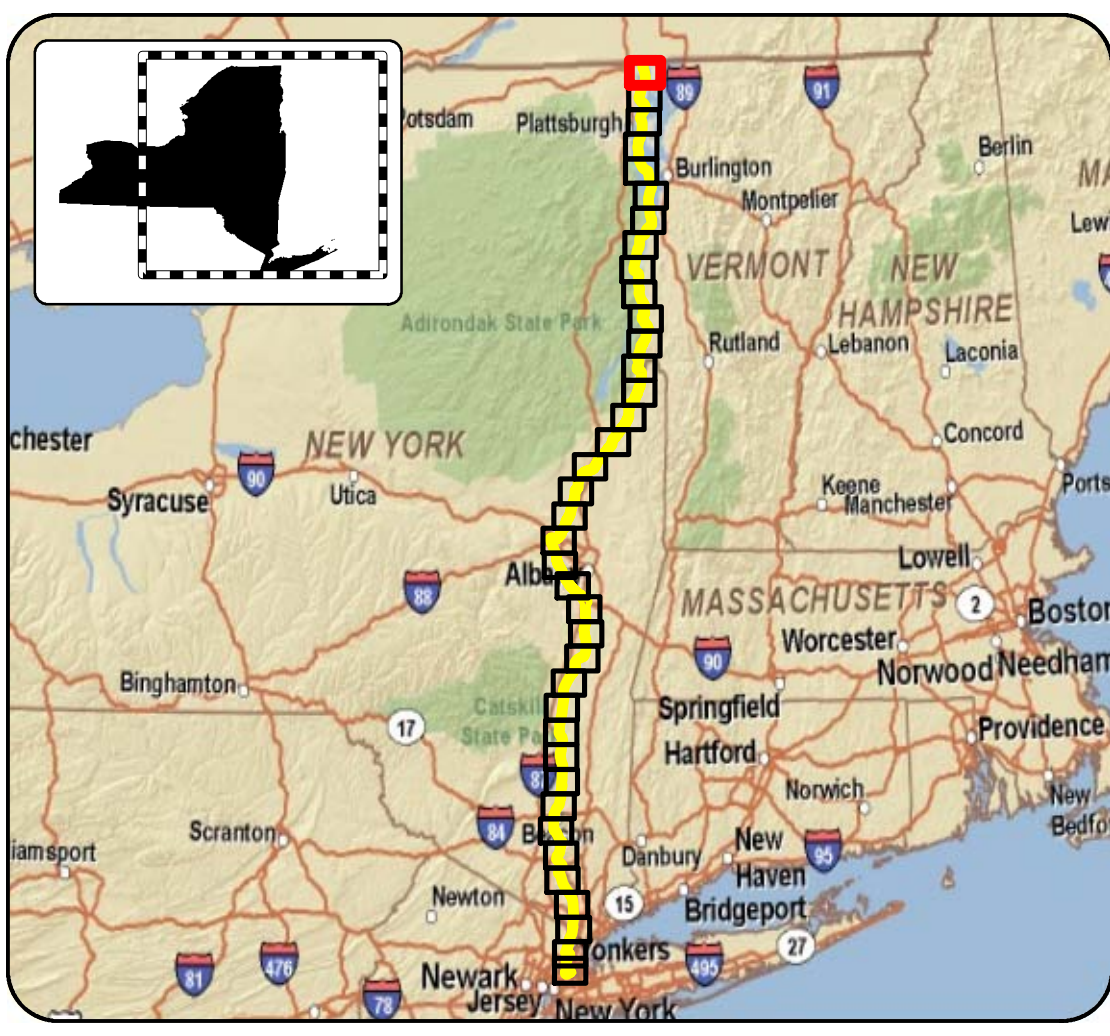
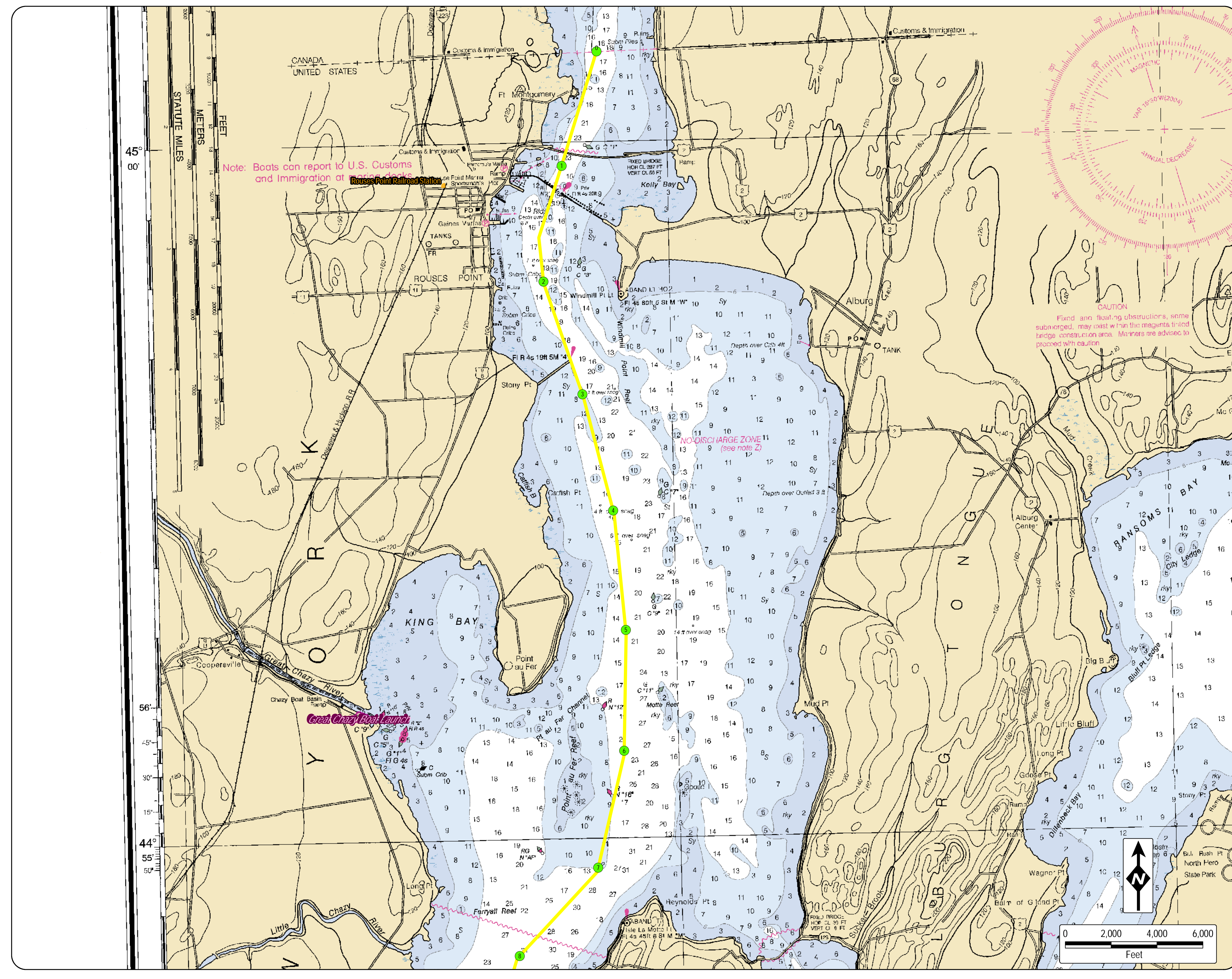
19	163-171	Lower Railroad ROW Segment	Ballston Lake
20	172-182	Lower Railroad ROW Segment	Schenectady, NY
21	183-191	Lower Railroad ROW Segment	Albany, NY
22	190-200	Lower Railroad ROW Segment	Bethlehem, NY
23	200-208	Upper Hudson River Segment	Schodack Island
24	209-216	Upper Hudson River Segment	Stuyvesant, NY
25	217-226	Upper Hudson River Segment	Hudson, NY
26	227-235	Upper Hudson River Segment	Germantown, NY
27	236-243	Upper Hudson River Segment	Ulster Landing, NY
28	244-251	Middle Hudson River Segment	Kingston, NY
29	252-259	Middle Hudson River Segment	Hyde Park, NY
30	260-267	Middle Hudson River Segment	Poughkeepsie, NY
31	268-276	Middle Hudson River Segment	Wappingers Falls, NY
32	277-285	Middle Hudson River Segment	Newburgh, NY
33	286-294	Lower Hudson River Segment	Peekskill, NY
34	295-303	Lower Hudson River Segment	Haverstraw, NY
35	304-311	Lower Hudson River Segment	Scarborough, NY
36	312-319	Lower Hudson River Segment	Hastings-on-Hudson, NY
37	320-329	New York City Metropolitan Area Segment	New York, NY
38	327-333	New York City Metropolitan Area Segment	New York, NY

Exhibit 2

Figure 2.1.-2

Location of Facilities on NOAA/NYSDOT Map

REVISED



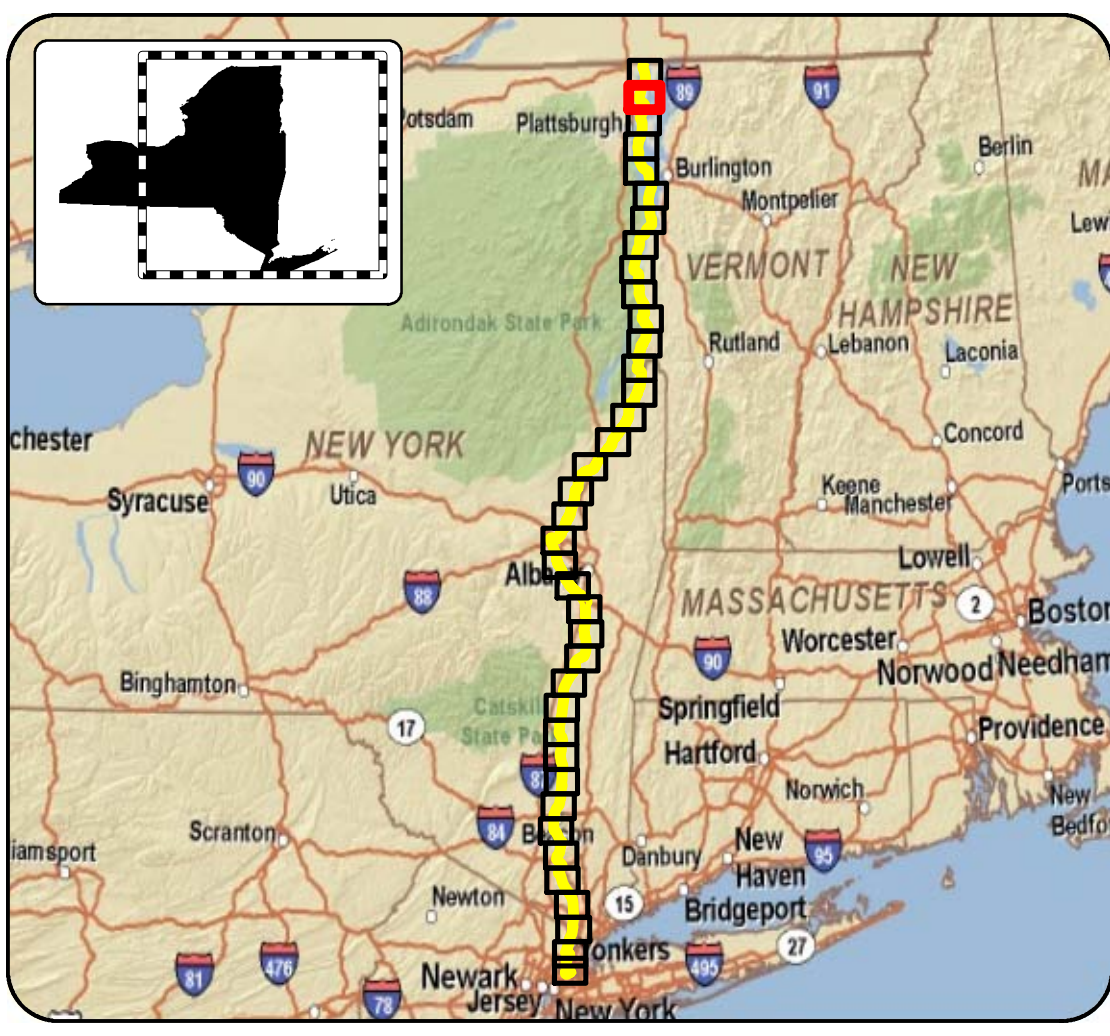
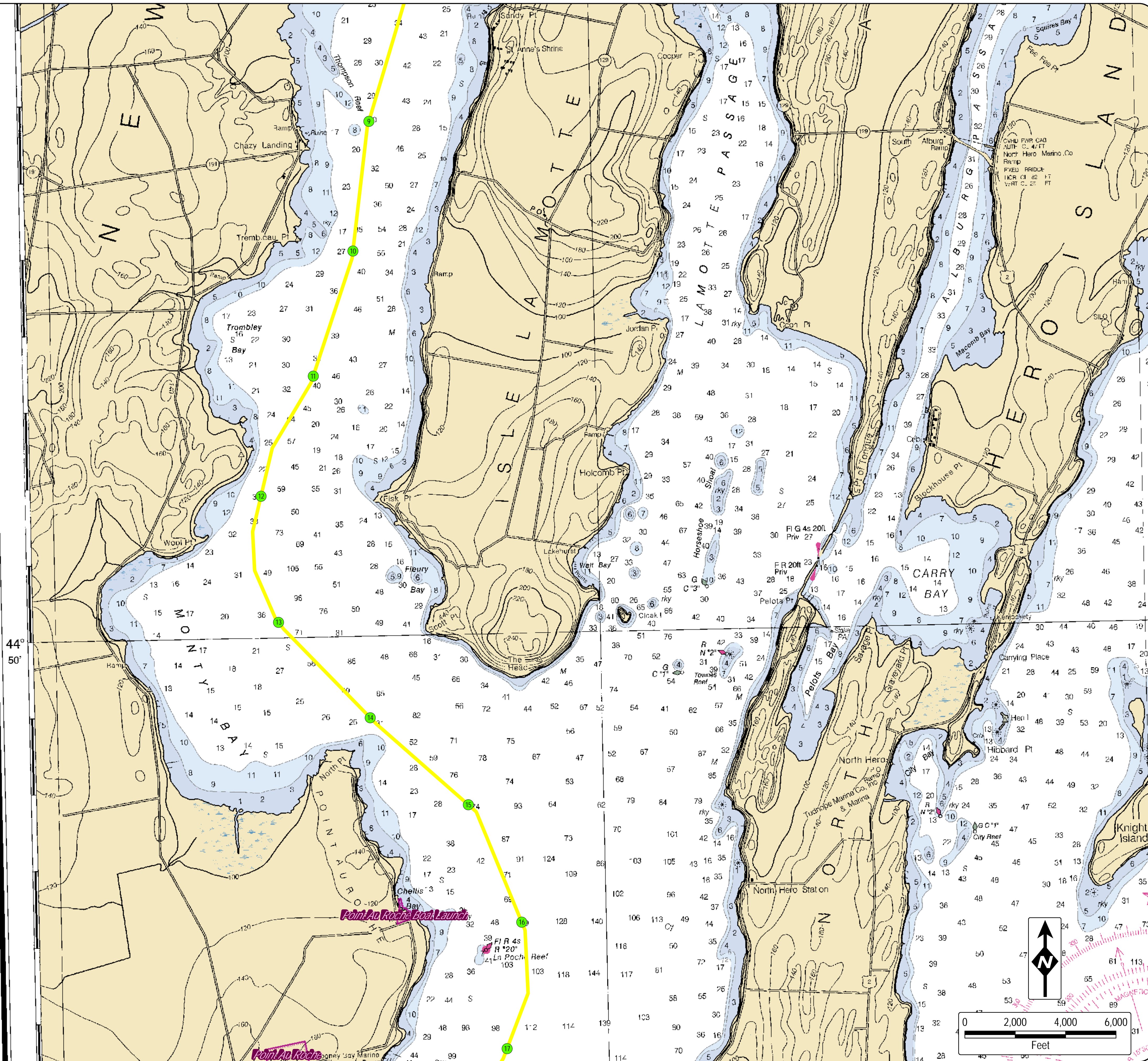
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- Underwater Route
- CP/CSX Railroad ROW
- - - - Spur
- Milepost
- Poletti Substation
- ▲ Yonkers Converter Station
- ★ Mine
- Park
- State Park
- Untouched Wilderness
- Historic Site
- Scenic Area

DATA SOURCES:
 NYS DOT, ESRI, NOAA, TDI, TRC, NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION (NYDEC), NEW YORK STATE OFFICE OF PARKS RECREATION AND HISTORICAL PRESERVATION (OPRHP)

NOTES:
 1. NYS DOT 24K and NOAA basemaps
 2. Width of Cable Route lines are not drawn to scale.

Champlain Hudson Power Express Project
Champlain Hudson Power Express Inc.
 Figure 2.1-2
Location of Facilities
 on NOAA/NYS DOT Mapping
 Sheet 1 of 38
 Prepared by: **FDR** | **DTA** & **TRC** 7/14/2010







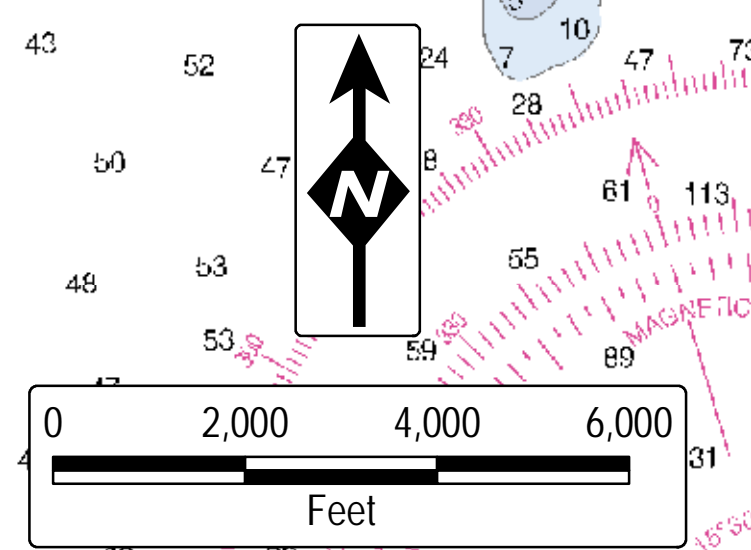
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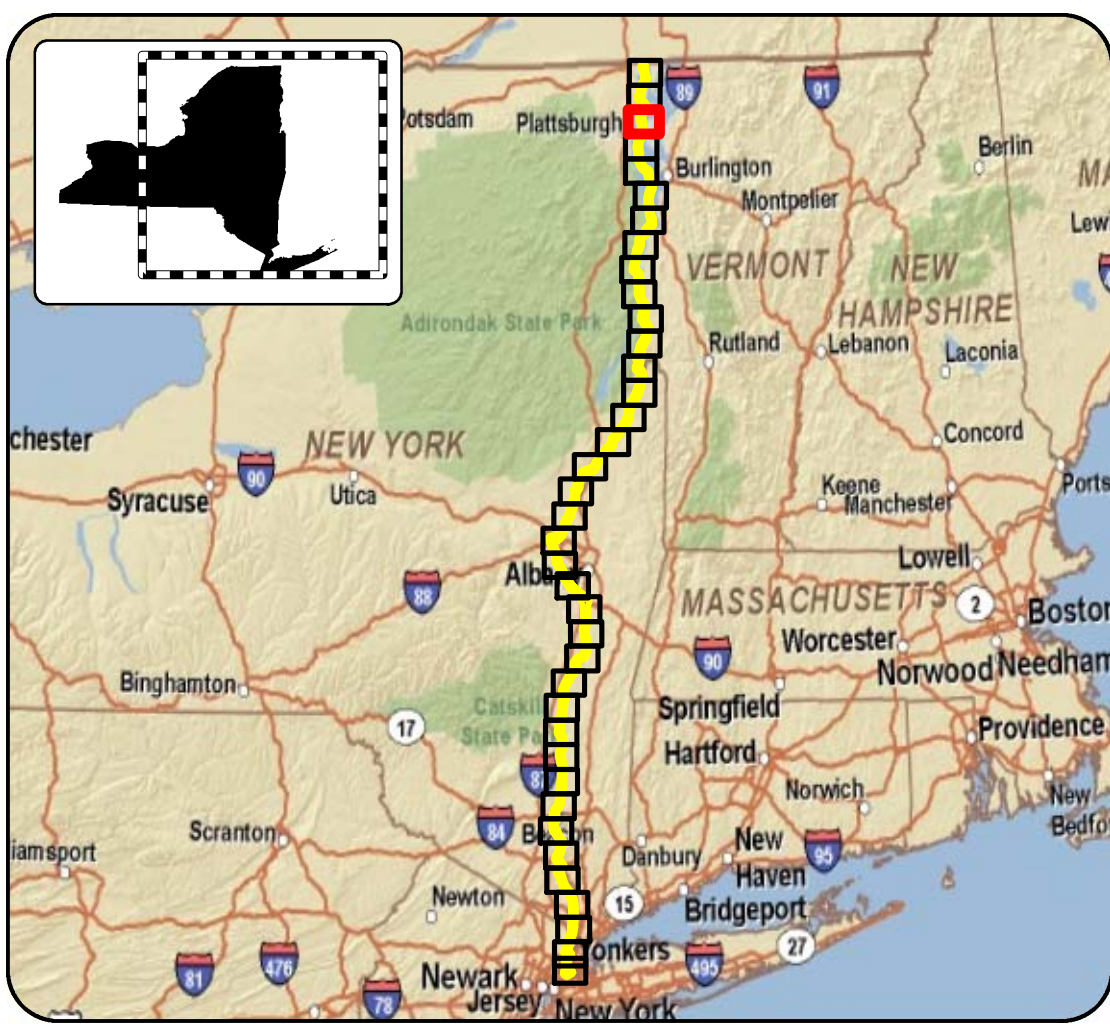
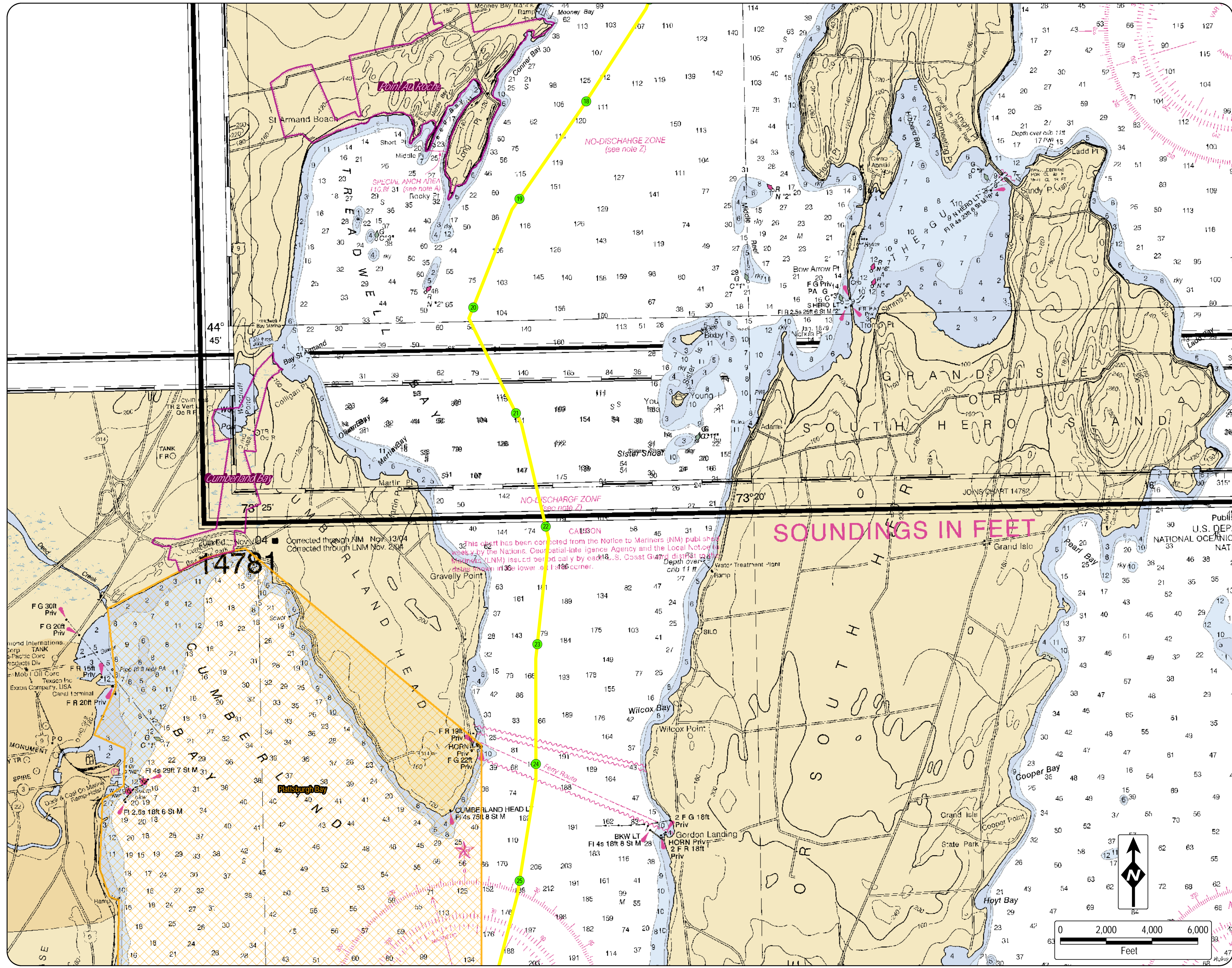
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- Spur
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DATA SOURCES:
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Champlain Hudson Power Express Project
Champlain Hudson Power Express Inc.
 Figure 2.1-2
Location of Facilities
 on NOAA/NYS DOT Mapping
 Sheet 2 of 38
 Prepared by:   &  7/14/2010









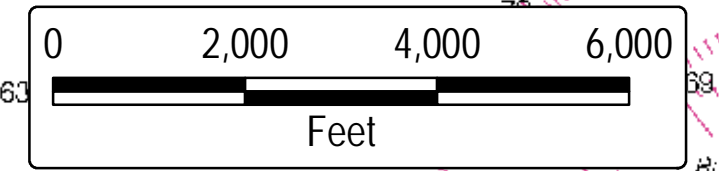
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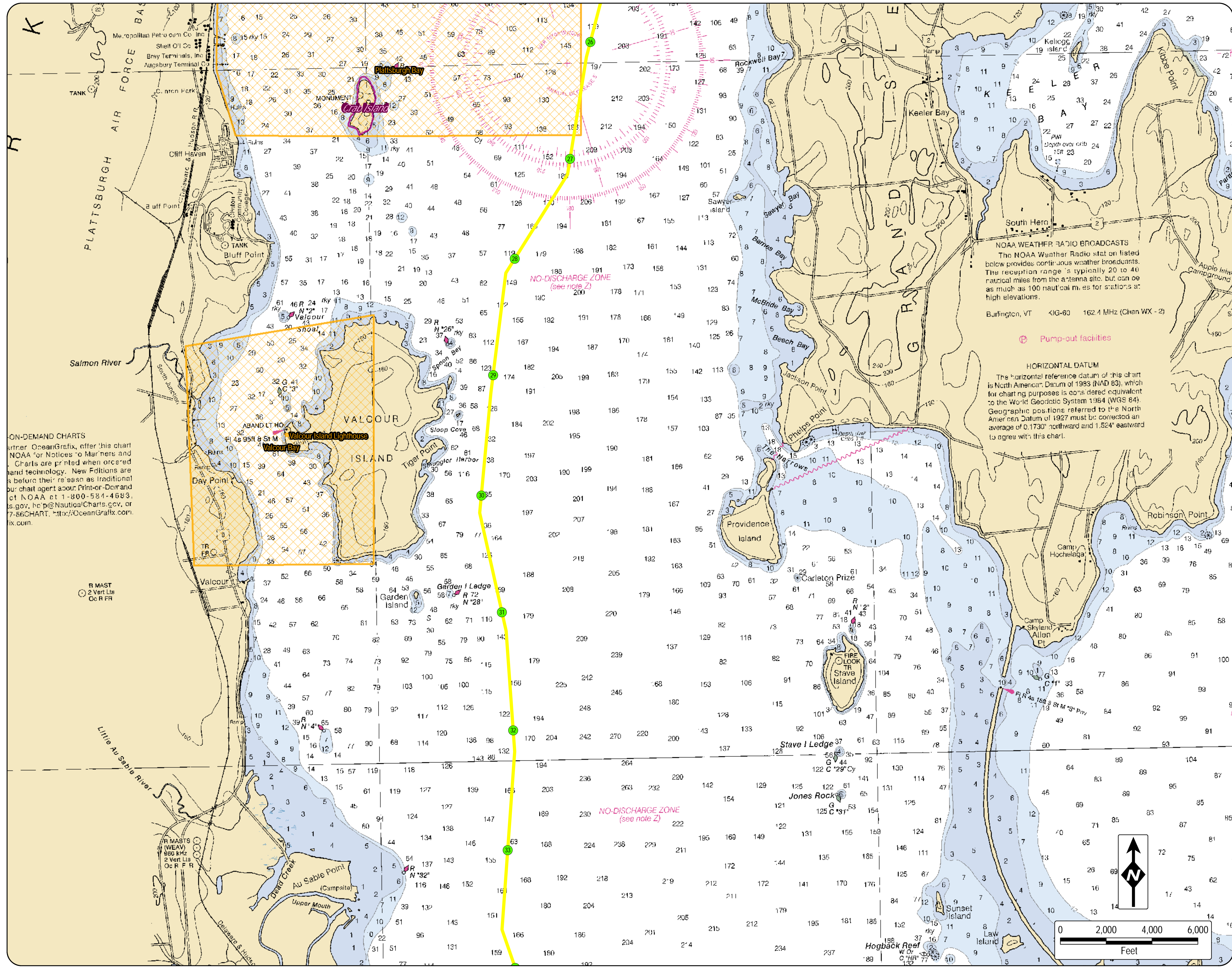
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Champlain Hudson Power Express Project
Champlain Hudson Power Express Inc.
 Figure 2.1-2
Location of Facilities
 on NOAA/NYS DOT Mapping
 Sheet 3 of 38
 Prepared by:   &  7/14/2010

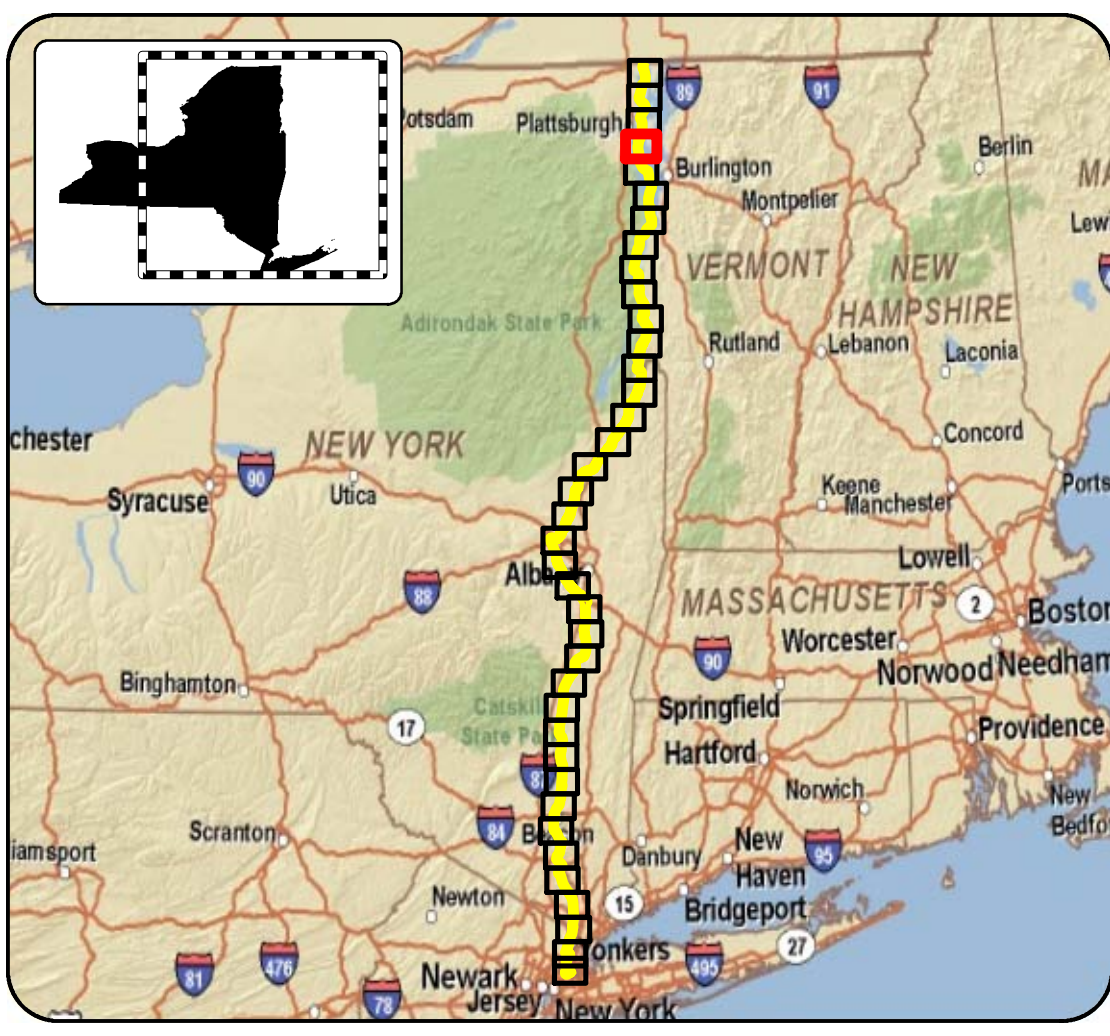




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 but chart agent about Print-on-Demand
 of NOAA at 1-800-584-4683,
 s.gov, hc@NauticalCharts.gov, or
 7-66CHART. <http://OceanGrafix.com>
 fx.com.

NOAA WEATHER RADIO BROADCASTS
 The NOAA Weather Radio stat on listed
 below provides continuous weather broadcasts.
 The reception range is typically 20 to 40
 nautical miles from the antenna site, but can be
 as much as 100 nautical miles for stations at
 high elevations.
 Burlington, VT <IG-60 162.4 MHz (Chan WX - 2)

HORIZONTAL DATUM
 The horizontal reference datum of this chart
 is North American Datum of 1983 (NAD 83), which
 for charting purposes is considered equivalent to
 the World Geodetic System 1984 (WGS 84).
 Geographic positions referred to the North
 American Datum of 1927 must be corrected an
 average of 0.1730' northward and 1.524' eastward
 to agree with this chart.



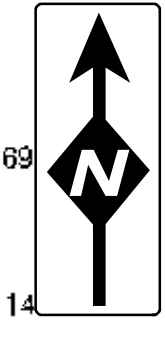
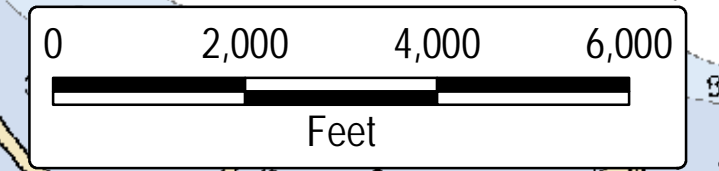
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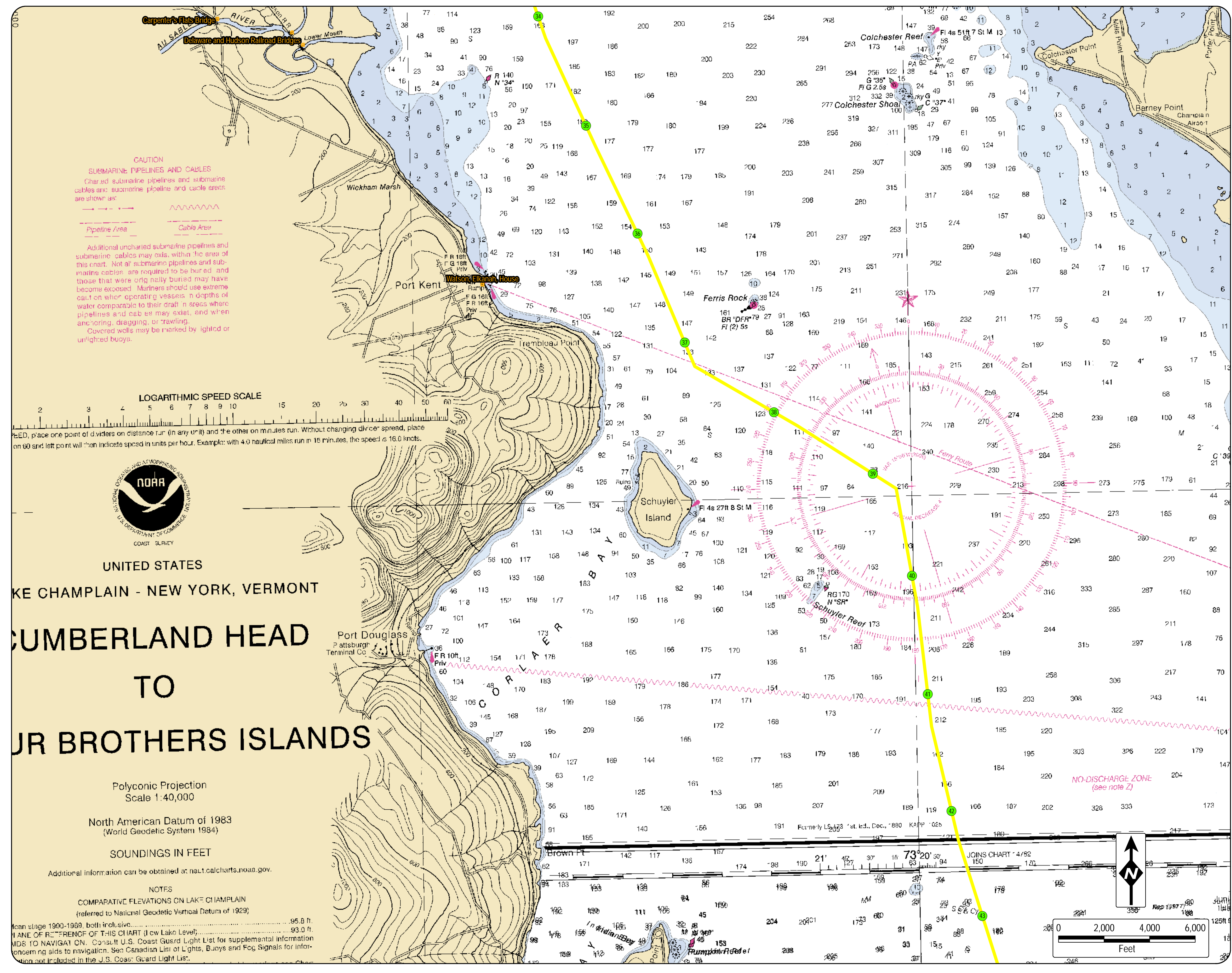
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- CP/CSX Railroad ROW
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DATA SOURCES:
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 ENVIRONMENTAL CONSERVATION (NYDEC), NEW YORK STATE OFFICE OF PARKS
 RECREATION AND HISTORICAL PRESERVATION (OPRHP)

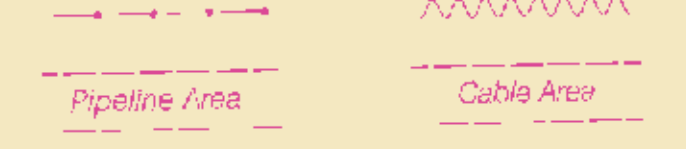
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Champlain Hudson Power Express Project
Champlain Hudson Power Express Inc.
 Figure 2.1-2
Location of Facilities
 on NOAA/NYS DOT Mapping
 Sheet 4 of 38
 Prepared by: & 7/14/2010





CAUTION
SUBMARINE PIPELINES AND CABLES
 Charted submarine pipelines and submarine cables and submarine pipeline and cable areas are shown as:



Additional uncharted submarine pipelines and submarine cables may exist, within the area of this chart. Not all submarine pipelines and submarine cables are required to be buried, and those that were originally buried may have become exposed. Mariners should use extreme caution when operating vessels in depths of water comparable to their draft in areas where pipelines and cables may exist, and when anchoring, dragging, or trawling. Covered wells may be marked by lighted or unlighted buoys.

LOGARITHMIC SPEED SCALE

BEFORE USE, place one point of dividers on distance run (in any unit) and the other on minutes run. Without changing divider spread, place one point on 60 and left point will then indicate speed in units per hour. Example: with 4.0 nautical miles run in 15 minutes, the speed is 16.0 knots.



UNITED STATES

LAKE CHAMPLAIN - NEW YORK, VERMONT

CUMBERLAND HEAD

TO

JR BROTHERS ISLANDS

Polyconic Projection
 Scale 1:40,000

North American Datum of 1983
 (World Geodetic System 1984)

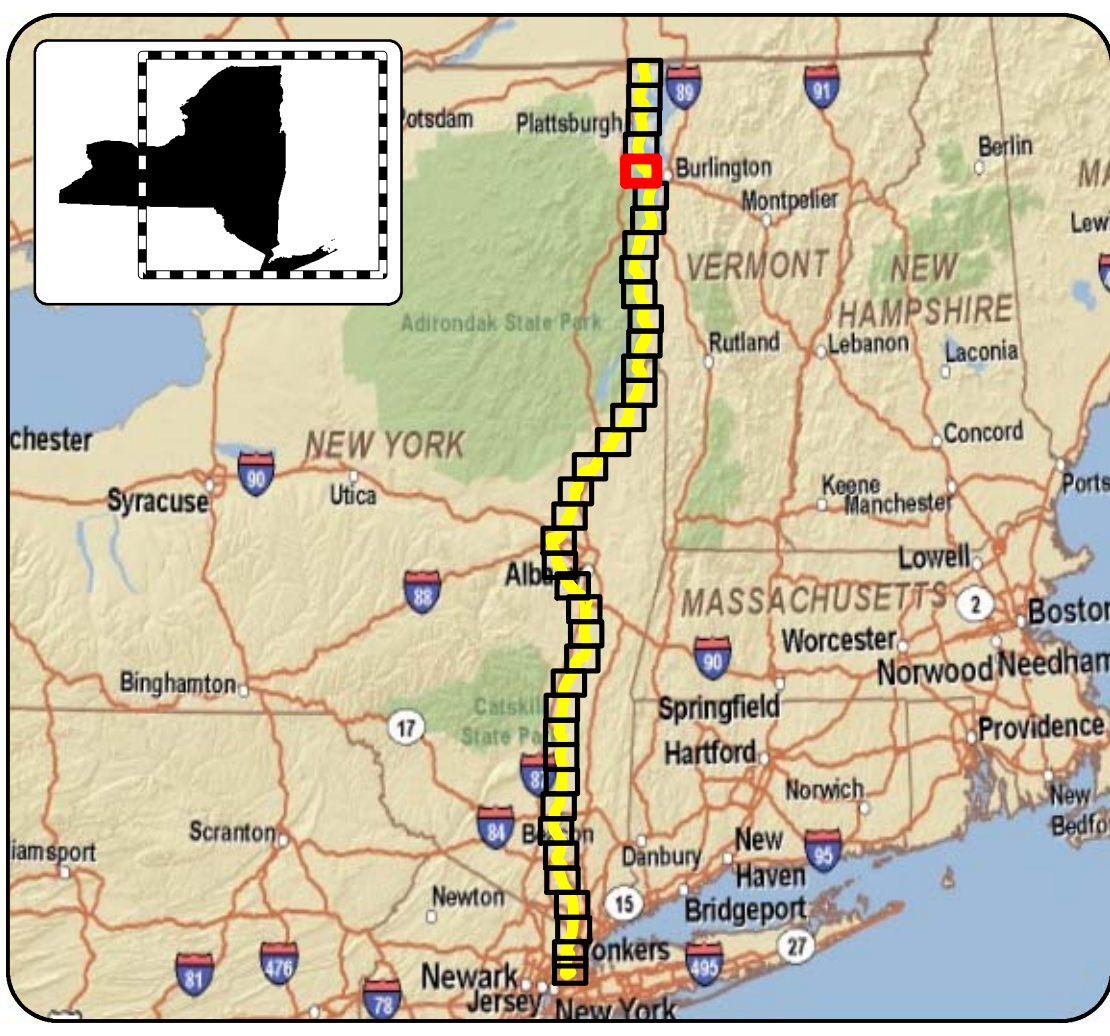
SOUNDINGS IN FEET

Additional information can be obtained at nauticalcharts.noaa.gov.

NOTES

COMPARATIVE ELEVATIONS ON LAKE CHAMPLAIN
 (referred to National Geodetic Vertical Datum of 1929)

mean stage 1900-1909, both inclusive, 95.8 ft.
 MEAN OF REFERENCE OF THIS CHART (Low Lake Level) 93.0 ft.
 MDS TO NAVIGATION. Consult U.S. Coast Guard Light List for supplemental information concerning aids to navigation. See Canadian List of Lights, Buoys and Fog Signals for information not included in the U.S. Coast Guard Light List.



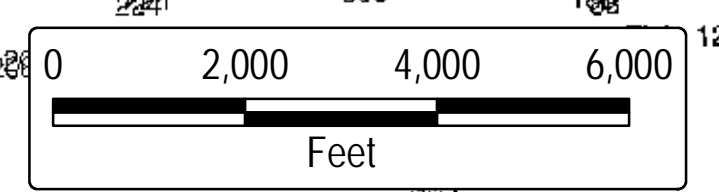
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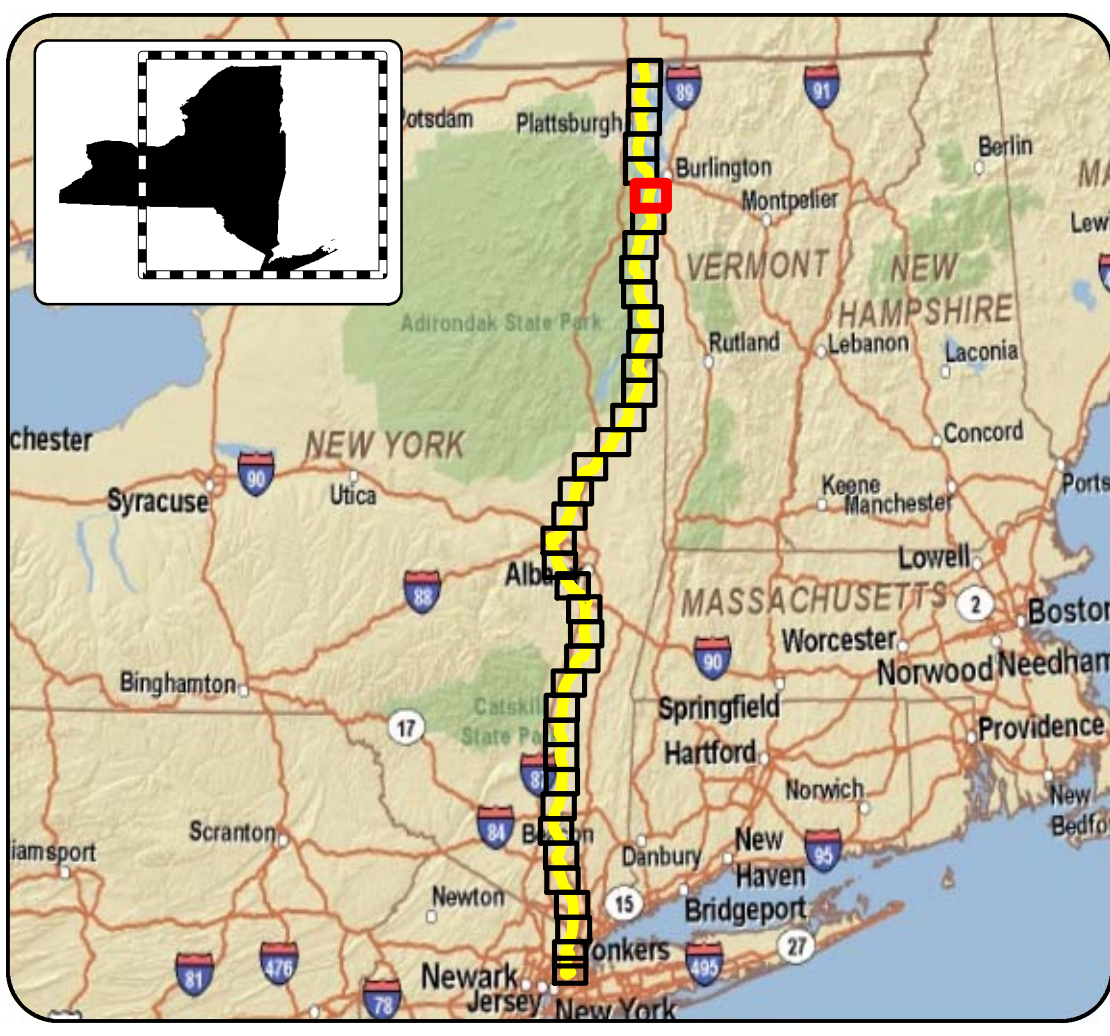
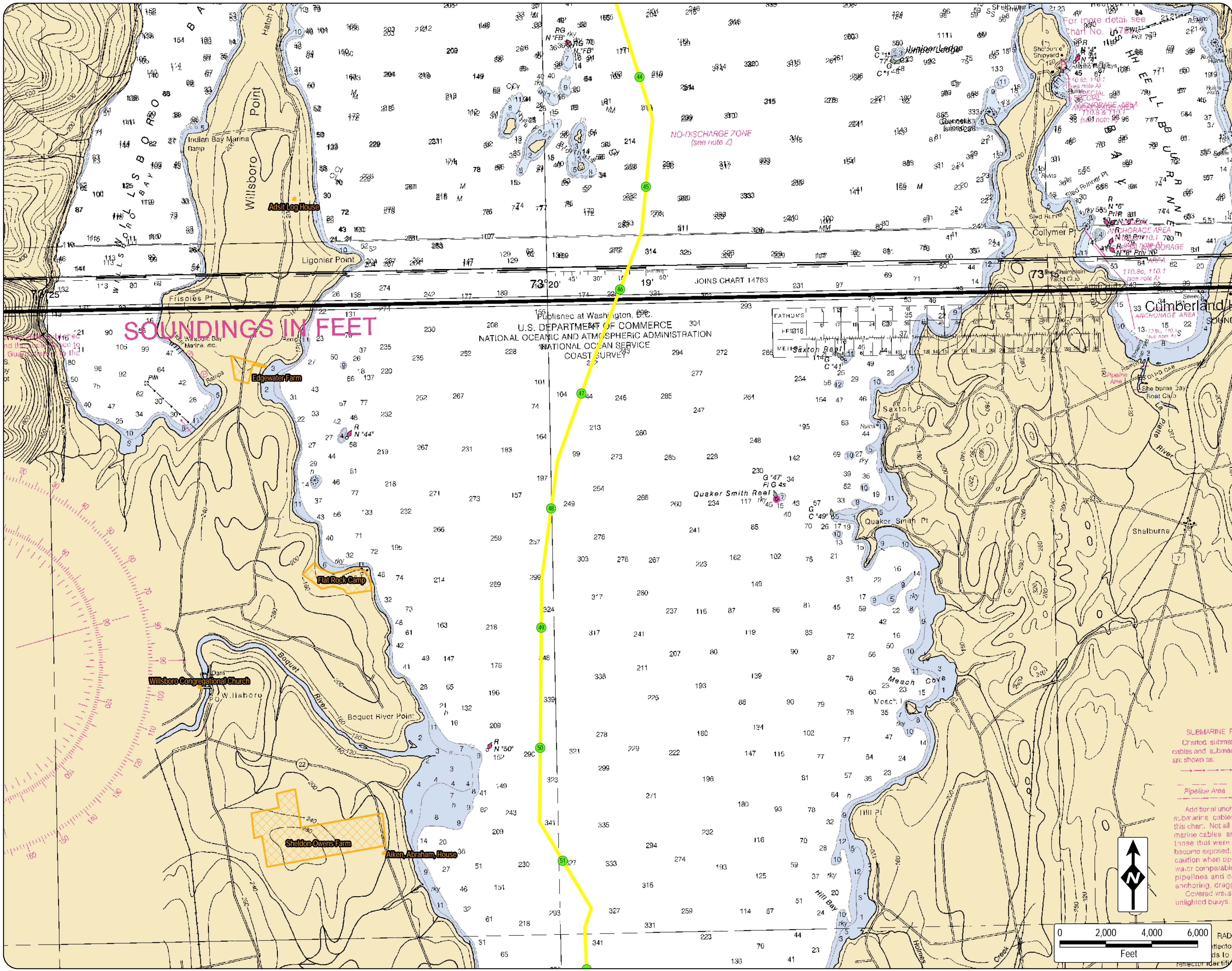
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DATA SOURCES:
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NOTES:
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Champlain Hudson Power Express Project
Champlain Hudson Power Express Inc.
 Figure 2.1-2
Location of Facilities
 on NOAA/NYS DOT Mapping
 Sheet 5 of 38
 Prepared by: & 7/14/2010





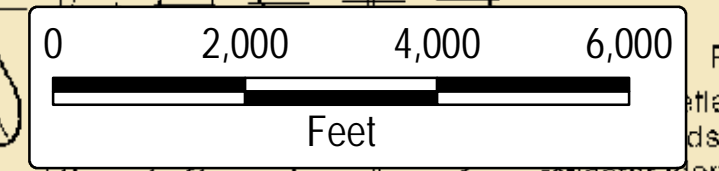
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Champlain Hudson Power Express Project
Champlain Hudson Power Express Inc.
 Figure 2.1-2
Location of Facilities
 on NOAA/NYS DOT Mapping
 Sheet 6 of 38
 Prepared by: **FDR** | **DTA** & **TRC** 7/14/2010



K, VERMONT ISLANDS POINT

1983

charts.noaa.gov

PLAIN
(of 1929)
95.8 ft.
93.0 ft.
or supplemental information
and abbreviations see Chart
Ocean Service, Coast Survey,
Survey, and U.S. Coast Guard.
surfaces above Low Water
only. For clearances see U.S.

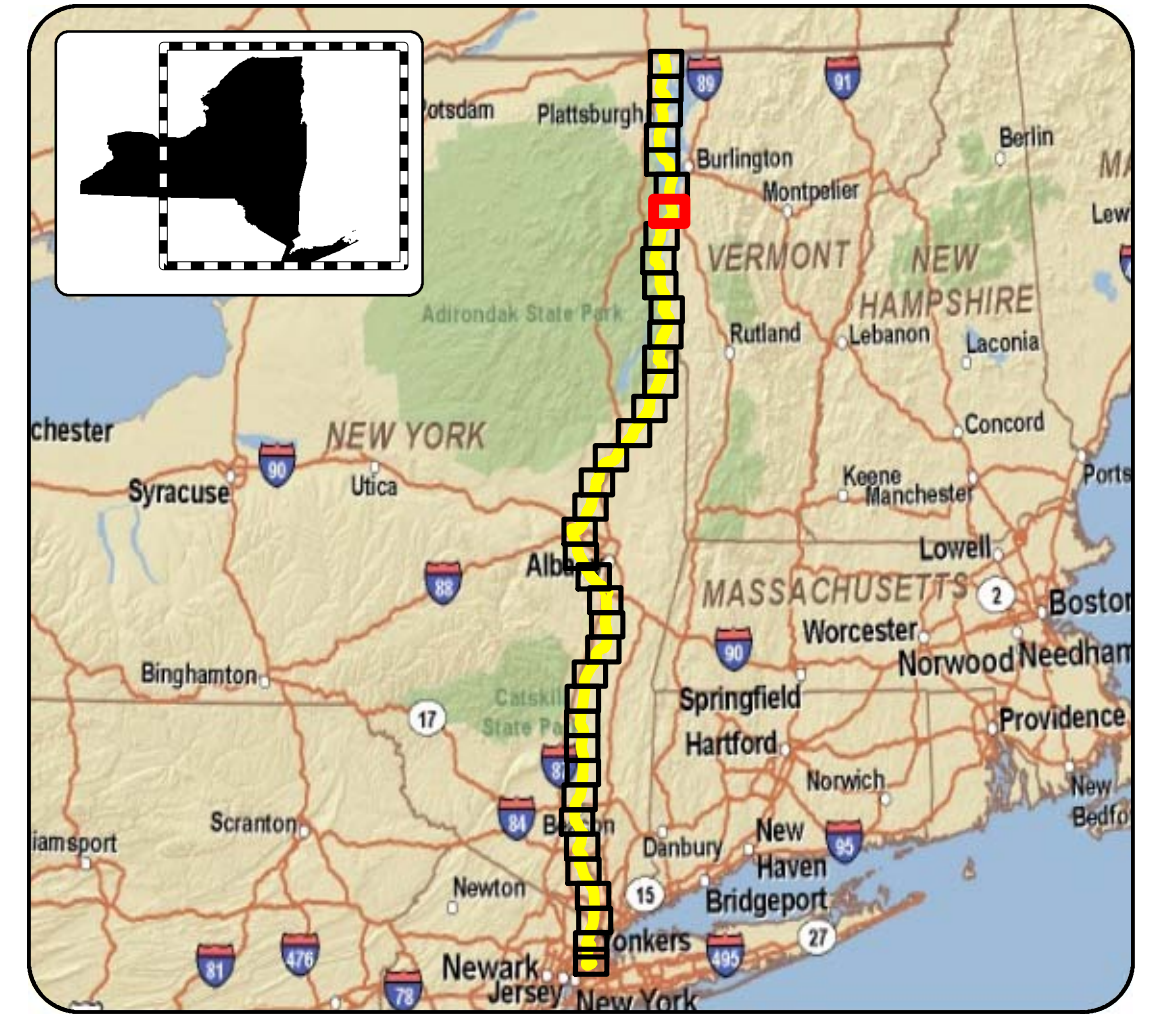
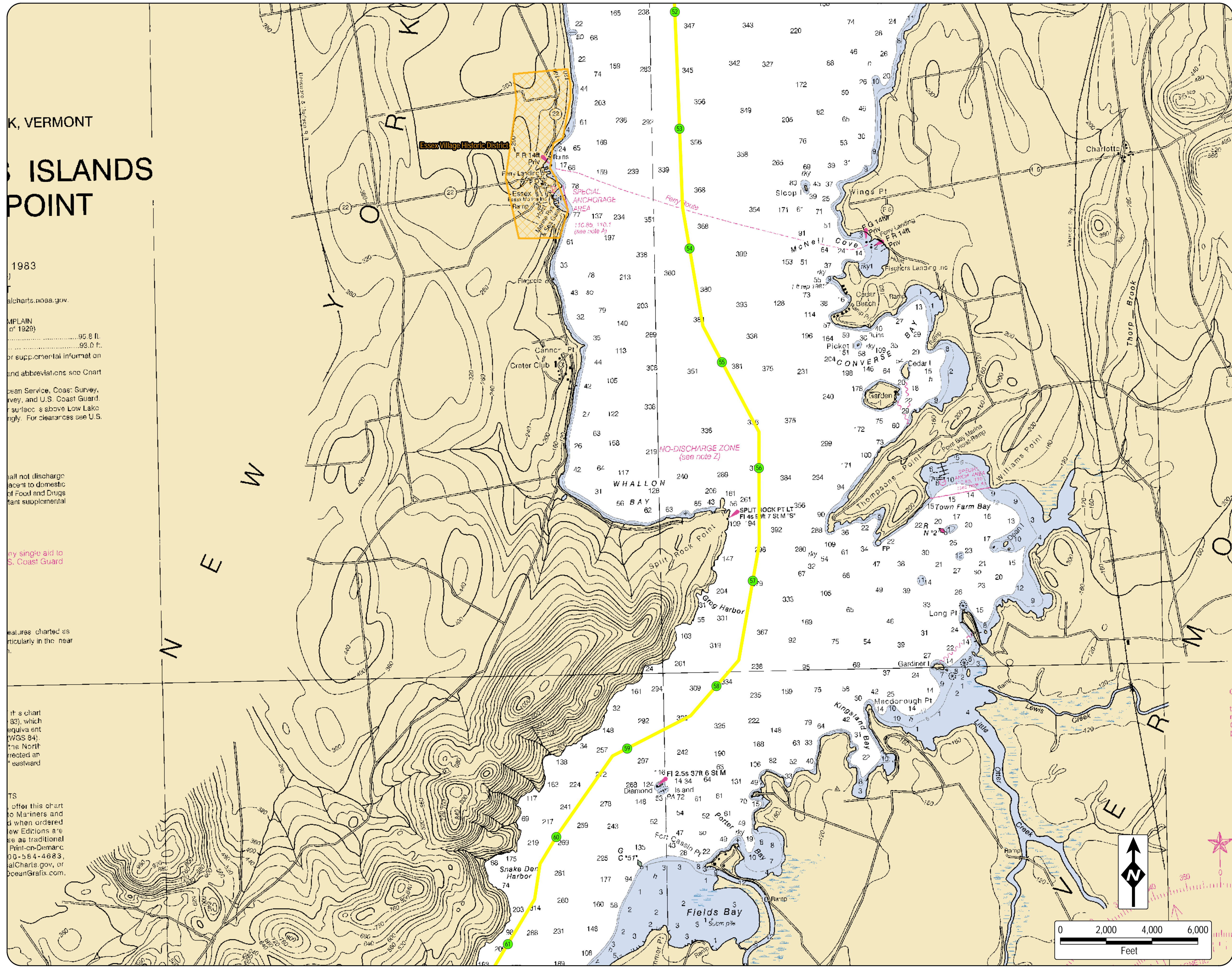
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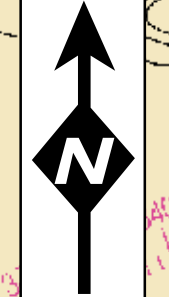
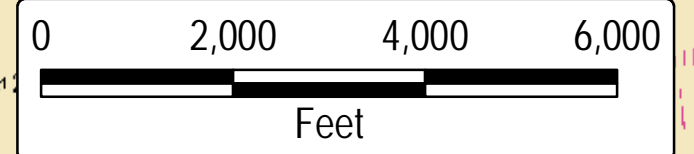
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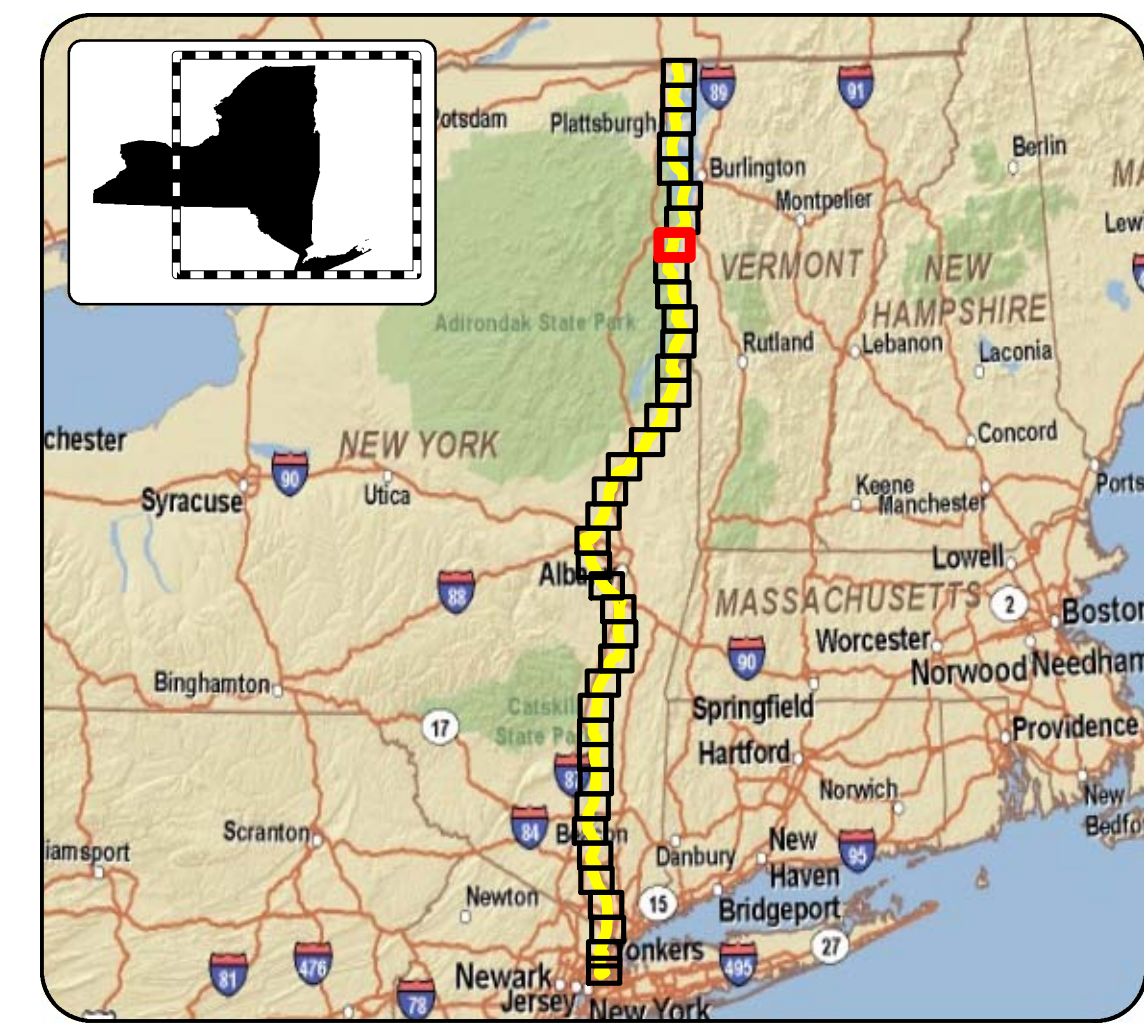
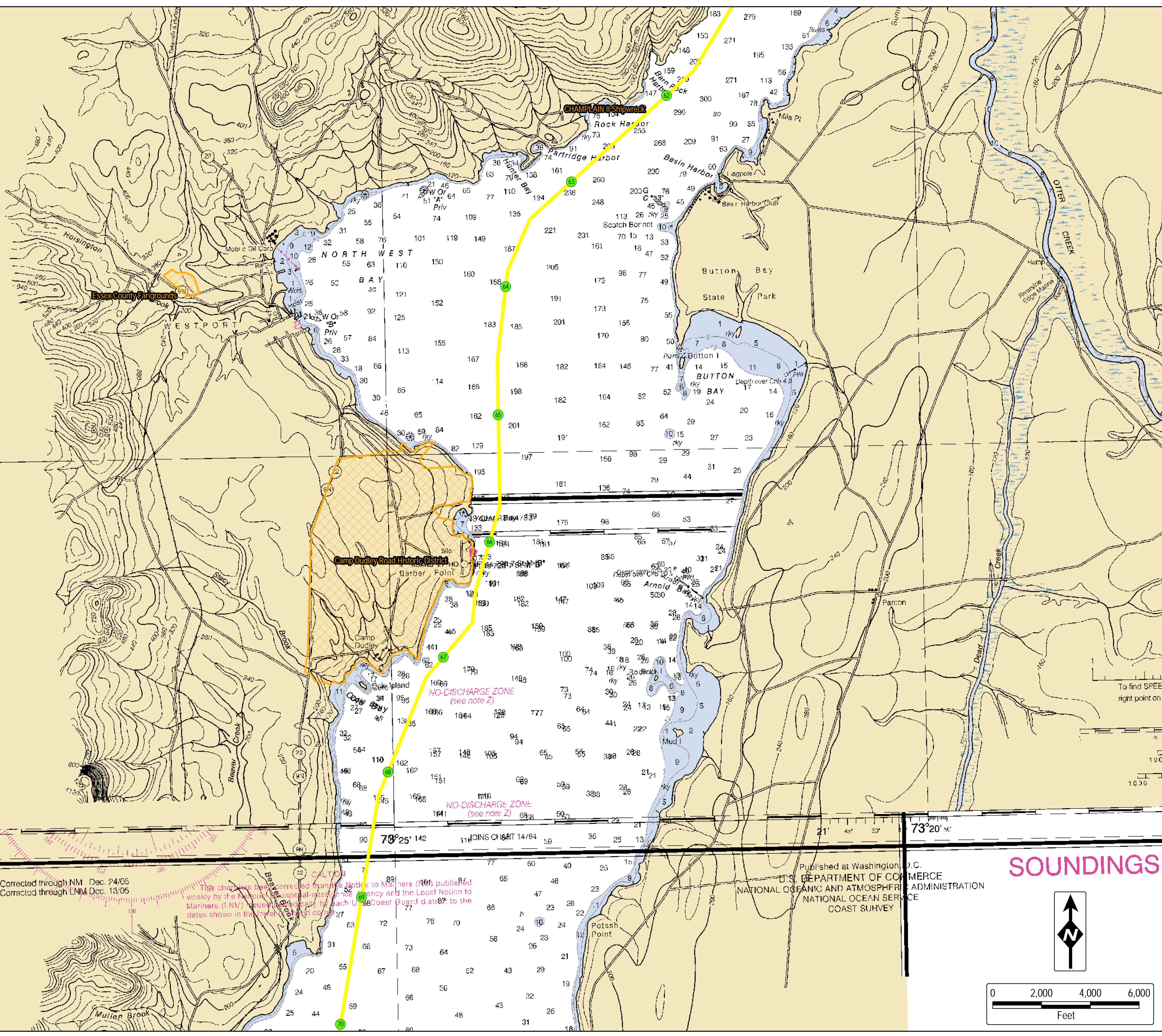
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- Poletti Substation
- ▲ Yonkers Converter Station
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- Historic Site
- Scenic Area

DATA SOURCES:
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Champlain Hudson Power Express Project
Champlain Hudson Power Express Inc.
 Figure 2.1-2
Location of Facilities
on NOAA/NYS DOT Mapping
 Sheet 7 of 38
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LEGEND

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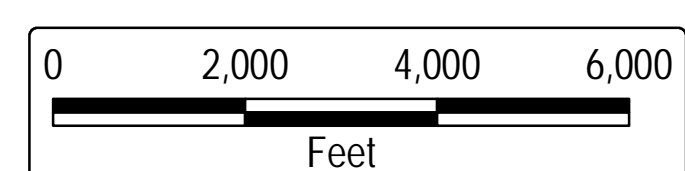
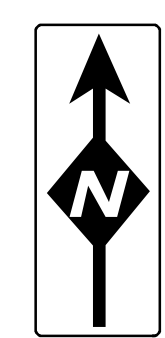
20th Ed. Dec. / 05 ■ Corrected through NM Dec. 24/05
 Corrected through LNM Dec. 13/05

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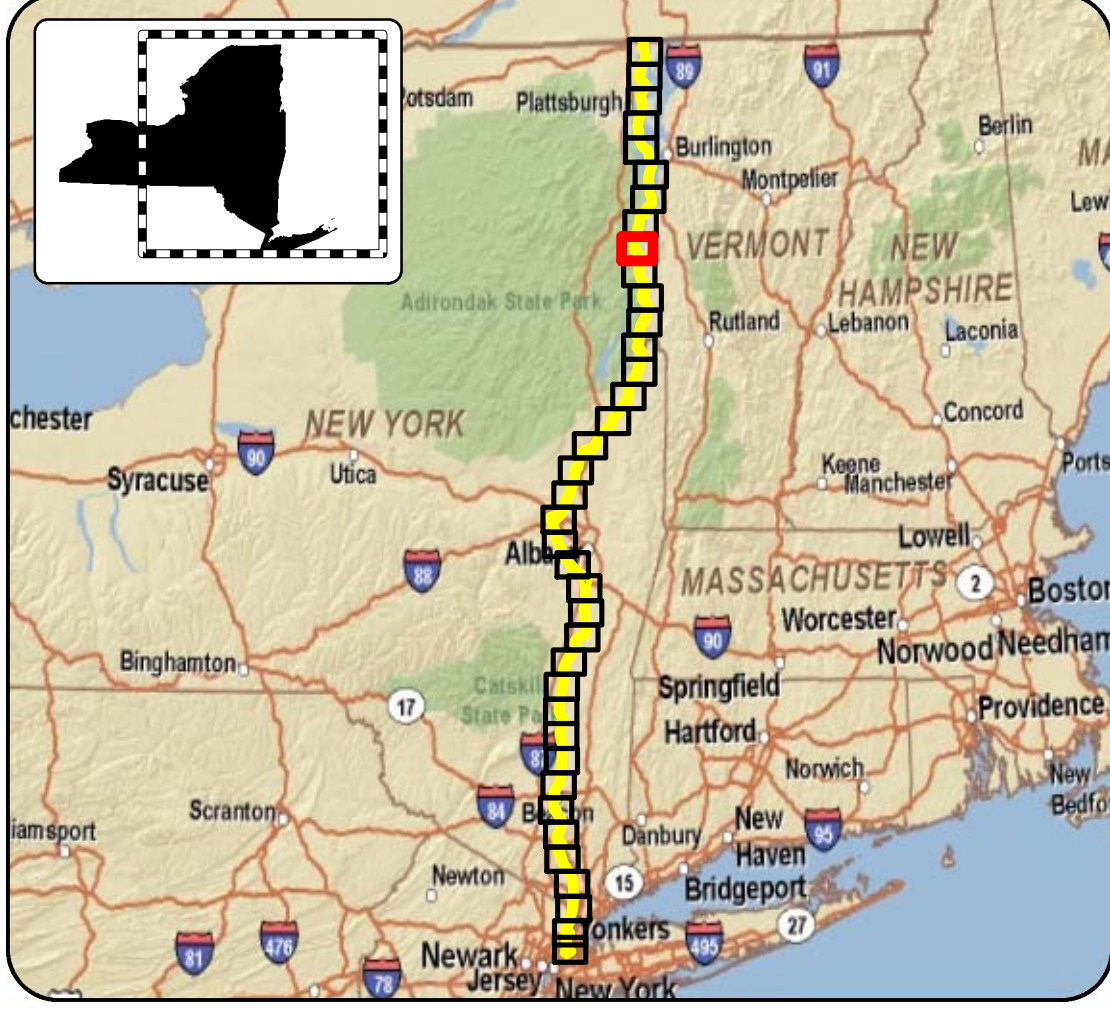
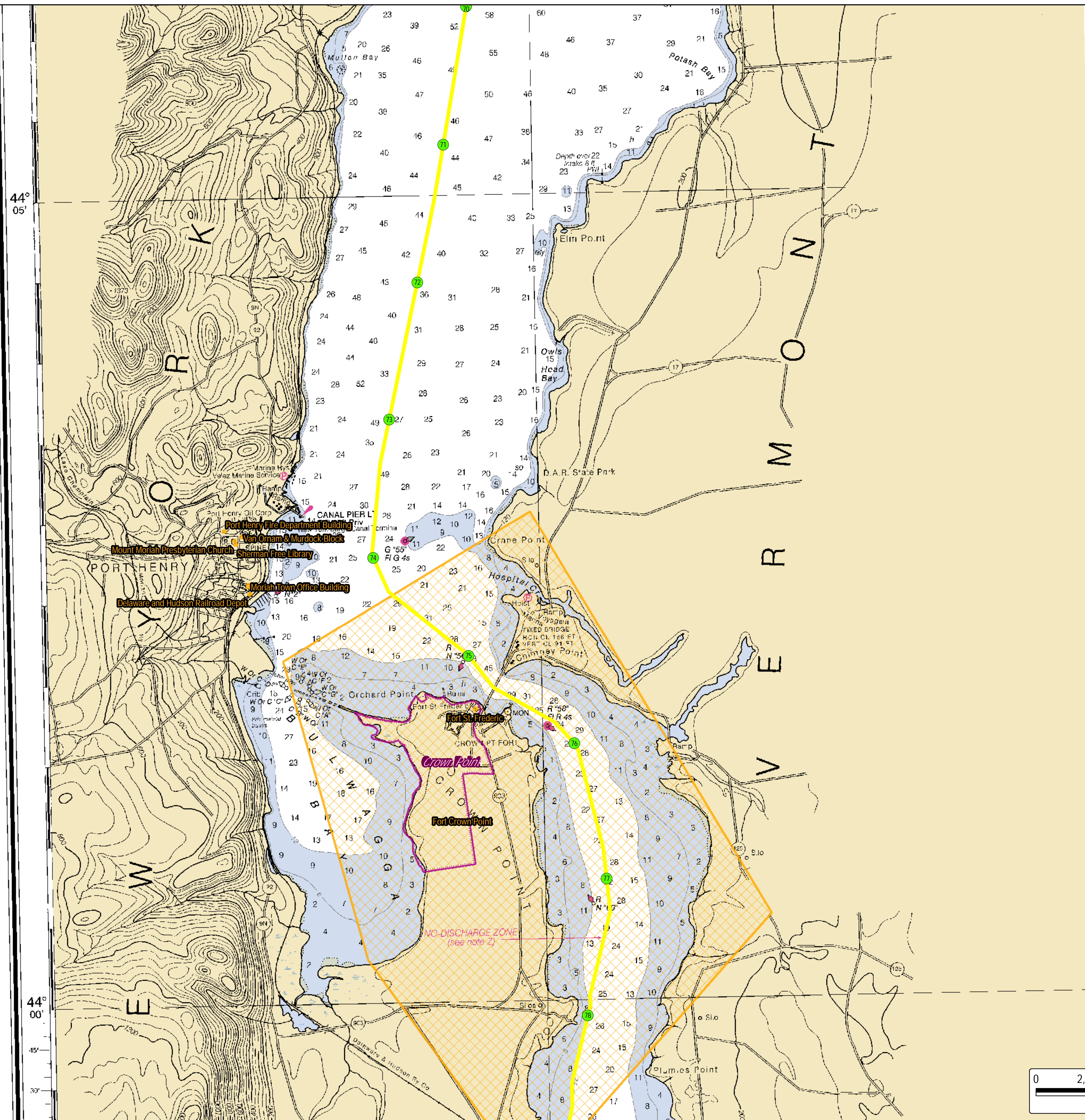
This chart has been corrected from the Notice to Mariners (NM) published weekly by the National Oceanic and Atmospheric Administration and the Local Notice to Mariners (LNM) issued periodically by each United States Coast Guard District to the dates shown in the correction table.

Published at Washington, D.C.
 U.S. DEPARTMENT OF COMMERCE
 NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION
 NATIONAL OCEAN SERVICE
 COAST SURVEY

SOUNDINGS I



Champlain Hudson Power Express Project
Champlain Hudson Power Express Inc.
 Figure 2.1-2
Location of Facilities
 on NOAA/NYS DOT Mapping
 Sheet 8 of 38
 Prepared by: & 7/14/2010



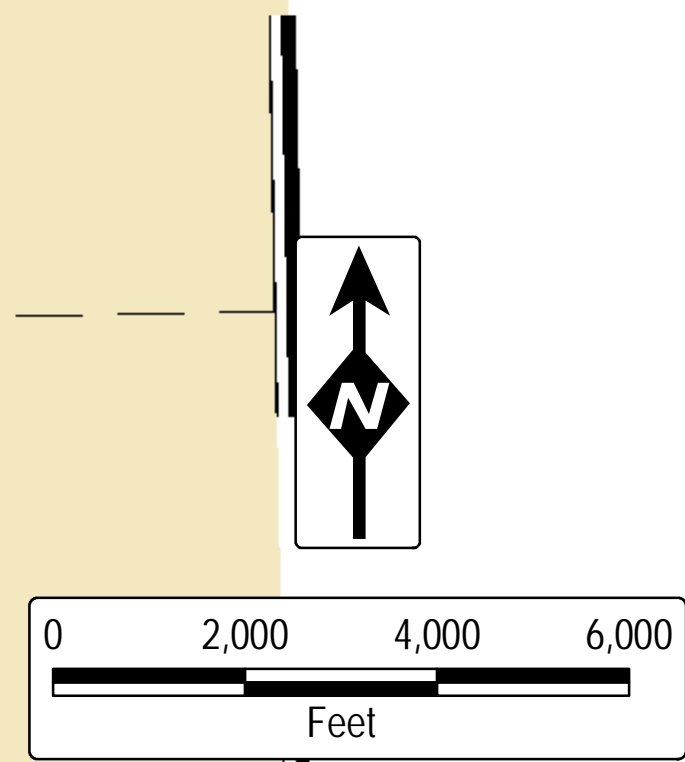
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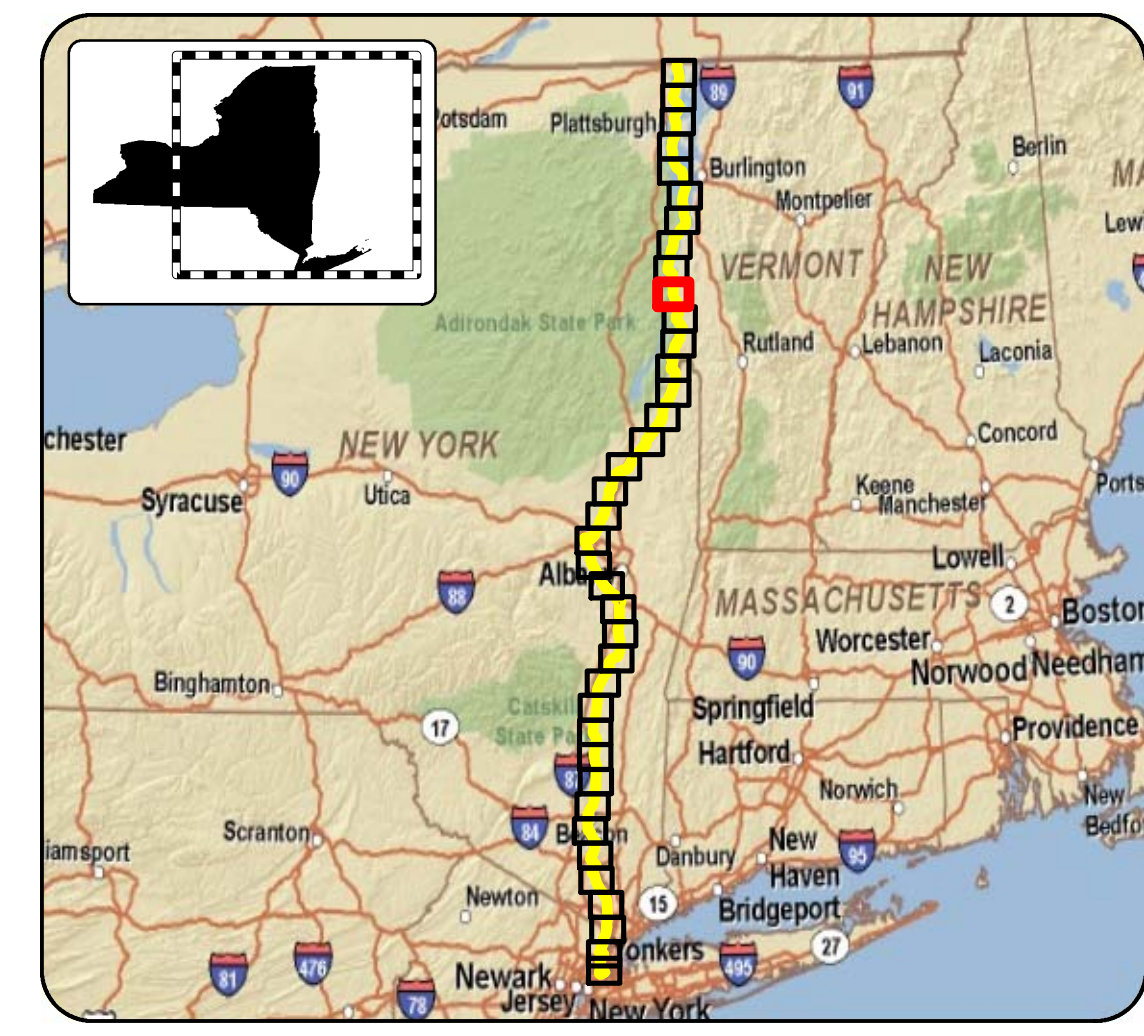
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Champlain Hudson Power Express Inc.
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Location of Facilities
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 Sheet 9 of 38
 Prepared by: & 7/14/2010





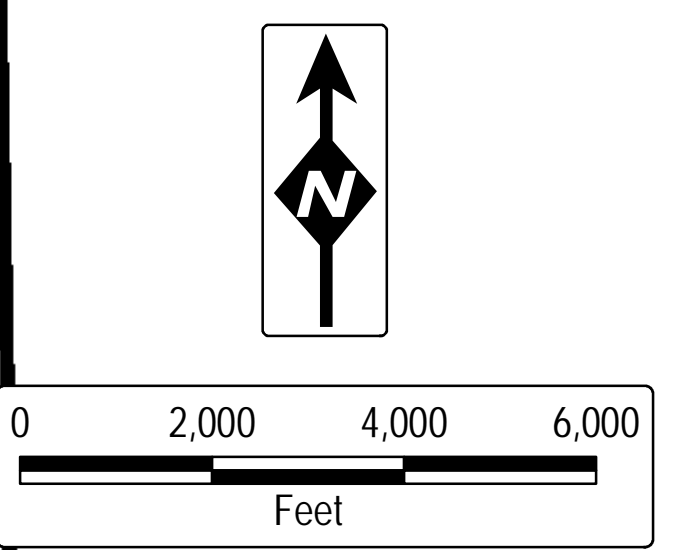
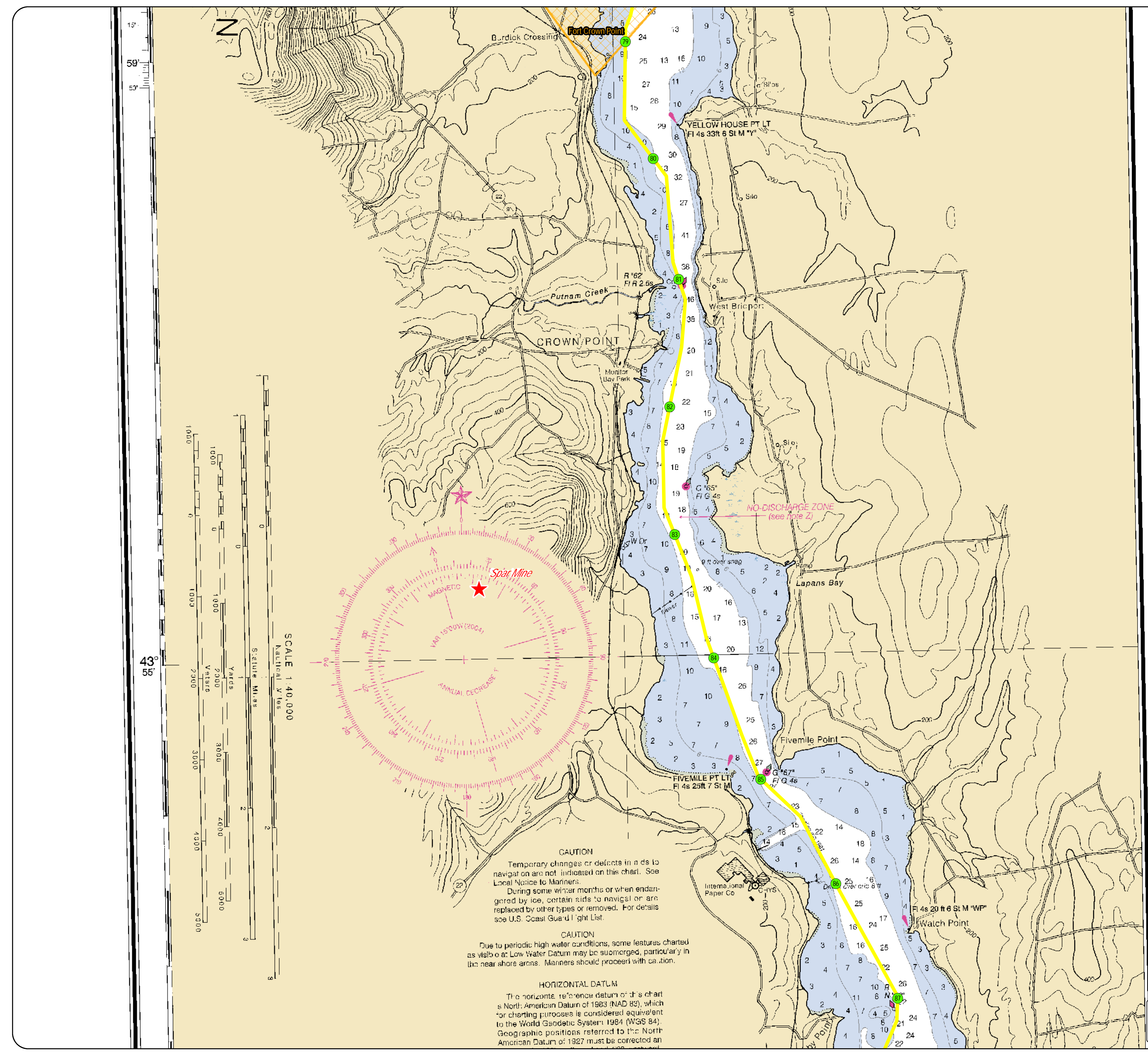
LEGEND

- Underwater Route
- CP/CSX Railroad ROW
- Spur
- Milepost
- Poletti Substation
- Yonkers Converter Station
- Mine
- Park
- State Park
- Untouched Wilderness
- Historic Site
- Scenic Area

DATA SOURCES:
 NYS DOT, ESRI, NOAA, TDI, TRC, NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION (NYDEC), NEW YORK STATE OFFICE OF PARKS RECREATION AND HISTORICAL PRESERVATION (OPRHP)

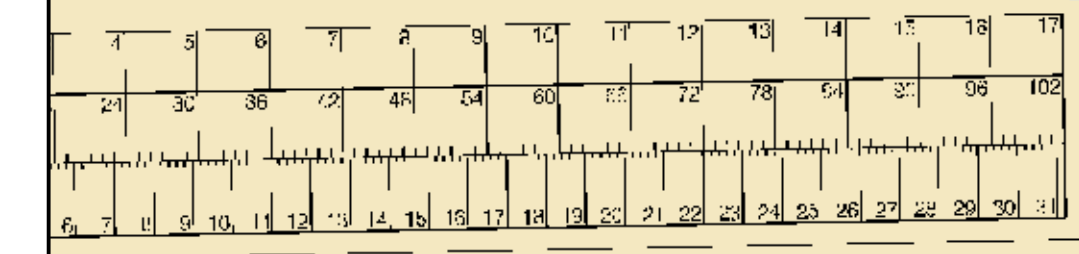
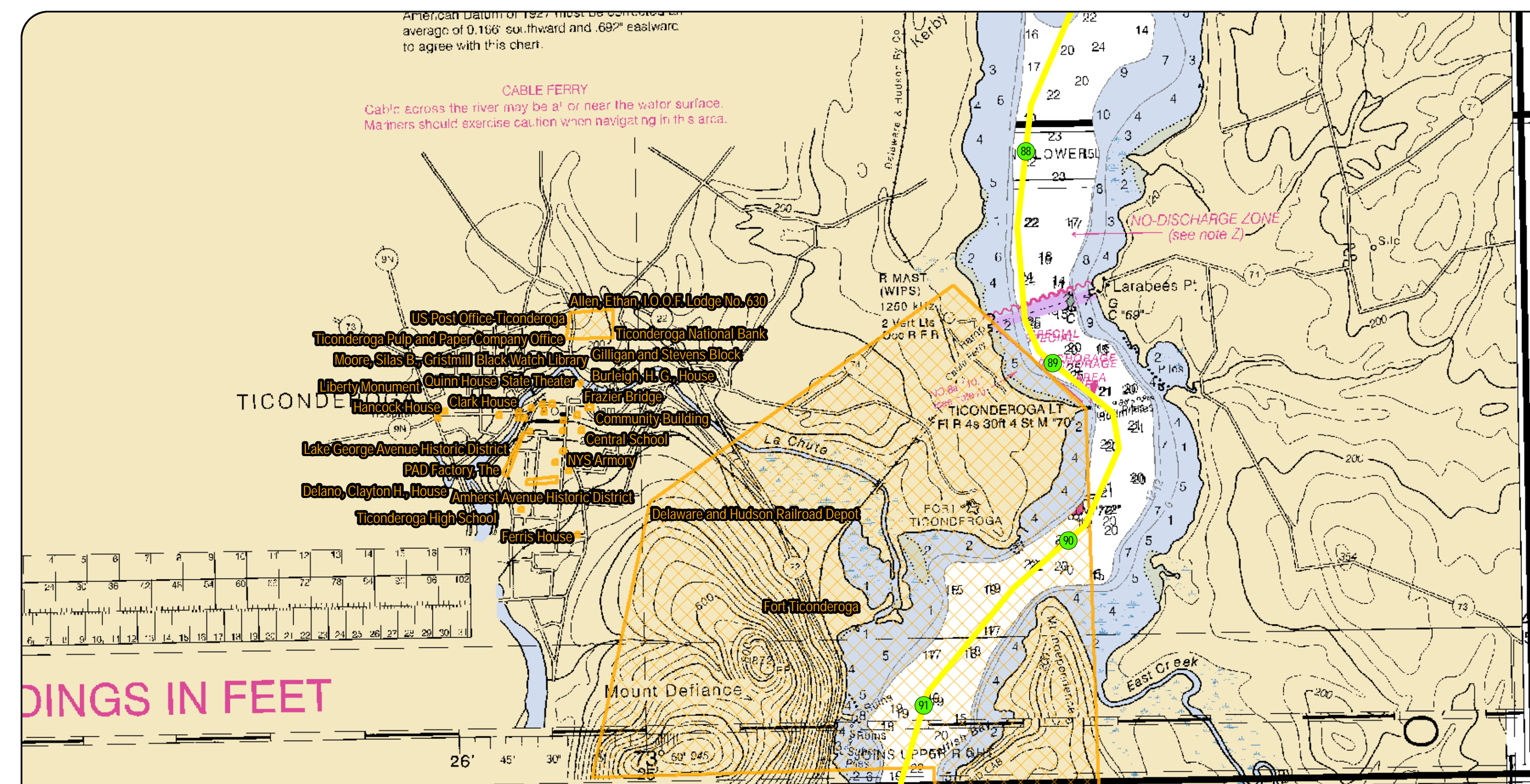
NOTES:
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Champlain Hudson Power Express Project
Champlain Hudson Power Express Inc.
 Figure 2.1-2
Location of Facilities
 on NOAA/NYS DOT Mapping
 Sheet 10 of 38
 Prepared by: & 7/14/2010



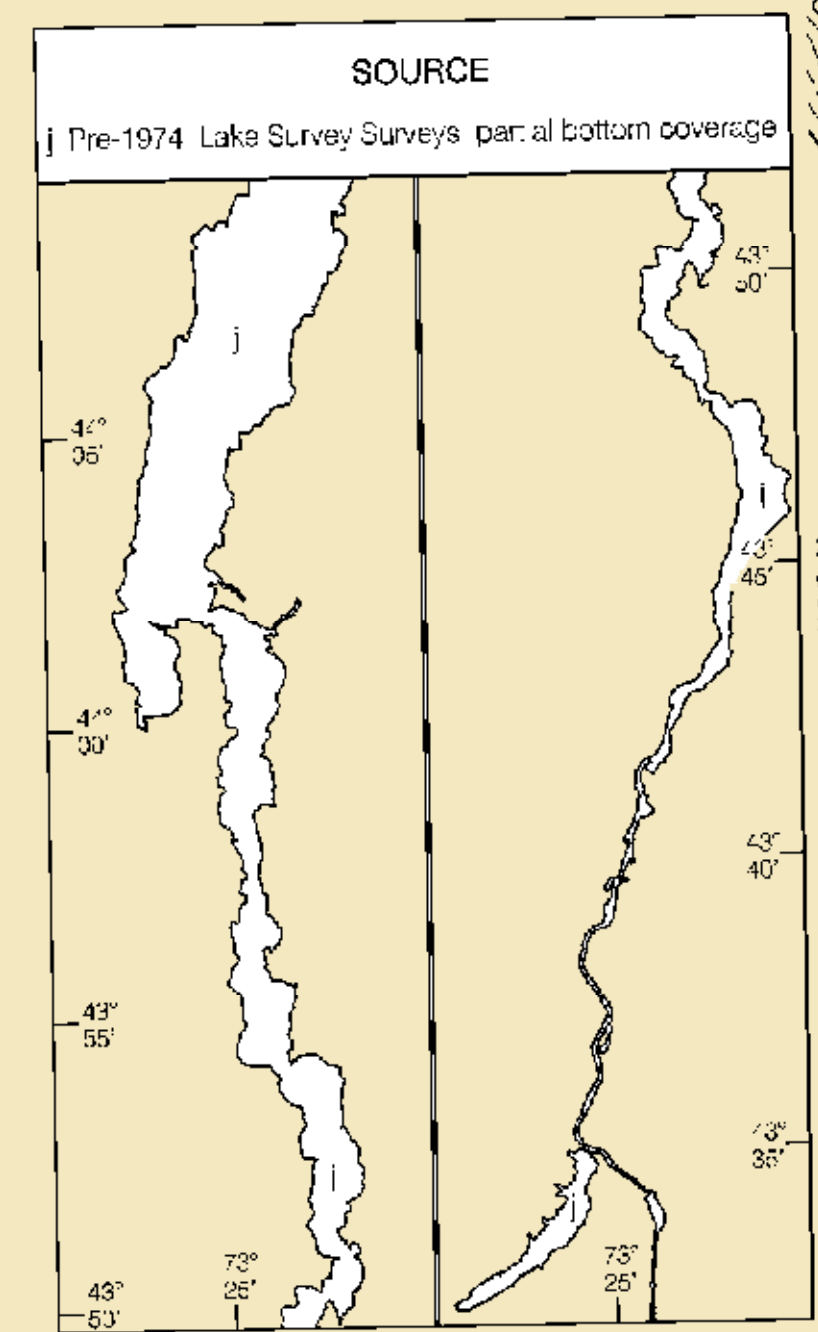
American Datum of 1927. Most of the chart was surveyed by the U.S. Army Corps of Engineers prior to 1974. Channels currently maintained by the U.S. Army Corps of Engineers are periodically surveyed and are not shown on this diagram. Refer to Chart 1, United States Coast Pilot 1, for the dates shown in the lower left hand corner.

CABLE FERRY
Cable across the river may be at or near the water surface. Mariners should exercise caution when navigating in this area.



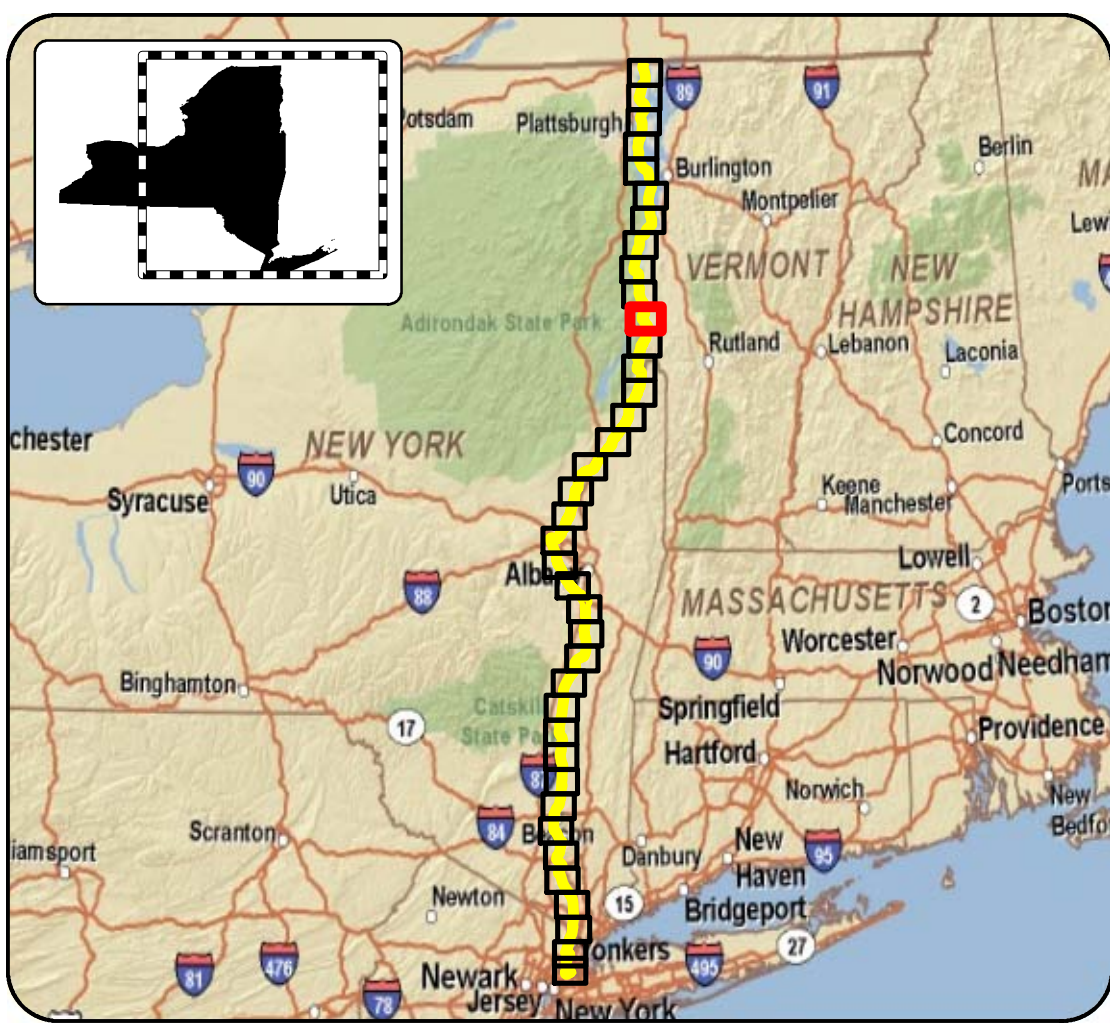
Distances in Feet

SOURCE DIAGRAM
Most of the hydrographic information on this chart was surveyed by the U.S. Army Corps of Engineers prior to 1974. Channels currently maintained by the U.S. Army Corps of Engineers are periodically surveyed and are not shown on this diagram. Refer to Chart 1, United States Coast Pilot 1, for the dates shown in the lower left hand corner.



VERMONT
ONT

Published at Washington, D.C.
U.S. DEPARTMENT OF COMMERCE
NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION
NATIONAL OCEAN SERVICE
COAST SURVEY

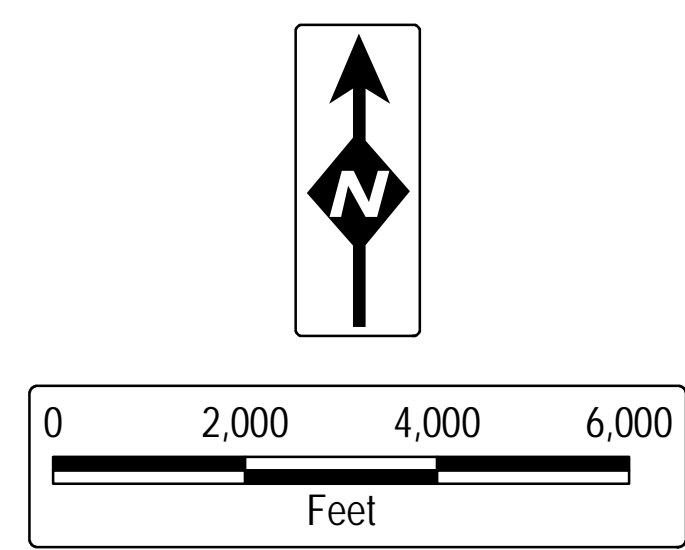


LEGEND

- Underwater Route
- CP/CSX Railroad ROW
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- Poletti Substation
- Yonkers Converter Station
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DATA SOURCES:
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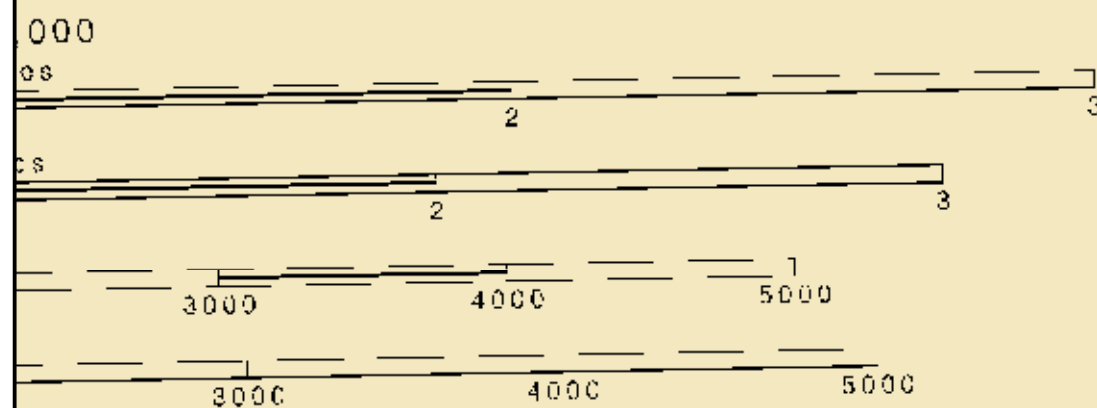
Champlain Hudson Power Express Project
Champlain Hudson Power Express Inc.
 Figure 2.1-2
Location of Facilities
 on NOAA/NYS DOT Mapping
 Sheet 11 of 38
 Prepared by: & 7/14/2010

LAKE CHAMPLAIN
 (al Datum of 1929.
 93.8 ft.
 (atum)..... 93.0 ft.
 ght List for supplemental information
 symbols and abbreviations see Chart
 the water surface is above Low Water
 correspondingly. For clearances see U.S.
 National Ocean Service, Coast Survey,
 Geological Survey, U.S. Coast Guard, and
 Pilot 6 for important supplemental

at nauticalcharts.noaa.gov.

GRAPHIC SCALE
 10 15 20 25 30 40 50 60

the other on minutes run. Without changing divider spread place
 with 4.0 naut. ca. miles run in 15 minutes, the speed is 16.0 knots.



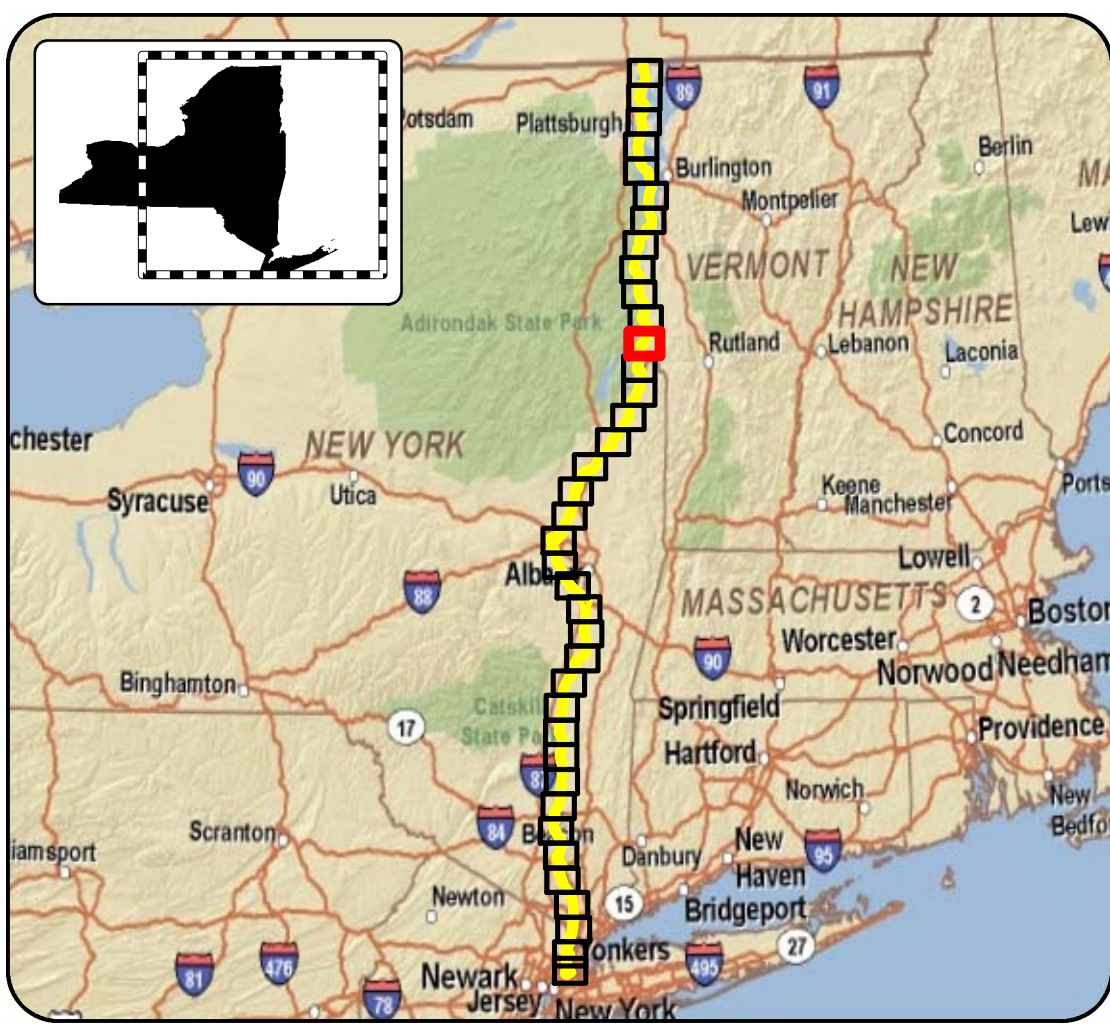
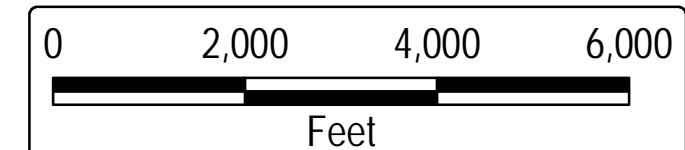
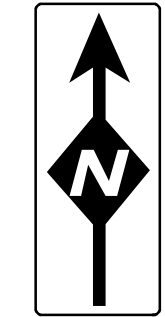
CHARTS
 dated weekly by NOAA for Notices to Mariners
 ed using Print-on-Demand technology. Now
 additional NOAA charts. Ask your chart agent
 -800-584-4683, <http://NauticalCharts.gov>,
 7-56CHART, <http://OceanGrafix.com>, or



43°
45'

43°
40'

POLLUTION REPORTS
 Report all spills of oil and hazardous substances to the
 National Response Center via 1-800-424-8802 (toll free), or
 to the nearest U.S. Coast Guard facility if telephone con-



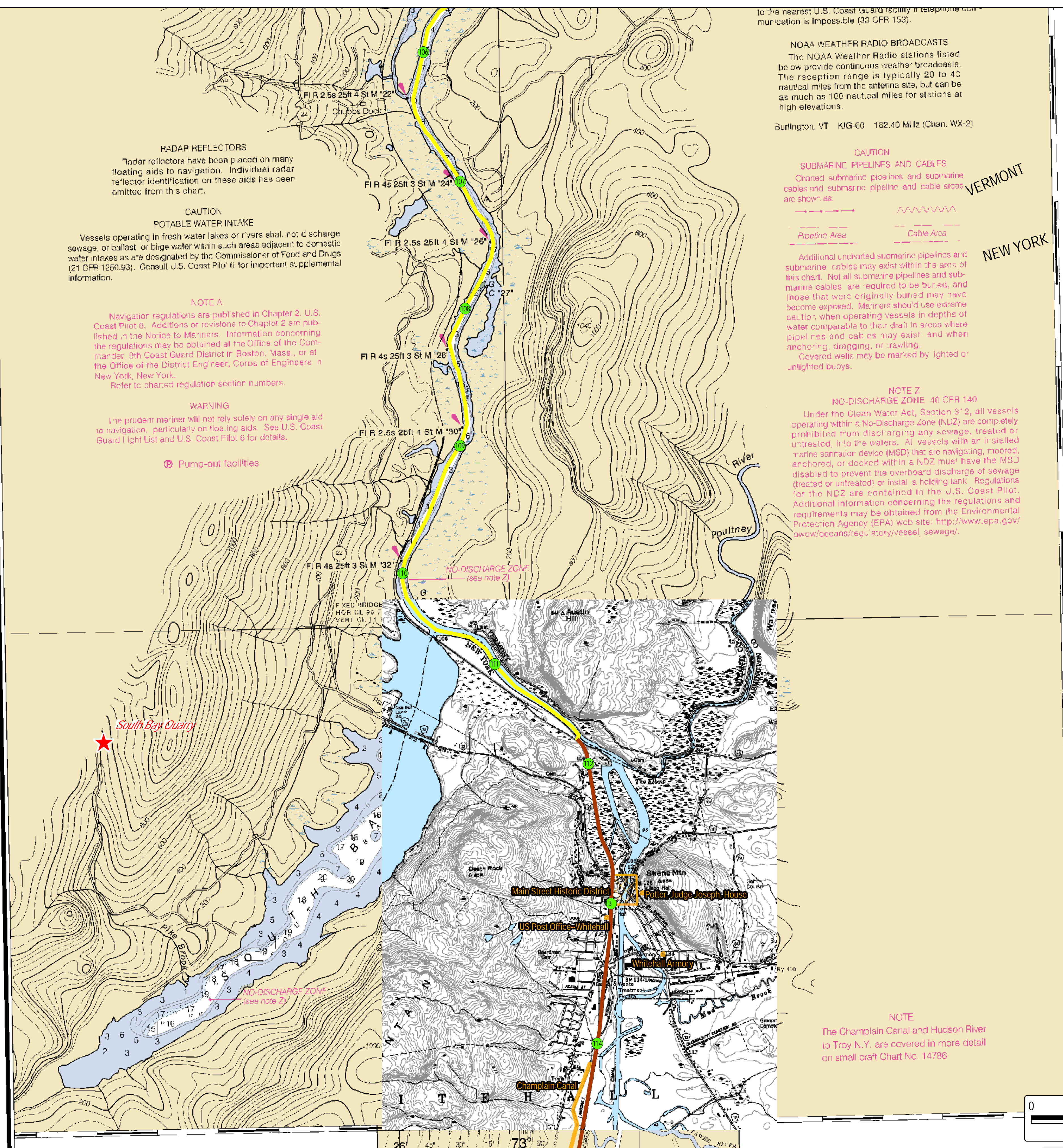
LEGEND

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DATA SOURCES:
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 RECREATION AND HISTORICAL PRESERVATION (OPRHP)

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Champlain Hudson Power Express Project
Champlain Hudson Power Express Inc.
 Figure 2.1-2
Location of Facilities
 on NOAA/NYS DOT Mapping
 Sheet 12 of 38
 Prepared by: & 7/14/2010



HADAR REFLECTORS
Radar reflectors have been placed on many floating aids to navigation. Individual radar reflector identification on these aids has been omitted from this chart.

CAUTION
POTABLE WATER INTAKE
Vessels operating in fresh water lakes or rivers shall not discharge sewage, or ballast or bilge water within such areas adjacent to domestic water intakes as are designated by the Commissioner of Food and Drugs (21 CFR 1260.93). Consult U.S. Coast Pilot 6 for important supplemental information.

NOTE A
Navigation regulations are published in Chapter 2, U.S. Coast Pilot 6. Additions or revisions to Chapter 2 are published in the Notices to Mariners. Information concerning the regulations may be obtained at the Office of the Commander, 9th Coast Guard District in Boston, Mass., or at the Office of the District Engineer, Corps of Engineers in New York, New York.
Refer to charted regulation section numbers.

WARNING
The prudent mariner will not rely solely on any single aid to navigation, particularly on floating aids. See U.S. Coast Guard Light List and U.S. Coast Pilot 6 for details.

Pump-out facilities

to the nearest U.S. Coast Guard facility if telephone communication is impossible (33 CFR 153).

NOAA WEATHER RADIO BROADCASTS
The NOAA Weather Radio stations listed below provide continuous weather broadcasts. The reception range is typically 20 to 40 nautical miles from the antenna site, but can be as much as 100 nautical miles for stations at high elevations.

Burlington, VT KIG-60 162.40 MHz (Chan. WX-2)

CAUTION
SUBMARINE PIPELINES AND CABLES
Charted submarine pipelines and submarine cables and submarine pipeline and cable areas are shown as:



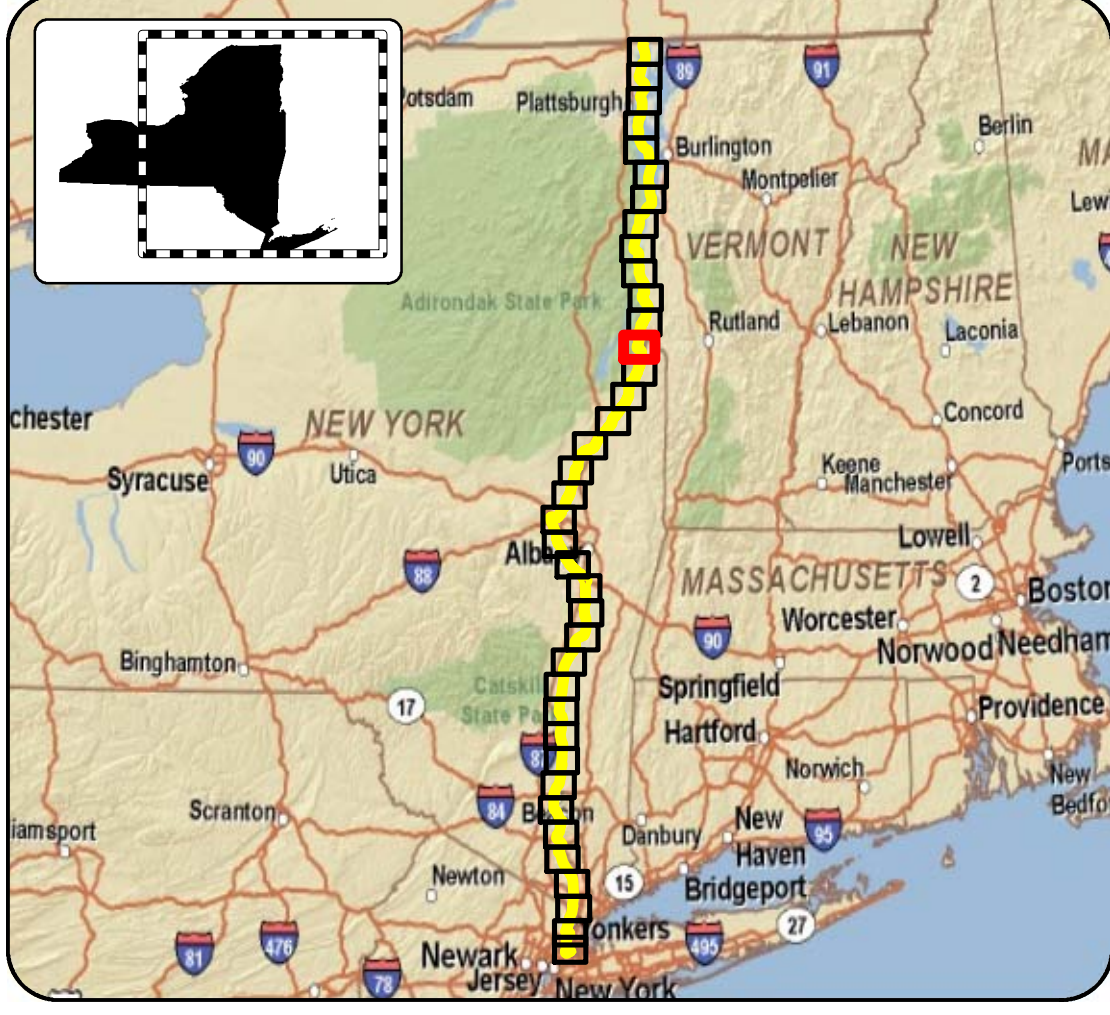
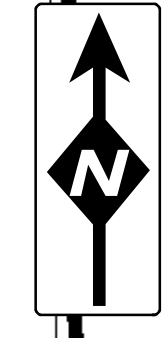
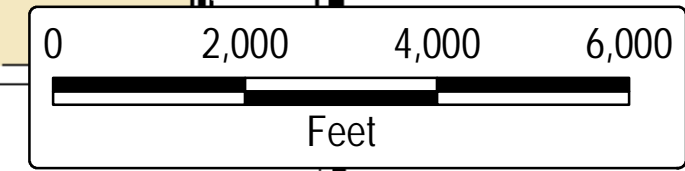
Additional uncharted submarine pipelines and submarine cables may exist within the area of this chart. Not all submarine pipelines and submarine cables are required to be buried, and those that were originally buried may have become exposed. Mariners should use extreme caution when operating vessels in depths of water comparable to their draft in areas where pipelines and cables may exist, and when anchoring, dragging, or trawling.
Covered wells may be marked by lighted or unlighted buoys.

NOTE Z
NO-DISCHARGE ZONE 40 CFR 140
Under the Clean Water Act, Section 312, all vessels operating within a No-Discharge Zone (NDZ) are completely prohibited from discharging any sewage, treated or untreated, into the waters. All vessels with an installed marine sanitation device (MSD) that are navigating, moored, anchored, or docked within a NDZ must have the MSD disabled to prevent the overboard discharge of sewage (treated or untreated) or install a holding tank. Regulations for the NDZ are contained in the U.S. Coast Pilot. Additional information concerning the regulations and requirements may be obtained from the Environmental Protection Agency (EPA) web site: http://www.epa.gov/gwwoceans/regulatory/vessel_sewage/.

NOTE
The Champlain Canal and Hudson River to Troy N.Y. are covered in more detail on small craft Chart No. 14786

VERMONT
NEW YORK

43° 35'



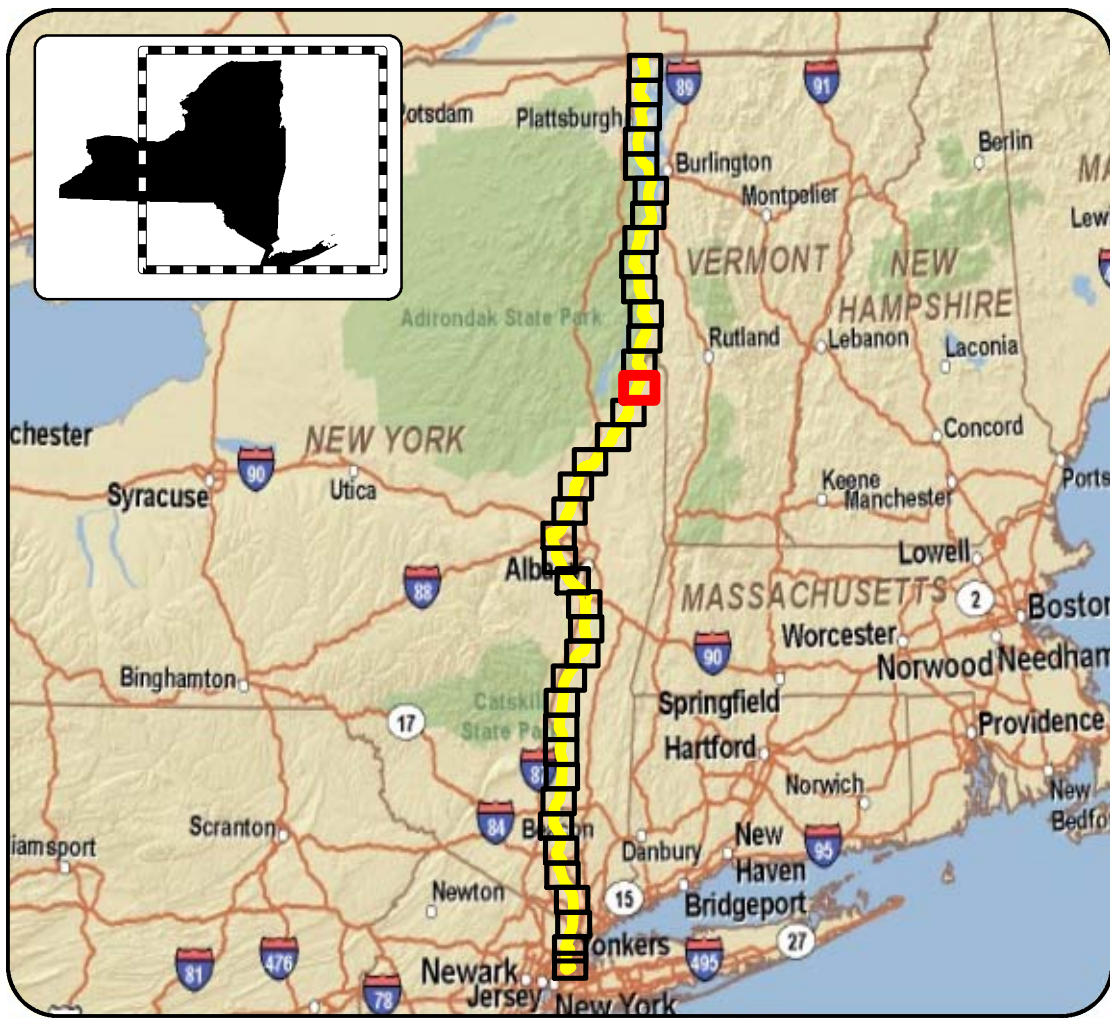
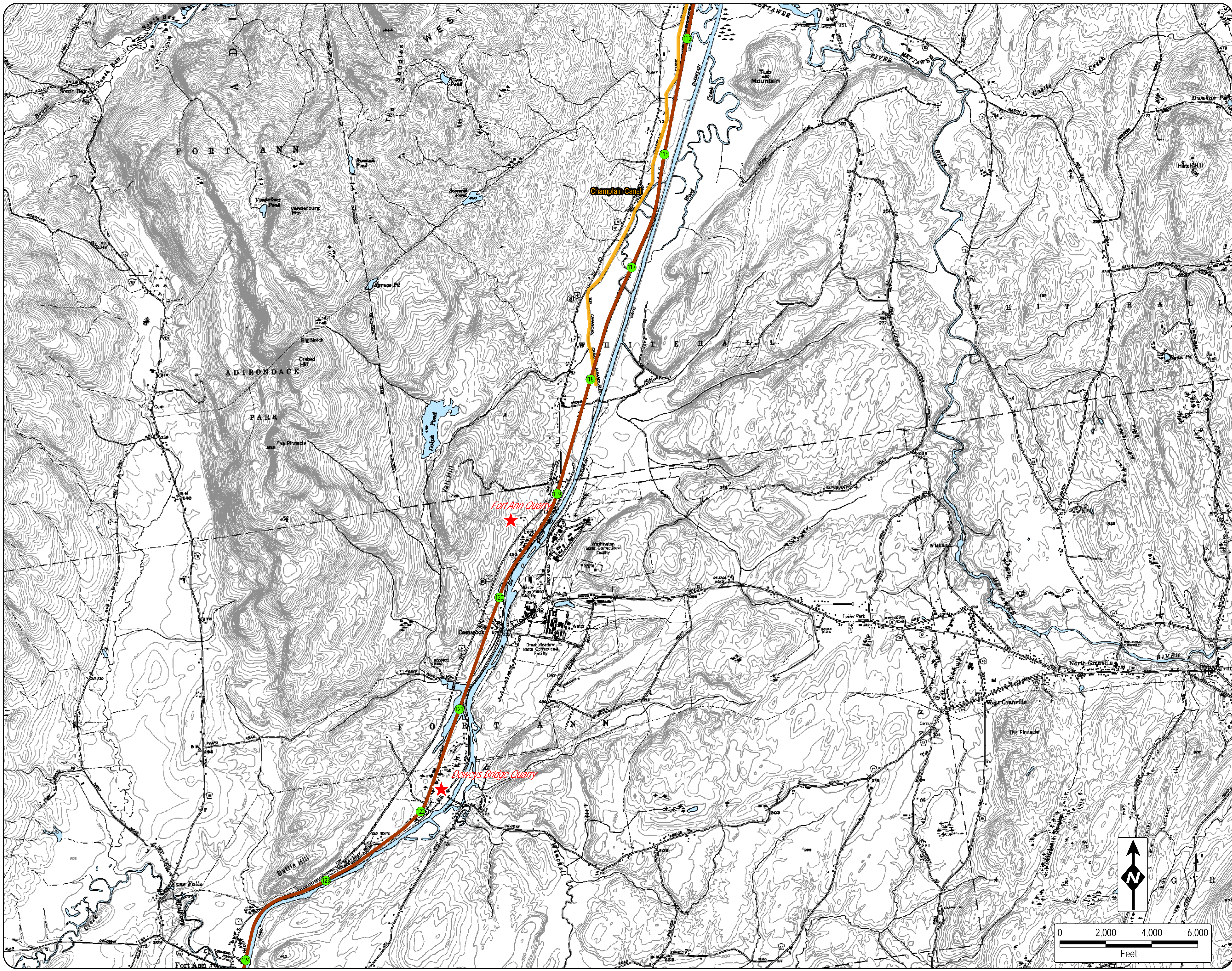
LEGEND

- Underwater Route
- CP/CSX Railroad ROW
- Spur
- Milepost
- Poletti Substation
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DATA SOURCES:
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NOTES:
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Champlain Hudson Power Express Project
Champlain Hudson Power Express Inc.
 Figure 2.1-2
Location of Facilities
 on NOAA/NYS DOT Mapping
 Sheet 13 of 38
 Prepared by: & 7/14/2010



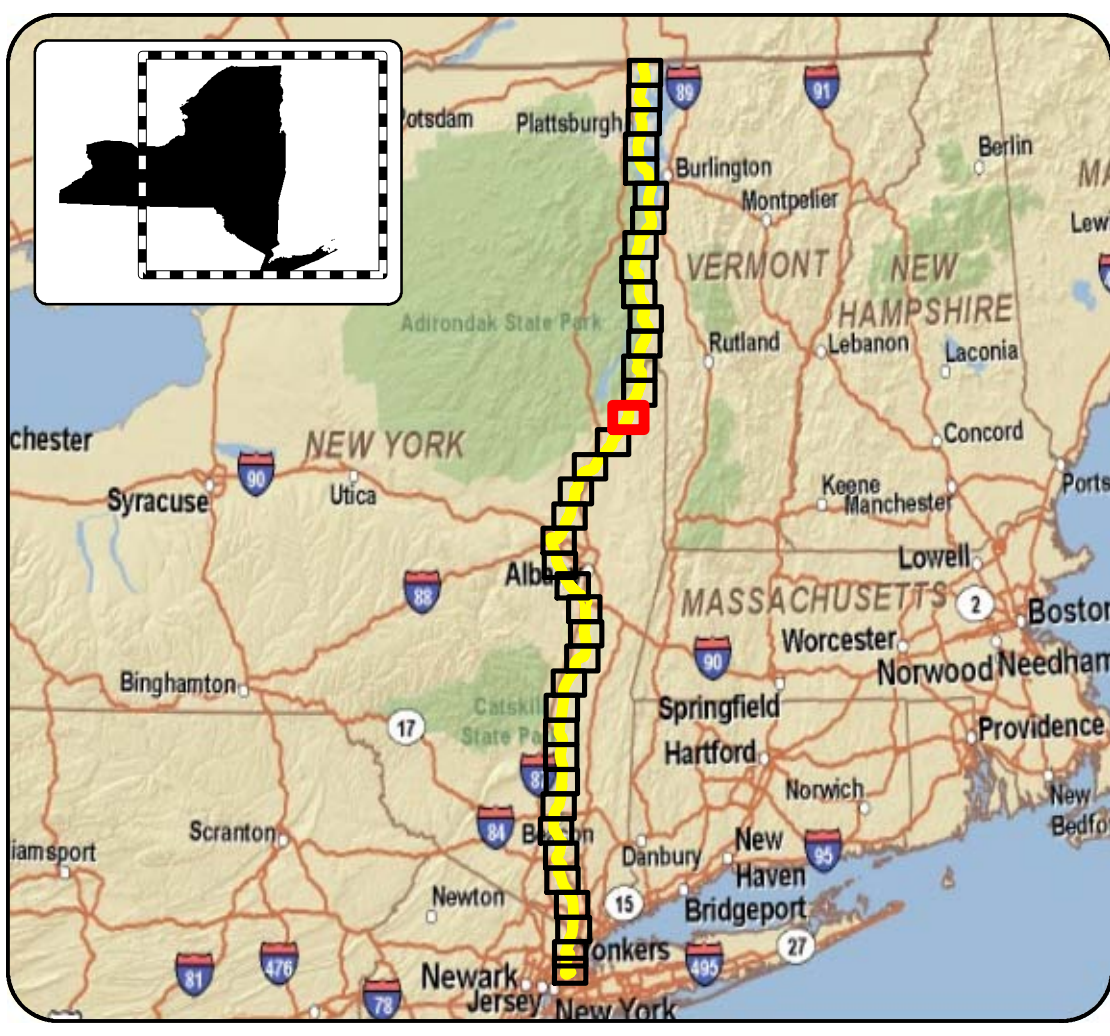
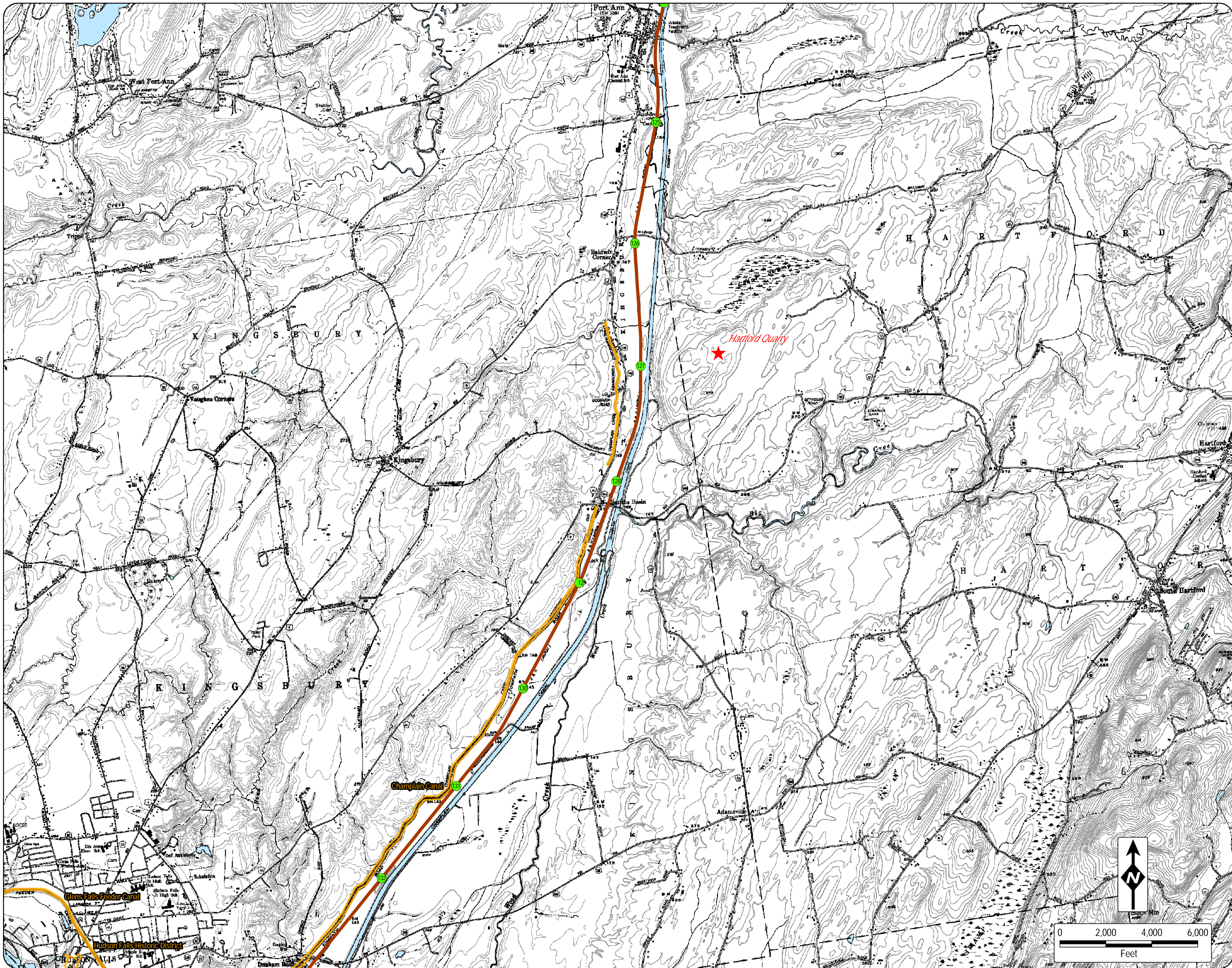
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Champlain Hudson Power Express Inc.
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Location of Facilities
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 Sheet 14 of 38
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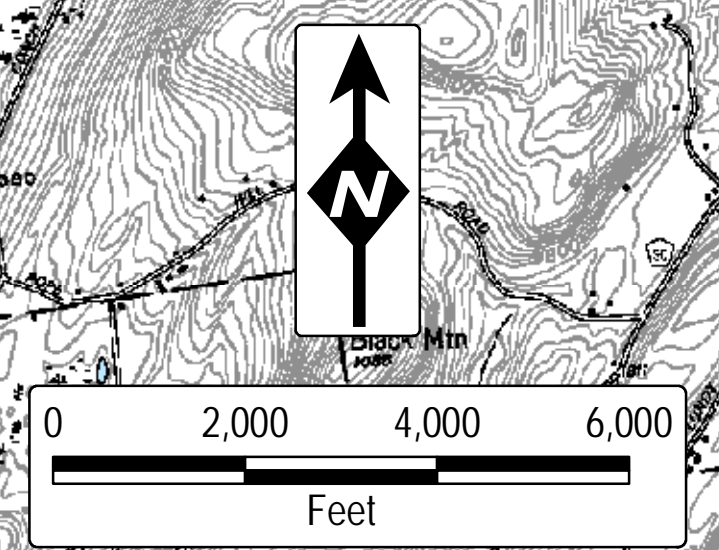
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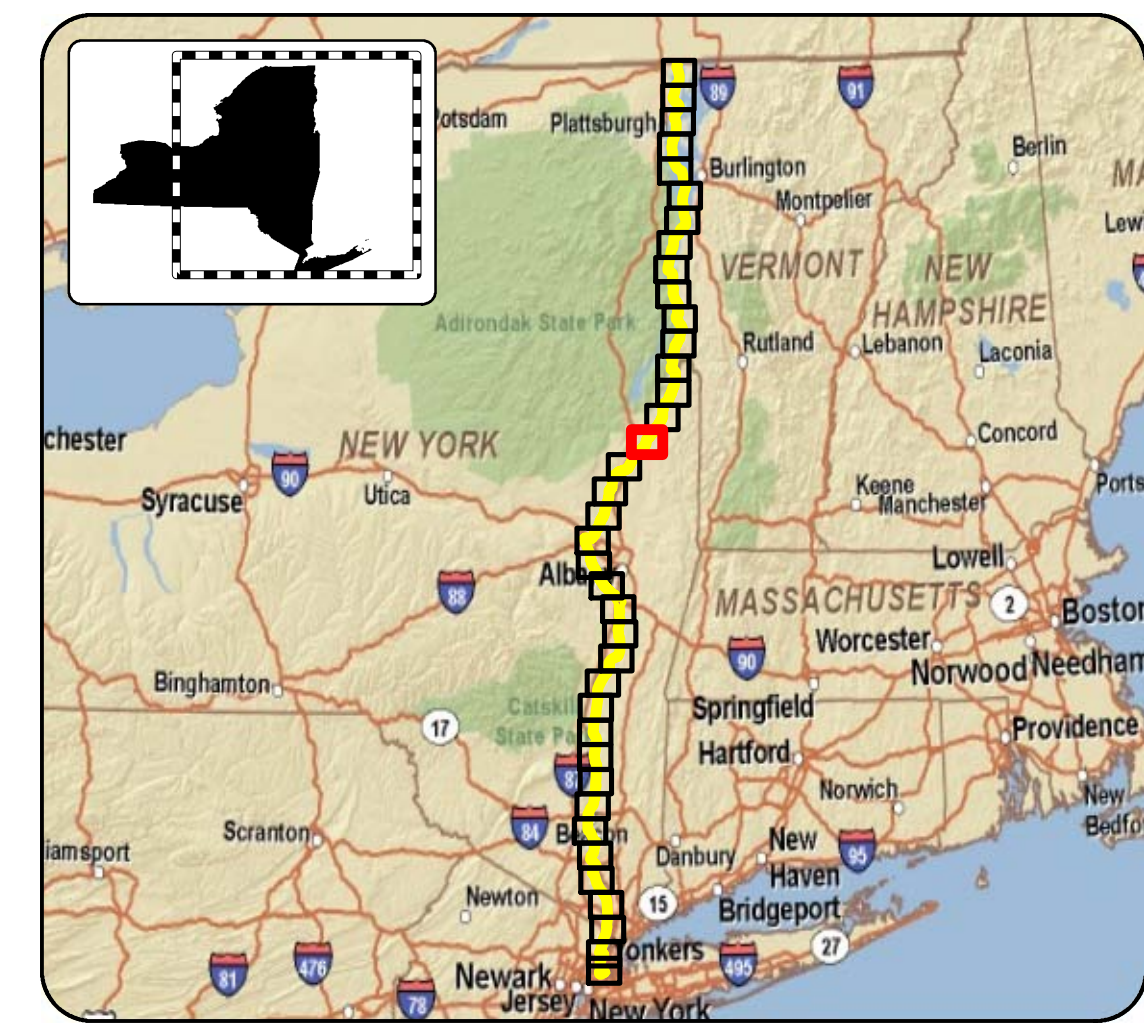
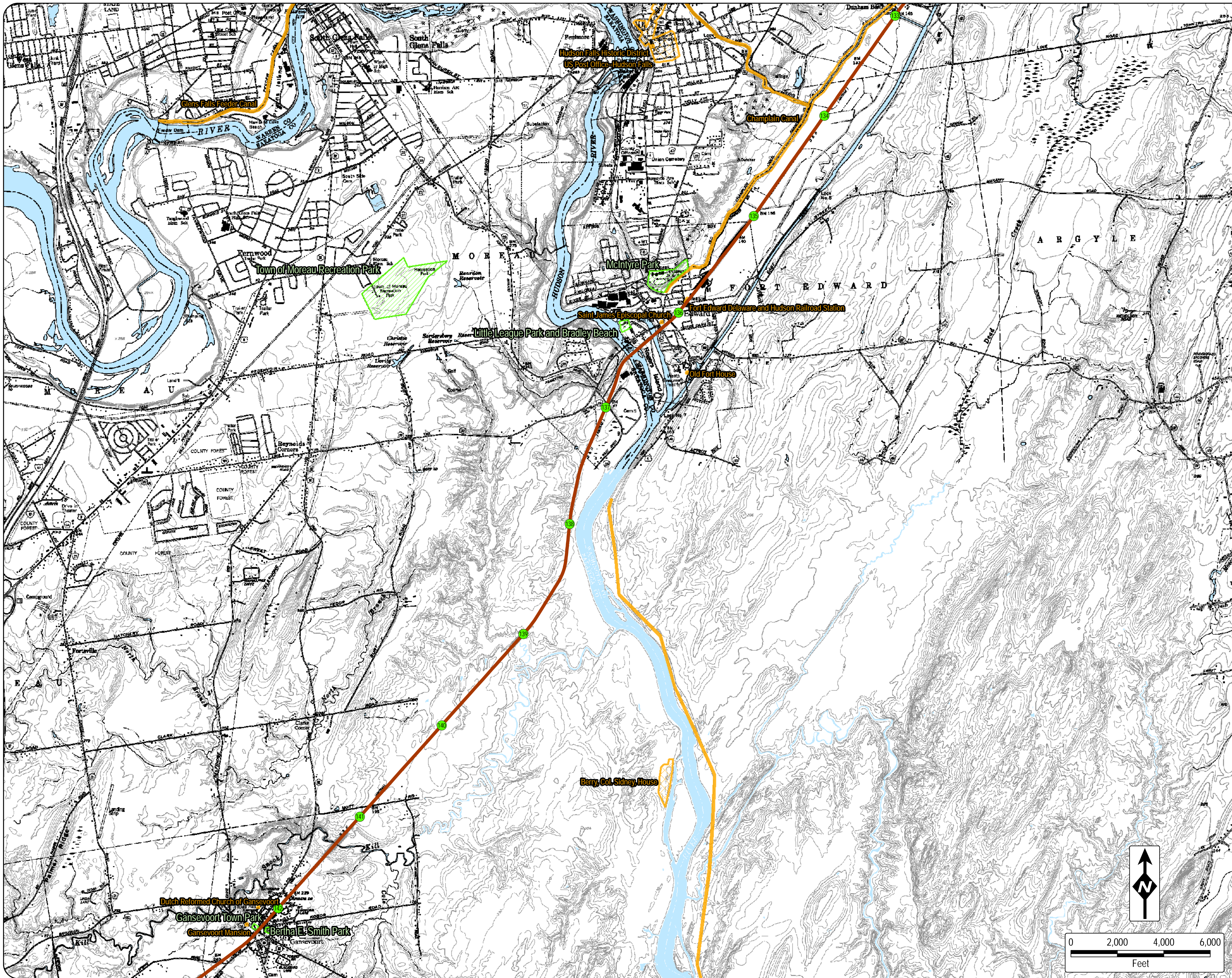
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Champlain Hudson Power Express Inc.
 Figure 2.1-2
Location of Facilities
 on NOAA/NYS DOT Mapping
 Sheet 15 of 38
 Prepared by: **FDR** | **DTA** & **TRC** 7/14/2010









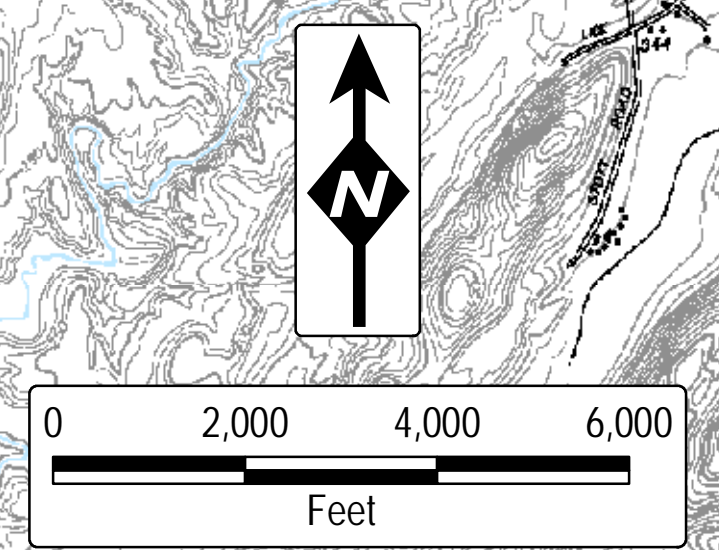
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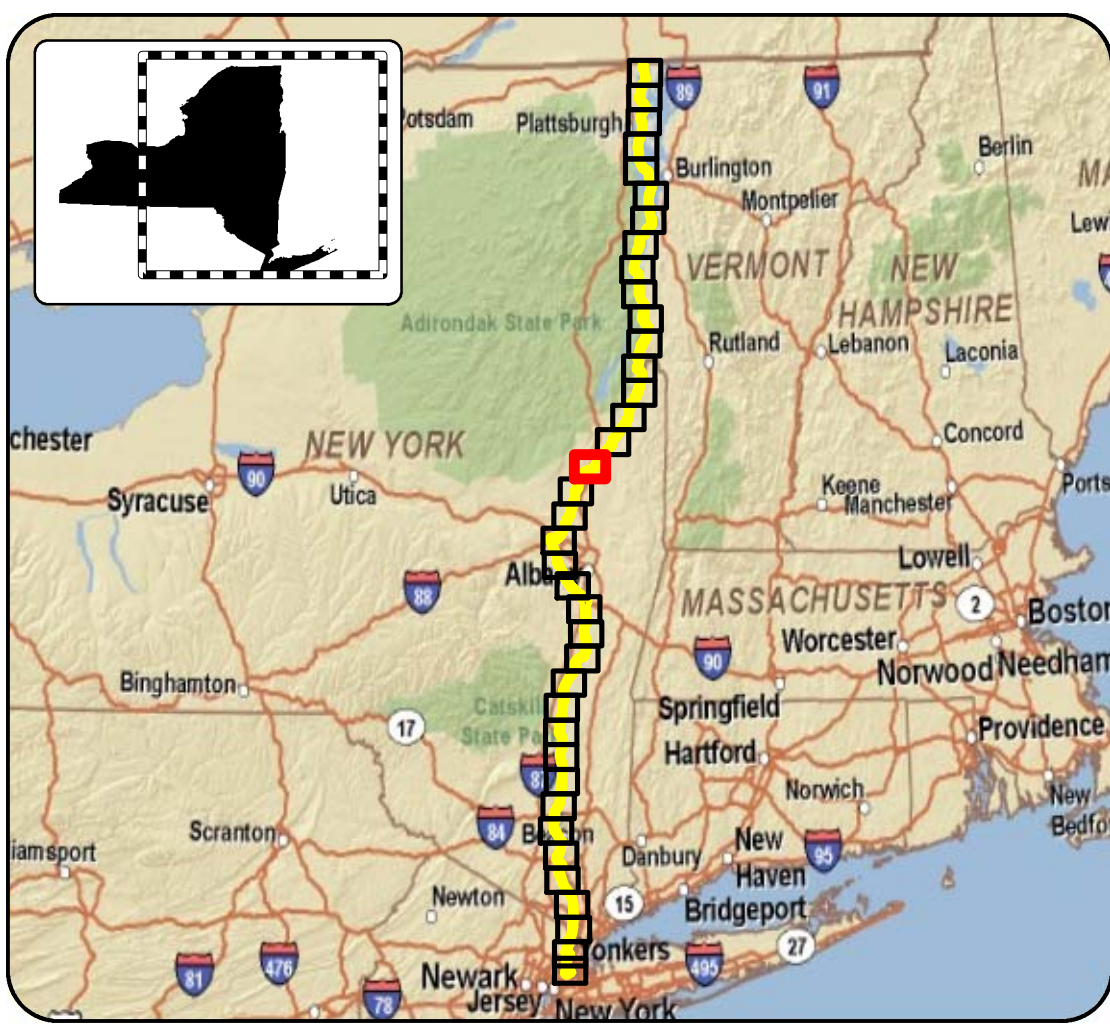
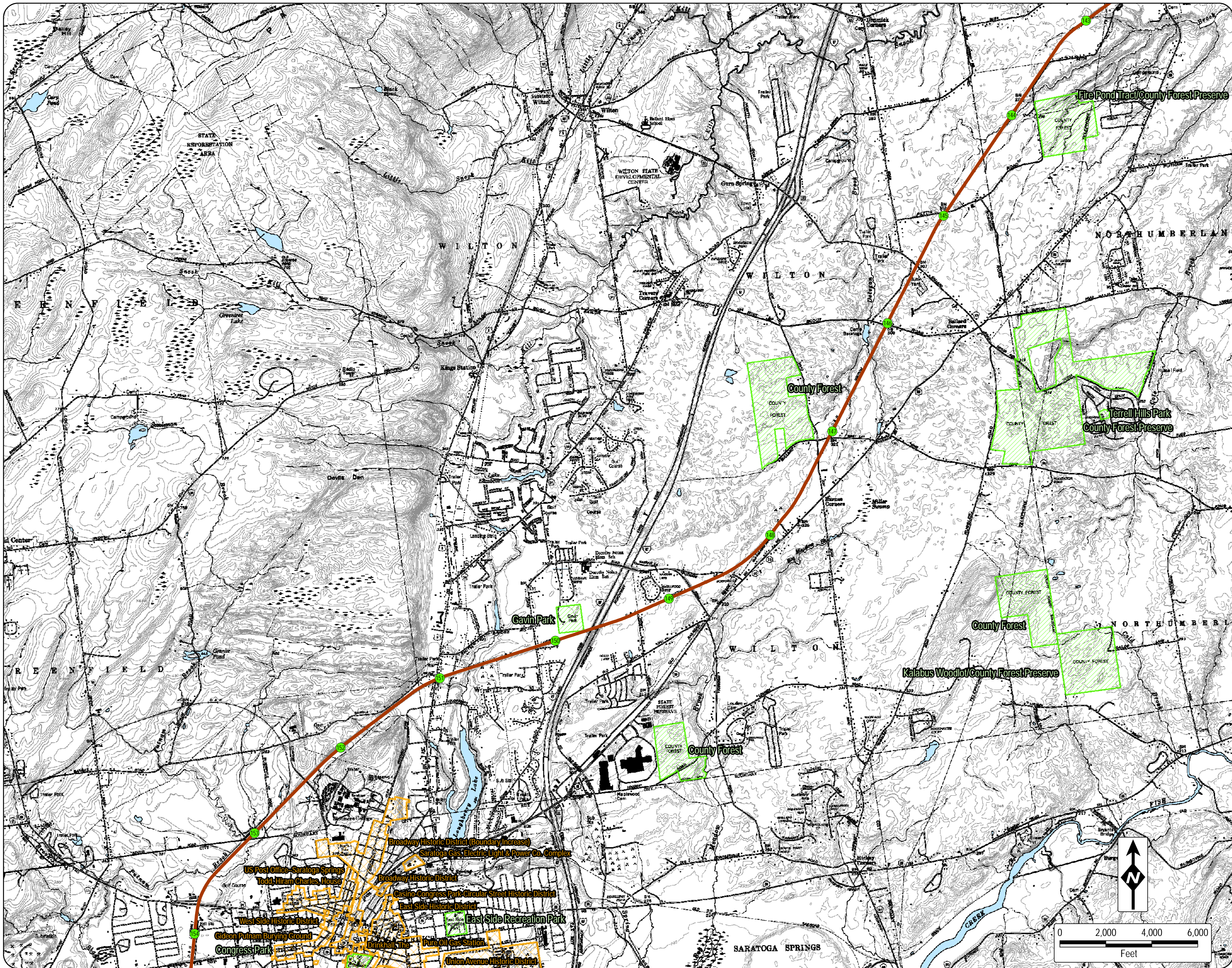
- Underwater Route
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- - - - Spur
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Champlain Hudson Power Express Project
Champlain Hudson Power Express Inc.
 Figure 2.1-2
Location of Facilities
 on NOAA/NYS DOT Mapping
 Sheet 16 of 38
 Prepared by:   &  7/14/2010









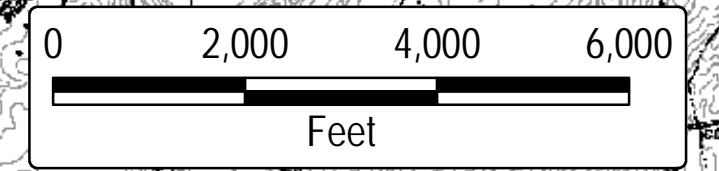
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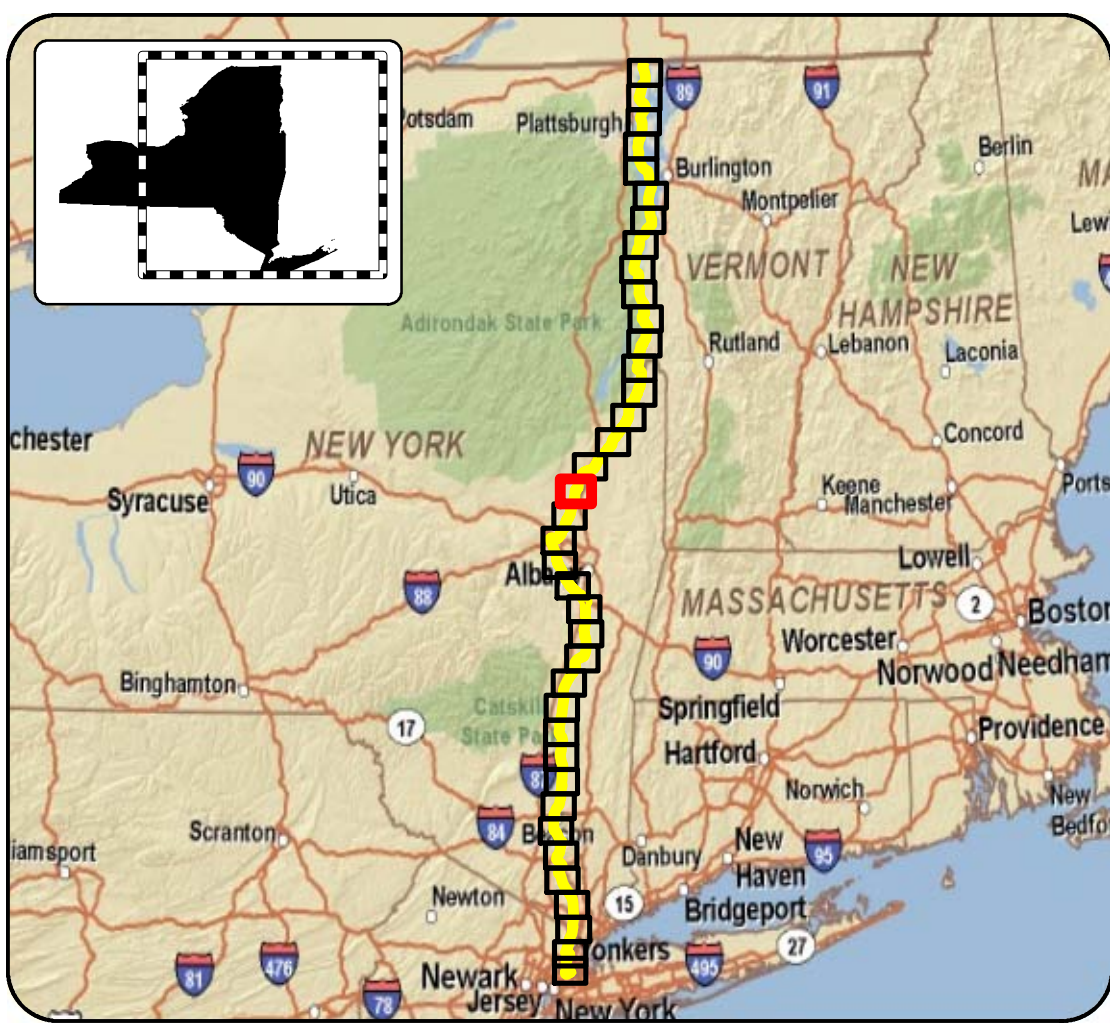
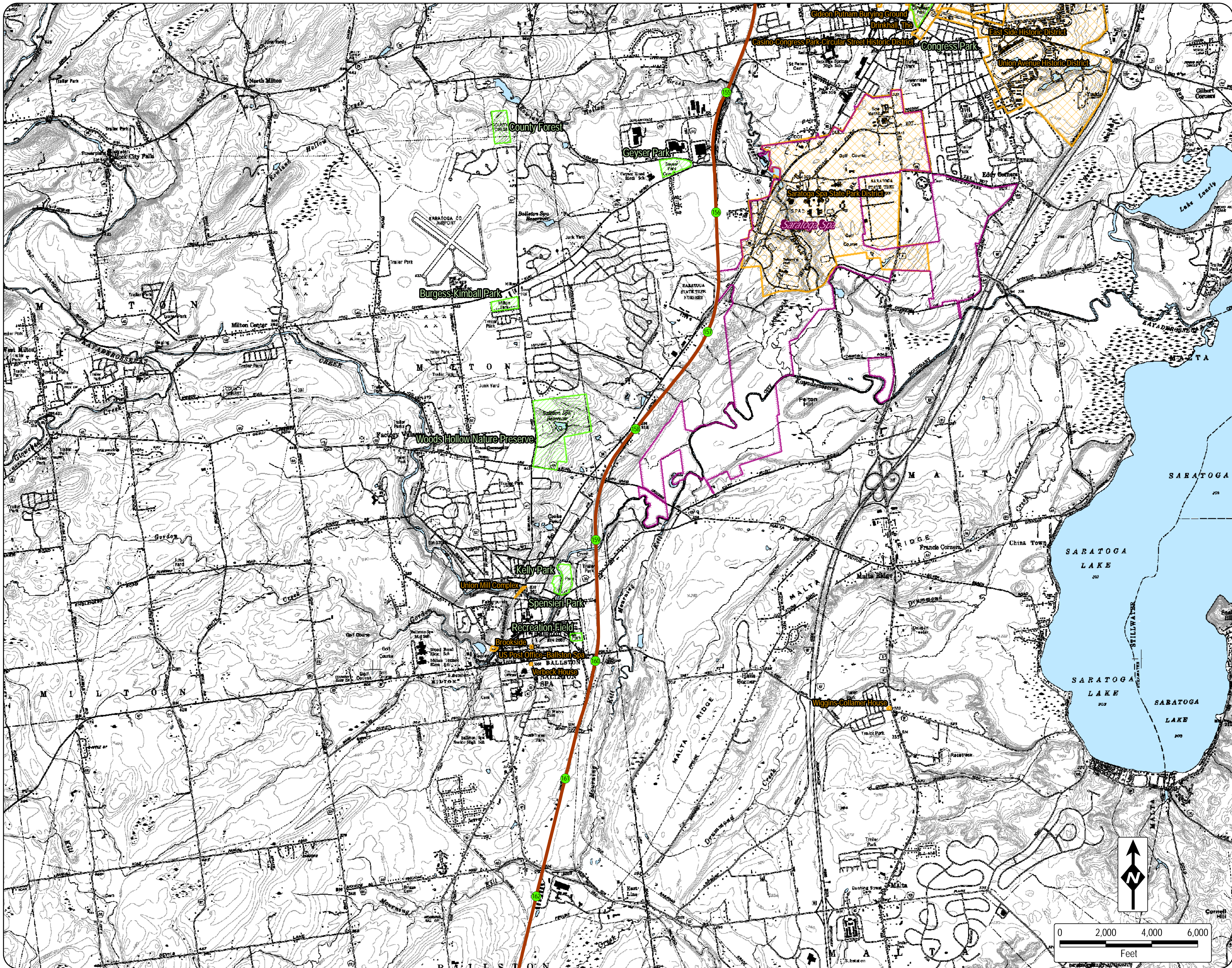
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Champlain Hudson Power Express Inc.
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Location of Facilities
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 Sheet 17 of 38
 Prepared by:   &  7/14/2010









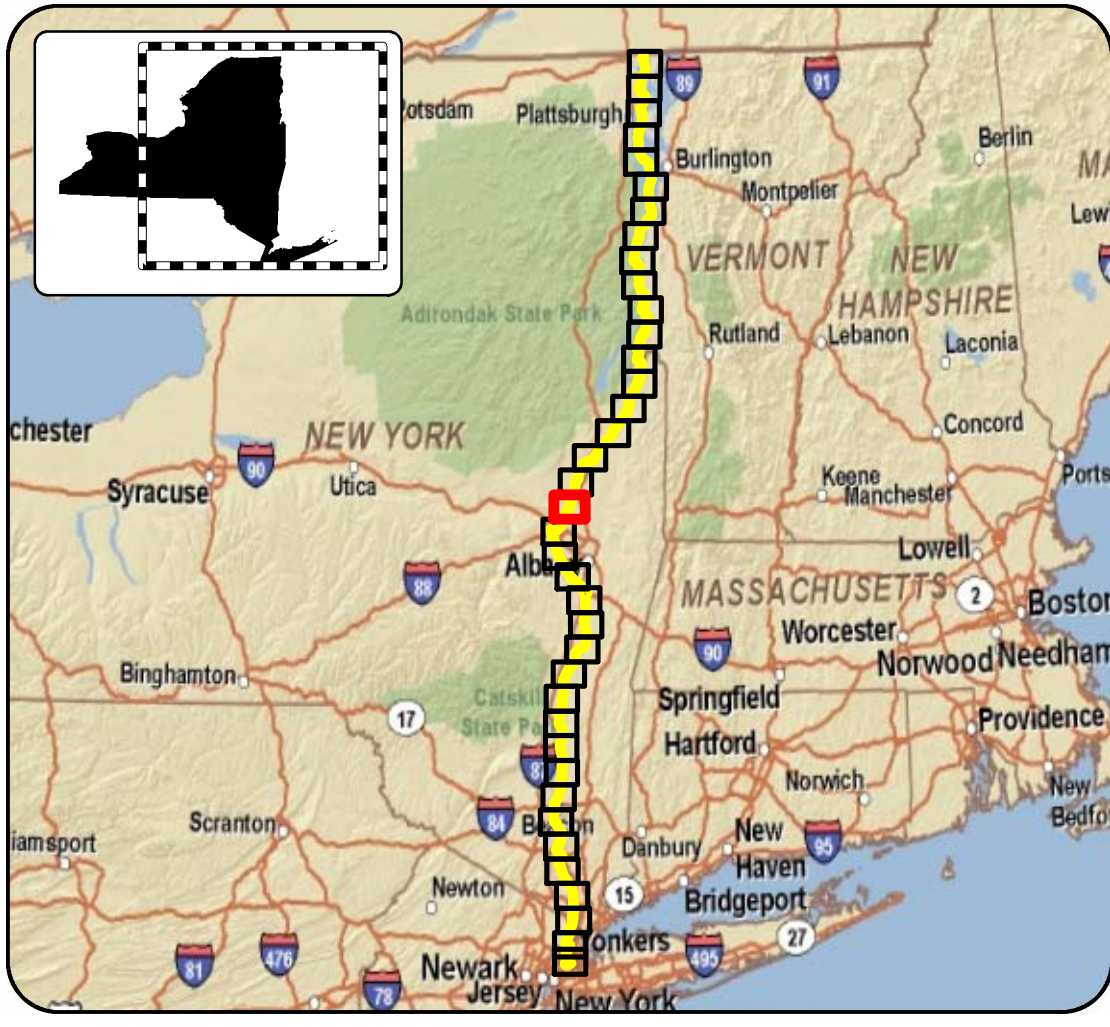
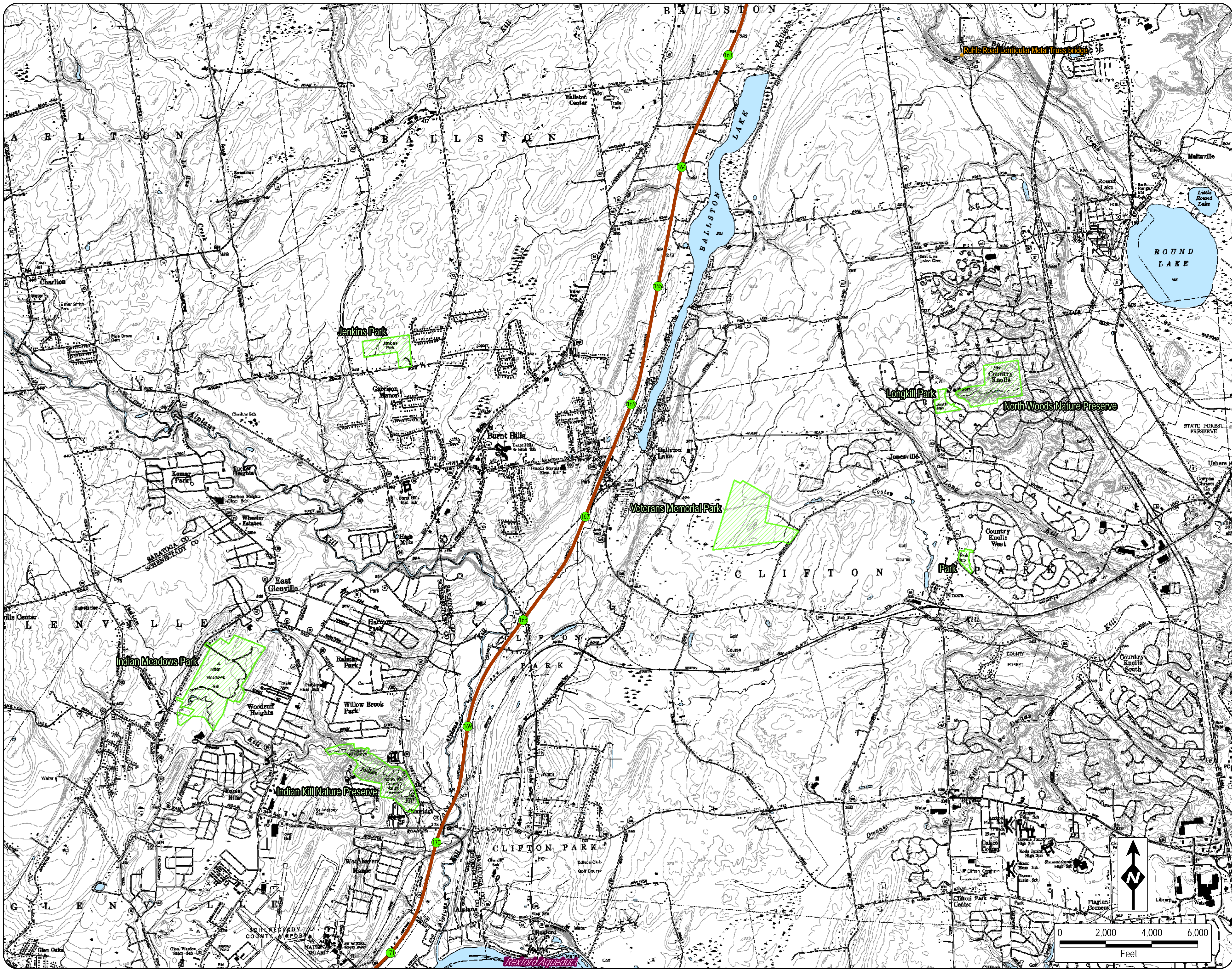
LEGEND

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Champlain Hudson Power Express Project
Champlain Hudson Power Express Inc.
 Figure 2.1-2
Location of Facilities
 on NOAA/NYS DOT Mapping
 Sheet 18 of 38
 Prepared by:   &  7/14/2010



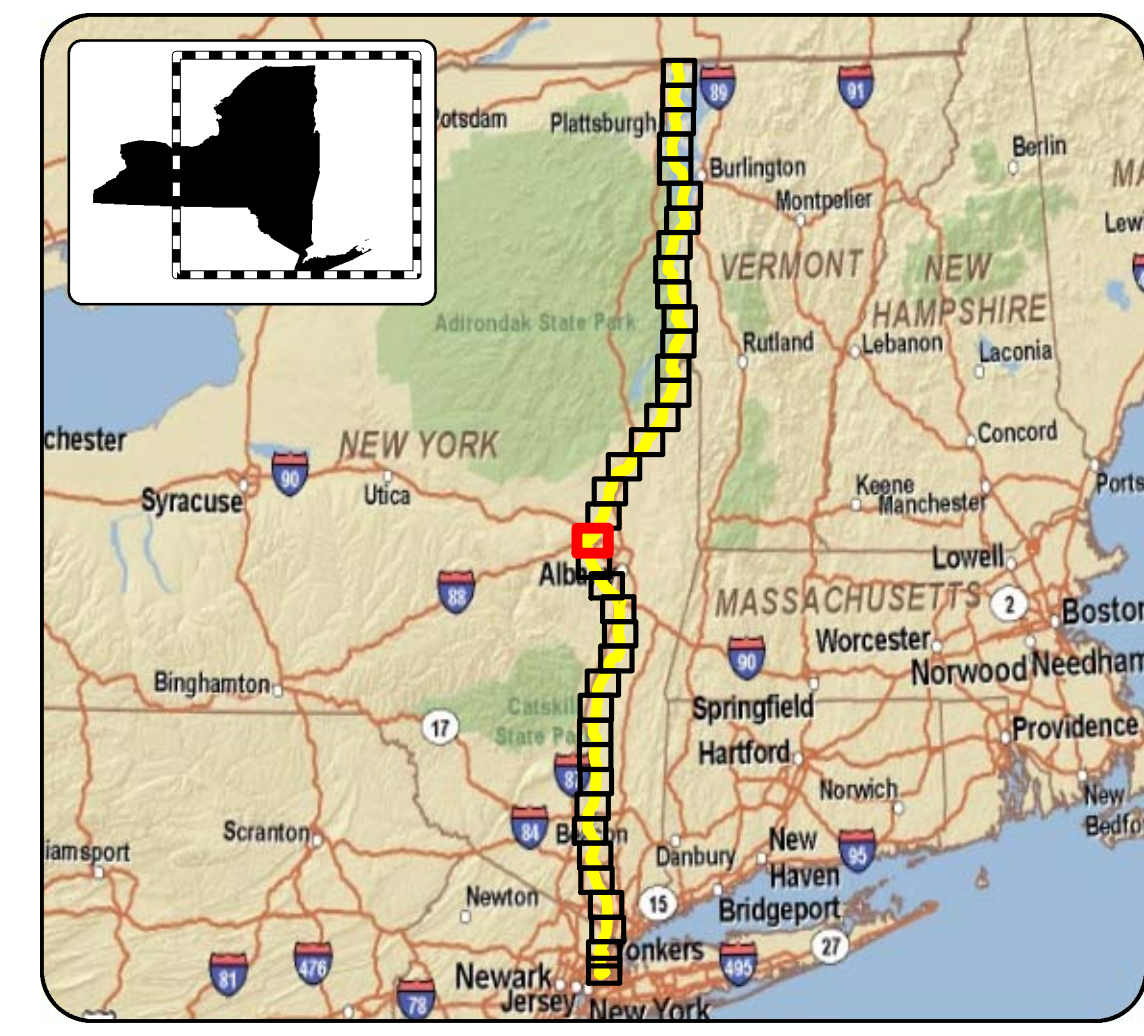
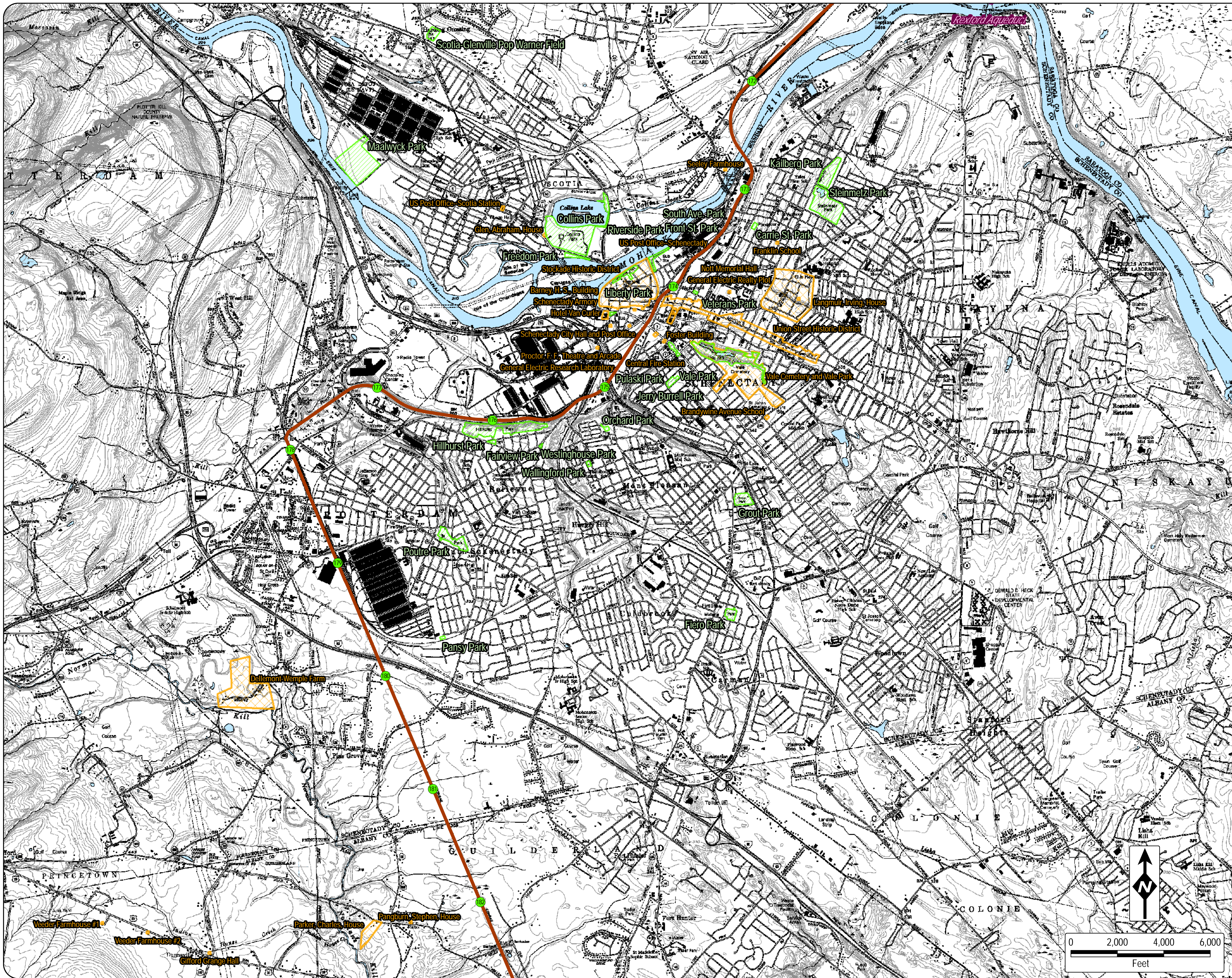
LEGEND

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Champlain Hudson Power Express Project
Champlain Hudson Power Express Inc.
 Figure 2.1-2
Location of Facilities
 on NOAA/NYS DOT Mapping
 Sheet 19 of 38
 Prepared by: & 7/14/2010




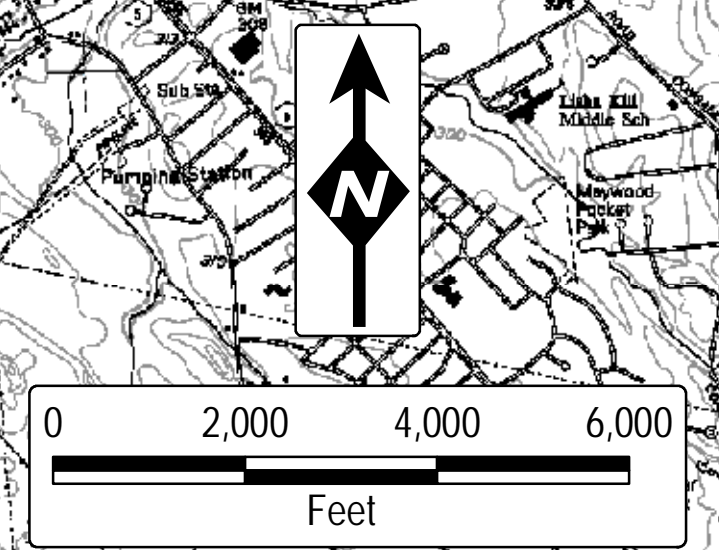
LEGEND

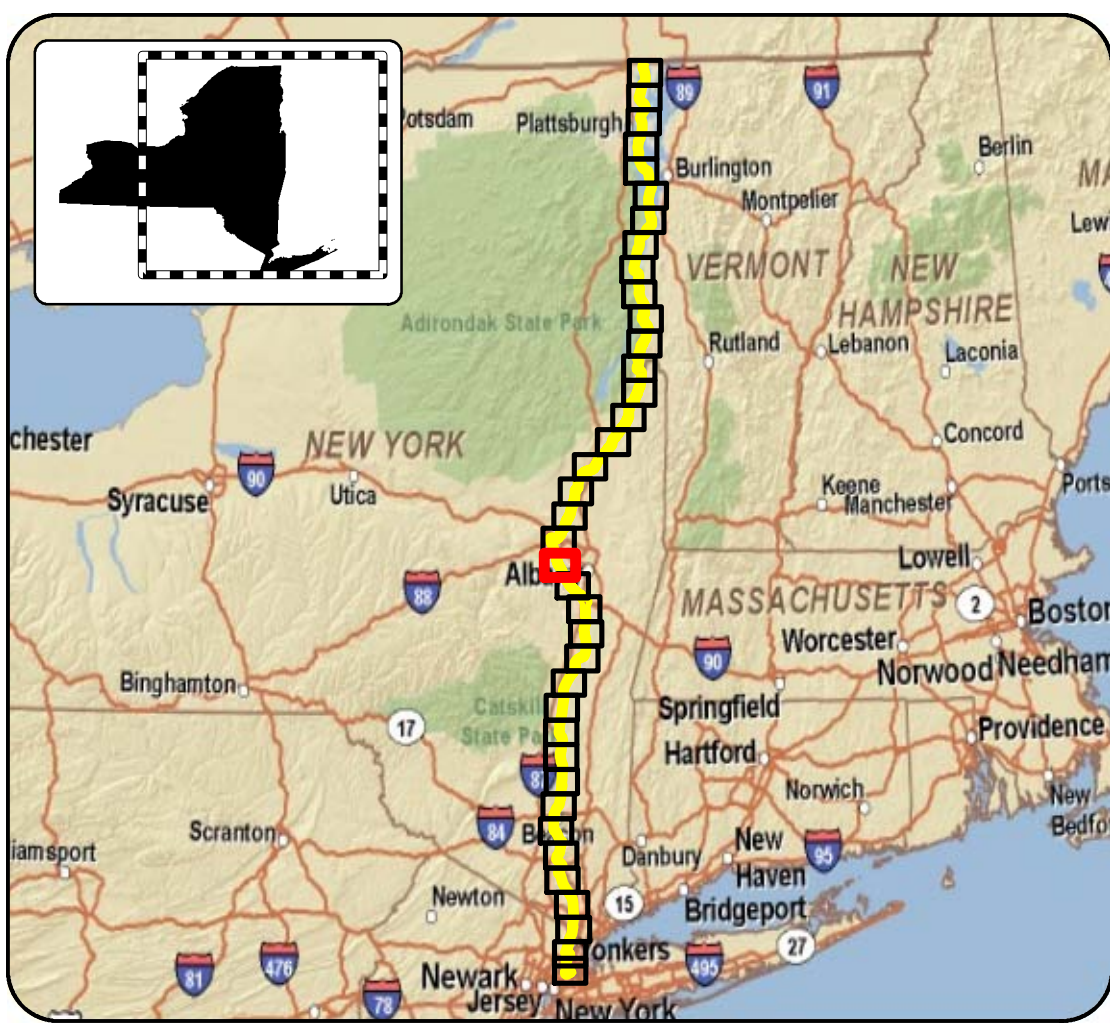
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Champlain Hudson Power Express Project
Champlain Hudson Power Express Inc.
 Figure 2.1-2
Location of Facilities
 on NOAA/NYS DOT Mapping
 Sheet 20 of 38
 Prepared by: **FDR** | **DTA** & **TRC** 7/14/2010





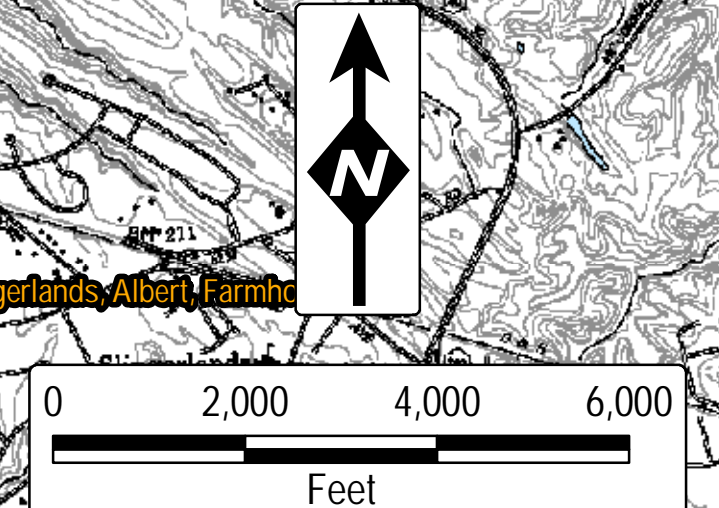
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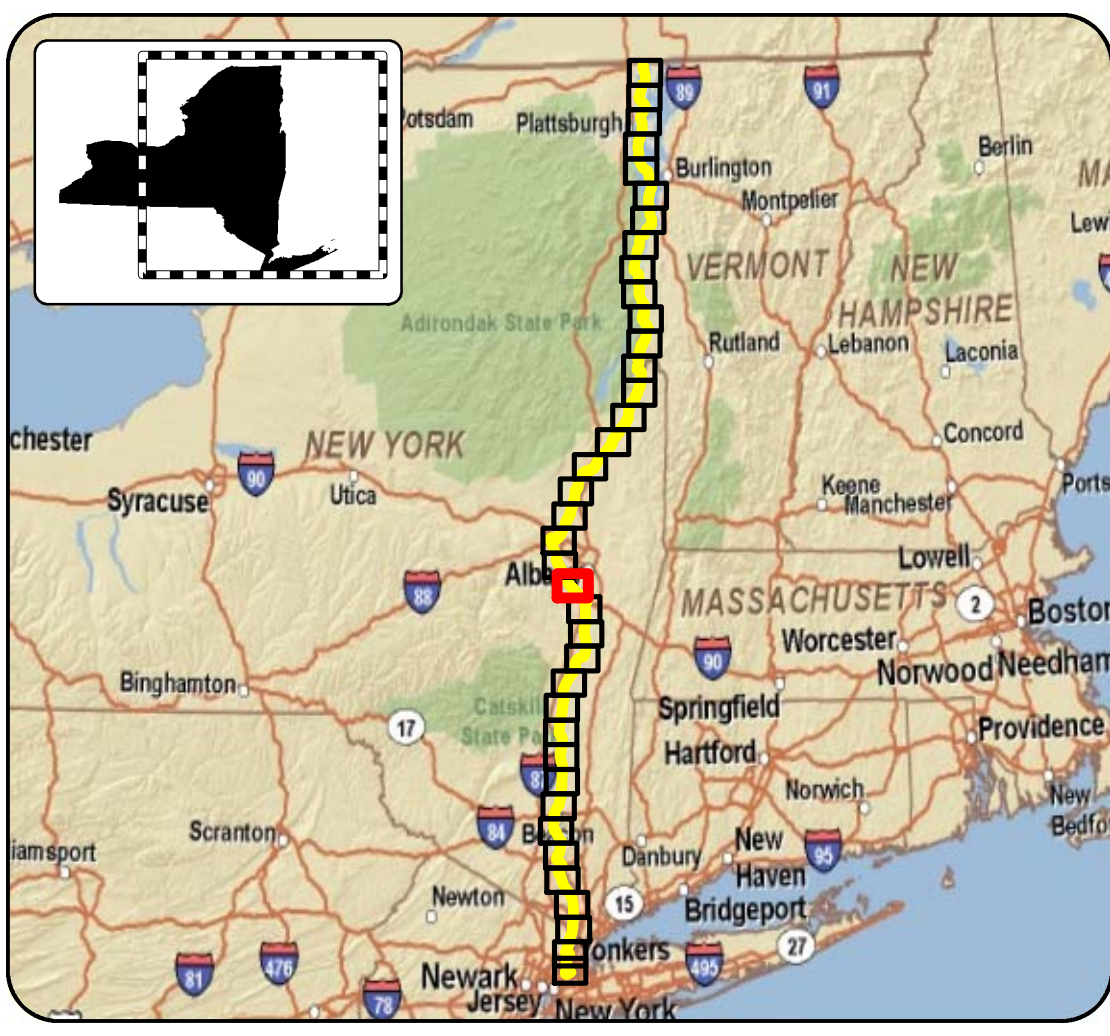
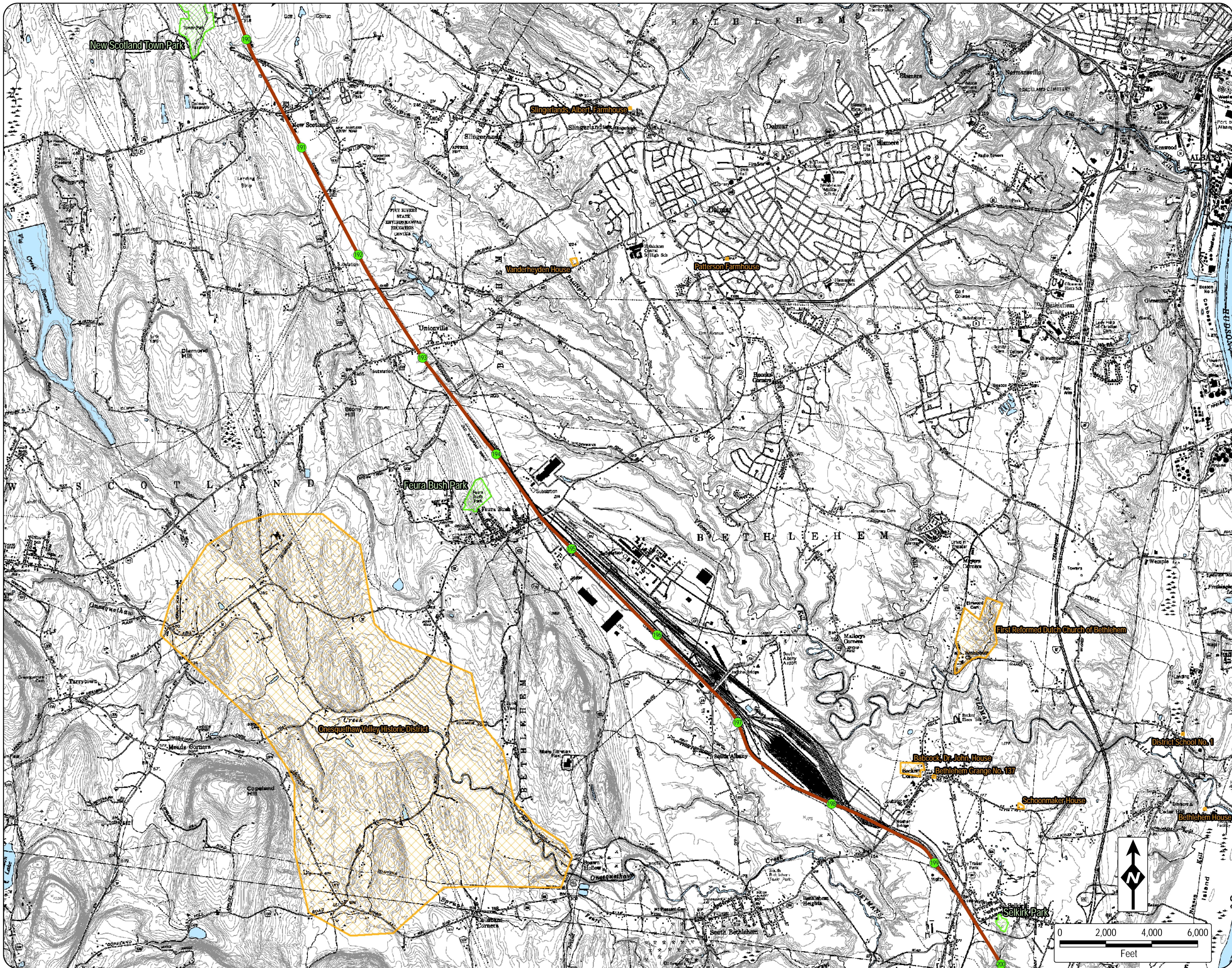
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Champlain Hudson Power Express Project
Champlain Hudson Power Express Inc.
 Figure 2.1-2
Location of Facilities
 on NOAA/NYS DOT Mapping
 Sheet 21 of 38
 Prepared by: & 7/14/2010






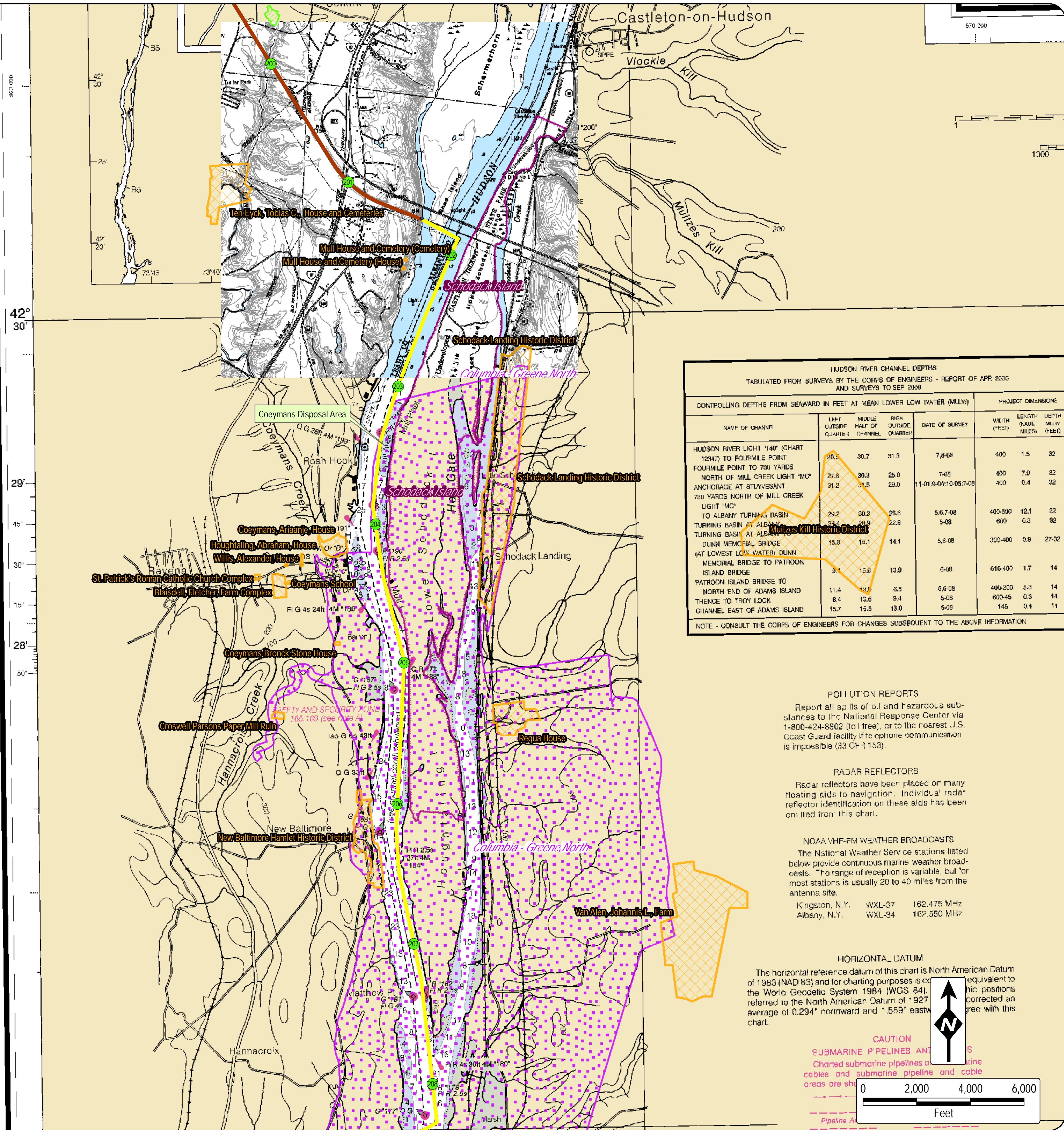
LEGEND

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Champlain Hudson Power Express Project
Champlain Hudson Power Express Inc.
 Figure 2.1-2
Location of Facilities
 on NOAA/NYS DOT Mapping
 Sheet 22 of 38
 Prepared by: **FDR** | **DTA** & **TRC** 7/14/2010



HUDSON RIVER CHANNEL DEPTHS
TABULATED FROM SURVEYS BY THE CORPS OF ENGINEERS - REPORT OF APR 2006
AND SURVEYS TO SEP 2009

NAME OF CHANNEL	CONTROLLING DEPTHS FROM SEAWARD IN FEET AT MEAN LOWER LOW WATER (MLLW)			DATE OF SURVEY	PROJECT DIMENSIONS		
	LEFT OUTSIDE CHANNEL	MIDDLE HALF OF CHANNEL	RIGHT OUTSIDE CHANNEL		WIDTH (FEET)	LENGTH (MILES)	DEPTH (FEET)
HUDSON RIVER LIGHT 140' (CHART 12947) TO FOURMILE POINT	26.5	30.7	31.3	7,8-08	400	1.5	32
FOURMILE POINT TO 750 YARDS NORTH OF MILL CREEK LIGHT 140'	27.3	30.3	25.0	7-08	400	7.0	32
ANCHORAGE AT STUYVESANT 750 YARDS NORTH OF MILL CREEK LIGHT 140'	31.2	31.5	29.0	11-01-9-04;10-05-7-08	400	0.4	32
TO ALBANY TURNING BASIN	29.2	30.0	28.8	5,6-7-08	400-800	12.1	32
TURNING BASIN AT ALBANY	24.3	26.9	22.9	5-08	600	0.3	32
TURNING BASIN AT ALBANY TO DUNN MEMORIAL BRIDGE	15.3	15.1	14.1	5,6-08	300-400	0.9	27-32
(AT LOWEST LOW WATER) DUNN MEMORIAL BRIDGE TO PATROON ISLAND BRIDGE	9.1	15.6	13.9	6-08	616-400	1.7	14
PATROON ISLAND BRIDGE TO NORTH END OF ADAMS ISLAND	11.4	13.9	6.5	5,6-08	400-200	5.3	14
THENCE TO TROY LOCK	8.4	13.6	9.4	5-08	600-45	0.3	14
CHANNEL EAST OF ADAMS ISLAND	15.7	15.5	13.0	5-08	145	0.4	11

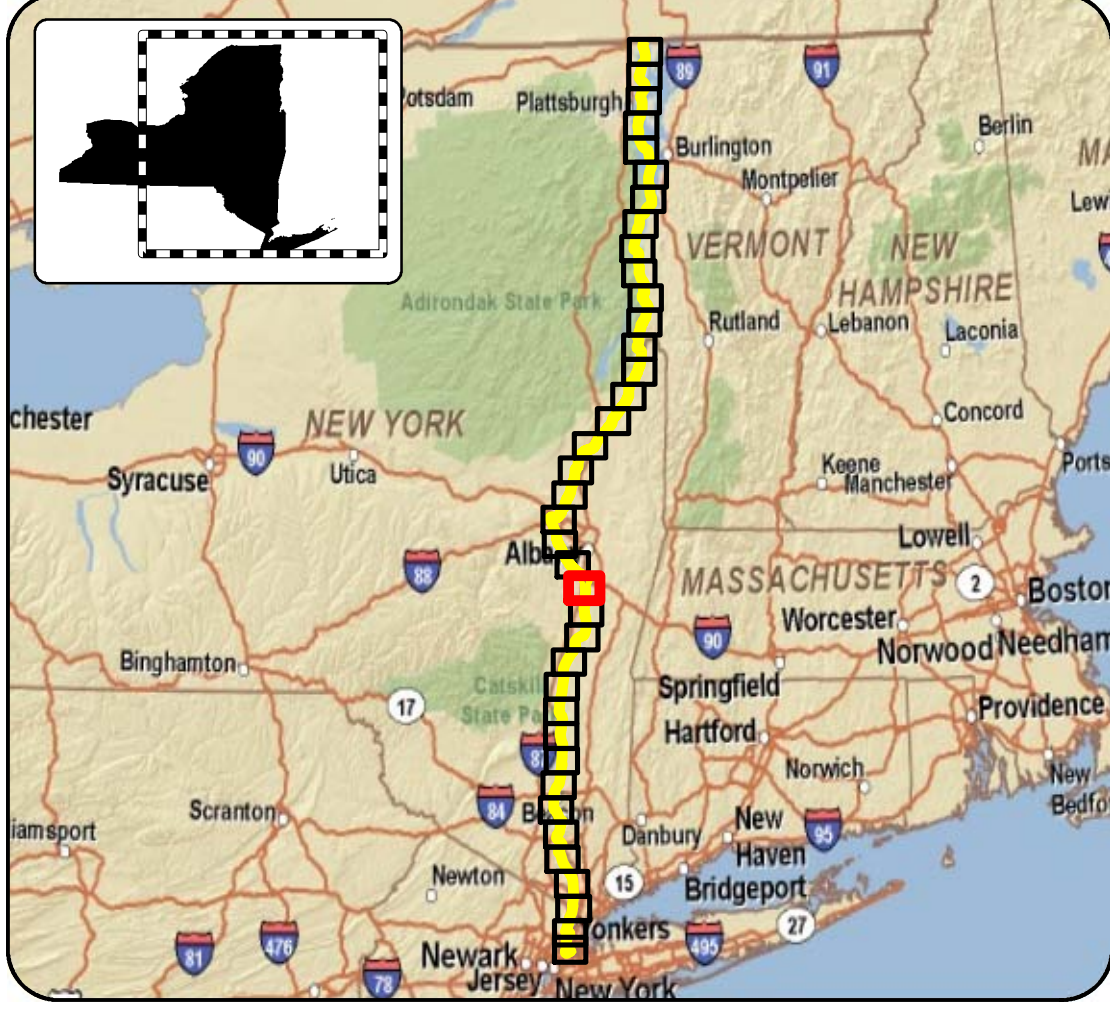
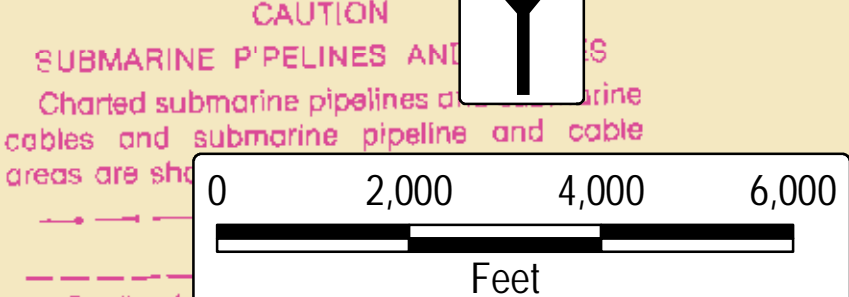
NOTE - CONSULT THE CORPS OF ENGINEERS FOR CHANGES SUBSEQUENT TO THE ABOVE INFORMATION

POLLUTION REPORTS
Report all spills of oil and hazardous substances to the National Response Center via 1-800-424-8802 (toll free), or to the nearest U.S. Coast Guard facility if telephone communication is impossible (33 CFR 153).

RADAR REFLECTORS
Radar reflectors have been placed on many floating aids to navigation. Individual radar reflector identification on these aids has been omitted from this chart.

NOAA VHF-FM WEATHER BROADCASTS
The National Weather Service stations listed below provide continuous marine weather broadcasts. The range of reception is variable, but for most stations is usually 20 to 40 miles from the antenna site.
Kingston, N.Y. WXL-37 162.475 MHz
Albany, N.Y. WXL-84 162.550 MHz

HORIZONTAL DATUM
The horizontal reference datum of this chart is North American Datum of 1983 (NAD 83) and for charting purposes is equivalent to the World Geodetic System 1984 (WGS 84), referred to the North American Datum of 1927 corrected an average of 0.294' northward and 1.559' eastward from this chart.



LEGEND

- Underwater Route
- CP/CSX Railroad ROW
- Spur
- Milepost
- Poletti Substation
- Yonkers Converter Station
- Mine
- Park
- State Park
- Untouched Wilderness
- Historic Site
- Scenic Area

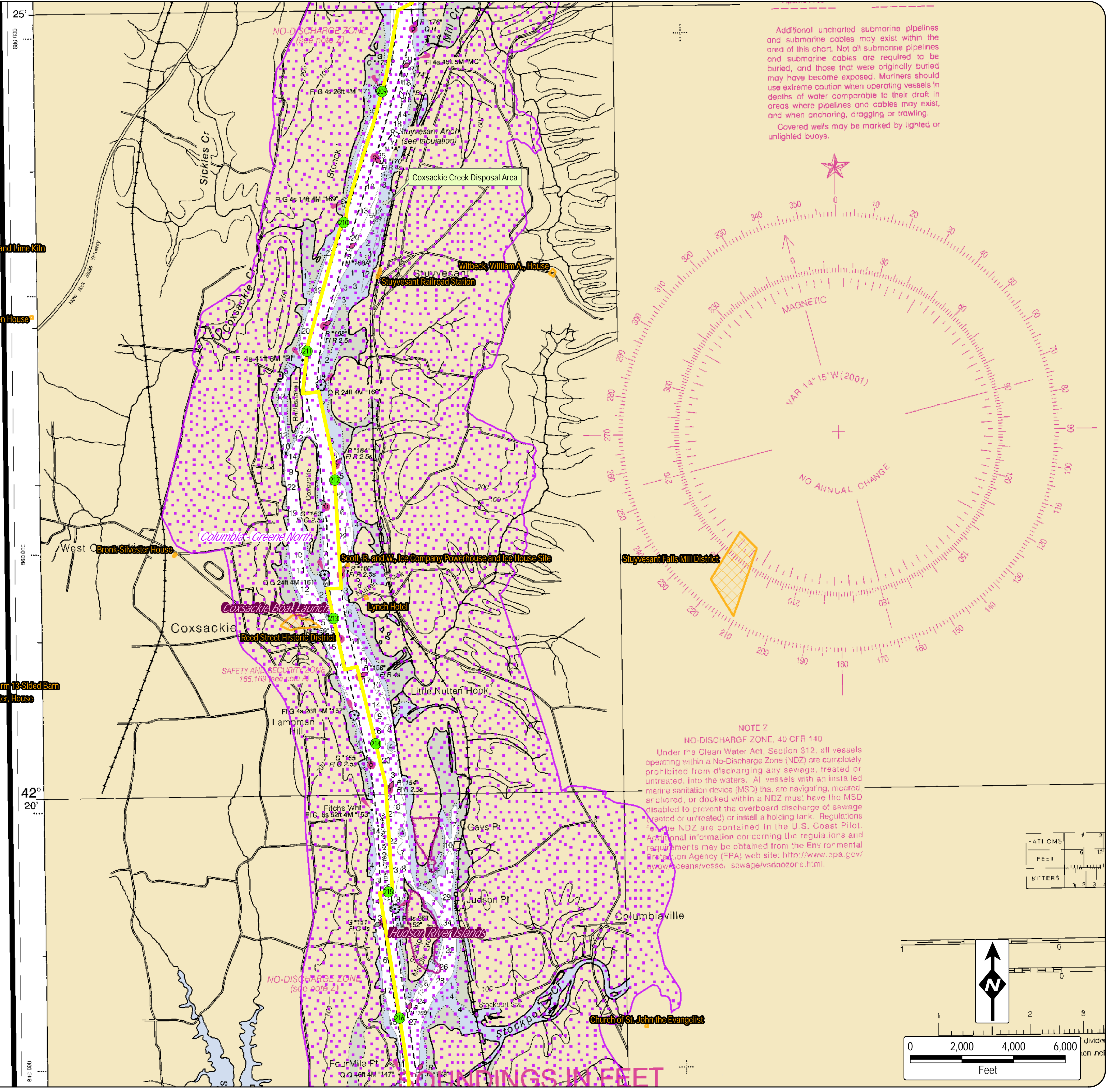
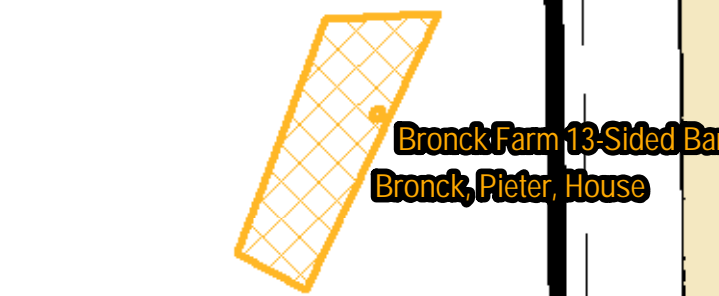
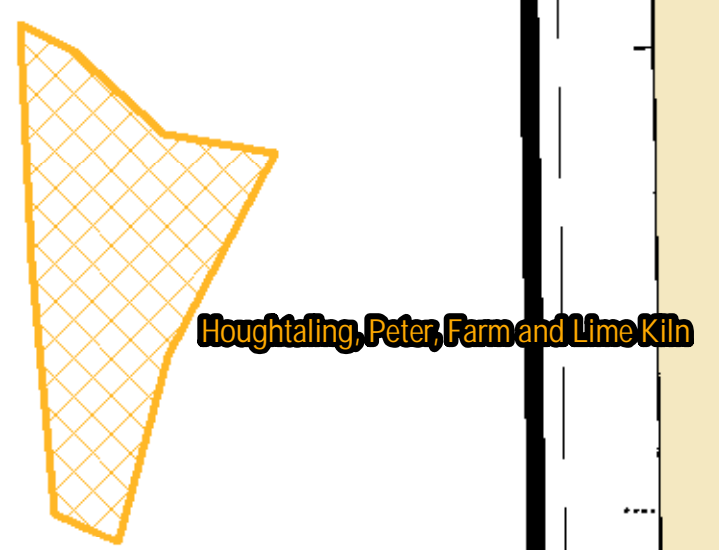
DATA SOURCES:
NYS DOT, ESRI, NOAA, TDI, TRC, NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION (NYDEC), NEW YORK STATE OFFICE OF PARKS RECREATION AND HISTORICAL PRESERVATION (OPRHP)

NOTES:
1. NYS DOT 24K and NOAA basemaps
2. Width of Cable Route lines are not drawn to scale.

Champlain Hudson Power Express Project
Champlain Hudson Power Express Inc.

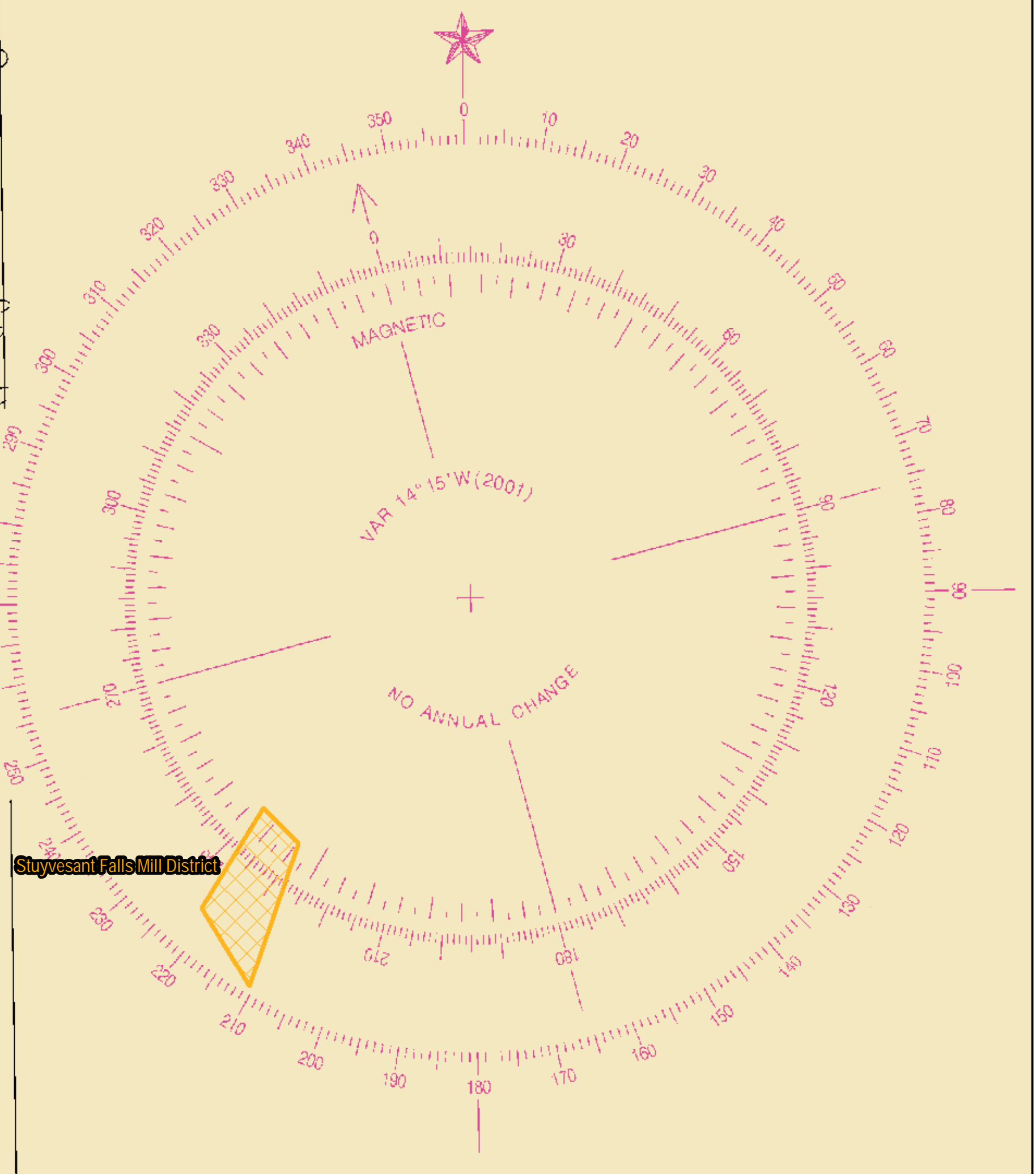
Figure 2.1-2
Location of Facilities
on NOAA/NYS DOT Mapping
Sheet 23 of 38

Prepared by: & 7/14/2010

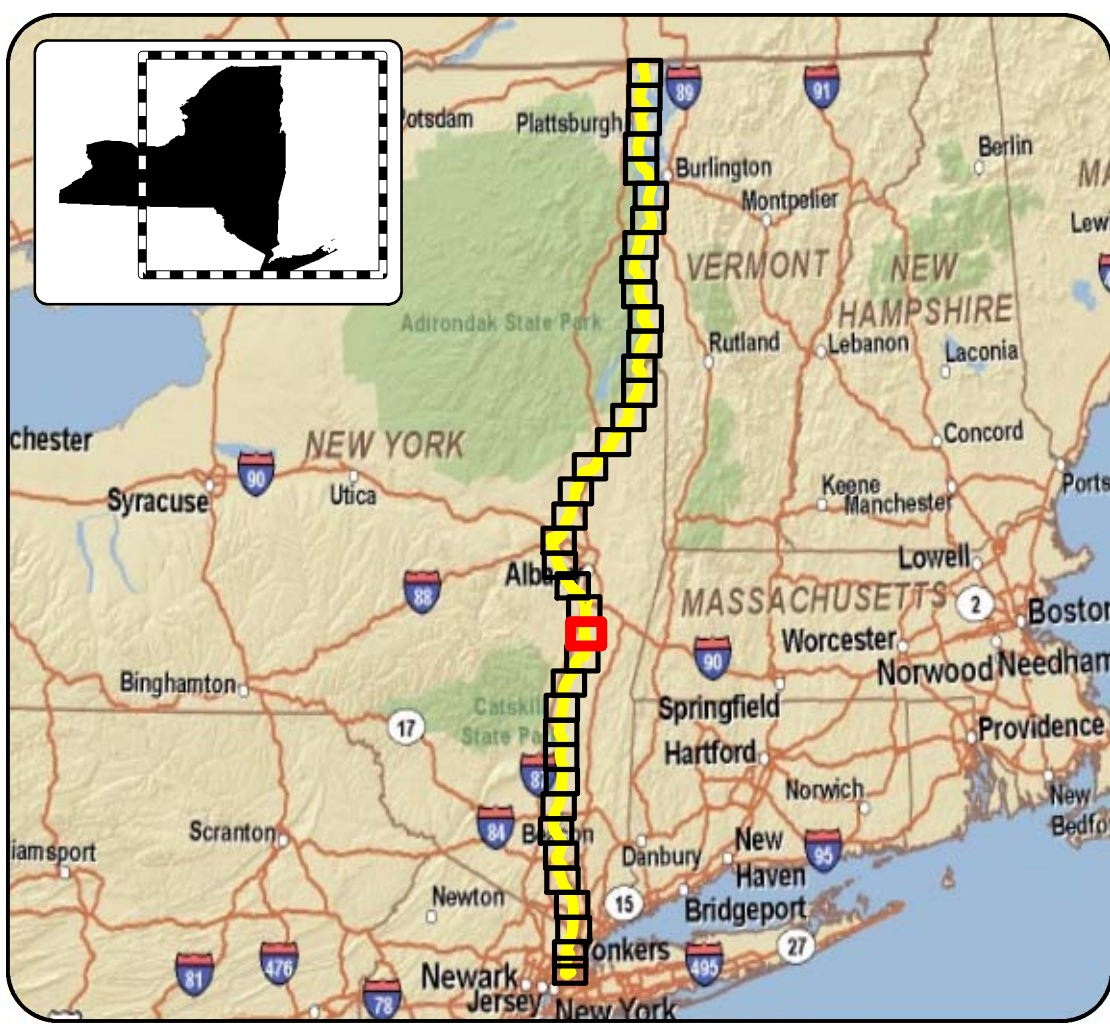
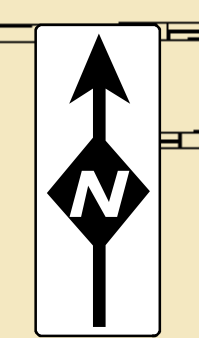
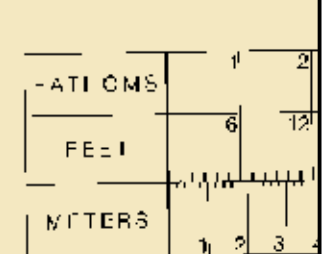


Additional uncharted submarine pipelines and submarine cables may exist within the area of this chart. Not all submarine pipelines and submarine cables are required to be buried, and those that were originally buried may have become exposed. Mariners should use extreme caution when operating vessels in depths of water comparable to their draft in areas where pipelines and cables may exist, and when anchoring, dragging or trawling.

Covered wells may be marked by lighted or unlighted buoys.



NOTE 2
NO-DISCHARGE ZONE, 40 CFR 140
 Under the Clean Water Act, Section 312, all vessels operating within a No-Discharge Zone (NDZ) are completely prohibited from discharging any sewage, treated or untreated, into the waters. All vessels with an installed marine sanitation device (MSD) that are navigating, moored, anchored, or docked within a NDZ must have the MSD disabled to prevent the overboard discharge of sewage (treated or untreated) or install a holding tank. Regulations for the NDZ are contained in the U.S. Coast Pilot. Additional information concerning the regulations and requirements may be obtained from the Environmental Protection Agency (EPA) web site: http://www.epa.gov/owow/ceans/vessel_sewage/vsdnozone.html.



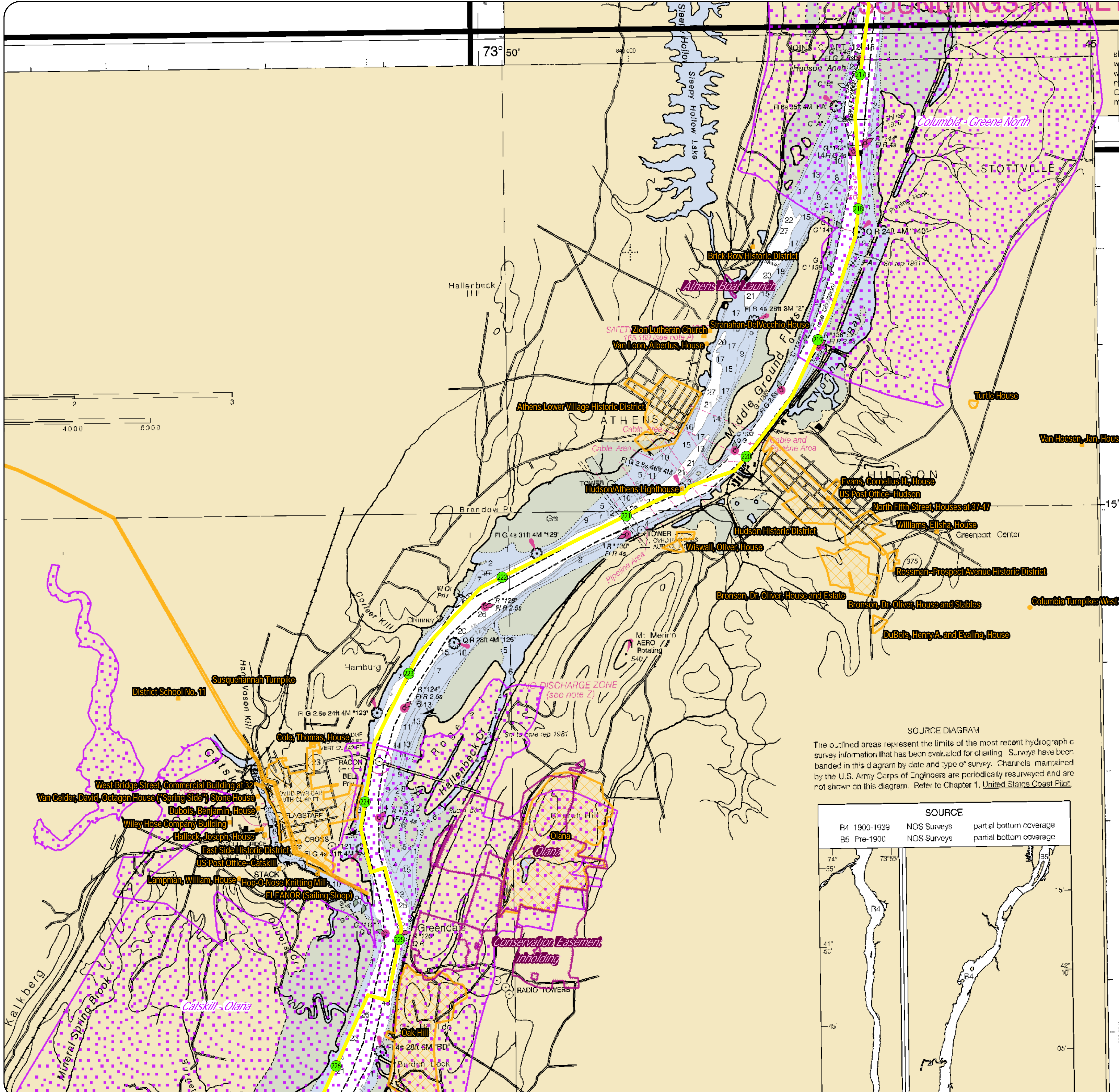
LEGEND

- Underwater Route
- CP/CSX Railroad ROW
- Spur
- Milepost
- Poletti Substation
- Yonkers Converter Station
- Mine
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- State Park
- Untouched Wilderness
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- Scenic Area

DATA SOURCES:
 NYS DOT, ESRI, NOAA, TDI, TRC, NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION (NYDEC), NEW YORK STATE OFFICE OF PARKS RECREATION AND HISTORICAL PRESERVATION (OPRHP)

NOTES:
 1. NYS DOT 24K and NOAA basemaps
 2. Width of Cable Route lines are not drawn to scale.

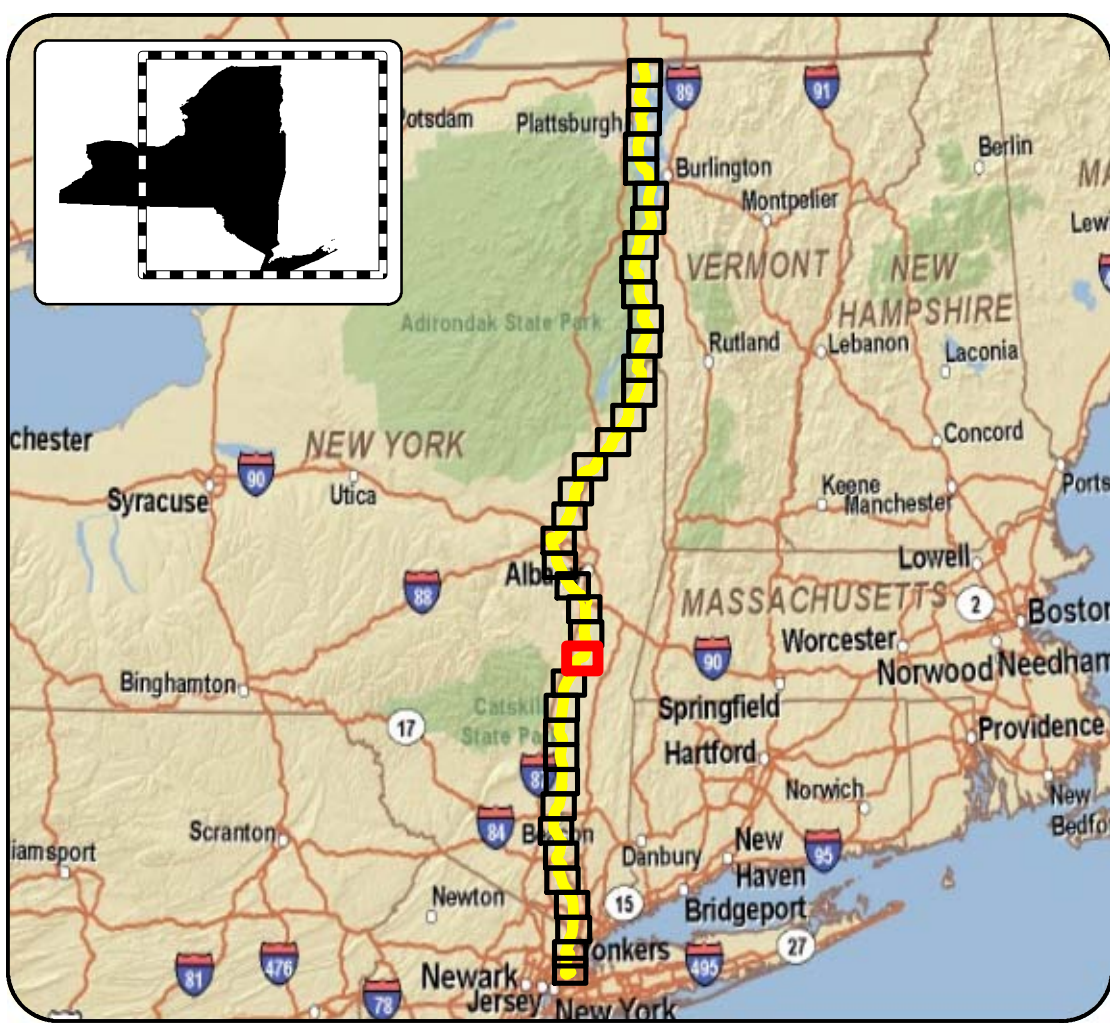
Champlain Hudson Power Express Project
Champlain Hudson Power Express Inc.
 Figure 2.1-2
Location of Facilities
 on NOAA/NYS DOT Mapping
 Sheet 24 of 38
 Prepared by: & 7/14/2010



CAUTION
 POTABLE WATER INTAKE
 Persons operating in fresh water lakes or rivers should not discharge sewage, or ballast, or bilge water into such areas adjacent to domestic water intakes as are designated by the Commission on Food and Drugs (21 CFR 1250.93). Consult U.S. Coast Pilot 6 for important supplemental information.

CAUTION
 Mariners are warned of the protective riprap navigational light structure thus:

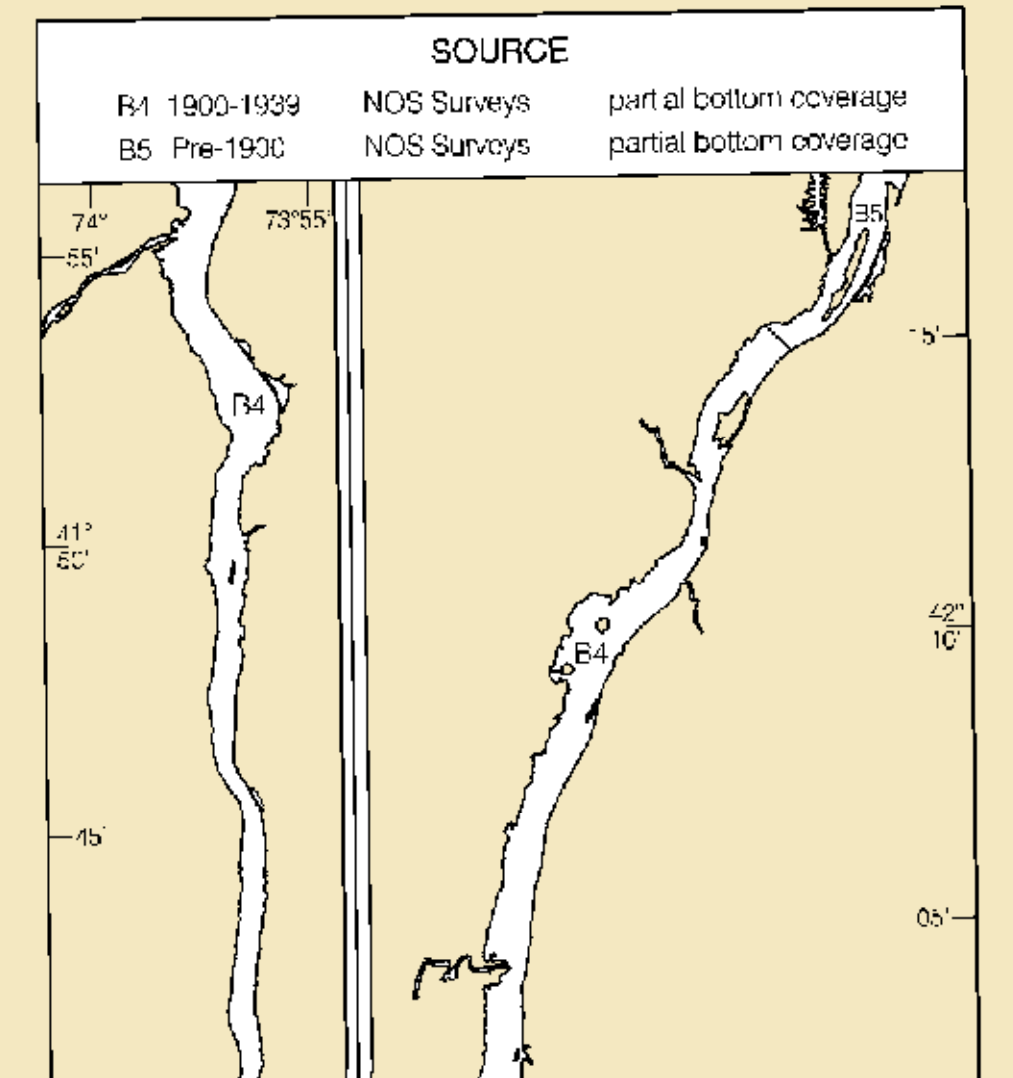
Published at Washington, D.C.
 U.S. DEPARTMENT OF COMMERCE
 NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION
 NATIONAL OCEAN SERVICE
 COAST SURVEY



LEGEND

- Underwater Route
- CP/CSX Railroad ROW
- Spur
- Milepost
- Poletti Substation
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- Mine
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- State Park
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- Historic Site
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SOURCE DIAGRAM
 The outlined areas represent the limits of the most recent hydrographic survey information that has been evaluated for clearing. Surveys have been banded in this diagram by date and type of survey. Channels maintained by the U.S. Army Corps of Engineers are periodically resurveyed and are not shown on this diagram. Refer to Chapter 1, United States Coast Pilot.



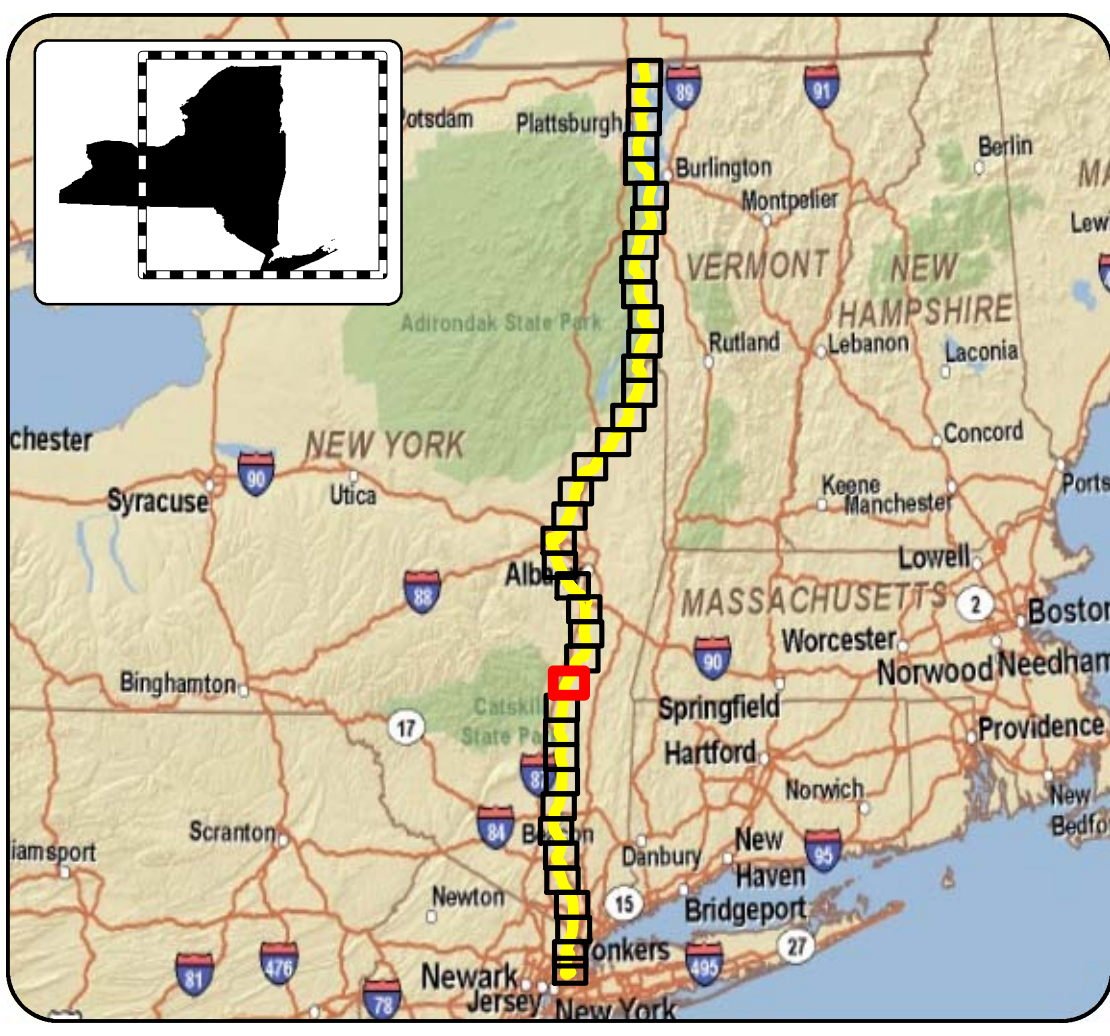
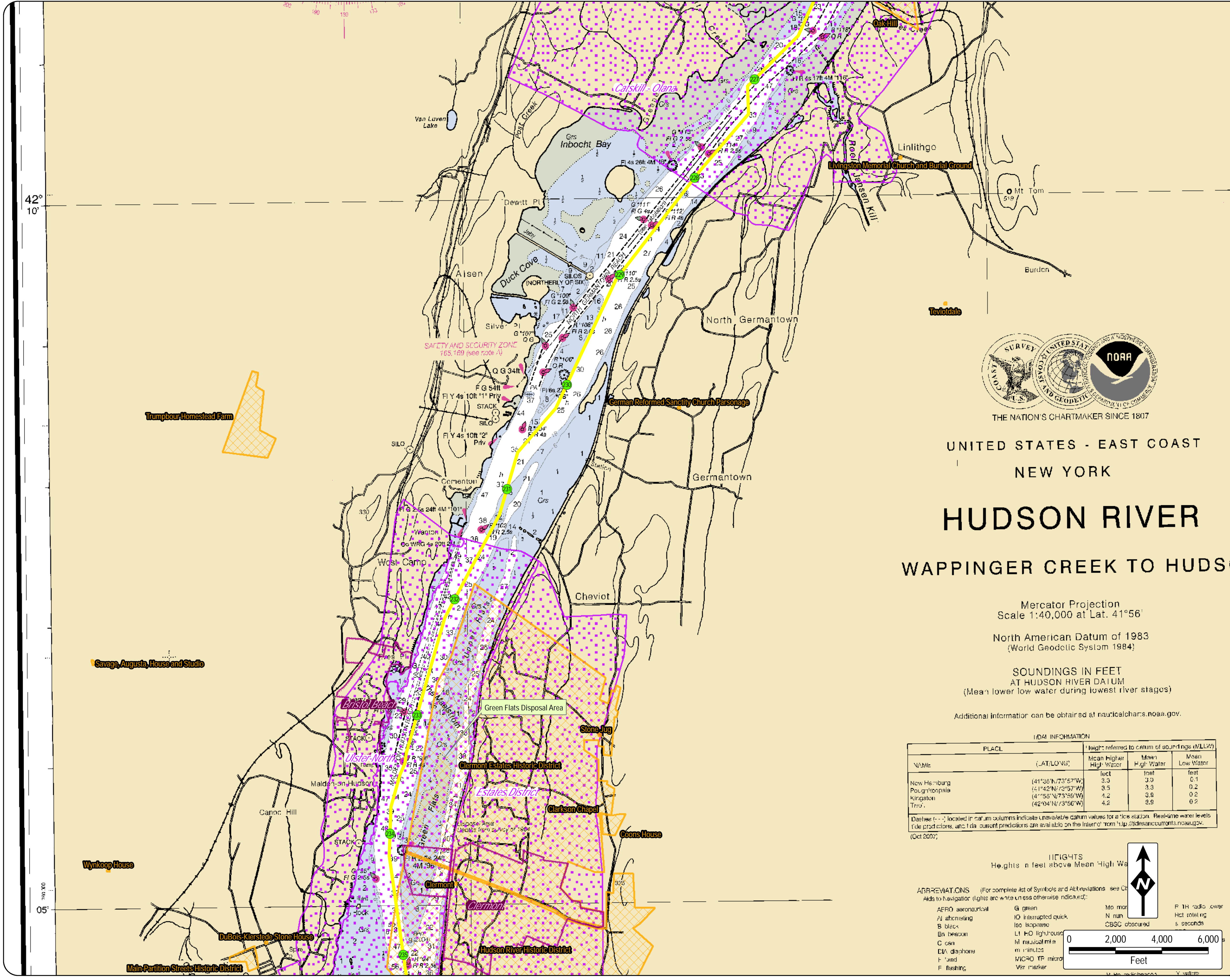
DATA SOURCES:
 NYS DOT, ESRI, NOAA, TDI, TRC, NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION (NYDEC), NEW YORK STATE OFFICE OF PARKS RECREATION AND HISTORICAL PRESERVATION (OPRHP)

NOTES:
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 2. Width of Cable Route lines are not drawn to scale.

Champlain Hudson Power Express Project
Champlain Hudson Power Express Inc.

Figure 2.1-2
Location of Facilities
 on NOAA/NYS DOT Mapping
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Prepared by: & 7/14/2010



LEGEND

- Underwater Route
- CP/CSX Railroad ROW
- Spur
- Milepost
- Poletti Substation
- Yonkers Converter Station
- Mine
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DATA SOURCES:
 NYS DOT, ESRI, NOAA, TDI, TRC, NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION (NYDEC), NEW YORK STATE OFFICE OF PARKS RECREATION AND HISTORICAL PRESERVATION (OPRHP)

NOTES:
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UNITED STATES - EAST COAST
 NEW YORK
HUDSON RIVER
 WAPPINGER CREEK TO HUDSON

Mercator Projection
 Scale 1:40,000 at Lat. 41°56'
 North American Datum of 1983
 (World Geodetic System 1984)

SOUNDINGS IN FEET
 AT HUDSON RIVER DATUM
 (Mean lower low water during lowest river stages)

Additional information can be obtained at nauticalcharts.noaa.gov.

(IDA) INFORMATION

NAME	PLACEL	[LAT/LON]	Height referred to datum of soundings (MLLW)		
			Mean Higher High Water	Mean High Water	Mean Low Water
New Hamburg		(41°35'N/73°57'W)	3.0	3.0	0.1
Poughkeepsie		(41°42'N/73°57'W)	3.5	3.3	0.2
Kingston		(41°55'N/73°56'W)	4.2	3.9	0.2
Troy		(42°04'N/73°56'W)	4.2	3.9	0.2

Dashes (-) located in datum columns indicate unavailable datum values for a tide station. Real-time water levels (tide predictions, and tidal current predictions are available on the Internet at <http://tidesandcurrents.noaa.gov> (Oct 2007).

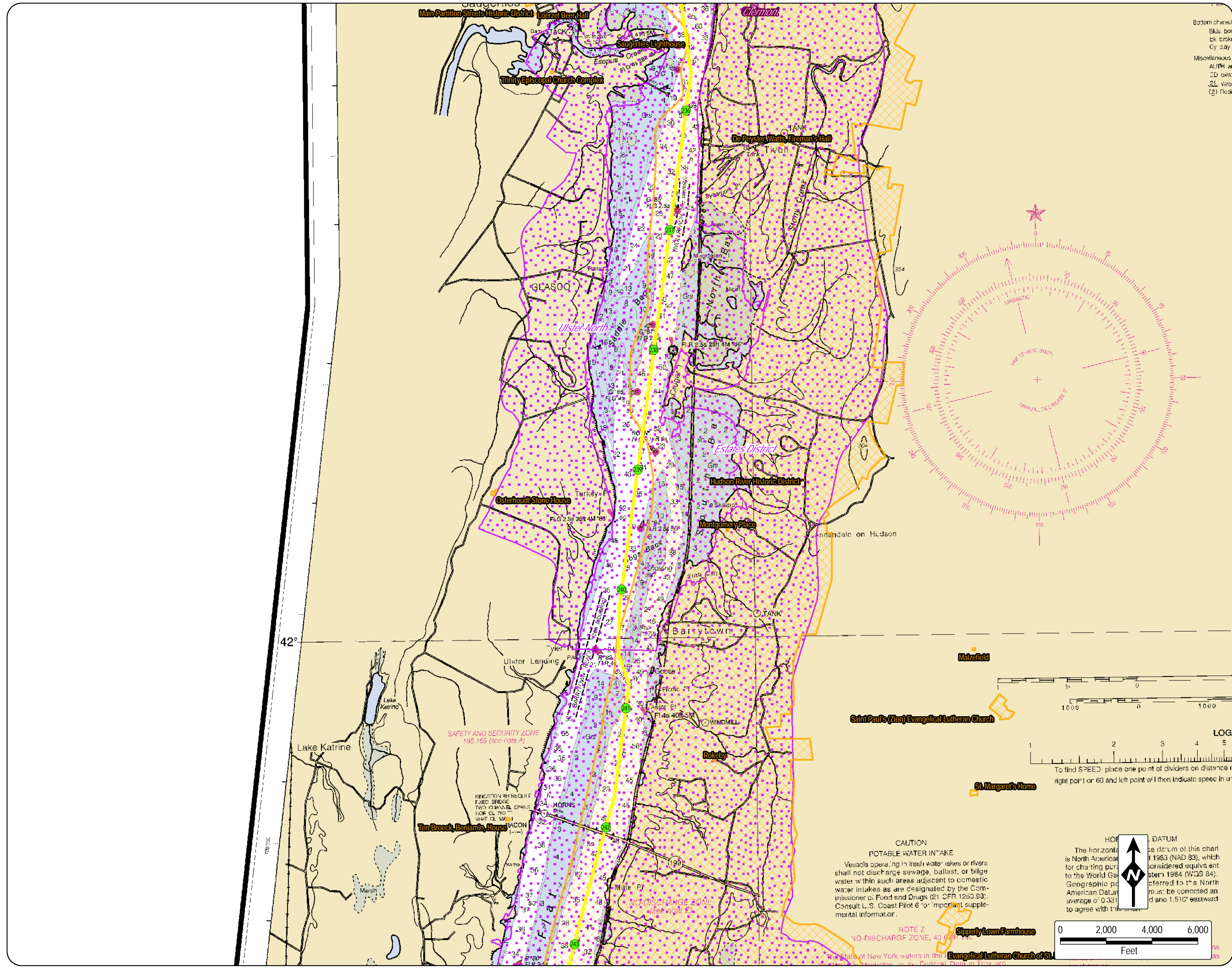
HEIGHTS
 Heights in feet above Mean High Water

ABBREVIATIONS (For complete list of Symbols and Abbreviations see Chart Aids to Navigation (lights are white unless otherwise indicated):

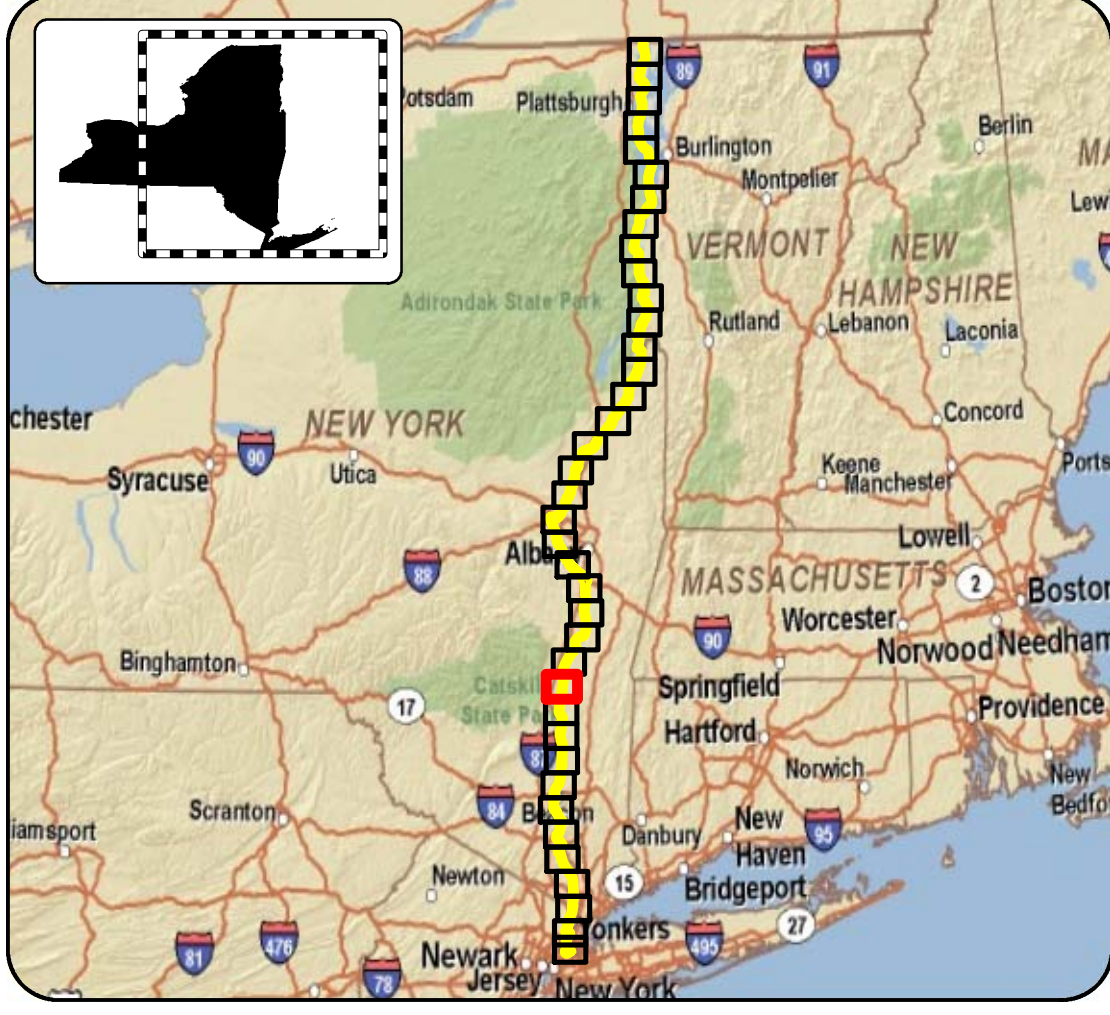
AERO aeronautical	G green	Mo moored	RH radio tower
AJ alternating	IO interrupted quick	N nun	Rct rotating
B black	leo lighthouse	CBSC obscured	s seconds
Bn beacon	LI light house		
C can	M nautical mile		
DA diaphone	m minutes		
F fixed	MICRO TP micro		
F flashing	Wk marker		

0 2,000 4,000 6,000 Feet

Transmission Developers Inc.
 Champlain Hudson Power Express Project
Champlain Hudson Power Express Inc.
 Figure 2.1-2
Location of Facilities
 on NOAA/NYS DOT Mapping
 Sheet 26 of 38
 Prepared by: & 7/14/2010



Bottom chart:
 Blue box
 Black box
 Orange box
 Miscellaneous
 AUTH. at
 CD. 015
 21. Wood
 (2) Rock



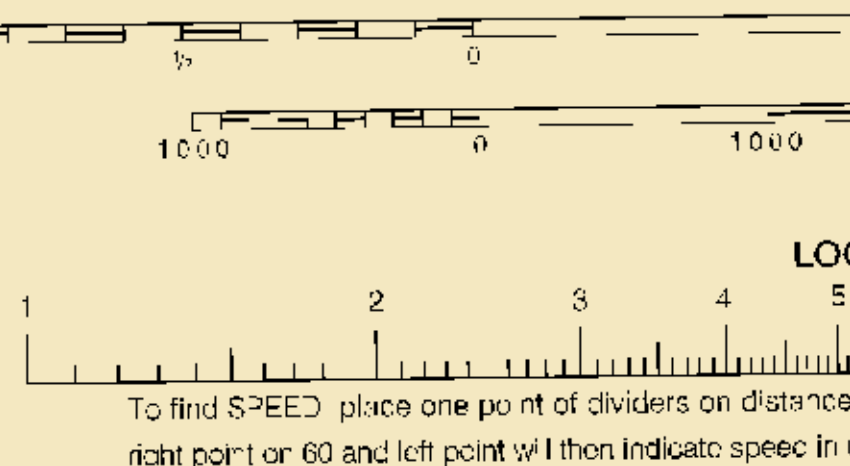
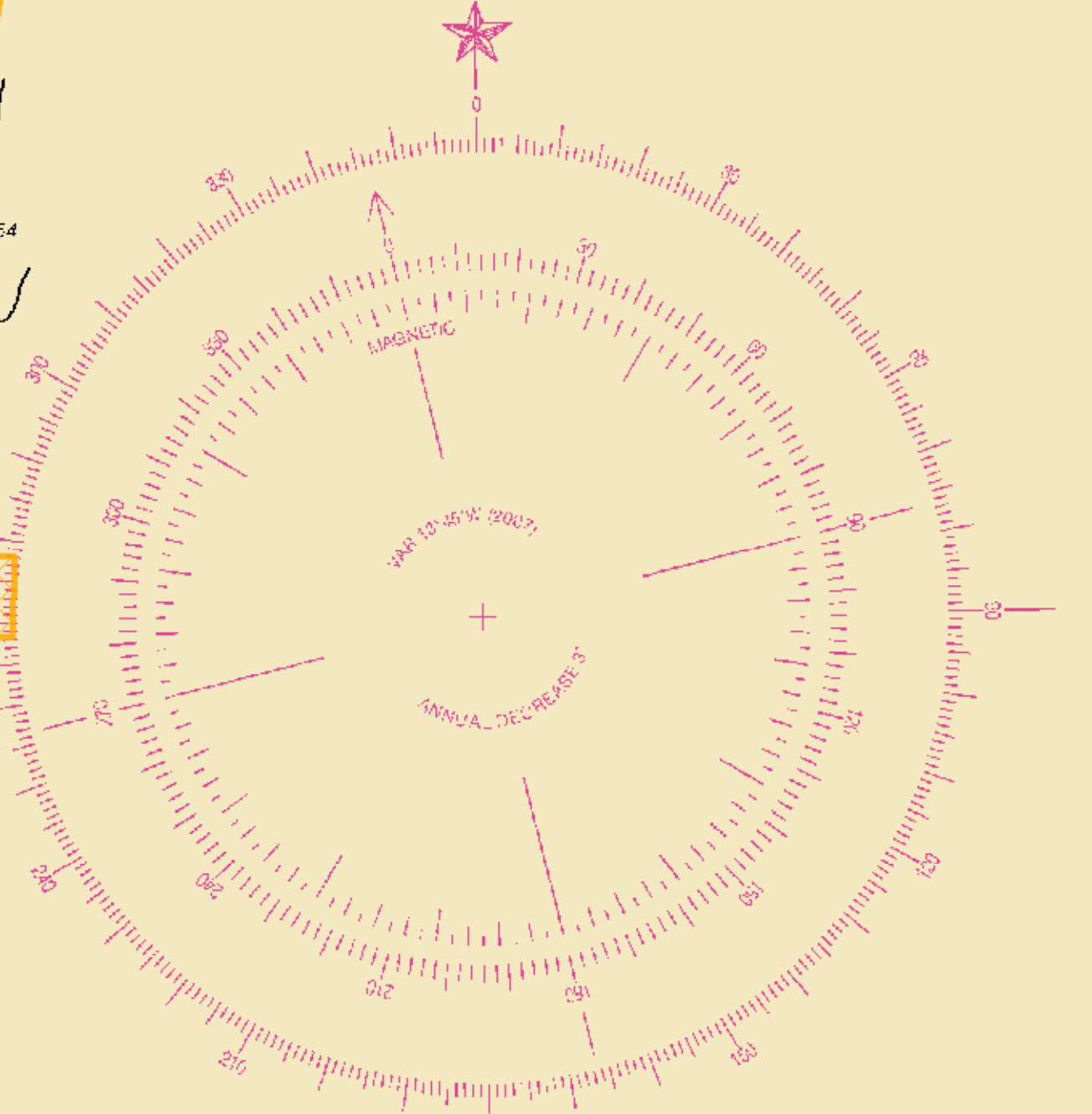
LEGEND

- Underwater Route
- CP/CSX Railroad ROW
- Spur
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- Yonkers Converter Station
- Mine
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- Scenic Area

DATA SOURCES:
 NYS DOT, ESRI, NOAA, TDI, TRC, NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION (NYDEC), NEW YORK STATE OFFICE OF PARKS RECREATION AND HISTORICAL PRESERVATION (OPRHP)

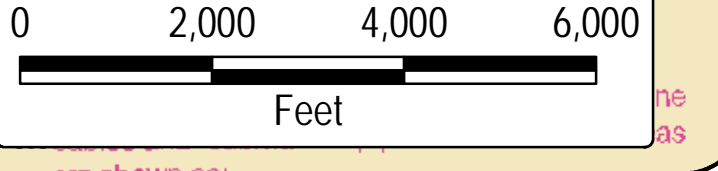
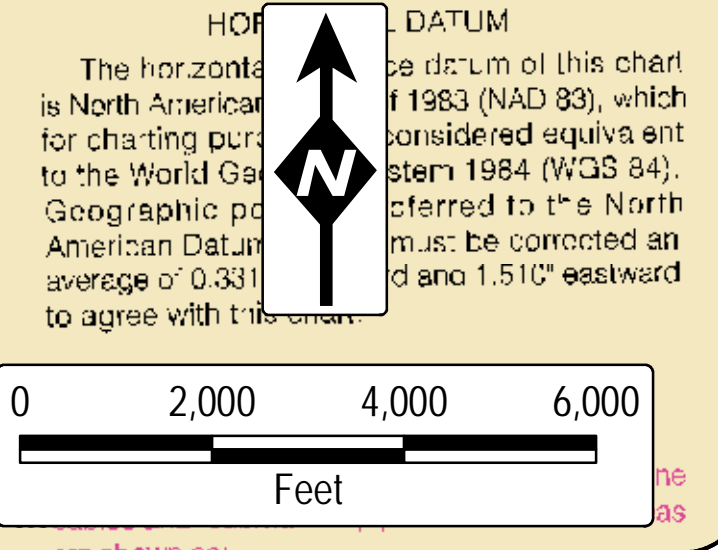
NOTES:
 1. NYS DOT 24K and NOAA basemaps
 2. Width of Cable Route lines are not drawn to scale.

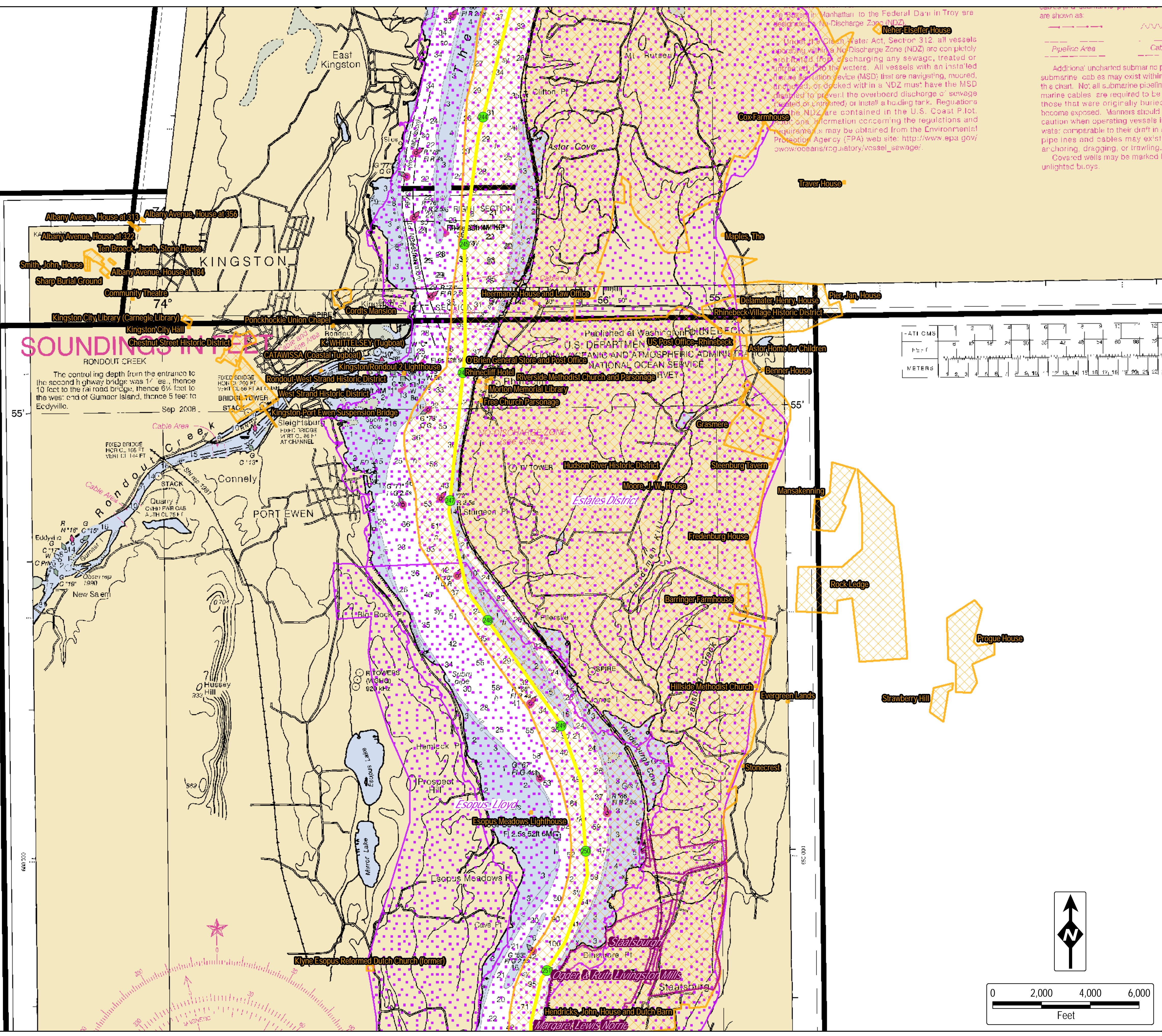
Champlain Hudson Power Express Project
Champlain Hudson Power Express Inc.
 Figure 2.1-2
Location of Facilities
 on NOAA/NYS DOT Mapping
 Sheet 27 of 38
 Prepared by: & 7/14/2010



CAUTION
 POTABLE WATER INTAKE
 Vessels operating in fresh water lakes or rivers shall not discharge sewage, ballast, or bilge water within such areas adjacent to domestic water intakes as are designated by the Commissioner of Food and Drugs (21 CFR 1250.83). Consult U.S. Coast Pilot 6 for important supplemental information.

NOTE 2
 NO-DISCHARGE ZONE, 43 V.R.P.

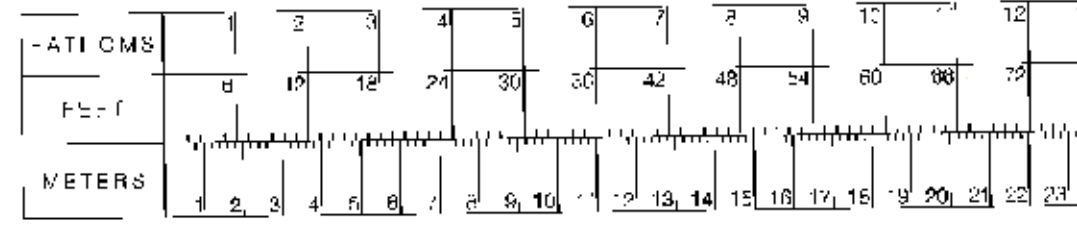




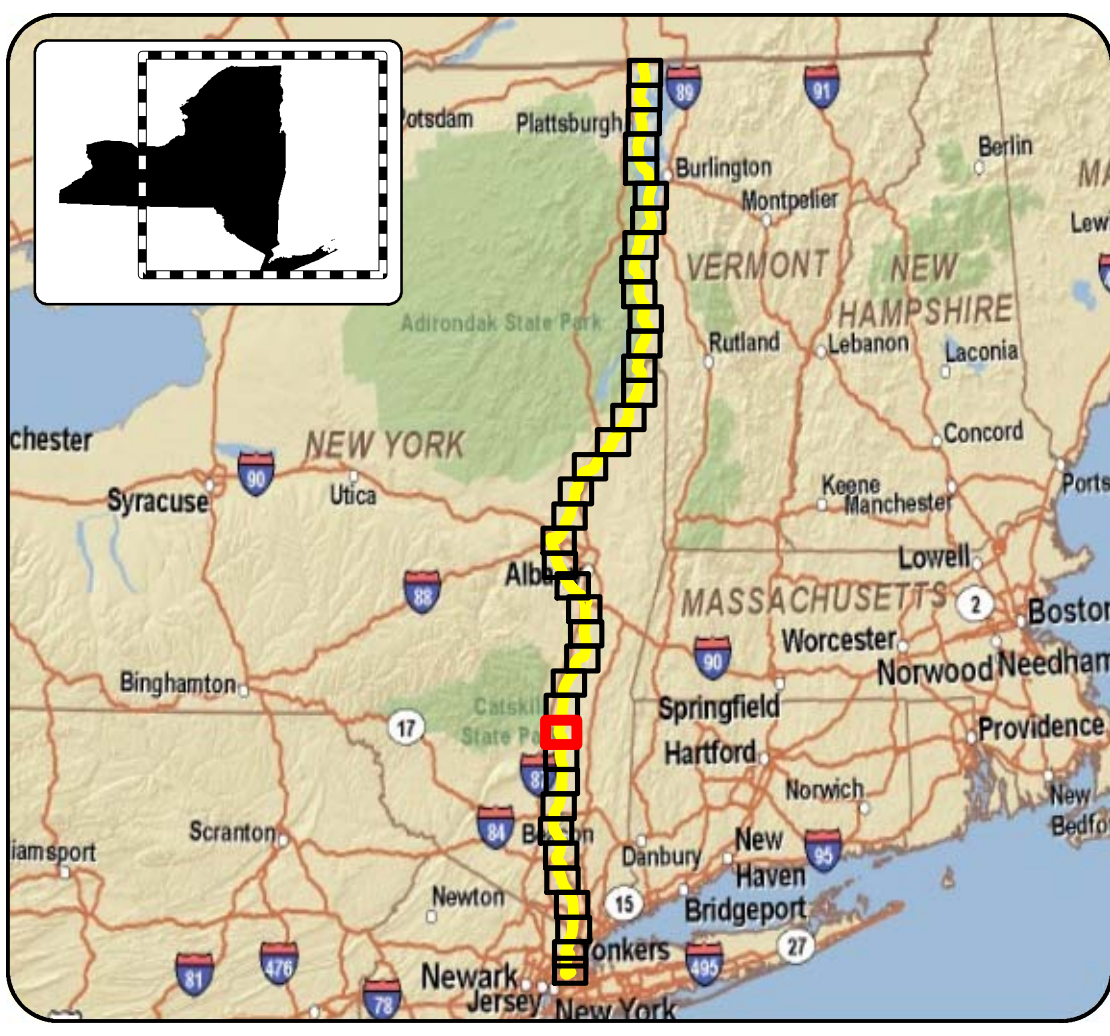
to Mariners (NM) published by the Coast Guard district to the right hand corner are available at

SOUNDINGS IN FEET

The controlling depth from the entrance to the Rondout Creek was 17 feet, thence 10 feet to the railroad bridge, thence 6 1/2 feet to the west end of Gumaer Island, thence 5 feet to Eddyville. Sep 2008.



Under the Clean Water Act, Section 312 all vessels discharging into a No-Discharge Zone (NDZ) are prohibited from discharging any sewage, treated or untreated, into the waters. All vessels with an installed Marine Sanitation Device (MSD) that are navigating, moored, anchored, or docked within a NDZ must have the MSD (designed to prevent the overboard discharge of sewage treated or untreated), or install a holding tank. Regulations for the NDZ are contained in the U.S. Coast Pilot. For more information concerning the regulations and equipment, information may be obtained from the Environmental Protection Agency (EPA) web site: http://www.epa.gov/owow/oceans/rcg/vessel_sewage/.







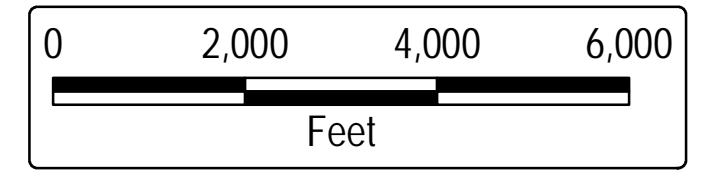
LEGEND

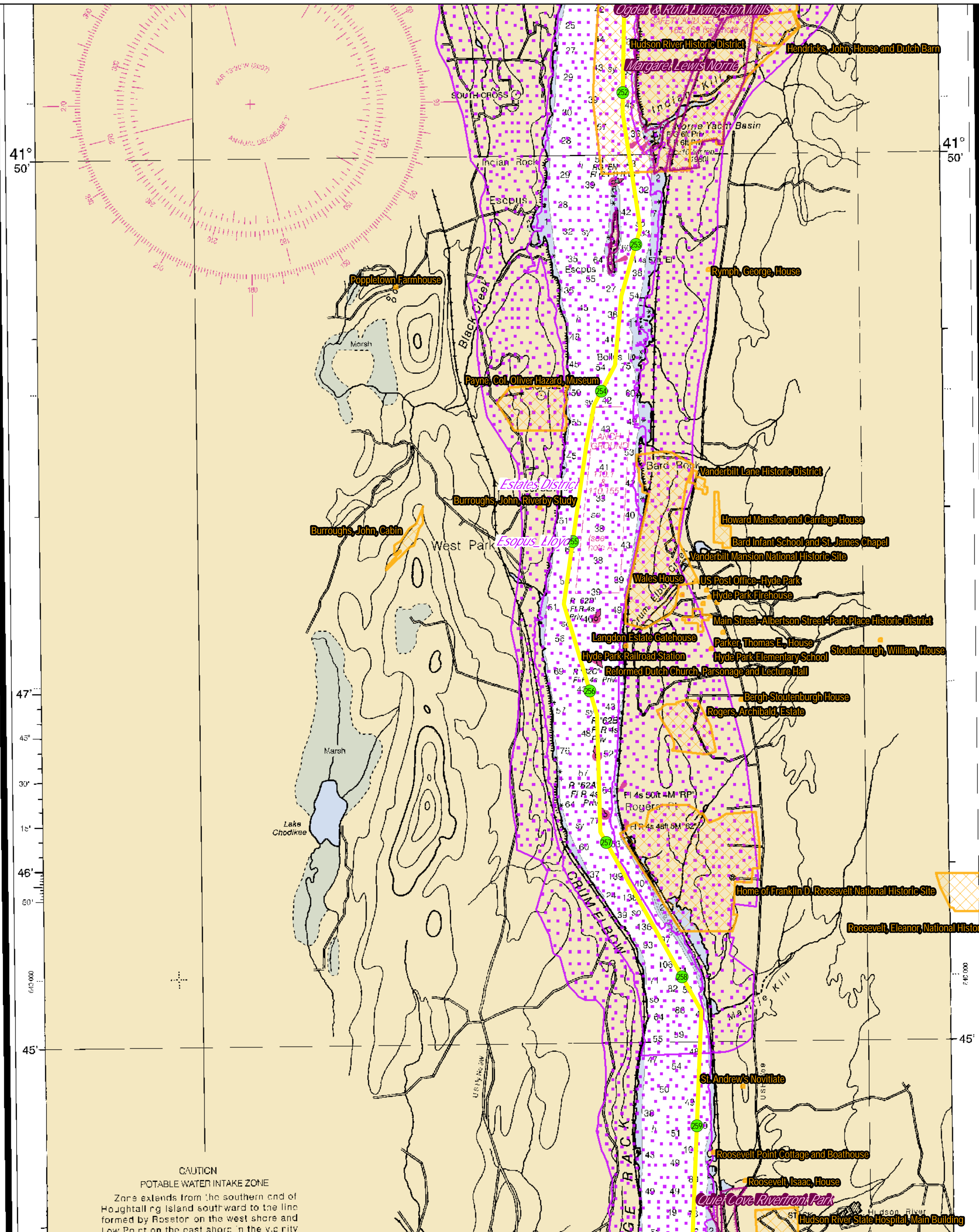
- Underwater Route
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- Milepost
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- ▲ Yonkers Converter Station
- ★ Mine
- Park
- State Park
- Untouched Wilderness
- Historic Site
- Scenic Area

DATA SOURCES:
 NYS DOT, ESRI, NOAA, TDI, TRC, NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION (NYDEC), NEW YORK STATE OFFICE OF PARKS RECREATION AND HISTORICAL PRESERVATION (OPRHP)

NOTES:
 1. NYS DOT 24K and NOAA basemaps
 2. Width of Cable Route lines are not drawn to scale.


Champlain Hudson Power Express Project
Champlain Hudson Power Express Inc.
 Figure 2.1-2
Location of Facilities
 on NOAA/NYS DOT Mapping
 Sheet 28 of 38
 Prepared by:   &  7/14/2010

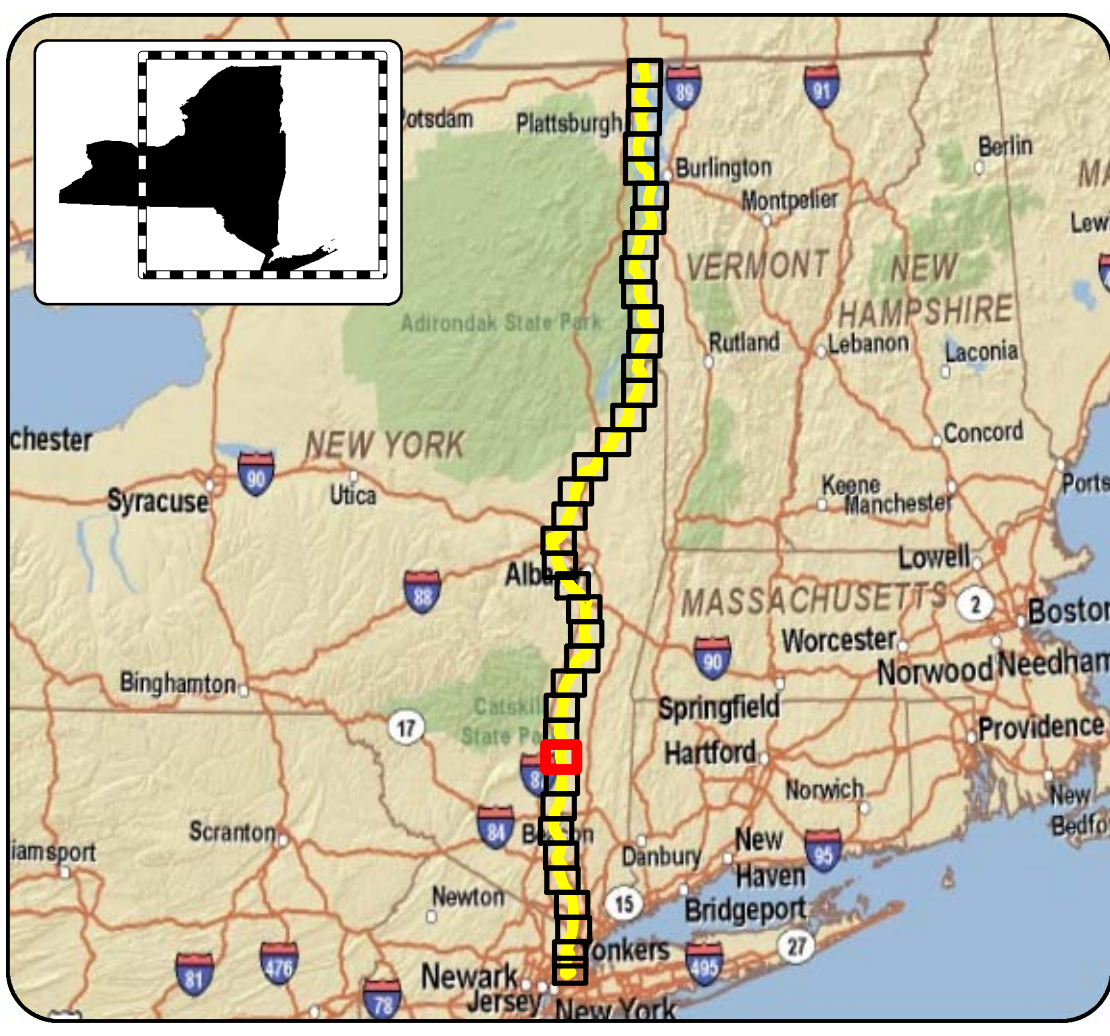
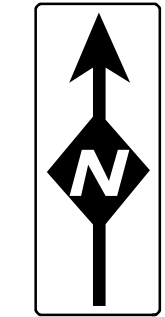
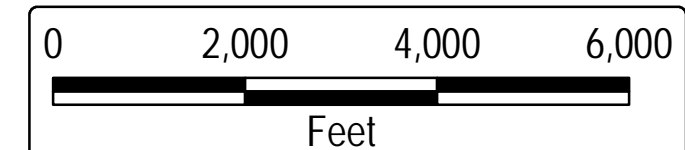




41° 50'
47°
46° 30'
46° 15'
45°

41° 50'
45°

CAUTION
POTABLE WATER INTAKE ZONE
Zone extends from the southern end of Houghtaling Island southward to the line formed by Rosston on the west shore and Low Point on the east shore in the city



LEGEND

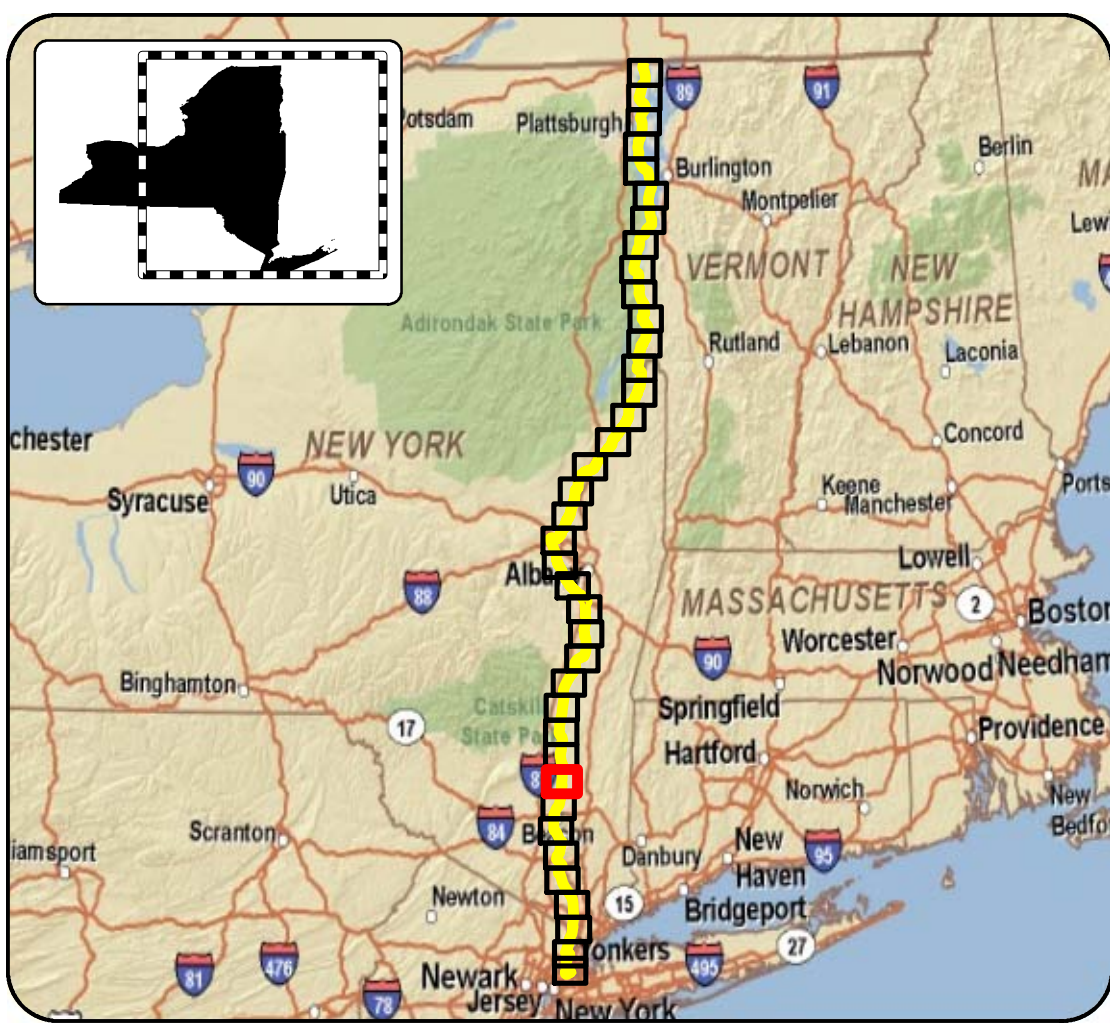
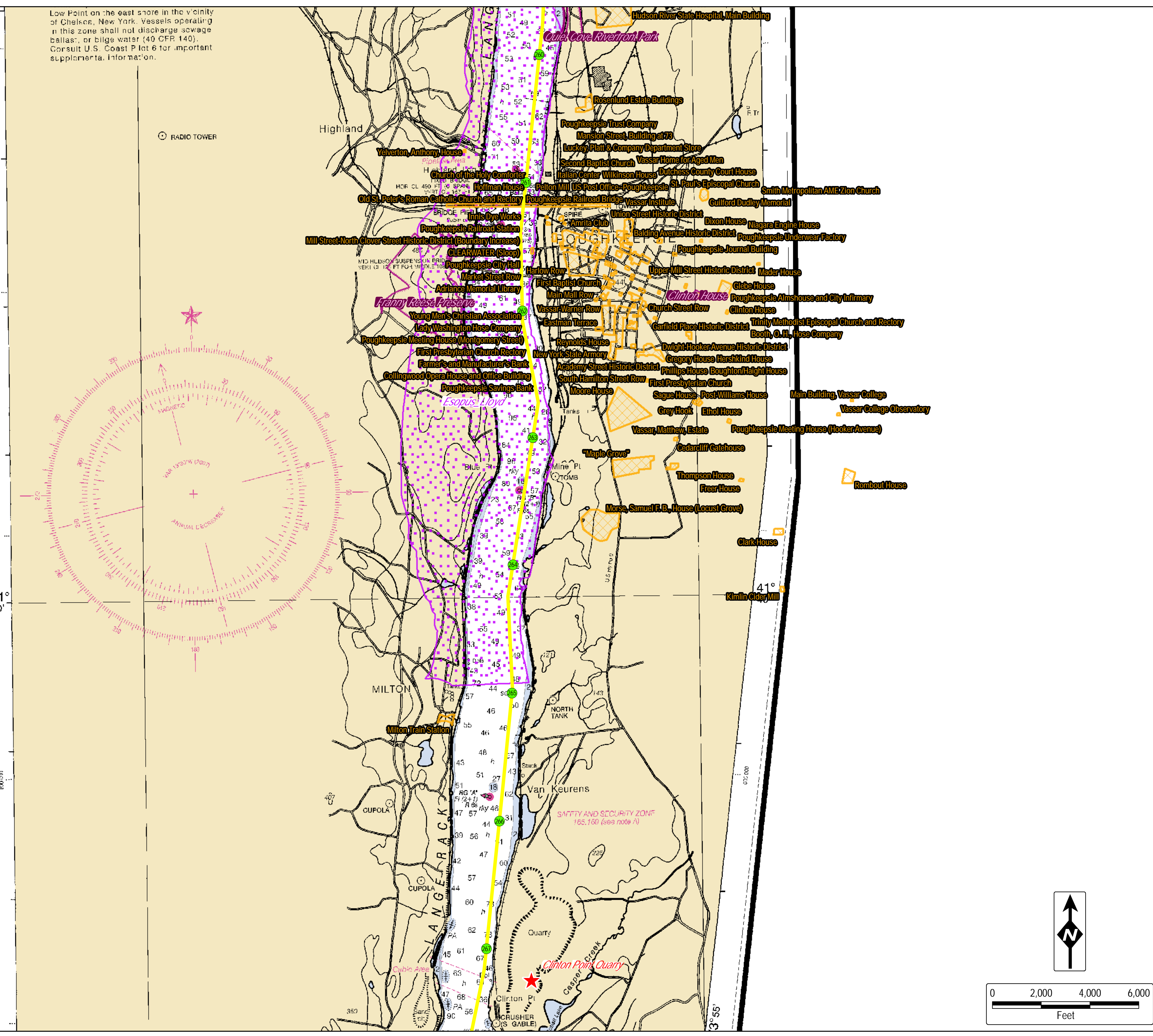
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Champlain Hudson Power Express Project
Champlain Hudson Power Express Inc.
 Figure 2.1-2
Location of Facilities
 on NOAA/NYS DOT Mapping
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 Prepared by: & 7/14/2010

Low Point on the east shore in the vicinity of Chelsea, New York. Vessels operating in this zone shall not discharge sewage ballast, or bilge water (40 CFR 140). Consult U.S. Coast Pilot 6 for important supplemental information.



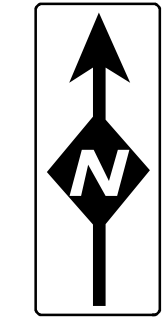
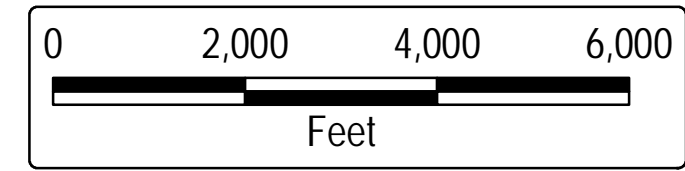
LEGEND

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 NYS DOT, ESRI, NOAA, TDI, TRC, NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION (NYDEC), NEW YORK STATE OFFICE OF PARKS RECREATION AND HISTORICAL PRESERVATION (OPRHP)

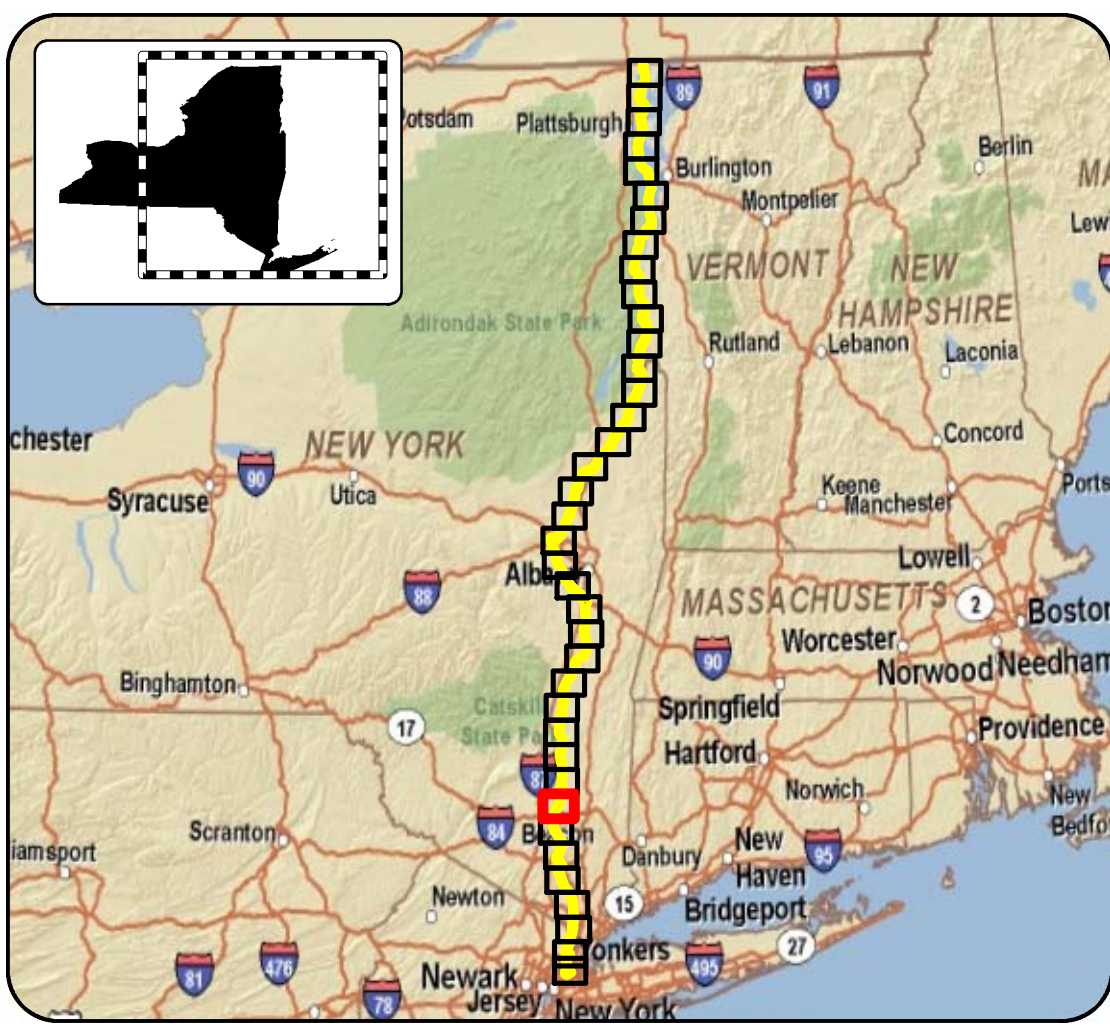
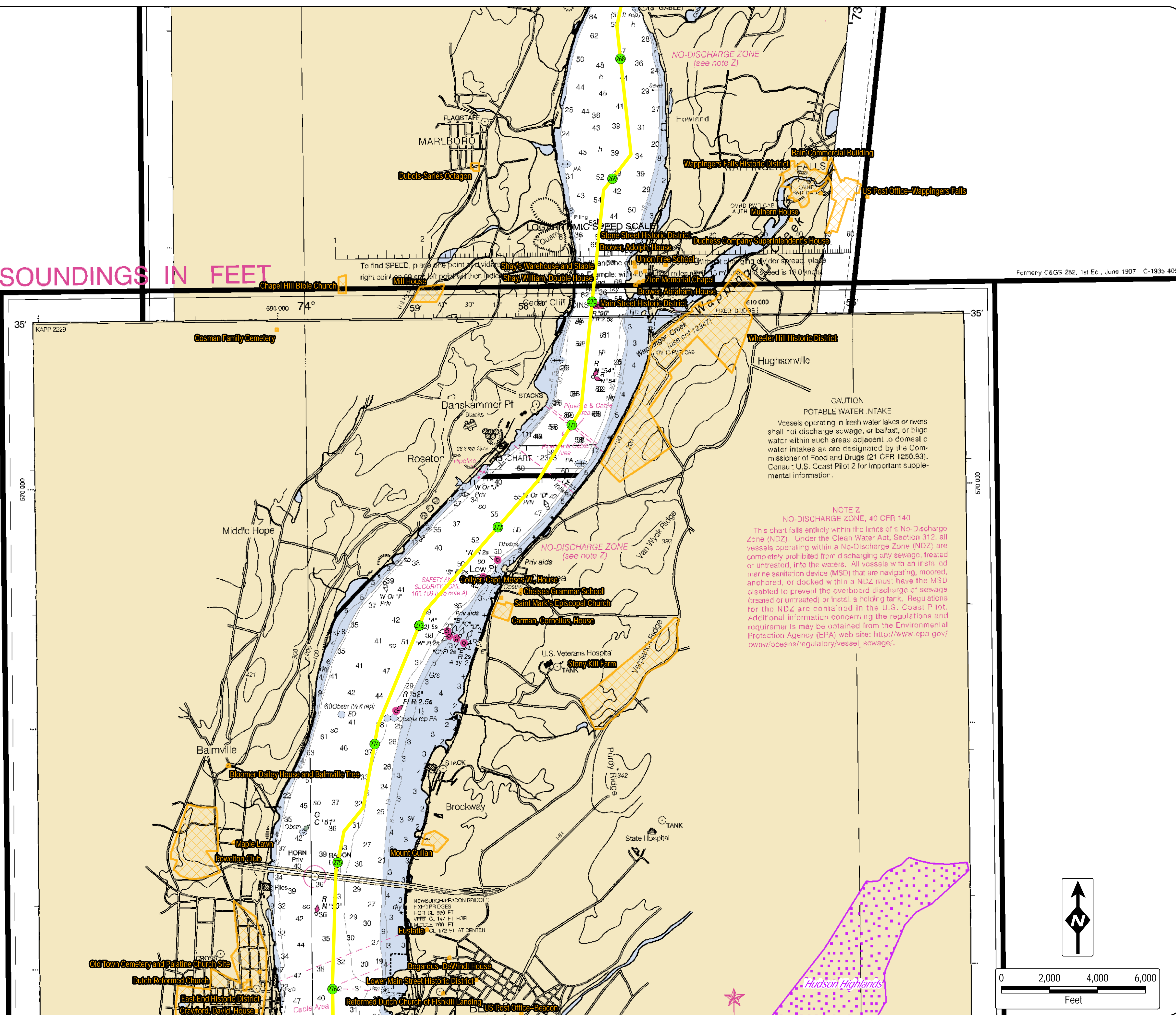
NOTES:
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Champlain Hudson Power Express Project
Champlain Hudson Power Express Inc.
 Figure 2.1-2
Location of Facilities
 on NOAA/NYS DOT Mapping
 Sheet 30 of 38
 Prepared by: & 7/14/2010



12343

SOUNDINGS IN FEET



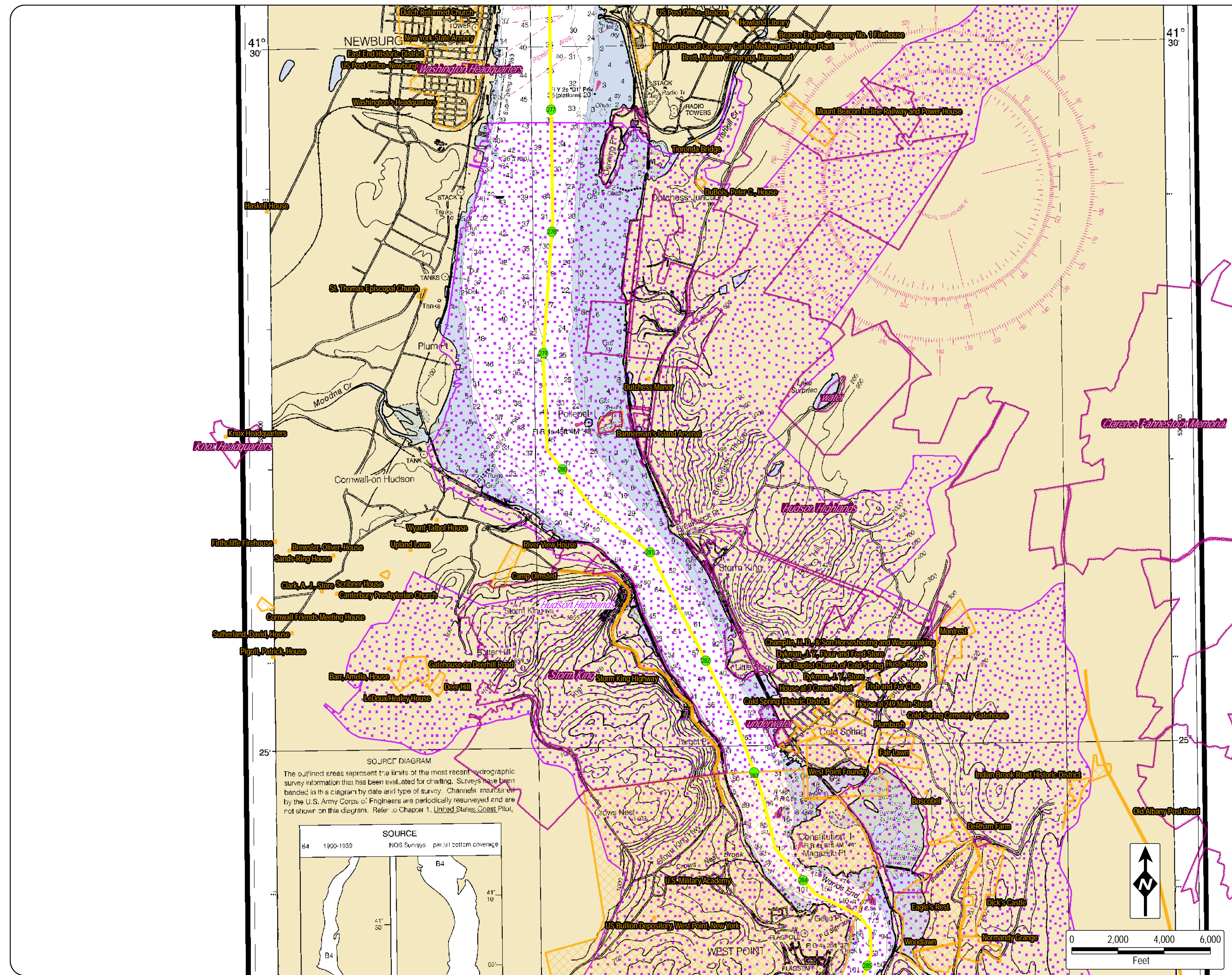
LEGEND

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Champlain Hudson Power Express Project
Champlain Hudson Power Express Inc.
 Figure 2.1-2
Location of Facilities
 on NOAA/NYS DOT Mapping
 Sheet 31 of 38
 Prepared by: & 7/14/2010



41° 30'

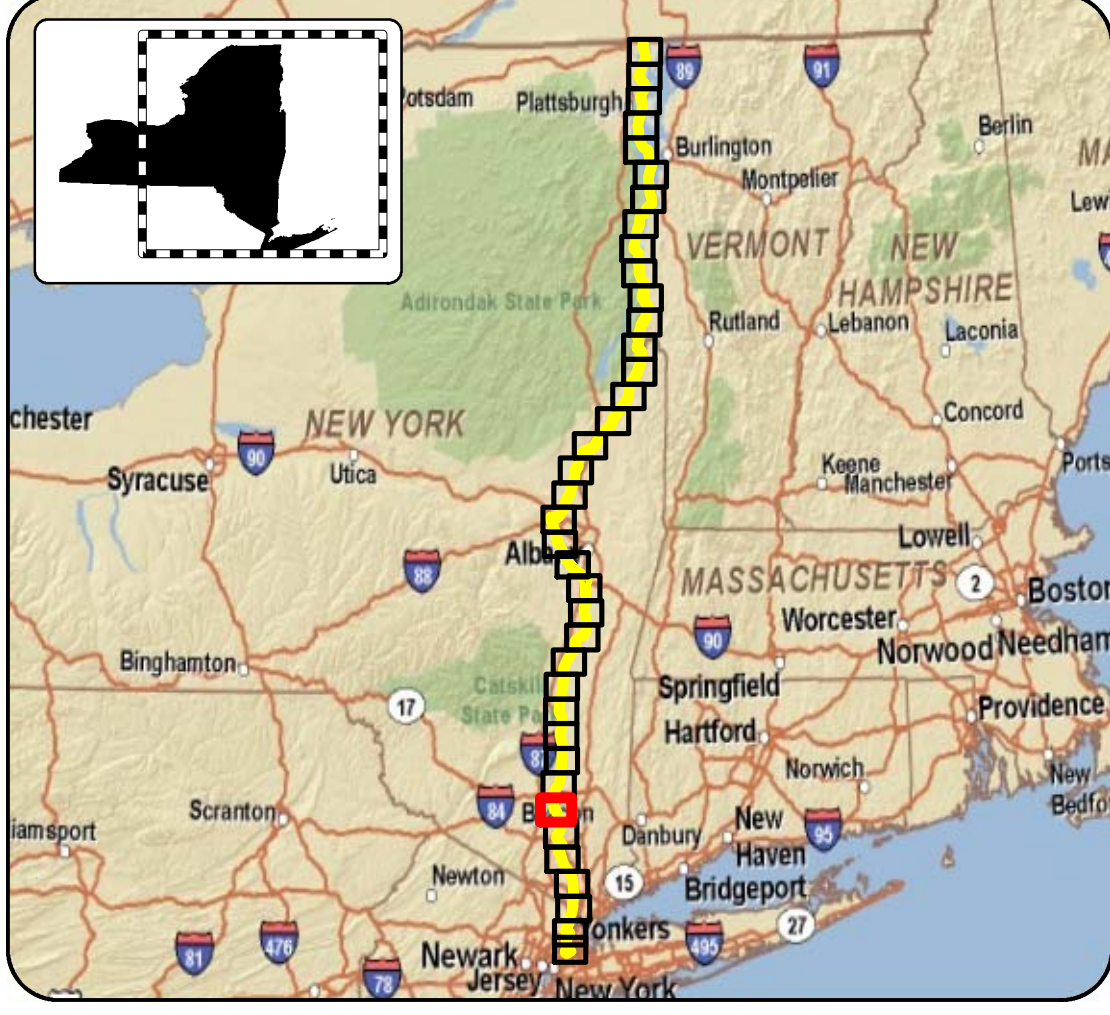
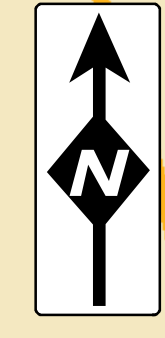
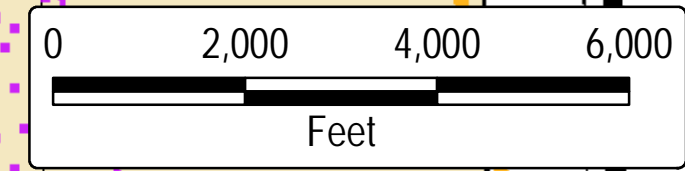
41° 30'

25'

25'

SOURCE DIAGRAM
 The outlined areas represent the limits of the most recent hydrographic survey information that has been evaluated for charting. Surveys have been banded in this diagram by date and type of survey. Channels maintained by the U.S. Army Corps of Engineers are periodically resurveyed and are not shown on this diagram. Refer to Chapter 1, United States Coast Pilot.

SOURCE		
B4	1990-1989	NOS Surveys - partial bottom coverage



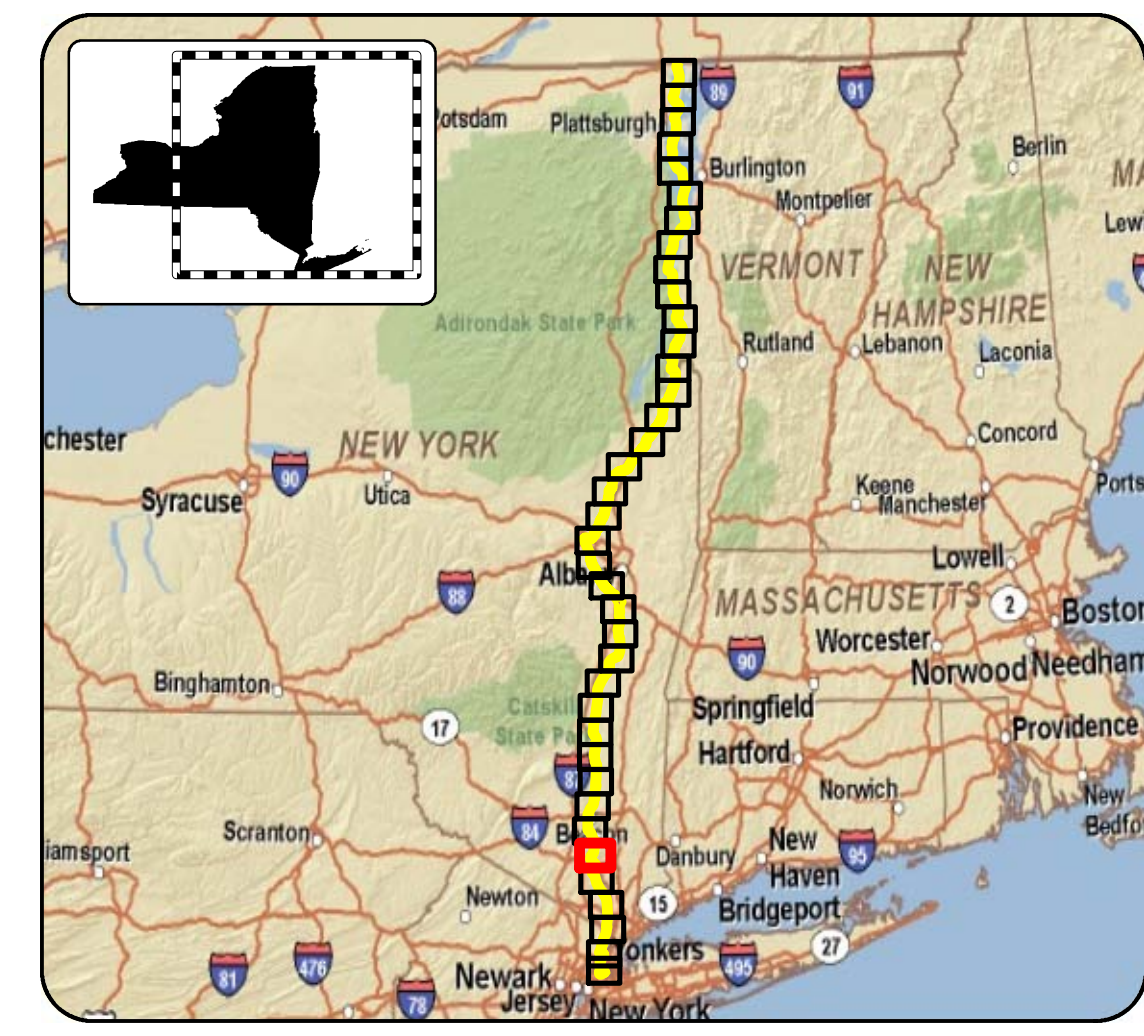
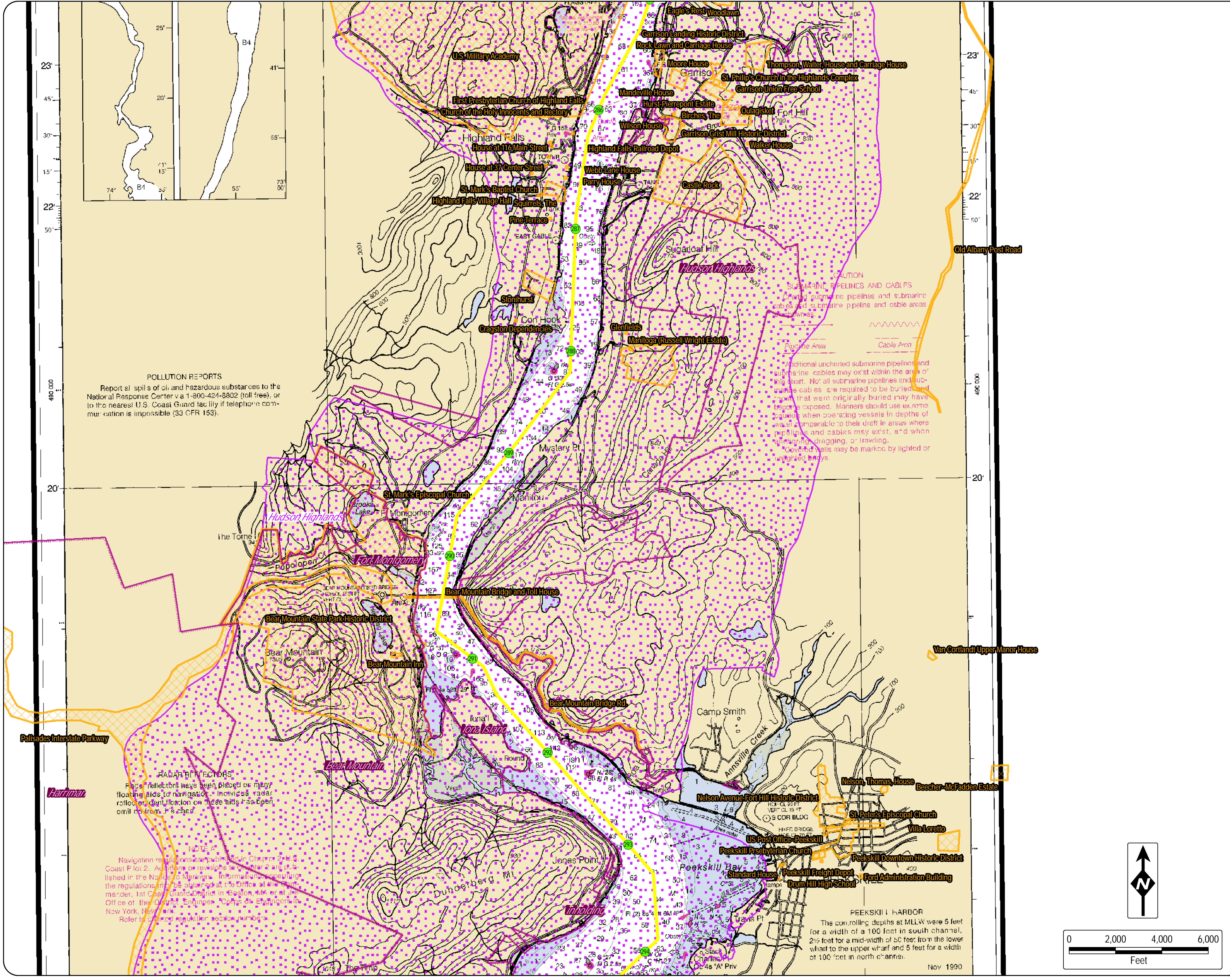
LEGEND

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- CP/CSX Railroad ROW
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DATA SOURCES:
 NYS DOT, ESRI, NOAA, TDI, TRC, NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION (NYDEC), NEW YORK STATE OFFICE OF PARKS RECREATION AND HISTORICAL PRESERVATION (OPRHP)

NOTES:
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Champlain Hudson Power Express Project
Champlain Hudson Power Express Inc.
 Figure 2.1-2
Location of Facilities
 on NOAA/NYS DOT Mapping
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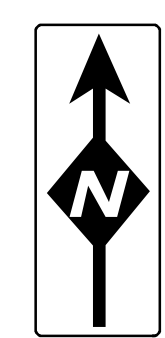
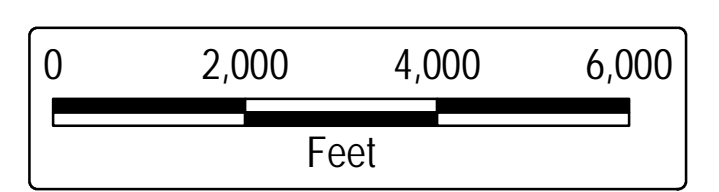
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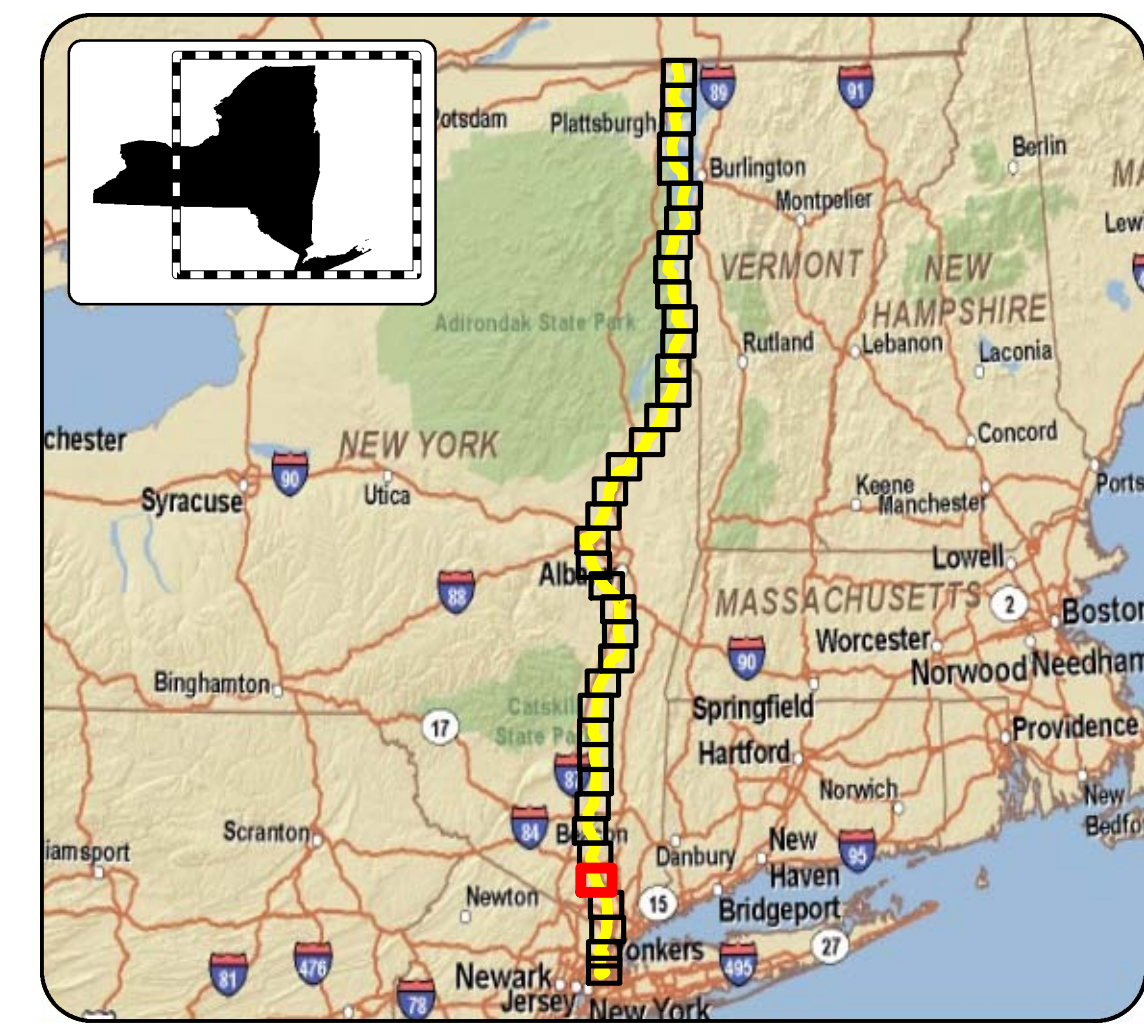
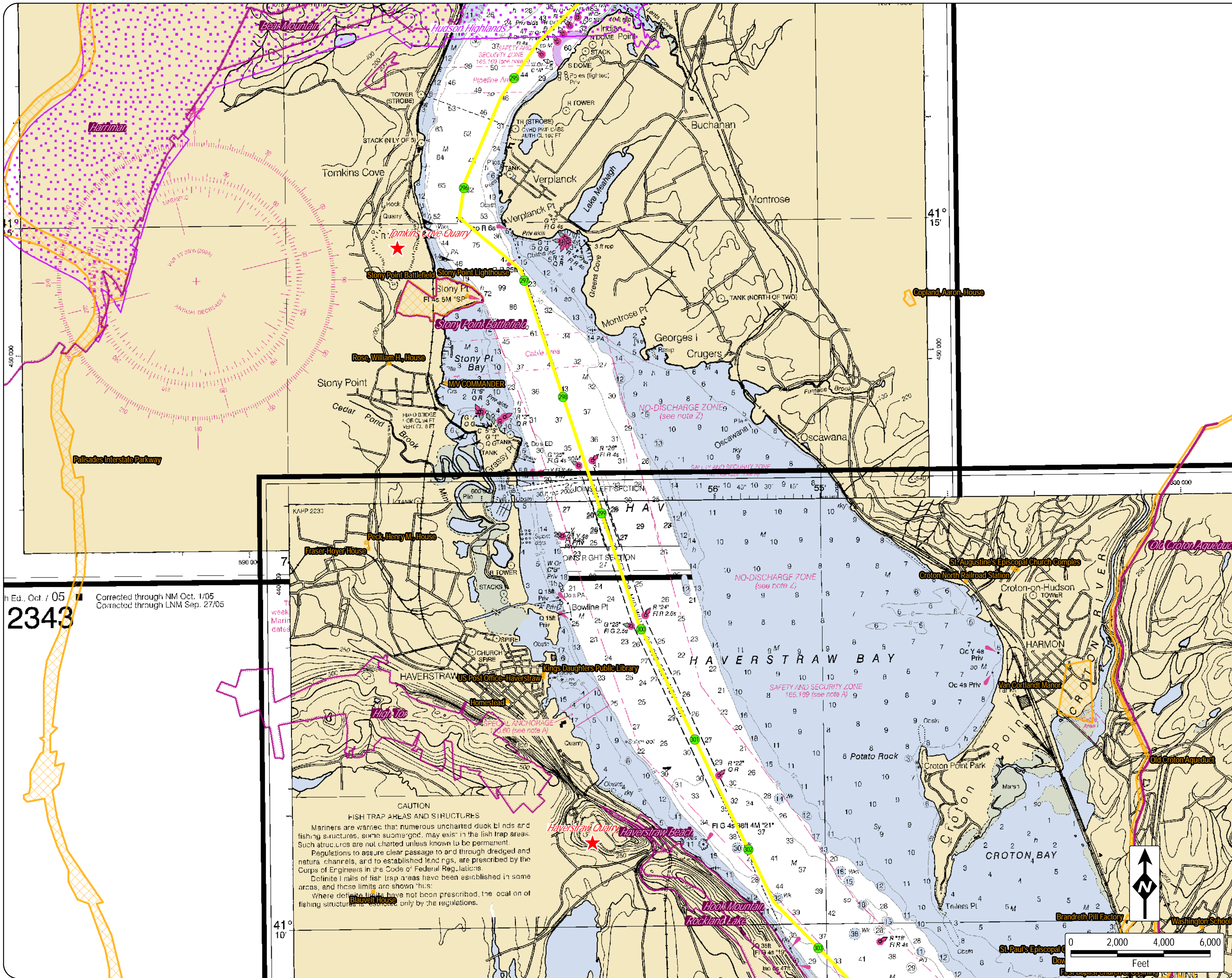
- Underwater Route
- CP/CSX Railroad ROW
- Spur
- Milepost
- Poletti Substation
- Yonkers Converter Station
- Mine
- Park
- State Park
- Untouched Wilderness
- Historic Site
- Scenic Area

DATA SOURCES:
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Champlain Hudson Power Express Project
Champlain Hudson Power Express Inc.
 Figure 2.1-2
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LEGEND

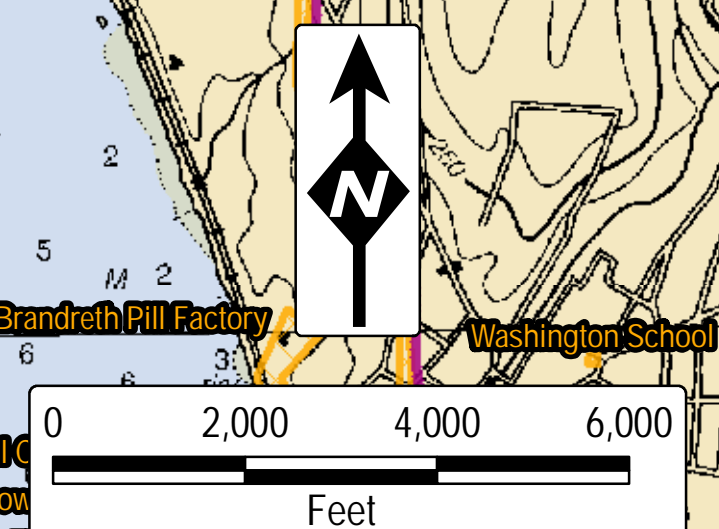
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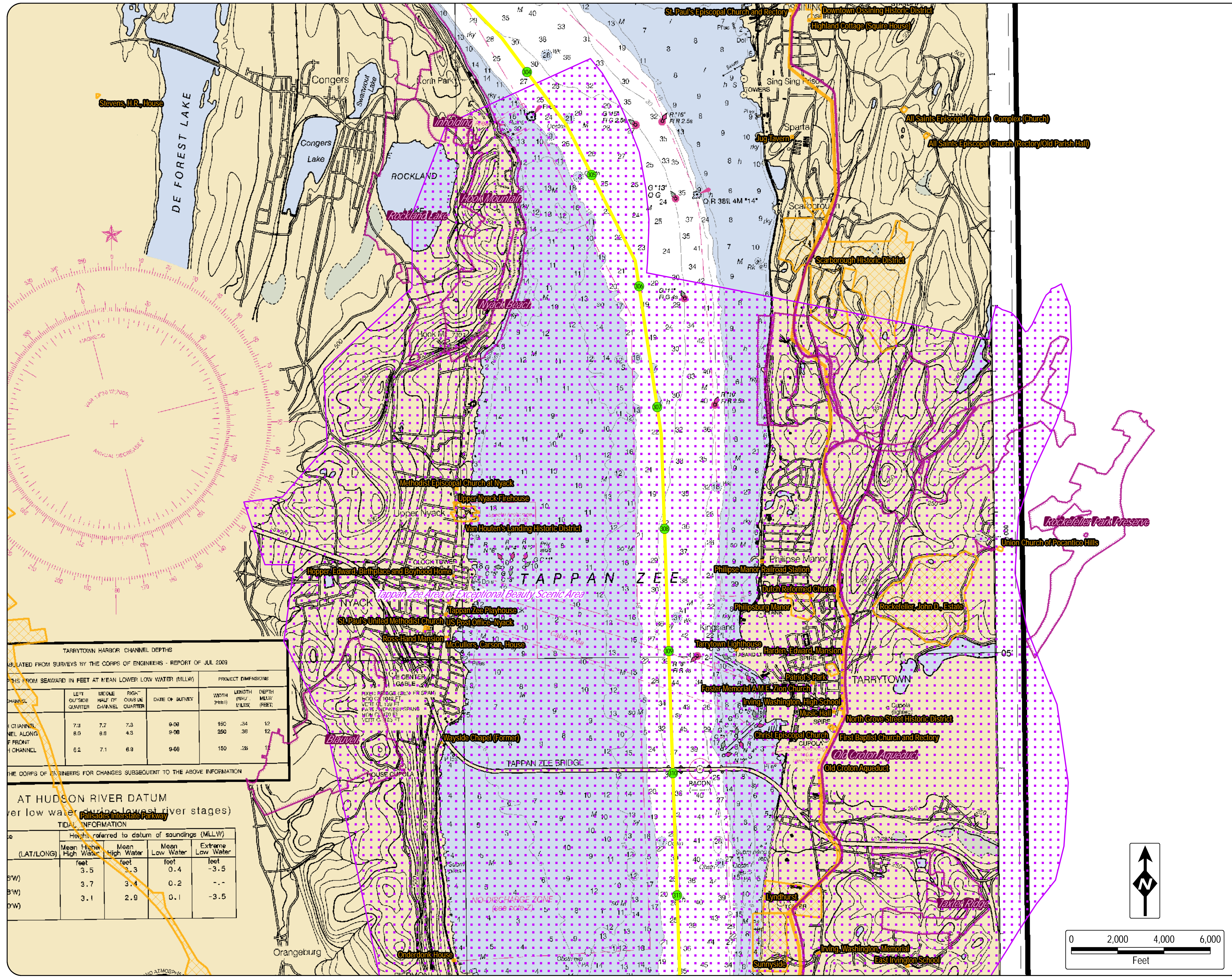
NOTES:
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 2. Width of Cable Route lines are not drawn to scale.

2343
 Corrected through NM Oct. 1/05
 Corrected through LNM Sep. 27/05

CAUTION
FISH TRAP AREAS AND STRUCTURES
 Mariners are warned that numerous uncharted duck blinds and fishing structures, some submerged, may exist in the fish trap areas. Such structures are not charted unless known to be permanent. Regulations to assure clear passage to and through dredged and natural channels, and to established landings, are prescribed by the Corps of Engineers in the Code of Federal Regulations. Definite limits of fish trap areas have been established in some areas, and these limits are shown thus: Where definite limits have not been prescribed, the location of fishing structures is indicated only by the regulations.




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TARRYTOWN HARBOR CHANNEL DEPTHS
 CALCULATED FROM SURVEYS BY THE CORPS OF ENGINEERS - REPORT OF JUL 2009

DEPTHS FROM SEAWARD IN FEET AT MEAN LOWER LOW WATER (MLLW)

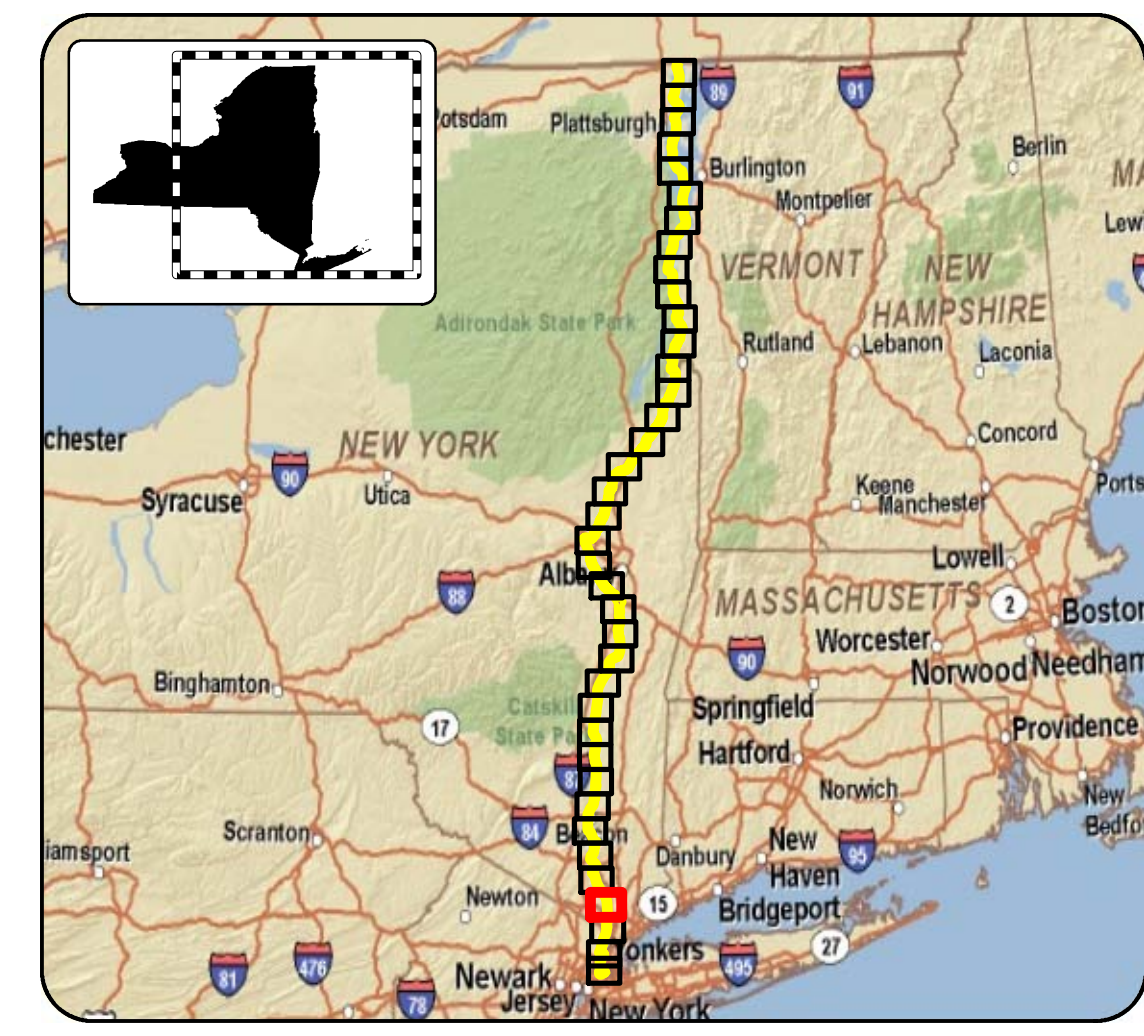
CHANNEL	PROJECT DIMENSIONS			DATE OF SURVEY	WIDTH (FEET)	LENGTH (MILES)	DEPTH (MLLW) (FEET)
	LEFT QUARTER	MIDDLE HALF OF CHANNEL	RIGHT QUARTER				
CHANNEL ALONG FRONT CHANNEL	7.3	7.7	7.3	9-08	150	.34	12
CHANNEL ALONG FRONT CHANNEL	8.0	8.8	4.3	9-08	250	.38	12
CHANNEL ALONG FRONT CHANNEL	6.2	7.1	6.9	9-06	150	.28	11

THE CORPS OF ENGINEERS FOR CHANGES SUBSEQUENT TO THE ABOVE INFORMATION

AT HUDSON RIVER DATUM
 (over low water during lowest river stages)

TIDAL INFORMATION

(LAT/LONG)	Height referred to datum of soundings (MLLW)			
	Mean High High Water	Mean High Low Water	Mean Low Low Water	Extreme Low Water
5°W	3.5	3.3	0.4	-3.5
6°W	3.7	3.4	0.2	-
7°W	3.1	2.9	0.1	-3.5



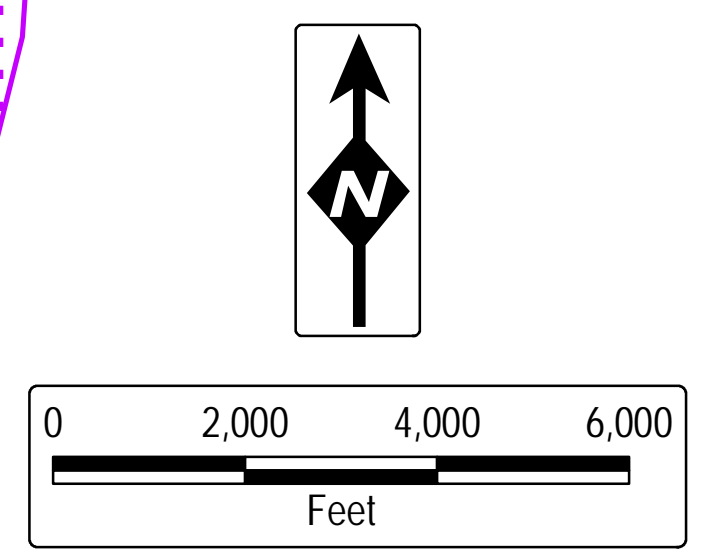
LEGEND

- Underwater Route
- CP/CSX Railroad ROW
- Spur
- Milepost
- Poletti Substation
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DATA SOURCES:
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 Prepared by: & 7/14/2010





UNITED STATES - EAST COAST
 NEW YORK - NEW JERSEY
 HUDSON RIVER
 FROM SPARKILL TO WAPPINGER CREEK

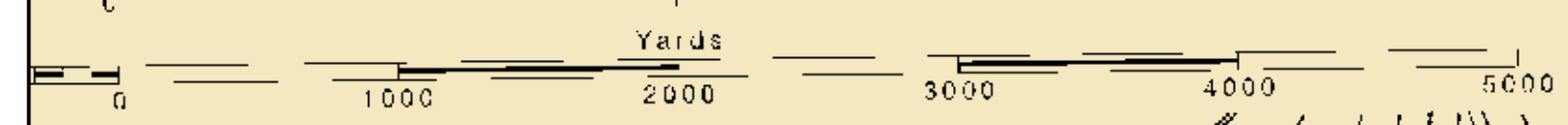
Mercator Projection
 Scale 1:40,000

North American Datum of 1983
 (World Geodetic System 1984)

SOUNDINGS IN FEET
 AT MEAN LOWER LOW WATER

Additional information can be obtained at nauticalcharts.noaa.gov.

SCALE 1:40,000
 Nautical Miles



Symbols and Abbreviations, see Chart No. 1, 13, or otherwise indicated:

on	Mo. moose code	R TH radio tower
on	N nu1	Ho. rotating
ophoe	OBSC. obscuration	s seconds
D. light house	On occulting	SEC sector
light mile	O orange	SI M statute miles
notes	Q quick	VQ very quick
on	R red	W white
on	Ra. Ra. radar reflector	WHIS whistle
marker	R Bn. radiobeacon	Y yellow

gy. gray	Oys. oysters	so. soft
h. hard	Pk. rock	Sh. shells
M. mud	S. sand	sv. sticky

on obstruction
 position approximate
 shoal swept clear to the depth indicated
 er, with heights in feet above datum of soundings.

HEIGHTS
 feet above Mean High Water.

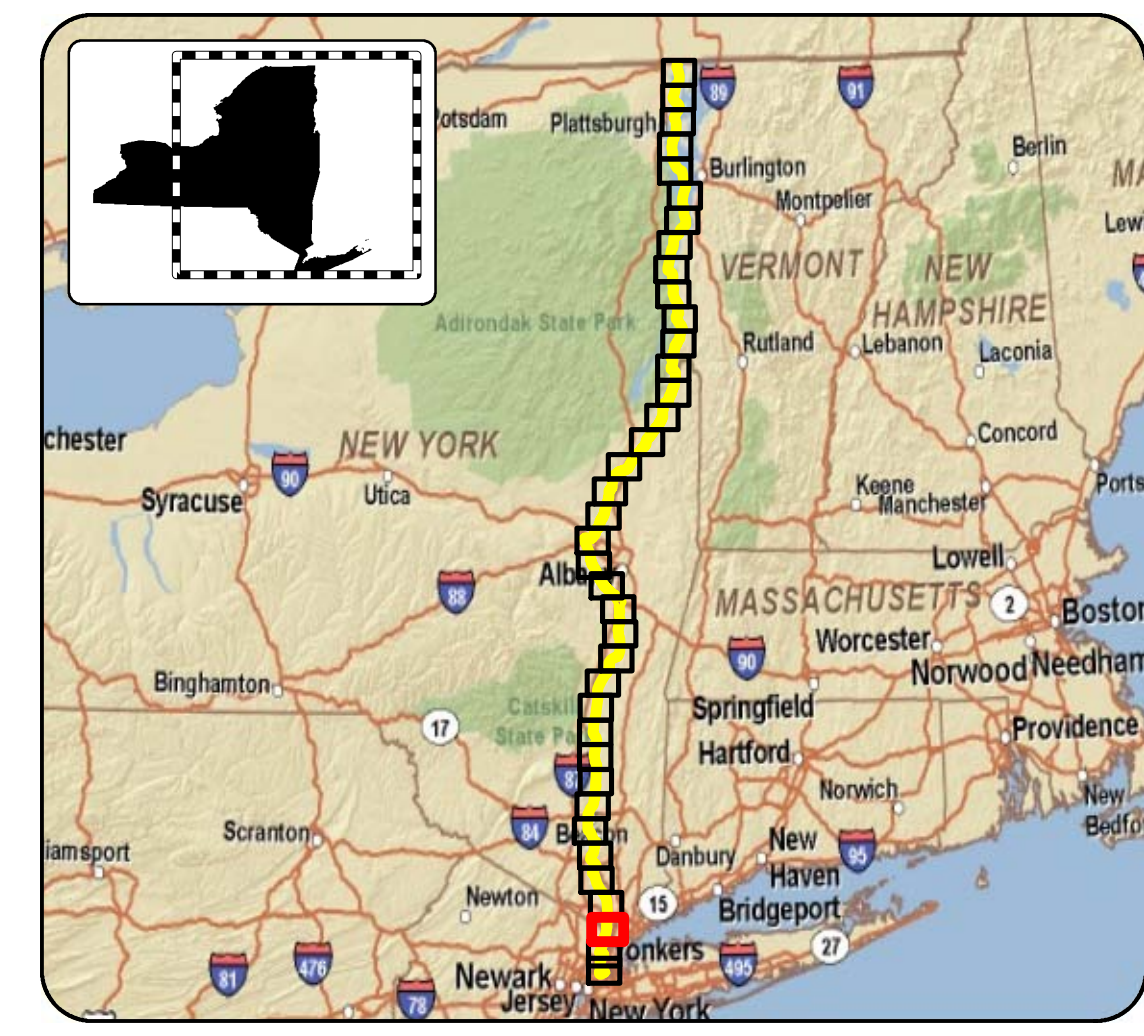
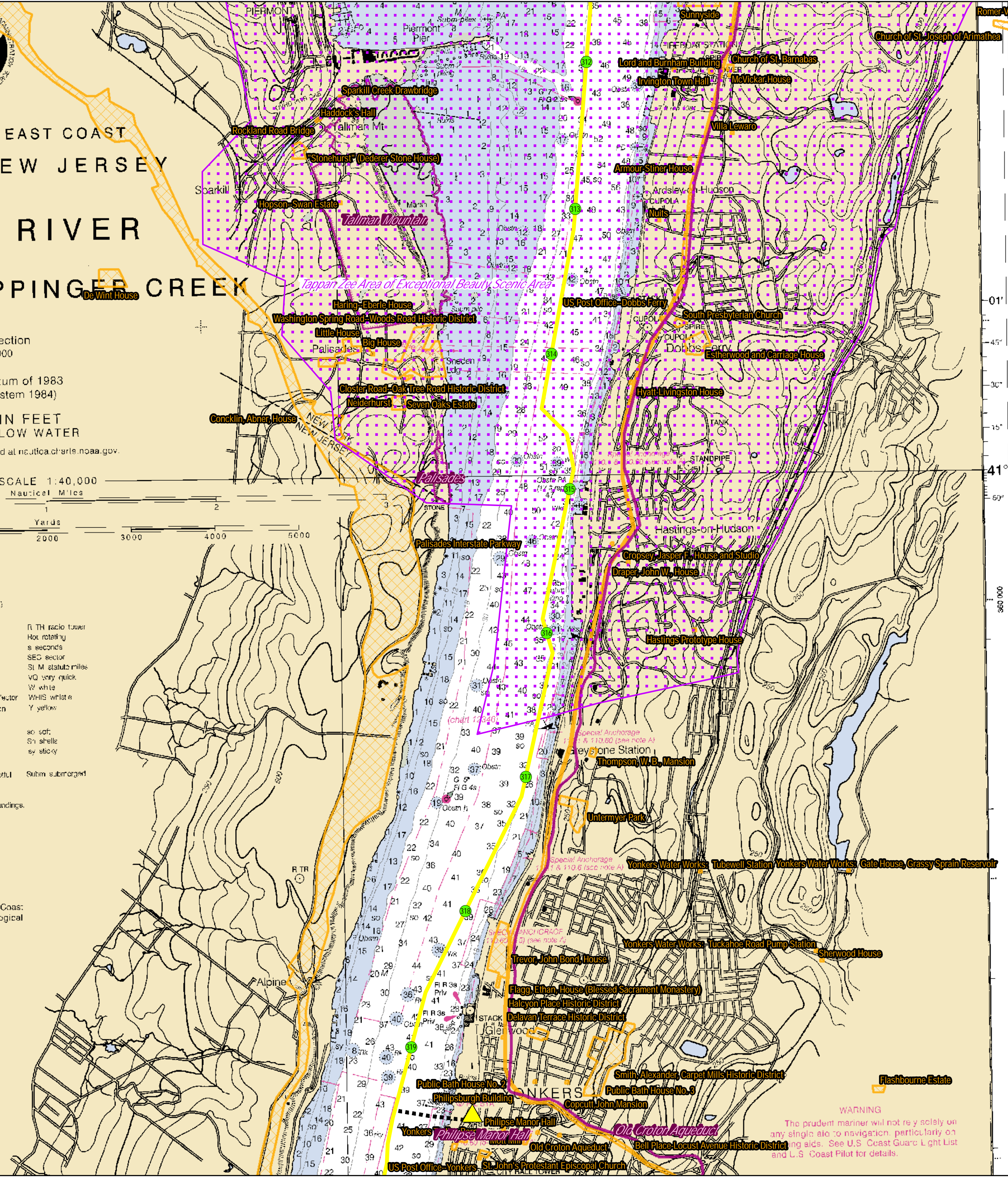
AUTHORITIES
 by the National Ocean Service, Coast
 from the Corps of Engineers, Geological
 ard.

by broken lines are
 only at the edges.

for defects in aids to
 on this chart. See

months or when endan-
 to navigation are
 moved. For details
 List.

DATE GRID
 1927)
 zone, is indicated
 intervals.



LEGEND

- Underwater Route
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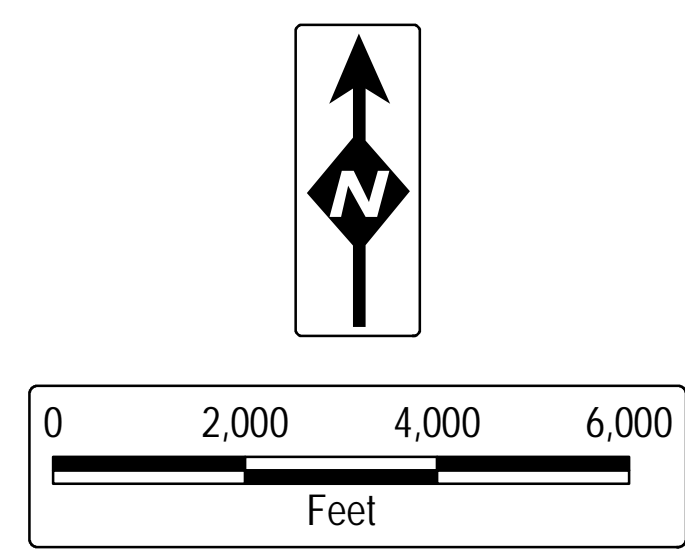
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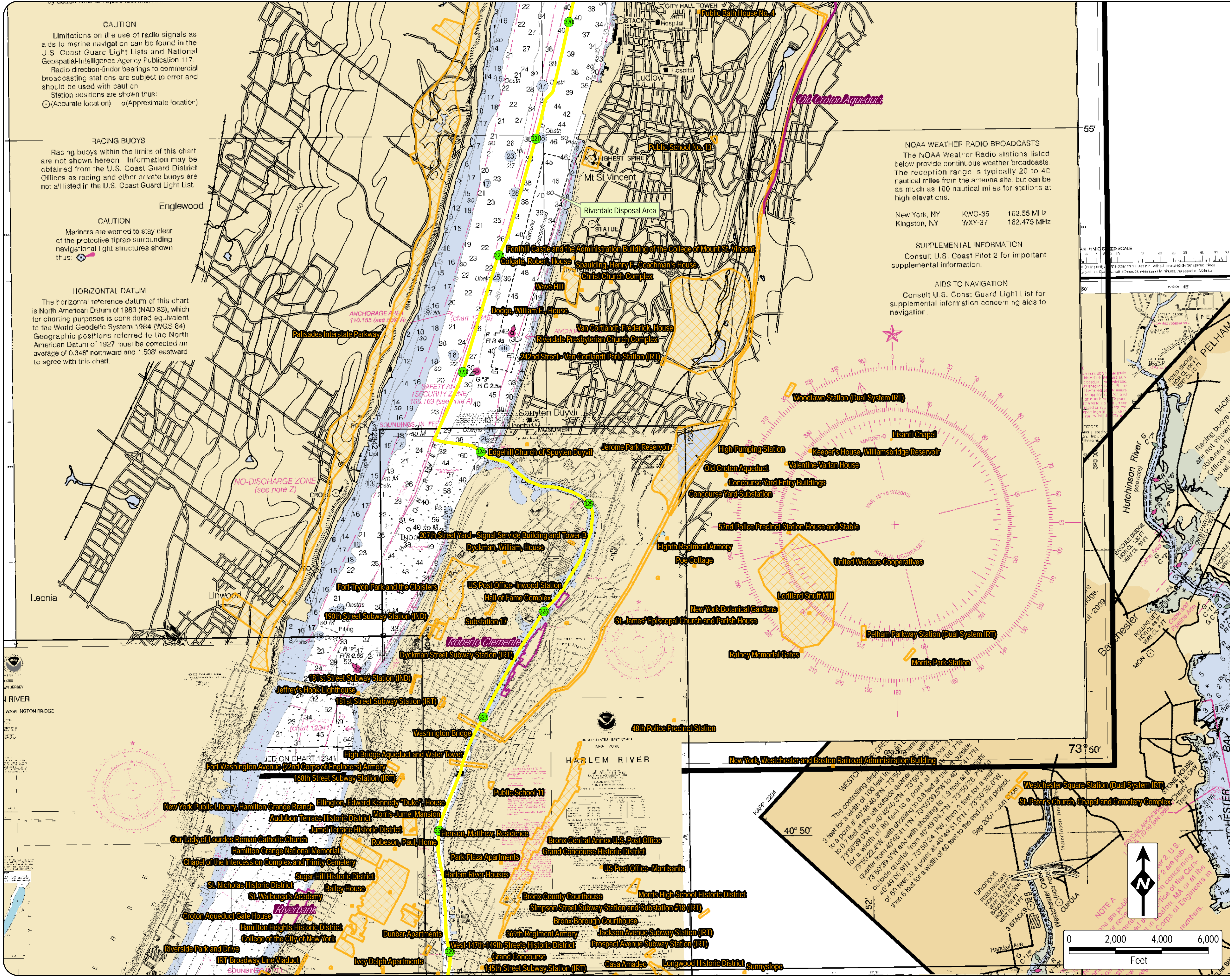
Champlain Hudson Power Express Project
Champlain Hudson Power Express Inc.

Figure 2.1-2
Location of Facilities
 on NOAA/NYS DOT Mapping
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Prepared by: & 7/14/2010



WARNING
 The prudent mariner will not rely solely on any single aid to navigation, particularly on electronic aids. See U.S. Coast Guard Light List and U.S. Coast Pilot for details.



CAUTION
 Limitations on the use of radio signals as aids to marine navigation can be found in the U.S. Coast Guard Light Lists and National Geospatial-Intelligence Agency Publication 117. Radio direction-finder bearings to commercial broadcasting stations are subject to error and should be used with caution. Station positions are shown thus:
 (O) (Accurate location) (o) (Approximate location)

RACING BUOYS
 Racing buoys within the limits of this chart are not shown hereon. Information may be obtained from the U.S. Coast Guard District Office as racing and other private buoys are not all listed in the U.S. Coast Guard Light List.

CAUTION
 Mariners are warned to stay clear of the protective riprap surrounding navigational light structures shown thus: (S)

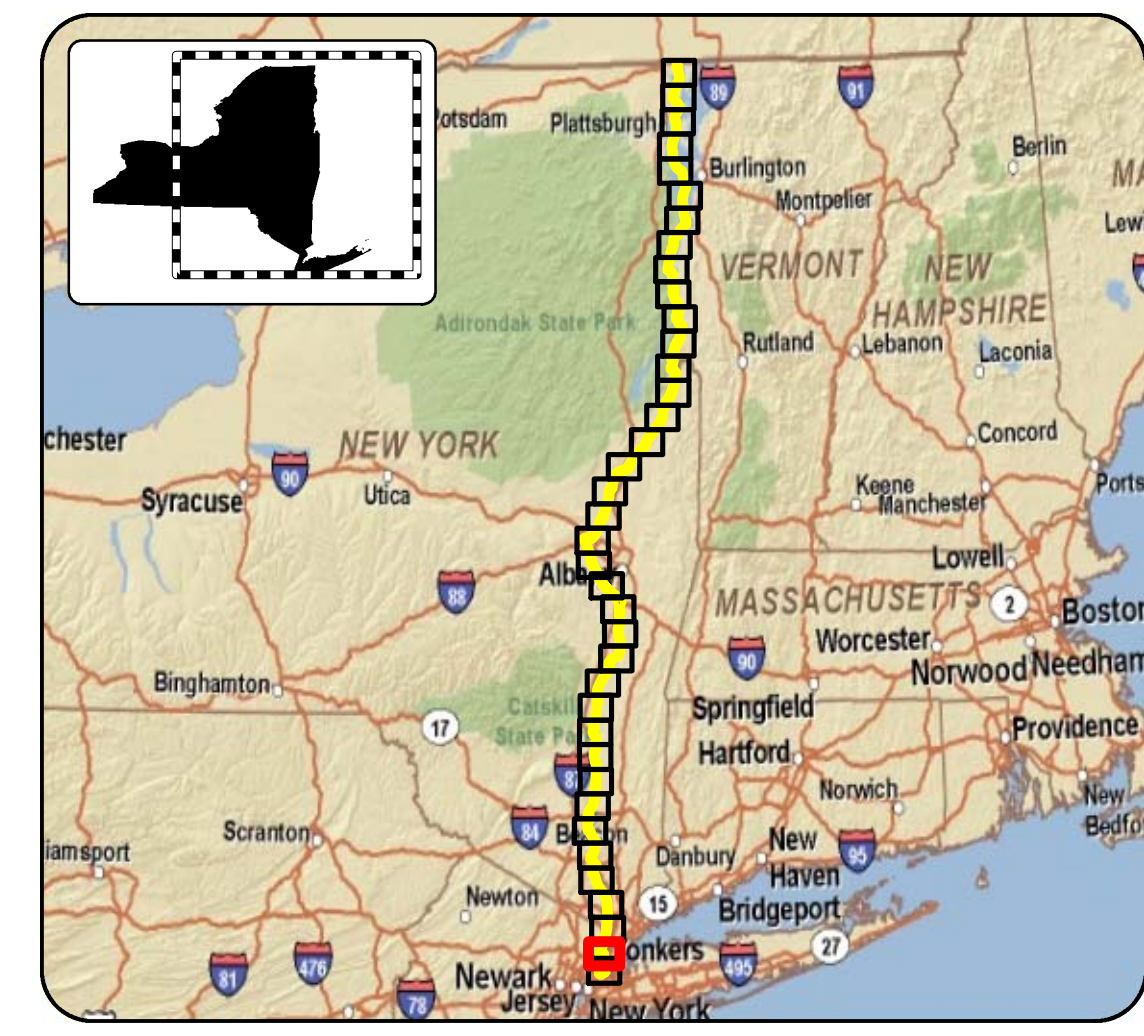
HORIZONTAL DATUM
 The horizontal reference datum of this chart is North American Datum of 1983 (NAD 83), which for charting purposes is considered equivalent to the World Geodetic System 1984 (WGS 84). Geographic positions referred to the North American Datum of 1927 must be corrected an average of 0.346" northward and 1.508" eastward to agree with this chart.

NOAA WEATHER RADIO BROADCASTS
 The NOAA Weather Radio stations listed below provide continuous weather broadcasts. The reception range is typically 20 to 40 nautical miles from the antenna site, but can be as much as 100 nautical miles for stations at high elevations.

New York, NY	KWC-35	162.55 MHz
Kingston, NY	WXY-37	162.475 MHz

SUPPLEMENTAL INFORMATION
 Consult U.S. Coast Pilot 2 for important supplemental information.

AIDS TO NAVIGATION
 Consult U.S. Coast Guard Light List for supplemental information concerning aids to navigation.







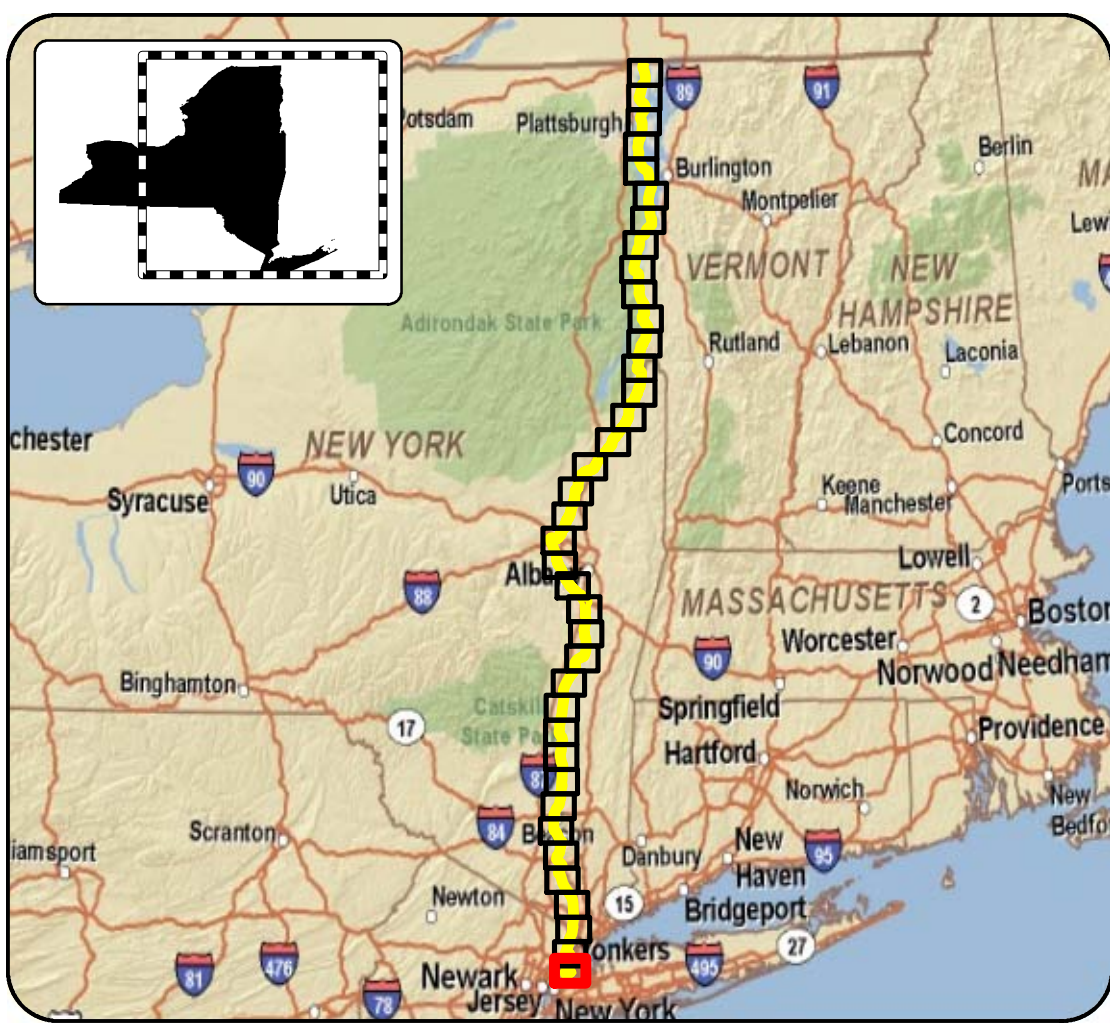
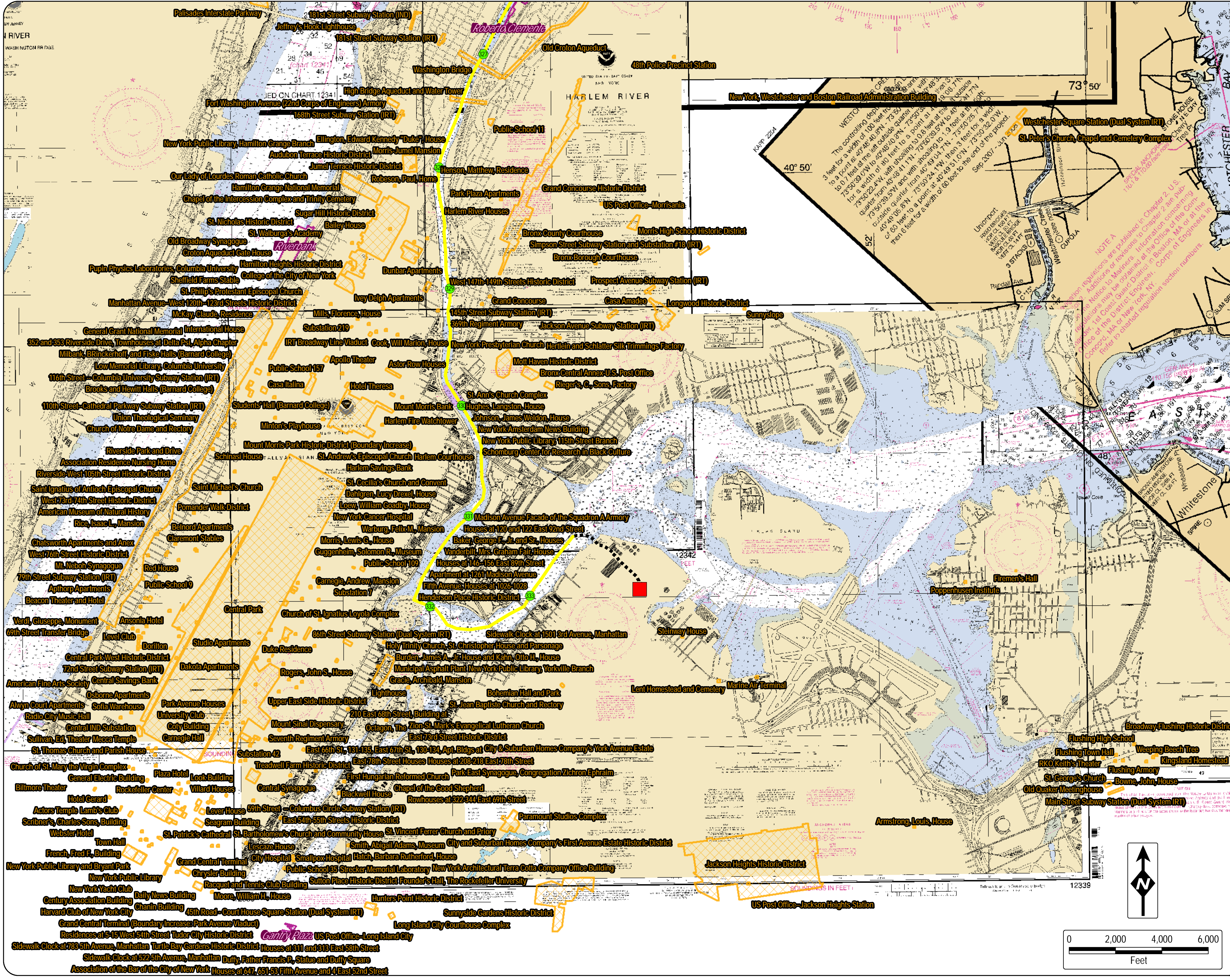
LEGEND

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Champlain Hudson Power Express Inc.
 Figure 2.1-2
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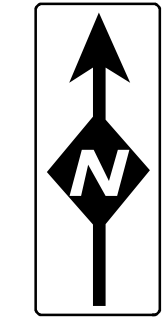
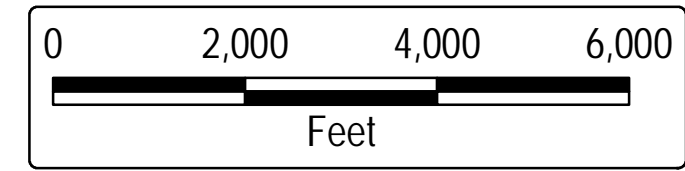
LEGEND

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APPENDIX G

CHRONOLOGICAL LISTING OF SCOPING COMMENTERS AND SUMMARIZED COMMENTS

Table G-1. Chronological Listing of Scoping Commenters and Summarized Comments

Source of Comment	EIS Resource Topic	Comments
Email from Jean Public, Private Citizen, June 19, 2010	Proposed Action	There are not sufficient environmental impact studies done to let this project go forward. The project should be shut down now.
	Public Health & Safety	The area considered here is already filled with horrible amounts of PCBs from General Electric causing cancer to be rampant in this area.
Email submitted to CHPEXpressEIS.org Angela Pernice, Alliance for Independent Long Island, Non-Governmental Organization, July 8, 2010	Alternatives	There are many other options available that do not require this tremendous expenditure. I would like a cost analysis.
Oral Comments, New York City, NY, Public Scoping Meeting, Alain Olivier, Government of Quebec, July 9, 2010	Affected Environment	As it relates to Quebec Power, it's important to point out that power projects in Canada and in Québec go through both a provincial and Federal environmental process. Hydro-Québec observes all FERC rules and regulations and provides free and open access to its transmission lines for its users at market rates.
	Cultural Resources	In 2002, the government of Québec entered into agreement with the Cree Nation which provided benefits to the Crees of 2 billion dollars over a 50-year period that would lead to the joint development of hydro projects with the full partnership with the Cree Nation. Consultations with other native groups such as the Innus are underway.
	Air Quality	From an environmental perspective, hydropower produces 35 times less GHG emissions than gas-fired power plants, and 70 times less GHG emissions than coal-fired power plants.
	Proposed Action	I think we all have an interest in that the power portfolio be as diverse as possible, that local power producers in New York State and other states in the U.S. have the opportunity to benefit from the RPS program, and that hydro should be seen as one among many sources of energy that are out there for U.S. consumers to benefit from.
	Proposed Action	In the context where New York State pays among the highest rates in the country for its power, I think a lot of people with good will are looking at alternatives, whether it's solar, wind, hydro, or others that can provide energy at cheaper rates for consumers. And I think that hydro should be considered among others available for that purpose.

Source of Comment	EIS Resource Topic	Comments
Oral Comments, New York City, NY, Public Scoping Meeting, Alain Olivier, Government of Quebec, July 9, 2010 (continued)	Environmental Justice	(In context of Native American rights on hydro projects in Quebec) ...hydro projects in the current day are done not against Native peoples, but in partnership with them, creating economic development opportunities for both parties.
Oral Comments, New York City, NY, Public Scoping Meeting, Rose Van Guilder, Alliance for Independent Long Island; Long Island Rockaway Ratepayers Alliances, July 9, 2010	Alternatives	The EIS should explain why other avenues of obtaining electricity, rather than going to Canada, aren't being considered including options that are a lot less expensive. A concern is that we do not need to pay this amount of cost to get this electricity. The 350-MW Caithness plant is referenced. The cost [for 1 GW] does not warrant this kind of expenditure. We do not need this cable and it's absolutely unnecessary.
	Proposed Action	There is a concern regarding whether this could potentially be another Federal takeover. We have had the Federal government take over the banking industry, the car industry, and the college business.
Oral Comments, New York City, NY, Public Scoping Meeting, Frank Eadie, private citizen, July 9, 2010	Proposed Action	The scope should include an analysis of whether or not the projects that are going to provide the power are in fact green projects. If the justification for building this project is that it's green power delivered cheaply, then it needs to be green power and not polluting.
	Alternatives	The EIS should include justification of this project. In the past 22 years, New York City ran out of power when the grid went down in Ohio, which is not an issue relating to the amount of electricity, but a grid problem. There's never been a problem with the amount of power being delivered to New York City.
	Proposed Action	If there is 1,000 to 1,500 miles of transmission cables producing nothing but heat, that means a 30 to 40 percent loss. That's loss for producing heat that warms the atmosphere and does nothing else, so that needs to be looked at in terms of costs.

Source of Comment	EIS Resource Topic	Comments
Oral Comments, New York City, NY, Public Scoping Meeting, Joel R. Kupferman, NY Environmental Law and Justice Organization, July 9, 2010	Public Health & Safety	There is a concern with any type of environmental project by a private company that would have problems getting information. The EIS needs to have requirements imposed, whereby the public has a real source of information from project inception. If anything happens, it should be ensured that the public has access to those records, on a Web site, or something along those lines.
	Public Health & Safety	The EIS needs to include how much is being allocated in resources in this whole budget to the health and safety and also to contingency planning and safety response plans in case they're required.
	Public Health & Safety	The EIS needs to address that the health and safety of the construction workers is protected. It should be ensured that the full environmental impact studies conducted include health evaluations of these workers before they're hired.
Oral Comments, New York City, NY, Public Scoping Meeting, Demosthenes Matsis, private citizen, July 9, 2010	Alternatives	We are on the verge of progress in this area where we have appliances that rely on electric power. And there are even now wind turbines available in a small size that can be used in individual homes. That might not apply to the congested areas of New York and Manhattan, but there are some people that might have the space for these systems. These will displace the need for this particular project.
	Affected Environment	It has to be considered that the Blackstone Group might also be putting the Hudson River at risk while doing so.
	Proposed Action	Are the Blackstone Group and TDI capable financially of curing any environmental problem they might cause? If not, they should have an insurance bond for that.
	Alternatives	Why is another transmission line down the Hudson River being proposed when we have at least two already. One comes from the Buffalo area along the Erie Canal down the Hudson River. And the other, I guess, is the one that comes from the Canadian border down the Hudson River. Why can't Quebec Hydro just sell its power to the existing lines? Is there some technological problem that prevents this? I think the environmental impact statement should address that.
Oral Comments, Public Scoping Meeting, Susan Leifer, private citizen, July 12, 2010	Proposed Action	I know one of the possibilities of an EIS is a no-build possibility, and I've just been reading that oil and gas get 36 billion in subsidies and incentives and perks. When is our stimulus money going to end up in New York State for the benefit of New York State. This is a proposal to export our energy from a dam that has not been built yet, a thousand miles away, that does not meet sustainable criteria because it floods, that's a detriment to its community, in terms of environmental justice.
	Alternatives	I would like us to spend the money in New York State with a sustainable wind solar retrofit conservation smart grid. And this would give us many thousands of jobs instead of the 200 or so that are projected from this. When is our tax money going to benefit us? The oil and gas companies get our tax money. The banks get our tax money. This is stimulus money that's supposed to go to benefit New York State. And so my proposal is a no-build. We can use solar and wind locally. It does not have to go a thousand miles up to Canada and come back to us.

Source of Comment	EIS Resource Topic	Comments
Oral Comments, Public Scoping Meeting, Richard S. Tarantelli, private citizen, July 12, 2010	Proposed Action	My main concern is bringing another energy company through the City of Yonkers. We're living a nightmare with Con Edison. I live up on Kingston Avenue, and for the past 11 years they've been digging, making noise. We've had two explosions recently; it's been a total disaster for the community. And that is my concern of the safety factor of this project.
	Alternatives	When it gets to its final destination in the Hudson, at Yonkers, where does it go from there, how does it go from there? I hope it doesn't go to any other Con Edison power station around my neighborhood, because we're really frustrated with the power authority for the past 11 years. That's my concern.
	Proposed Action	I hope you choose to put this in another place other than Yonkers. It's unfair for the people here who are paying fairly high taxes. We're paying more money and getting less. I would appreciate, if you could think of putting this project in another location other than Yonkers.
Oral Comments, Public Scoping Meeting, Clifford Schneider, Beczak Environmental Education, July 12, 2010	Alternatives	We have a 2.2-acre park right at the point where this is projected to enter into Yonkers. And there's been a lot of planning with the Alexander Street development and it doesn't seem like this fits into anybody's plan, anybody's zoning, or anybody's discussions about the future of what's supposed to be happening down there. Given the limitations, I would like to know exactly where this is planned to come into Yonkers?
	Recreation	I'm also concerned [that] there's a lot of recreational activity that takes place in this exact spot. And it's not the kind of thing that's going to show up in any studies or any evaluations or anything, but it's one of the oldest paddle rowing clubs in the country, and it's exactly at this location where it's projected to enter.
	Socioeconomics, Recreation	What's this going to do for the commercial trade on the Hudson River? Does this disrupt barge traffic and commercial shipping that is going up and down the Hudson River? What's it do to recreational people while it's being done? And if it's all approved, how long does it take? It's really important to say that there are a lot of little people that depend on the Hudson River, and I hope they'll look at them, because you're not going to have many people that are speaking for them.
Oral Comments, Public Scoping Meeting, Frank Stilo, elected official, July 12, 2010	Proposed Action	As you know, we have had Con Edison in our city. It's disrupted our city streets. It's disrupted our traffic. It's done nothing but destruction in our city to get power to New York City with no benefit to this city. I see no reason why we should add another energy corporation to do the same.
Oral Comments, Kingston, NY, Public Scoping Meeting, William Ovenstone, Private Citizen, July 13, 2010	Land Use	There are legal questions involved in a right-of-way for people who own property on the river and boatyards.
	Geology and Soils	The entire length of the Hudson River is an ancient earthquake fault, so let's work with the transmission lines that we have and leave the Hudson River alone.

Source of Comment	EIS Resource Topic	Comments
Oral Comments, Kingston, NY, Public Scoping Meeting, Jurgen Wekerle, Private Citizen, July 13, 2010	Proposed Action	This presentation (the proposed project) is a classic example of segmentation, and that is something that the whole NEPA and the Article 7 process should acknowledge and should be a little bit more careful in terms of the source of the electricity and the end-users of that electricity. The project takes no responsibility for the supply, reliability, for the need, or for the end-use of that electricity.
	Cumulative Impacts	It is the cumulative environmental, social, economic, and public cost impacts that will both drive this project and will be driven by this project that must be examined by the EIS, not just the construction aspects in isolation of the total picture.
	Proposed Action	The EIS must establish whether a need actually exists for the new sources of supply to the New York City/North Jersey metro region.
	Proposed Action	(In the context of NEPA and Article 7) If there is no need (power), the no action option should prevail.
	Proposed Action	The EIS must evaluate the results of efficiency.
	Proposed Action	The EIS must evaluate recent additions to the supply, such as the cable under Long Island Sound from Connecticut to Suffolk and Nassau counties, and the cable across New York Harbor from New Jersey to Long Island.
	Proposed Action	The EIS must evaluate the current project in advance planning on the books here in New York.
	Proposed Action	The EIS must evaluate the applicant's own New England Project, the Maine Express.
	Proposed Action	The ability of sharing that electricity (Quebec-generated electricity w/ Maine Express Project) with the New York State ISO must be evaluated and detailed in the EIS.
	Proposed Action	The EIS must examine the full range of demand-side initiatives from improved building codes and code enforcement to smart meters, which include the simple, really dated time-of-day meters to the fully digitized systems that are planned.
	Alternatives	The EIS must evaluate alternate supply from renewable sources such as programs funded by NYSERDA.
	Proposed Action	The issues of cogeneration, which are coming online, are getting special subsidies that's from heat, will produce electricity for many generators, also had to be looked at (in the EIS).
	Proposed Action	(In context of the multiple proposed routes) The EIS must describe the role of eminent domain in acquiring the properties for these routes.
	Proposed Action	The EIS must detail the sources of electricity and evaluate if they (the electricity sources) are a net renewable eco-friendly source.
Proposed Action	A cost-benefit analysis must also be included in the EIS.	
Hazardous Waste	The EIS must document those deposits (buried pollutants) and also evaluate the consequences of riverbed channeling, especially in the active, dynamic tidal river as is the Hudson.	

Source of Comment	EIS Resource Topic	Comments
Oral Comments, Kingston, NY, Public Scoping Meeting, Randolph Horner, Solar Evolution, LLC, July 13, 2010	Alternatives	Although this has been represented to be a renewable energy-related project, actually, merchant transmission projects are indifferent to the source of electricity.
	Proposed Action	Because the resources do not now exist (the hydro facilities in Canada), there is no assurance whatsoever that, whatever the source of the investment, once this merchant transmission facility is constructed, it will be able to transmit the dirtiest of power as well as the cleanest of power.
	Proposed Action	Why will this arguably unneeded facility be constructed with what is tantamount to American taxpayer subsidy in the form of loan guarantees when it is itself uneconomic?
	Proposed Action	Scoping document must rigorously take not only a hard look, but dig very, very deeply into the way in which this proposed project would undercut and undermine the infant renewable energy industry in the State of New York, which we intent to grow into a major force.
	Affected Environment	I believe that this EIS must rigorously investigate all the things that have been cited here and at other hearings.
Oral Comments, Kingston, NY, Public Scoping Meeting, Geddy Sveikauskas, Ulster Publishing Company, July 13, 2010	Proposed Action	I think the question of demand studies is central core to what we're talking about here.
	Cumulative Effects	Scoping document has to contain some kind of analysis bringing in all those factors: the economic, the demographic, the nature of New York City, what's likely to happen in new energy, our desires, the State energy plan, and other things.
	Affected Environment	I would like to see part of what the Energy Department is going to do, a real search of literature of the projects all over the world that use direct current, and studies about the environmental consequences.
	Alternatives	Part of the indirect cost of this project would be to include all possibilities (related to disturbances of cables).
Oral Comments, Kingston, NY, Public Scoping Meeting, June Sanderson, Private Citizen, July 13, 2010	Affected Environment	We do care about input, we do care about the environment, and there are hints from the speakers of unintended consequences.
Oral Comments, Kingston, NY, Public Scoping Meeting, George Sanderson, Private Citizen, July 13, 2010	Affected Environment	What's the end gain/loss of power in the transmission line so that you can compute what the local temperature rise might be, and also the same number including the two up and down converter stations at each end so we note the efficiency.

Source of Comment	EIS Resource Topic	Comments
July 13, 2010, Oral Comments, Kingston, NY, Public Scoping Meeting, Sondra Tillou, Private Citizen, July 13, 2010	Proposed Action	If, as it's been said, we don't need this project or we don't need it from Canada, or why can't we get it from our own rooftops, I'm all for anything.
Oral Comments, Kingston, NY, Public Scoping Meeting, Kenneth Vogel, Private Citizen, July 13, 2010	Affected Environment	Many concerns about the environment; it's still a product utility.
	Proposed Action	It seems more of an issue of crossing borders: For example, U.S. and Canada, New York and New Jersey, New York and Connecticut. That might be one of the reasons why you got this one line instead of the offshoot.
Oral Comments, Kingston, NY, Public Scoping Meeting, Michael McCabe, Private Citizen, July 13, 2010	Proposed Action	Is there a taxation base along the railroad rights-of-way?
	Affected Environment	I'm just wondering anywhere where it (the cable) affects the towns, outside of the initial cost of building it. Is there any maintenance or any services that the localities have to take care of? Do they do it on their own or is that being funded by the company that puts the line in?
Oral Comments, Kingston, NY Public Scoping Meeting Bonacic, John, New York State Senate, State Government, July 13, 2010	Proposed Action	How did you decide the capacity for this line to enhance 1 million residents in Manhattan, and what percentage of the city's needs would this cable line take care of?
	Proposed Action	(Regarding hydro and wind coming out of Canada) Will there be an endless supply of this transporting of energy to feed the City?
Oral Comments, Albany, NY, Public Scoping Meeting, Ronald Miller, Elected Official (Village of Menands), July 14, 2010	Proposed Action	(In context as part of a benefit analysis in the Article 7 and EIS) If the developer of the project is approved and it's going to build it (the project), it would be either paying leasing rights to OGS or on land there is property tax. The utilities pay property tax and the State Office of Real Property Services does the valuation of what the property taxes should be.
	Recreation	(In context of what the EIS should address) It's important that if this line is constructed, that there is a minimization of any adverse effects on recreation, boating, and other things.
	Proposed Action	The issue of benefits to local governments of any property tax revenue should be identified...if not measured quantitatively (in EIS).

Source of Comment	EIS Resource Topic	Comments
Oral Comments, Albany, NY, Public Scoping Meeting, Ronald Miller, Elected Official (Village of Menands), July 14, 2010 (continued)	Proposed Action	(In context of what should be addressed in the EIS) The whole issue of the state, the benefit to the state, of OGS getting revenue from leasing rights, is a legitimate issue.
Oral Comments, Albany, NY, Public Scoping Meeting, Tom Ellis, Citizen's Environmental Coalition, July 14, 2010	Affected Environment	The project, if approved, would have a devastating impact on the environment in Canada and the Canadian First Nations.
	Affected Environment	Call upon the Federal Department of Energy to, as part of the environmental review carefully examine the health and environmental impacts of existing and proposed large-scale hydroelectric development in Quebec and Labrador.
	Affected Environment	(In context of building new hydro projects in Canada to provide electricity for the cable) The question before us tonight is whether additional rivers and watersheds in Quebec, and maybe Labrador, should be literally destroyed so people living in the northeastern part of the United States can continue to increase their already high electricity use.
Oral Comments, Glens Falls, NY, Public Scoping Meeting, Julia Stokes, Saratoga PLAN, July 15, 2010	Recreation	(In context of recreation use to be addressed in the EIS) Since you're going to be using the railroad right-of-way all the way through Saratoga County...where there are areas where the railroad right-of-way is wide enough that they bring the power corridor all the way to the edge, we'd like the opportunity for trail corridors along that with appropriate fencing.
	Cultural Resources	(In context of archaeology issues to be addressed in the EIS) When you're coming out of the Champlain and you're crossing Saratoga County, that is where a major portion of the Revolutionary War was fought, and we want to make sure that any archaeological resources are protected.
Oral Comments, Glens Falls, NY, Public Scoping Meeting, Gordon Boyd, Energy Next, Inc., July 15, 2010	Alternatives	(In context of project alternatives) There is congestion here on the pathway of that project in between Quebec and New York City and we would like to recommend that the project consider dropping off some of that power on its way through the Capital Region.
	Proposed Action	(In context of environmental benefits) A number of customers in the Capital Region desire to purchase renewable energy, but because the price of power here is such a premium compared with areas of the state to the west and the north where a number of renewable projects are being developed and are looking for customers, the power from those renewable energy projects is unaffordable by the time it gets to the Capital Region, because of the overall cost of congestion.

Source of Comment	EIS Resource Topic	Comments
Oral Comments, Glens Falls, NY, Public Scoping Meeting, Gordon Boyd, Energy Next, Inc., July 15, 2010 (continued)	Proposed Action	(In context of environmental benefits) The second environmental benefit that would accrue from relieving congestion here would be to relieve the pressure on existing fossil generation both within the region and that generation we do import.
	Alternatives	(In context of project alternatives) The developers might want to consider laying a second pair of cables that would terminate somewhere here in the region and handle it that way.
Oral Comments, Glens Falls, NY, Public Scoping Meeting, Skip Stranahan, Private Citizen, July 15, 2010	Socioeconomics	Is there public funding in this 3.8 billion you intend to spend or whose money are you spending?
	Socioeconomics	(In context of socioeconomic effects) What kind of impact would us using all Canadian power off this line have on the people here as far as employment and us being self-sufficient with energy in America?
Oral Comments, Plattsburgh, NY, Public Scoping Meeting, James Tyler Frakes, Adirondack Council, July 16, 2010,	Biological Resources	Main concern is aquatic wildlife and what impacts are going to be on it.
	Biological Resources	Our concern is with benthic organisms.
	Water Resources/ Biological Resources	We're worried about substrate, how long that's going to be in the water column, what effects that it's going to have on those (benthic) organisms.
	Biological Resources	(In context of environmental effects to benthic organisms) The concrete blankets that the company is going to be placing over the cables and in the portions where they cannot be buried, what effects is that going to have on the environment afterwards? Is that going to be receptive for species to come back?
	Alternatives	(In context of project alternatives) Why is the company choosing to put it (cable) in a body of water that portions are 400 feet deep when there is a railroad running all the way down to New York City? There is a highway running all the way down to New York City. Why can't the right-of-way be used?
Oral Comments, Plattsburgh, NY, Public Scoping Meeting, David Manwell, Private Citizen, July 16, 2010	Socioeconomics	(In context of financial benefits of project) If they (developer) can ship out their power on something like this (cable), then that will benefit the North Country. Granted, if it helps Yonkers or someplace get cheaper power, that's fine. They're paying us for it.

Source of Comment	EIS Resource Topic	Comments
Oral Comments, Plattsburgh, NY, Public Scoping Meeting, Peter D'Elia, Private Citizen, July 16, 2010		No questions asked. Stated all questions answered in the informal session.
Oral Comments, Plattsburgh, NY, Public Scoping Meeting, Lori Fisher, Lake Champlain Committee, July 16, 2010	Recreation/Water Resources/Cultural Resources	(In context of what should be addressed in the EIS) Concerned about any recreational impacts, the mapping route for cultural resources, recreational impacts, and water quality impacts and share the concern about benefit to communities and the resuspension.
	Alternatives	(In context of project alternatives) Is this the best route for this to take and the one where particularly the environmental impacts would be best mitigated?
	Water Resources/Biological Resources	(In context of what should be addressed in the EIS) Have concerns about the electromagnetic fields.
	Biological Resources	(In context of what should be addressed in the EIS) And the heat issue, in terms of the impacts on aquatic species.
Oral Comments, Plattsburgh, NY, Public Scoping Meeting, Jack Hills, Private Citizen, July 16, 2010	Socioeconomics	(In context of benefits) What does it (project) do for communities along the way?
	Socioeconomics	(In context of benefits) Is this going to benefit the North Country so that we can have power upgrades, benefit the home, the average individual, so that they can be up-to-date in technology, or is it just a path to New York City directly?
	Socioeconomics	(In context of benefits) Will it benefit our nation's goal of integrating East Coast power into a unified way that helps the rest of us in the country?
Email from Steve Davis, Private Citizen, July 21, 2010	Public Health & Safety	The USEPA had to stop the PCB dredging, after saying their initial studies and research indicated there would be no problems with PCB resuspension in the water. Now some greedy power company wants to stir up the PCB's and cause other problems to feed NYC.
	Proposed Action	Is that part of NYS Energy Plan? It might be a smart idea to use less energy and avoid all the other problems.
	Public Health & Safety	As if PCBs in the Hudson River wasn't a problem, don't try swimming or boating in it for other reasons; the electric field currents will kill you, aided by the conductivity of the medium (water) and, like BP in the Gulf, there will be no leakage. Leakage off overhead transmission lines is common. I can hear the lifeguard at Moreau State Park blowing the whistle to "get out of the water" due to the approaching thunderstorm.

Source of Comment	EIS Resource Topic	Comments
Letter from Grace Musumeci, Chief Environmental Review Section, Environmental Protection Agency, Federal Agency, July 28, 2010	Proposed Action	The purpose of and need for statement should establish the evidence that the need for electricity exists in the area, or will exist if projected population and planned land use growth are realized.
	Proposed Action	An evaluation of alternatives to the proposed action, including reasonable alternatives not within the jurisdiction of the lead agency.
	Proposed Action	A discussion of all potential permits, including Section 404 permits from the U.S. Army Corps of Engineers that might be required for this project should be included in the EIS.
	Cumulative Impacts	A comprehensive evaluation of cumulative, indirect, and secondary impacts. The cumulative impacts analysis should consider the environmental impacts of the project as a whole, and if any, as one of a number of other past, present, and reasonably foreseeable future projects and/or actions in the project area. Please refer to the Council on Environmental Quality's January 1997 guidance, <u>Considering Cumulative Effects Under the National Environmental Policy Act</u> , which can be found at www.whitehouse.gov/ceq/ , if you require further guidance on the requirements of this analysis. The evaluation should include, but not be limited to, the impacts from the demolition and replacement of the Crown Point Bridge.
	Air Quality	EPA recommends that the General Conformity Applicability Analyses be included in the environment impact analysis and any environmental performance commitments must be cited in the Record of Decision.
	Affected Environment	A full discussion of the siting and environmental impacts of the Yonkers converter station, including the risks of possible flashovers, should be included in the EIS. The siting of the converter station might require a detailed environmental justice analysis.
	Affected Environment	Discuss the expected project life, and how the cable will be repaired if necessary. With respect to the upland placement of the cables, the General Accounting Office briefing on "Issues Associated with High-Voltage Direct-Current Transmission Lines along Transportation Rights of Way" dated February 2008, stated that electromagnetic fields and stray current could interfere with railroad signaling systems and highway traffic operations, and accelerate pipeline corrosion. The briefing also states that workers could be more likely to be injured given increased safety risk from close proximity of transmission lines to transportation rights of way. These issues should be discussed in the EIS.
	Biological Resources	Describe the area and quality of benthic habitat, including oyster beds, submerged aquatic vegetation, that will be disturbed due to the placement of the cables in the sediments of Lake Champlain and the Hudson River. Also, discuss the area and quality of benthic habitat that will be permanently lost due to the placement of concrete mats on the cables if it is laid on the surface of the sediment. All mitigation plans should be included in the EIS.

Source of Comment	EIS Resource Topic	Comments
Letter from Grace Musumeci, Chief Environmental Review Section, Environmental Protection Agency, Federal Agency, July 28, 2010 (continued)	Proposed Action	The Champlain Hudson Power Express Cable System Study Report dated January 18, 2010, describes laying the cables using water jetting and mechanical plows. The EIS should clearly describe what construction methods will be used, and where they will be used. The document should also include a discussion of sediment testing and the suspension of sediments during cable lying.
	Water Resources	EPA Region 2 is involved in the investigation of a tugboat wreck, i.e., the McAllister which sank in Lake Champlain in 1963, for possible fuel tank leaks. The wreck is in approximately 160 feet of water off the coast of Westport, NY. The following link should be reviewed to determine if the cable path could impact upon this area. http://www.epaos.org/site/siteprofile.aspx?site_id=5728
	Cultural Resources	The EIS should include the historic and cultural reviews of the Hudson River and Lake Champlain.
	Biological Resources	The EIS should discuss whether the proposed project will effect the proliferation of aquatic invasive species in Lake Champlain or the Hudson River.
	Air Quality	EPA would also like to use this opportunity to encourage you to implement green practices and techniques during design and construction. For example, air emissions during construction will include particulate matter (PM _{2.5} and PM ₁₀). To reduce the potential health and environmental impacts of these pollutants in the project area and to improve the conditions for the workers, the installation of diesel particulate filters (DPF) on construction equipment should be considered. DPFs can reduce diesel particulate emissions by 90 percent for stationary and nonstationary diesel equipment. To learn more about this technology and its application, you can reference DPFs at http://www.epa.gov/oms/retrofit/nonroad-list.htm or contact us directly.
Letter from Roland Vosburgh, Principal Planner, Columbia County, NY Local Government, July 28, 2010	Biological Resources	Explain the impacts on fish habitat and spawning periods.
	Recreation/Socioeconomics	Evaluate the impacts on recreational and commercial river traffic.
	Affected Environment	Evaluate the impacts on existing infrastructure (Rip Van Winkle Bridge piers, pipelines, or cables buried beneath or laying on the riverbed).
	Water Resources	Evaluate the impacts of disturbance and re-suspension of riverbed sediments and contaminants found in riverbed sediments.
	Proposed Action	Are there landside staging area requirements for power cable installation?

Source of Comment	EIS Resource Topic	Comments
Letter from Roland Vosburgh, Principal Planner, Columbia County, NY Local Government, July 28, 2010 (continued)	Affected Environment	Evaluate the impacts (physical and biological) of functioning power cables for human, plant, and animal life.
	Affected Environment	Evaluate the impacts on other adjacent infrastructure (pipelines or cables, whether crossed or parallel, and municipal and industrial outfall points) and, conversely, the impacts of operational infrastructure (pipelines, cables, or outfalls) on the power cables.
	Land Use	Evaluate the impacts on the Hudson River Federal Navigation Channel which is authorized at 32-foot depth and how to avoid damage to the power cables due to periodic maintenance dredging to maintain the 32-foot depth.
	Geology and Soils	Evaluate the impacts of scheduled maintenance for the power cables, impacts of power cables needing repair or catastrophic failure (severance) of the power cables, and impact of seismic activity on power cable integrity.
	Recreation	Explain proposed signage to alert river users to the presence of the buried power cables to avoid disturbance and damage.
Letter from Peter Casper, Assistant Counsel, New York State Canal Corporation, State Government, July 29, 2010	Water Resources	The Department of Energy's (DOE) DEIS for the above-referenced project should identify the TZB DEIS as a potential future project and discuss it in the DOE DEIS. The above-referenced project DEIS should consider potential impacts on NYSTA's ongoing maintenance and capital improvements of the existing TZB, including but not limited to potential impacts on tug and barge operations at the existing bridge.

Source of Comment	EIS Resource Topic	Comments
<p>Letter from Peter Casper, Assistant Counsel, New York State Canal Corporation, State Government, July 29, 2010 (continued)</p>	<p>Water Resources/ Biological Resources/ Recreation</p>	<p>The Champlain and Erie Canal systems are designated as a National Heritage Corridor. The DOE's DEIS should consider impacts on the operation, maintenance, and use of the Champlain Canal by the project, including, but not limited to, the following:</p> <p><i>Underground Utility Depth Requirements</i></p> <p>The NYSCC generally requires that utilities be placed a minimum of 5 feet below the <u>official channel</u> bottom and that sufficient protection is provided to the cover of the utility at the 5-foot depth mark (not higher). Where horizontal directional drilling is used, a minimum of 10 feet is required. The CHPEI report prepared pursuant to Article VII of the New York State Public Services Law (CHPEI report) states that the cables will be placed 3 feet below the current channel bottom. The requirement to place utilities no higher than 5 feet below official channel bottom is to protect the utility conduits from accidental damage from vessel anchors and from dredging operations. The DOE's DEIS should consider potential impact of the proposed cable depth of 3 feet on the Champlain Canal, including vessel use of the canal and operation and maintenance activity by the NYSCC. An alternative depth of no less than 5 feet below official navigational depths should be discussed and identified as a mitigation measure for the potential impacts on vessel operations and maintenance of the channel.</p> <p><i>Rock Crossings</i></p> <p>At locations where rock or a hard surface is located, the CHPEI report calls for the cable to be placed on top of the rock, and then covered with a concrete or similar mat. This would place the cables within the official channel. Any encroachment into the channel is not acceptable and not permitted. There is one location where the channel is in a rock cut for approximately 400 feet, about 3 miles south of Lock C-11. Alternatives to effectively crossing rock within the Champlain Canal that do not impact the use and maintenance of the channel should be discussed in DOE's DEIS.</p> <p><i>Real Property Rights</i></p> <p>The DOE's DEIS should acknowledge that certain real property rights or a permit must be acquired from the NYSCC by the project sponsor to use the Champlain Canal.</p> <p><i>Extent of Project on Canal Corporations Operations</i></p> <p>The impact of the cables to the canal is significant as the Project corridor linearly follows along the channel. If the corridor width is considered to be 25 feet, the proposed corridor is 33 percent of the official channel width of 75 feet. Any impacts of the project, including the cables installation, operation, and future maintenance on the NYSCC's operations, maintenance, or engineering of the canal should be considered in the DOE's DEIS.</p>

Source of Comment	EIS Resource Topic	Comments
<p>Letter from Peter Casper, Assistant Counsel, New York State Canal Corporation, State Government, July 29, 2010 (continued)</p>	<p>Water Resources/ Biological Resources/ Recreation</p>	<p><i>Commercial Navigation</i> The CHPEI report states that the project vessels installing the cable could cause delays in commercial boating traffic. It is not acceptable to disrupt commercial traffic; however, it would be appropriate to coordinate commercial traffic with the NYSCC. The DOE's DEIS should discuss construction related impacts of the project on the Champlain Canal, including possible mitigation measures such as coordinating construction activity with the NYSCC.</p> <p><i>Safety to Employees</i> The NYSCC uses spuds on its barges to secure vessels during maintenance and dredging activities. These spuds could potentially pierce the cables. Any precautions and future coordination with NYSCC to mitigate this potential impact should be discussed in the DOE's DEIS, including, but not limited to, potential effects on the canal system and NYSCC employee's in the event a cable is compromised.</p> <p><i>Impact of Electromagnetism</i> The CHPEI report on electromagnetism concludes that there is no danger or impact due to electromagnetism. The results show that for the length of cable in the channel, a maximum of 394 milligauss is calculated. The readings on canal lands show a maximum of 755 milligauss calculated. Both are above the CHPEI report's 200 milligauss recommended maximum at the edge of Right of Way.¹ The DOE's DEIS should discuss the potential impact of electromagnetism on NYSTA/NYSCC employees, and on directional and communication equipment used by boaters and NYSTA/NYSCC employees.</p> <p><i>Turbidity</i> The DOE's DEIS should discuss impacts associated with turbidity within the Champlain Canal system.</p> <p><i>National Historic Register</i> The CHPEI report's discussion on Historic and Archaeological Resources fails to mention that the Canal System is eligible for the State and National Historic Registers, and that the Champlain Canal is part of the Erie Canalway National Heritage Corridor. DOE's DEIS should identify the Champlain Canal as part of a National Heritage Corridor and its eligibility for the State and National Historic Registers.</p>
<p>Letter from M. Jodi Rell, Governor State of Connecticut, Governor's Office, July 30, 2010</p>	<p>Hazardous Materials and Waste</p> <p>Proposed Action</p>	<p>Connecticut appreciates the high level of communication that we have had with the project sponsors over the past year as we have discussed and evaluated the environmental effects of various options for cable placement within Connecticut waters and at the cable's Connecticut landfall.</p> <p>While I am surprised that the project developers have reduced the scope of the proposed project before Connecticut's resource agencies could reach a conclusion concerning the project's environmental efficacy, it is very likely that Connecticut will nonetheless benefit indirectly from an additional regional supply of clean energy.</p>

Source of Comment	EIS Resource Topic	Comments
Letter from M. Jodi Rell, Governor State of Connecticut, Governor's Office, July 30, 2010 (continued)	Air Quality	The U.S. Environmental Protection Agency (USEPA) is on the verge of finalizing a revised National Ambient Air Quality Standard for ozone. The new standard will be 20–40% more stringent than the current standard and will require significant emissions reductions, possibly by 70% or more, within the eastern United States. DOE should work with the New York Independent System Operator (NY-ISO) and the New York Public Service Commission (NY PSC) to assess the air quality impacts associated with importing an additional 1,000 MW of clean new capacity to the greater New York City (NYC) metropolitan area. This effort should assess ozone precursor reductions, toxic air pollutant emissions reductions, and any environmental justice benefits associated with reduced emissions from older, less efficient electric generating units (EGUs) in the area to be served by this new capacity.
	Air Quality	DOE should also work with NY-ISO to identify those EGUs likely to become uneconomic as a result of an influx of significant new capacity so that USEPA may develop appropriate air quality modeling assumptions for the implementation of the revised ozone standard.
	Socioeconomics	DOE should evaluate the economic benefits of this additional 1,000 MW arising from its impact on marginal electric supply costs, including the potential for these benefits to accrue beyond the immediate NYC metropolitan area.
	Proposed Action	The EIS should consider and discuss the potential of the proposed cable, now terminating at Yonkers, to be extended in geographic reach or expanded in capacity if market conditions should become favorable to such enhancements in future years. Consideration of this possibility in the EIS should include potential environmental impacts associated with extending infrastructure, such as cables, east into Long Island Sound.
Letter from Lee Ellman, Planning Director Yonkers Planning Bureau, Local Government, July 30, 2010	Affected Environment	The areas where the cables to and from the inverter will land have both physical construction period impacts and long-term developmental impacts upon the city as the cables may forestall development over them.
	Land Use	Properly characterize the area's land uses in a quarter-mile radius around the inverter station and at the cable landfall.
	Land Use	Discuss the actual land uses in the IPark area that the inverter station is proposed to be located within. Compare the compatibility of the inverter station to those uses. Discuss the impacts of the inverter station on those current uses and upon the marketability of the site for such uses with the inverter station building in place.
	Land Use	Discuss the Alexander Street Master Plan (Master Plan, Urban Renewal Plan and BOA Plan) in light of that plan's recent adoption, its land use controls over the proposed area for the inverter station and stated intentions for redevelopment by the City of Yonkers.

Source of Comment	EIS Resource Topic	Comments
Letter from Lee Ellman, Planning Director Yonkers Planning Bureau, Local Government, July 30, 2010	Land Use	Discuss the potential impacts of the inverter station on future economic development activities in the area including foreclosure of potential plans for commuter parking, redevelopment of the IPark parking lot, and impacts of the industrial land use upon current plans.
	Land Use	Discuss the status of planning programs currently underway by the City of Yonkers and others that might be affected by the proposed cable land fall and by the location of the inverter station.
	Land Use	Discuss the potential impacts upon marina development and harbor management by the City of Yonkers due to the cables being in the Hudson River in the Yonkers area and the impact caused by the cables' landfall in Yonkers.
	Land Use	Discuss the impact, if any, upon the Beczak Environmental Education Program and on the Yonkers Canoe Club.
	Land Use	Discuss the impact, if any, upon the continued use of the Yonkers Recreation Pier as a ferry port and a point of embarkation for other shipborne uses.
	Land Use	Discuss alternative siting options for the inverter station. Can the station be moved within the general area of the current IPark proposal? Identify other sites for the inverter that will reduce or eliminate impacts on proposed plans. Identify other sites for the inverter that will have a positive land use impact.
	Cultural Resources	The proposed inverter station and the cable landfall are occurring in the oldest developed part of the City of Yonkers. The inverter station is proposed to be built on lands of the former Otis Elevator Plant. The older buildings surrounding the proposed inverter site have been determined to be National Register of Historic Places-eligible. There are other potentially historic structures in the vicinity that need to be taken into account during permitting. Discuss means to blend the proposed station into the historic architecture of the former Otis Plant.
	Cultural Resources	The Philips Manor Hall is approximately 500 feet from the proposed inverter site. Discuss potential construction and operational impacts stemming from the inverter station on this 17th-century building.
Cultural Resources	Approximately 350 feet from the inverter site is the City of Yonkers Jail. Discuss the impacts of the inverter station construction and operations on the city jail (a) in its current use as a city jail and (b) under proposals for reuse found in the Alexander Street Master Plan.	

Source of Comment	EIS Resource Topic	Comments
Letter from Lee Ellman, Planning Director Yonkers Planning Bureau, Local Government, July 30, 2010 (continued)	Cultural Resources	Approximately 500 feet from the inverter station is the Beczak Environmental Education Center. Discuss the impacts of the inverter and the cable landfall on the operations and mission of the center and upon its potentially historic building (the former Habishaw Club site).
	Cultural Resources	Approximately 350 feet from the inverter station and in the area of the cable landfall is the Westchester County North Yonkers Pump Station. The 1930s vintage building is historically notable for its smokestack built to appear as a lighthouse. Discuss the impacts, if any, of the construction of the inverter and the cable landfall on this locally important visual and historical resource.
	Cultural Resources	Special care needs to be taken to properly characterize the archaeological issues surrounding the inverter station site and the cable landfall.
	Cultural Resources	In 2008, the Glenwood Power Station was deemed by the Preservation League of New York State as one of their most threatened historic buildings. If the cable landfall will occur anywhere in the vicinity of this building, the impacts on this building need to be taken into account in the DEIS.
	Public Health & Safety	The area immediately surrounding the proposed inverter station and the area of the cable land fall (including the exit of the AC cable from the inverter station) are areas of high density of human use. Unlike a heavy industrial and commercial neighborhood, there are significant numbers of persons using the area that have no reason to believe that there might be any health or safety issue present in the vicinity.
	Proposed Action	Explain the operation of the inverter station and the cables serving the station. Discuss the potential for explosion or fire of electrical equipment contained in the facility. Discuss mitigation measures to be taken to reduce impacts of potential fire or explosion such as deluge systems, fire suppression systems, and the like.
	Hazardous Materials and Waste	Discuss the presence of any toxic materials used at the facility. Are there nontoxic materials used that when combined with other nontoxic materials might become toxic?
	Public Health & Safety	Explain the electrical and magnetic field impacts of the proposed inverter station and the DC/AC cables coming to and leaving the station. The Alexander Street area is planned to become increasingly residential; are there any known impacts that would hinder that conversion from industrial to residential/mixed use? Are there any human health impacts on workers in adjacent buildings in the IPark/Otis Plant complex? Are there any potential impacts on equipment or manufacturing or research activities that might take place in the buildings surrounding the proposed inverter station or adjacent to the cables serving the station?

Source of Comment	EIS Resource Topic	Comments
Letter from Lee Ellman, Planning Director Yonkers Planning Bureau, Local Government, July 30, 2010 (continued)	Air Quality	Discuss air quality impacts of operation of the inverter station. Will there be ozone creation from the electrical equipment? Will there be any public health issues to area residents from the operation of the plant? What mitigation can be instituted to deal with air quality issues to area residents?
	Public Health & Safety	Yonkers has had several major transformer fires at Con Edison substations. Discuss the potential for the same type of issues to occur at this facility. What impacts can be reasonably expected from such an event given the high population density in the area? What mitigation measures will be taken to reduce the potential for electrical substation type of fires?
	Air Quality	Southwest Yonkers is an asthma problem area. Discuss any impact that might add to the asthma problem stemming from the proposed inverter station.
	Visual Resources	Discuss the visual impacts of the proposed new structure and how these visual impacts might be mitigated by alternative design or siting. It is important to also prepare and show in the DEIS visual simulations of the proposed new building in its setting from public viewing locations. At a minimum, the visual impacts from the Yonkers Train Station Platform should be shown. Typical DEIS practice in NYS would be to produce visual simulations of the impacts of the new visual element on users of local resources including area parks, the Hudson River, and the Palisade Interstate Park overlooks; and from areas such as the Phillips Manor Hall, the Bell Place National Register Historic District, the Old Croton Aqueduct State Park, the locally landmarked Phillips Manor Hall historic district, and notable viewing areas of the downtown such as Leslie Sutherland Park overlook in the Park Hill neighborhood. It is important that visual impact simulations be produced even from those sites, such as the Phillips Manor Hall site, that might be screened from the inverter site.
	Socioeconomics	<p>The downtown area of Yonkers is making a positive transition after significant effort on the part of the city government, community, and business groups and the various property owners in the downtown area. There is concern that the proposed inverter station could have negative impacts on plans for the area and for the move towards a mixed use, commercial- residential downtown. The following issues should be investigated and discussed in the DEIS:</p> <ol style="list-style-type: none"> 1. Discuss the property tax implications of the proposed inverter station and any other real property installations that are a part of the proposed action. 2. Examine and analyze the impacts of the proposed inverter station and cable landfall on other properties in their vicinity. Will the inverter station have a positive or negative net property tax impact upon the City of Yonkers? 3. Examine and analyze the occupancy impacts of the inverter station upon nearby properties. Will the inverter station cause a change in the quality of occupancy in the commercial buildings to the east of the proposed site? Will the inverter station have any impacts on the residential community to the north of the IPark/Otis site?

Source of Comment	EIS Resource Topic	Comments
<p>Letter from Lee Ellman, Planning Director Yonkers Planning Bureau, Local Government, July 30, 2010 (continued)</p>	Socioeconomic	<p>4. Examine the impacts on the planned changes to the downtown area around the site of the proposed inverter station adopted planning documents. What socioeconomic changes are likely with and without the inverter station?</p> <p>5. Can planned building programs be carried out with the inverter station in place? If the planned Metro Center program cannot be built with the inverter station in place, detail the socioeconomic differences between the Metro Center project and the inverter station project.</p> <p>6. Detail the tax impacts of the inverter station versus other planned uses of the site. Discuss employment at the site, income tax implications of employment at the site, sales tax spin-off impacts of employment at the site and the impacts upon the surrounding downtown with the inverter, with other planned uses and without the inverter.</p>
	Environmental Justice	<p>The City of Yonkers location within the regions geography has resulted in a large amount of the region serving utility and transportation land uses that might have disproportionate impacts upon area residents. Yonkers hosts two major Con Edison substation facilities and other Con Ed transmission lines. The New York City water supply reservoir and aqueducts cross the city of Yonkers causing a level of development impacts. Transportation corridors such as the New York State Thruway and the several parkways use a larger amount of land in Yonkers than in other communities that these roads transit. While there are undoubtedly positive impacts from each of the above cited examples they nonetheless raise the question of whether or not the City of Yonkers and its residents are shouldering more than their fair share of the regions burden of these uses. Additionally, the City of Yonkers has a higher share of the county's low-income and minority populations than would be proportionate to its share of the county's overall population. The area around the proposed inverter station is overwhelmingly low-income and minority. The following issues should be discussed and examined in the DEIS. Analyze and discuss in the DEIS the impacted population in the vicinity of the proposed inverter station that might be subject to environmental justice issues.</p>
	Proposed Action	<p>Will the inverter station require service from City of Yonkers infrastructure including water or storm or sanitary sewer? What volume of water will be required at the inverter station? Will potable water be used for any reason other than human consumption and sanitary needs? Where will connections for city infrastructure be made? Does sufficient capacity exist for the needs of the inverter station or will new connections be required to be made?</p> <p>The landfall of the cables to and from the inverter will have both physical construction period impacts and long-term developmental impacts upon the city as the cables could forestall development over them. The DEIS should take this fact into account in all relevant sections.</p>

Source of Comment	EIS Resource Topic	Comments
Letter from Lee Ellman, Planning Director Yonkers Planning Bureau, Local Government, July 30, 2010 (continued)	Proposed Action	<p>The area surrounding the proposed inverter station is the oldest developed portion of the city. The city's experience with other development projects has shown that there are significant problems to be dealt with due to underground utilities that might not show on available plans.</p> <p>The area surrounding the proposed inverter station, particularly the Alexander Street area, is made land that did not exist 100 years ago. The cable landfall might have to be supported on piles and the impacts of that activity should be investigated in the DEIS.</p>
Letter from Mike Winslow, Staff Scientist, Lake Champlain Committee, Non-Governmental Organization, August 1, 2010	Proposed Action	The purpose of the proposed project is to meet the existing and future electricity demands of New York City. The scope of the EIS should be similarly broad. The proposed power line is only one of many alternatives to meeting those needs. Other alternatives to be addressed in the EEIS include aggressive energy efficiency and conservation measures, diversified generation within and around the city, and transmission from locations other than Quebec.
	Proposed Action	One alternative for transmitting electricity from Quebec to New York that should be considered in the Environmental Impact Statement would be use of existing rights of way, including rail lines. This alternative could eliminate the need for burying a cable in Lake Champlain.
	Biological Resources	After consulting with New York DEC, Vermont Fish and Wildlife, and the U.S. Fish and Wildlife Service, the EIS should address whether the proposed line disrupts any known fish spawning areas.
	Biological Resources	The installation of the cable will cause both permanent (where concrete mats or rip-rap are needed) and temporary disturbances of sediments. The EIS should indicate the location and extent of any proposed permanent alterations to the lake and the project should make every effort to minimize the extent of such disturbances. Areas of concern include impacts of these disturbances on benthic populations and any known or discovered fish spawning areas.
	Hazardous Materials and Waste	There are known or likely accumulations of paper-processing waste including PCBs in the areas of Cumberland Bay and near the mouth of the LaChute River. The area around the existing International Paper Plant in Ticonderoga should also be considered a potential area of contamination.
	Recreation	The EIS should explain impacts of the proposed project and alternatives on anchoring boats in Lake Champlain. The issue would be particularly relevant in the shallow and narrow southern part of the lake. If there are any risks to swimmers, divers, or snorkelers, these should also be addressed in the EIS.
	Biological Resources	The EIS should examine impacts permanent electric fields generated by a submerged cable would have on behavior and reproduction of fish and other animals.
	Biological Resources	The route of the proposed cable should avoid disruption to any lakeside wetlands, particularly in the southern portion of Lake Champlain.

Source of Comment	EIS Resource Topic	Comments
Letter from Mike Winslow, Staff Scientist, Lake Champlain Committee, Non-Governmental Organization, August 1, 2010 (continued)	Cultural Resources	There are numerous historic shipwrecks on the bottom of Lake Champlain. The power line route should minimize any impacts on these.
	Cumulative Impacts	As part of the discussion of the cumulative impacts of the proposed project the EIS should consider the source of the energy that would be transmitted by the power line. If the power line creates a demand for additional large-scale hydroelectric dams in northern Quebec then the cumulative environmental impacts of the power line will extend far beyond the project itself.
	Affected Environment	The proposed project will pass through Lake Champlain but provide no benefits to the communities of the Lake Champlain region. Project proposers should consider mitigation opportunities for these communities. As one possible example, there have been discussions about the role of the Champlain Canal as a vector for invasive species into Lake Champlain. Would it be possible for the electric cable, whose planned route passes by the canal, to supply power for an invasive species barrier in the canal?
Letter from Christopher Crane, Esq., Legislative Counsel, Westchester County Board of Legislators, County Government, August 1, 2010	Purpose and Need	The National Oceanic and Atmospheric Administration (NOAA) should be included as a cooperating agency because of the agency's expertise in evaluating impacts on fisheries and aquatic biota. In addition, the New York State Hudson Valley Greenway Council should also be included as a cooperating agency to evaluate potential project impacts and consistency with the criteria established by New York State during the creation of this organization. See New York Environmental Conservation Law Article 44, Hudson River Valley Greenway.
	Visual Resources	The analysis should also consider visual impacts during construction and maintenance of the facilities. This should apply to below-ground, submarine, and above-ground facilities. The proposed submarine cables will pass through several areas that have been specially designated as scenic districts by New York State under New York Environmental Conservation Law Article 49, Protection of Natural and Man-Made Beauty (e.g., the Tappan Zee East Scenic District, Olana Scenic District). Extended construction and maintenance of facilities, including below-ground facilities, can produce visual and aesthetic impacts. As such, these impacts should be identified and evaluated. Presently, the NOI only states that aboveground components will be evaluated.
	Proposed Action	While the evaluation of the Presidential Permit will separately assess the impact on electric reliability for consistency with the public interest, it is also necessary to consider the environmental impacts from any necessary facilities, maintenance, or other activities that are needed to ensure the CHPE project is compliant with North American Electric Reliability (NERC) standards. Compliance with NERC standards, such as vegetation management, can sometimes yield significant environmental impacts. It is not clear what NERC standards would be applicable to the proposed CHPE facilities; but such NERC standards should be identified and evaluated for potential environmental impacts in construction and operation of the CHPE facilities.

Source of Comment	EIS Resource Topic	Comments
Letter from Christopher Crane, Esq., Legislative Counsel, Westchester County Board of Legislators, County Government, August 1, 2010 (continued)	Proposed Action	The NOI indicates the proposed CHPE facilities will transmit electricity that is produced from renewable sources in Canada for delivery to New York recipients. In the event that renewable resources are not used for power generation or are discontinued, then the environmental impact of the project would vary from the proposal. Therefore, the EIS should consider alternative power generation sources, for example fossil fuel sources, that may be used with the new CHPE facilities and evaluate environmental impacts. In addition, it is possible that the CHPE facilities would be used to transmit New York-generated electricity for export to Canada. Under this scenario, fossil-fuel sources, rather than renewable sources, might be used. Alternative transmission and generation scenarios should thus be considered in the evaluation of environmental impacts.
	Affected Environment	In the event that construction or operation of the CHPE facilities results in a release of sewage, such as through inadvertently fracturing a pipeline, this would produce substantial environmental impacts. As another example, the HVDC and AC cables will pass under the high-voltage electrified lines along the Metro-North Railroad (MNR). Potential electrical or magnetic interference with CHPE facilities because of the proximity of the MNR lines should be evaluated along with environmental impacts. Any other possible infrastructure impacts should be identified in the EIS.
	Cumulative Impacts	The impacts analysis should consider cumulative effects of other potential projects and uses in the vicinity of the project site. The downtown Yonkers area is undergoing substantial renovation, and there are believed to be several projects of significant size proposed in the vicinity of the proposed converter station location. As such, a cumulative impacts analysis is necessary to properly identify the scale of potential impacts that might occur should several projects and the CHPE project go forward.
	Proposed Action	The analysis should include the environmental impacts of decommissioning or abandoning the proposed CHPE facilities. For example, what types of decommissioning might occur and what are the accompanying environmental impacts?
	Proposed Action	The environmental review and EIS development should proceed with a perspective of incorporating transparency during the review process and post-approval (if approved). The alternatives that are evaluated should include a consideration of opportunity for public scrutiny of impacts, such as thorough review of monitoring data. Accordingly, the alternatives design should incorporate facilities or options that promote public assessment during the project lifetime. These might be metering abilities, equipment locations, or other facilities that aid in sampling and reviewing project impacts and success of mitigation measures.

Source of Comment	EIS Resource Topic	Comments
Letter from Christopher Crane, Esq., Legislative Counsel, Westchester County Board of Legislators, County Government, August 1, 2010 (continued)	Proposed Action	The NOI describes three proposed alternatives that only differ in location of the cables and alternative substations. The EIS should also consider demand reduction, utility energy, or the potential efficiency requirements, and initiatives of the New York Public Service Commission and New York State Energy Research and Development Authority to influence the scope of the project. By reducing customer electric demand, such measures could also reduce the size of new projects. In addition, the need for the CHPE project should be provided, with adequate quantitative support, to help evaluate the project environmental impacts against electric reliability needs.
	Proposed Action	If the proposed CHPE facilities must provide nondiscriminatory “open-access” to other electric providers, then the EIS should consider any accompanying environmental impacts to accommodate such open access.
	Proposed Action	Thee EIS should include an evaluation regarding operation of the proposed CHPE facilities in relationship too the New York Independent System Operator or regional entities (NEISO, PJM, NPCCC). For example, would CHPE operation in relationship to other facilities and regions yield any environmental impacts?
Letter from Philip Amicone, Yonkers Mayor, Local Government, August 2, 2010	Proposed Action	Even though the proposed transmission line will make landfall here in the City of Yonkers, we recognize the need for the converter station. Essentially, the city has concluded that the overall benefits of this project will outweigh any detriment. It is for this reason that I write in support of the project.
	Proposed Action	The city recognizes that the project represents approximately \$1.9 billion in new capital investment and will bring much needed employment opportunities to a region clamoring for such an incentive. The project will also deliver a clean renewable energy from Canadian and American sources to the greater New York Metropolitan Area and will provide significant rate relief to this area. Furthermore, upon completion of the converter station, the new construction will place a new ratable on the City’s ledger generating a new source of tax revenue which will assist to stabilize the city’s tax base.
Letter from Jeffrey Zappieri, Office of Coastal Resources, Local Government and Community Sustainability, New York Department of State, State Govt., August 2, 2010	Proposed Action	A comprehensive analysis of alternatives should be provided that examines all feasible alternatives to the project as currently proposed. It would be desirable for the current analysis (available under the NYS Public Service Commission Case 10-T-0139) to be expanded to consider an HVDC line buried within existing utility corridors, and an HVDC line using the currently proposed route from the United States border to the vicinity of Albany, NY, and then transitioning to a buried configuration within existing upland utility corridors for the remainder of the route.
	Proposed Action	In addition to alternative siting options, comparable investment in alternative and distributed generation sources, upgrades to existing transmission infrastructure, and demand-side management alternatives should likewise be considered.

Source of Comment	EIS Resource Topic	Comments
Letter from Jeffrey Zappieri, Office of Coastal Resources, Local Government and Community Sustainability, New York Department of State, State Govt., August 2, 2010 (continued)	Affected Environment	Should a complete alternative analysis demonstrate that the currently proposed route remains the preferred alternative or if an alternative route that would still have coastal effects is selected, the Environmental Impact Statement (EIS) should include an analysis of all applicable CMP and LWRP policies. DOS requires all applicants seeking concurrence with a consistency certification to provide an analysis of all applicable CMP or applicable LWRP policies. If the applicant proposes to use the NEPA documentation as a vehicle for necessary and additional information, all applicable CMP and LWRP policies should be evaluated within the EIS. The Proposed Action would traverse multiple communities with federally approved LWRPs and, as such, where the Proposed Action would have an effect on such a community, an analysis of applicable LWRP policies for each LWRP community should be provided.
	Affected Environment	The applicant should provide a full characterization of the entire corridor in which the transmission line is proposed to be constructed and characterize potential effects relating to the installation, operation, and maintenance of said line.
	Geology and Soils	The applicant should provide a characterization of sediment size and soil type along the entire route and characterize the suitability of each area to use the proposed installation methodology. For the in-water portions this analysis should characterize proposed and maximum achievable burial depths and susceptibility to sediment resuspension. In underwater areas where burial is not possible, the potential effects of the proposed concrete mats should be discussed.
	Hazardous Materials and Waste	The applicant should identify and characterize all pollutants along the route and analyze the likelihood of resuspension or release. Where specific pollutants are identified, adequate preventative measures, including applicable alternatives, should be analyzed and their anticipated coastal effects included in the scope of the EIS.
	Biological Resources	The applicant should analyze all Significant Coastal Fish and Wildlife Habitats (SCF WHs) that would be affected by the installation, operation or maintenance of the proposed transmission line and determine if those effects would affect the viability of the SCFWHs. Any difference in effects between installations in disturbed versus undisturbed areas of applicable SCFWHs should be discussed. All data necessary to support this evaluation should be included.
	Recreation	The applicant should characterize all public access opportunities and recreation activities that would be affected by the proposed transmission line. This should include effects anticipated during installation operation and maintenance activities.
	Visual Resources	The applicant should characterize all visual resources that might be affected by the installation, operation, or maintenance of the proposed transmission line and other proposed infrastructure. DOS has designated certain areas along the proposed route as Scenic Areas of Statewide Significance (SASS) that could assist the applicant in characterizing potential visual effects in these areas.

Source of Comment	EIS Resource Topic	Comments
Letter from Jeffrey Zappieri, Office of Coastal Resources, Local Government and Community Sustainability, New York Department of State, State Govt., August 2, 2010 (continued)	Cultural Resources	The applicant should characterize all historic resources to the satisfaction of the New York State Office of Parks Recreation and Historic Preservation (OPRHP).
	Land Use	The applicant should identify and characterize all agricultural land that might be affected by the proposed transmission line.
	Biological Resources	The applicant should identify and characterize all freshwater and tidal wetlands along the proposed route.
	Affected Environment	The applicant should discuss potential coastal effects of storm water discharges along above-ground portions of the proposed transmission line during installation, operation, and maintenance.
	Water Resources	The applicant should characterize the potential effects of the installation, operation, and maintenance of the proposed transmission line on the ground and surface water regime along all buried portions of the route including freshwater and tidal wetlands.
	Air Quality	The applicant should characterize the potential coastal effects of the electric generation source that will supply the proposed transmission line including the potential for said generation to affect air quality.
	Water Resources	The applicant should determine the Hudson River navigation channel's maximum depth practicable to support existing and future commercial navigation given existing, authorized depths, topography, necessary channel side slopes, port infrastructure, and aerial clearances.
Letter from John Davis, Conservation Director, Adirondack Council, Non-Governmental Organization, August 2, 2010	Alternatives	Bury the line entirely along existing railroads and roads.
	Affected Environment	A much fuller ecological and climatological (carbon-footprint) analysis of the project is needed, including effects in Quebec.
	Alternatives	We respectfully remind consumers and energy providers that the cleanest and most reliable means of meeting energy needs are through conservation and efficiency.
	Affected Environment	The Champlain Hudson Power Express Inc. (CHPEI) project should not be marketed as "clean energy" if it encourages more dams to be built.
	Proposed Action	Burying the CHPEI electric transmission line beneath Lake Champlain and the Hudson River could be unnecessarily disruptive ecologically and hydrologically.
	Purpose and Need	A full Environmental Impact Statement (EIS) should be required. The EIS should carefully review all relevant studies on the effects of power lines on aquatic and terrestrial wildlife and habitats, including possible effects from increased turbidity in the water column, resuspension of contaminants, electromagnetic fields, thermal resistivity, and shoreline disturbance. The EIS should also anticipate possible worst-case scenarios (as the present crisis in the Gulf of Mexico so painfully reminds us), if any of the infrastructure or equipment used in its installation fails in any way.

Source of Comment	EIS Resource Topic	Comments
Letter from John Davis, Conservation Director, Adirondack Council, Non-Governmental Organization, August 2, 2010 (continued)	Biological Resources	The proposed power line would go through or near habitats of many aquatic species listed as threatened or endangered by the state or Federal government. It would also cross or approach habitats of numerous threatened or endangered terrestrial species. The EIS should fully examine the potential impacts on each of these species listed above.
	Biological Resources	All appropriate mitigation measures should be considered to avoid sensitive aquatic and terrestrial habitats; cable installation during mating, spawning and migration seasons; resuspension of contaminants; and permanent alternation of lake or river bed substrates.
letter from Philip Musegaas, Hudson River Program Director, Riverkeeper, Non-Governmental Organization, August 2, 2010	Biological Resources/ Public Health and Safety	The DOE must include in its DEIS a detailed study of the effects of the transmission line installation on the sediment and contaminants existing in the Hudson River to avoid or minimize adverse impacts on the estuarine and riverine ecosystem and potential impacts on public health.
	Proposed Action	The DOE must carefully appraise alternative locations for the facilities and transmission line route to identify the path that minimizes both the localized and cumulative environmental impacts.
	Proposed Action	The DEIS must analyze the effects of each installation method on existing habitats and carefully evaluate CHPEI's selections to ensure the least harmful method is chosen for each habitat.
	Biological Resources	It is essential that the DOE conduct a rigorous and independent analysis of the effects of Electromagnetic Fields (EMFs) produced by both Direct Current (DC) and Alternating Current (AC) transmission lines on the marine ecosystem; the DOE should rely on the precautionary principle to frame the DEIS.
	Proposed Action	If the Applicant is exploring the use of upstate wind or other U.S. energy sources, the DOE must also include environmental impacts from those sources in its DEIS.
	Cumulative Impacts	The DOE must comprehensively assess the cumulative impacts of both the construction and operation of the transmission line on the ecosystem of the Hudson River estuary as a whole.
	Proposed Action	Move to eliminate wheeling charges so that any producer of power can sell to any buyer. Entrepreneurs will step in to produce power like they did previously. The U.S. will create jobs and will avoid a long-term commitment that will worsen our balance of payments.
	Proposed Action	The proposed project is designed to serve the interests of a foreign corporation rather than the interests of the United States.
Letter from Roger Jennings, President, RJennings Company, Private Company, August 2, 2010	Proposed Action	Move to eliminate wheeling charges so that any producer of power can sell to any buyer. Entrepreneurs will step in to produce power like they did previously. The U.S. will create jobs and will avoid a long-term commitment that will worsen our balance of payments.

Source of Comment	EIS Resource Topic	Comments
Letter from Haley Mauskopf, Environmental Advocacy Associate, Scenic Hudson, Non-Governmental Organization, August 2, 2010	Water Resources	The installation of the portion of the proposed transmission line that will be buried under the Hudson River has the potential to resuspend and redistribute contaminants settled in the river's sediment, impacting the water quality, aquatic and wetlands species, and human health. This DEIS must evaluate how CHPE will determine which method (water jet trenching, mechanical plowing, or dredging) will be used in which area and the varying environmental impact of each of these methods, and the potential for resuspension of contaminants and ways that risk can be minimized.
	Water Resources	This DEIS must address the potential for resuspension of PCBs and other contaminants in the Mid and Lower Hudson River due to the burying of cable in contaminated sediment. While the concentration of PCBs is greatest in the Upper Hudson, it is undisputed that PCBs contaminate the Mid and Lower Hudson River as well. The resuspension of PCBs would impact wildlife and aquatic species, and human health. In addition to recreational uses of the Hudson such as swimming, boating, and fishing, there are several communities that have drinking water intakes on the Hudson River in the areas where cable is proposed to be installed, including Rhinebeck, Port Ewen, Lloyd, and Poughkeepsie.
	Biological Resources	The Hudson River and its surrounding valley are habitat to a number of sensitive species that could be adversely impacted by the proposed CHPE project. These include several species protected by Federal or state law and sensitive benthic communities that are most prone to the effects from installation of the cable and ongoing effects from the operation of the transmission cables. The impact of installation of the cable on sub-aquatic vegetation and riverfront riparian habitat should be carefully investigated. This DEIS must address the effects of the temporary disturbance of benthic habitat during installation and the permanent alteration of benthic habitat in those areas where rip-rap or concrete mats will be placed over the cable rather than burying it.
	Biological Resources	The DEIS must evaluate how the electromagnetic field (EMF) and thermal effects of the cable might affect sensitive aquatic species. This should include the segment of the transmission line downstream from the converter station, along which alternating current will flow, presenting the potential for increased EMF impacts. EMF can affect aquatic species that use the earth's magnetic field for orientation during navigation. Electra-sensitive species could be attracted or repelled by the electrical fields generated by the transmission cables. Areas of breeding, feeding, or nursing are particularly prone to these effects because of the congregation or dispersion of sensitive individuals in the benthic community.

Source of Comment	EIS Resource Topic	Comments
Letter from Haley Mauskapf, Environmental Advocacy Associate, Scenic Hudson, Non-Governmental Organization, August 2, 2010 (continued)	Biological Resources	The Hudson River and its surrounding tidal wetlands are habitat to a number of species protected by Federal and state law and thus deserving special attention to ensure they are not impacted by the CHPE. Scenic Hudson urges that the DEIS carefully consider any impacts of the construction, operation and maintenance of the transmission line may have on these designated species. In addition to giving special attention to the species mentioned above, Scenic Hudson urges that the DEIS evaluate the potential impacts on Significant Coastal Fish and Wildlife Habitat (SCFWH), Essential Fish Habitat, and New York Natural Heritage Program Rare Species designated by state or Federal agencies as requiring special protection.
	Biological Resources	The potential of the installation process to spread invasive species must also be investigated in the DEIS.
	Water Resources	The portions of the proposed route using the railroad right-of-way would cross Federal Emergency Management Agency-mapped floodplains associated with the Hudson River, as would the underground connection to the Yonkers converter station! The DEIS must carefully assess the impacts of having the cable cross floodplain areas and alternatives that would not take the cable across floodplain areas. Any potential impacts from construction equipment and activities on wetlands should be evaluated in the DEIS. Further, the impacts of Horizontal Directional Drilling (HDD), which is proposed for transition points where the cables enter and exit the water, on wetlands must be investigated.
	Proposed Action	Scenic Hudson urges that the DOE examine the feasibility of using the 1-87 (NYS Thruway/Northway) corridor, immediately parallel to the Hudson River, as an alternative, land-based overhead route for the transmission cables in the DEIS. The DEIS should examine the environmental impacts of this alternative and, if it further mitigates environmental impacts, direct CHPE to seek an exception to this policy. Effects of the proposed alternative land route on sensitive wetlands need to be evaluated as well.
	Proposed Action	This DEIS must carefully examine and analyze the renewable nature of the proposed power source and the assurances from CHPE that the source will remain renewable in the form of a new hydroelectric dam to be constructed in Quebec. The DEIS must explore the true renewable qualities of the energy source, and the possibility that CHPE could end up using a different source of power for transmission through its cables as the project progresses.
	Land Use	Scenic Hudson understands that the proposed converter station could possibly bring economic benefits to the City of Yonkers but seeks to find creative solutions to impacts associated with large utilities—in this case 3 acres—on prime real estate on a downtown waterfront that would otherwise be used for transit oriented development. Scenic Hudson urges that the DEIS evaluate the effect the proposed converter station will have on the land use goals of the City of Yonkers, and consider viable alternatives for the design of the converter station.

Source of Comment	EIS Resource Topic	Comments
Letter from Haley Mauskapf, Environmental Advocacy Associate, Scenic Hudson, Non-Governmental Organization, August 2, 2010 (continued)	Visual Resources	The visual impact of the converter station and mitigation strategies must be assessed in the DEIS. A thorough visual analysis determining places from which the converted station would be seen should be prepared. The analysis should include computer-generated visual simulations in order to understand how the converter station would look from important vantage points. These should include the Library, Yonkers Station, Hudson River, upland neighborhoods, adjacent sidewalks, and nearby intersections. Views from Palisades Interstate Park (National Natural Landmark), located across the river in New Jersey and in Rockland County, and views from Phillips Manor Hall, listed on the National Register of Historic Places and a State Historic Site, must be assessed. Other locations should be identified in consultation with City officials. In addition, temporary visual impacts along the Hudson River due to equipment and nighttime lighting must be evaluated. CHPE has indicated that construction will often go on 24 hours a day, 7 days a week due to the nature of installing the cable under the riverbed. The impacts of increased vessel activity in the river during installation should also be investigated.
Letter from Annie Wilson, Energy Committee Chair, Sierra Club, Atlantic Chapter, Non-Governmental Organization, August 2, 2010	Proposed Action	The exact trajectory route and depths for the proposed underwater electric cable must be determined.
	Water Resources/ Biological Resources	An analysis of the projected underwater sediment disturbance caused by the dredging or trenching techniques throughout the trajectory via the Richelieu River, Lake Champlain, and the Hudson River onto wildlife, fish habitat, endangered species, micro-organisms, vegetation, and human activities such as swimming and fishing.
	Public Health & Safety	The potential impacts of sediment disturbances in the Superfund Area onto drinking water quality supplied by the Hudson River to the residents of Rhinebeck, Port Ewen, and Poughkeepsie. A cumulative analysis for the potential resuspension and redistribution of the PCBs in the Hudson River.
	Biological Resources	A analysis of impacts caused by the electromagnetic frequencies for the high voltage direct current (DC) and the alternating current (AC) sections of the proposed transmission cable and the impacts onto wildlife, fish habitat, endangered species, micro-organisms, vegetation, and human activities.
	Proposed Action	The technology used by the proposed underwater cable has never been installed for more than 50 miles. What is the feasibility of installing such a system for more than 300 miles?
	Proposed Action	How will the reliability of the regional electric grid be impacted? The proposed electric transmission line is designed to transport electricity from hydroelectric dams built on lands and rivers belonging to the Innu People in the Canadian Provinces of Quebec and Labrador-Newfoundland. Segmentation exists between the electric source supply and its delivery to New York electric consumers.
	Environmental Justice	The EIS must address the Environmental Justice concerns expressed by the City of Yonkers and the impacts of the Proposed Action onto the indigenous communities caused by the construction of more hydroelectric dams. http://www.grandriverkeeperlabrador.ca/files/Download/HydropowerNotGreen.PDF

Source of Comment	EIS Resource Topic	Comments
Letter from Annie Wilson, Energy Committee Chair, Sierra Club, Atlantic Chapter, Non-Governmental Organization, August 2, 2010 (continued)	Proposed Action	The eligibility criteria for hydropower in the New York State Renewable Standard, effective since September 24, 2004, does not allow for projects that include water impoundment which causes flooding and run-of-the-river projects with more than 30-MW capacity. http://documents.dps.state.ny.us/public/Common/ViewDoc.aspx?DocRefId=%7BB1830060-A43F-426D-8948-F60E6B754734%7D See Appendix B, page 2.
	Proposed Action	The developer of the project, Transmission Developers Incorporated, must discontinue misleading decisionmakers and the public by promoting the source of the electric supply as “Renewable Energy.” The DOE must require that a retraction with explanation be made and publicized to counterbalance this misrepresentation of fact.
	Proposed Action	Is there a need for the Proposed Action? Is this electric transmission proposal in the public interest? Alternatives studies must include the “No Action” alternative as a reasonable course of action.
Letter from Patricia Ochman, O’Reilly & Associates, Uashaunnuat, Canadian First Nation, August 2, 2010	Proposed Action	The Uashaunnuat affirm that the existing or proposed production and transportation of energy in or across their traditional lands from hydroelectric complexes such as the proposed La Romaine Project, the Upper Churchill Project, and the proposed Lower Churchill Project are illegal and that the Governments of Quebec, Newfoundland, Labrador, and Canada; Nalcor Energy; and Hydro-Quebec have flagrantly breached and continue to flagrantly breach the rights of the Uashaunnuat in respect to those projects (the "Hydroelectric Projects").
	Proposed Action	The Uashaunnuat state that their consent must be obtained for the Hydroelectric Projects (including the La Romaine Project and the Lower Churchill Project) and that it was required for all projects of the past located within their traditional lands, but was never sought or obtained.
	Proposed Action	The Uashaunnuat have also asserted, in the context of the La Romaine Project and the Lower Churchill Project, that the division of the environmental assessment process into hydroelectric power stations and reservoirs on the one hand and the transmission lines on the other hand is in itself incoherent, arbitrary, illegal, and disrespectful of the principles of a sound environmental assessment. More particularly, the position of the Uashaunnuat is that these projects each constitute a single project composed of several inseparable components, including the power stations, the reservoirs and the related works, such as roads, transformers, and <u>transmission lines</u> . Remarkably, for the purpose of the environmental impact assessment process of these projects, the transmission lines and transformers were totally severed from the remainder of the project.
	Proposed Action	There is no doubt that the Uashaunnuat carry out their traditional activities, including hunting, fishing, trapping, and gathering, within their traditional lands which are or will be affected by the Hydroelectric Projects and that the negative impacts of these Hydroelectric Projects on the traditional way of the life of the Uashaunnuat must constitute an essential part of any environmental assessment of the Project.

Source of Comment	EIS Resource Topic	Comments
<p>Letter from Patricia Ochman, O'Reilly & Associates, Uashaunnuat, Canadian First Nation, August 2, 2010 (continued)</p>	Cultural Resources	<p>The elements which relate to Aboriginal rights and interests and which should be included in the Project's environmental assessment are as follows:</p> <p>The Applicant and the DOE must take into account that the Uashaunnuat claim Aboriginal title over a significant part of northern Quebec and Labrador, at a collective level. The Uashaunnuat constitute a distinct society which has occupied, in an exclusive manner, this part of Quebec and Labrador before assertion of European sovereignty over these lands, continued to occupy these lands and occupy them still, according to a distinctive way of life and customs, practices, and traditions which are a part of their distinctive culture.</p> <p>The Applicant and the DOE must take into account that the exercise in northern Quebec and Labrador of the customs, practices, and traditions of the Uashaunnuat and of their distinctive way of life based on hunting, fishing, trapping, and gathering has effectively continued well after contact with Europeans and to this day without extinguishment or voluntary cession.</p> <p>The Applicant and the DOE must take into account that any development project, including hydroelectric projects, and all associated works which relate to Uashaunnuat traditional lands and traditional territories of Uashaunnuat families require the consent of the Uashaunnuat and the affected Uashaunnuat families. The Applicant and the DOE must take into account the negative impacts that the Hydroelectric Projects have had and will have on the traditional way of life, fundamental activities, customs, practices, and traditions of the Uashaunnuat, the traditional lands and natural resources thereof and the rights and interests of the Uashaunnuat. In that regard, the Applicant and the DOE should meet with representatives of the band council Innu Takuaikan Uashat mak Mani-Utenam and with representatives of affected Innu families in order to determine with some degree of precision the negative impacts of the Project. This might include the identification of significant sites; natural resources; and fundamental activities, customs, practices, and traditions which are exercised by the Uashaunnuat in the traditional lands affected by the Hydroelectric Projects.</p> <p>The Applicant and the DOE must take into account all works relating to the Hydroelectric Projects, including so-called "preliminary" works, and works allowing transportation of energy and access to the traditional lands.</p> <p>The Applicant and the DOE must be aware of the judicial proceedings of the Uashaunnuat with respect to their traditional lands and specifically the Hydroelectric Projects.</p>
	Proposed Action	<p>The Uashaunnuat, therefore, request that you consider the rights, interests, and concerns of the Uashaunnuat in your environmental assessment process and in the evaluation of the impacts of the proposed Project. Furthermore, the Uashaunnuat request that there be no issuance of a Presidential permit for the Project as long as there is no consent of the Uashaunnuat to the Hydroelectric Projects. If there is no consent of the Uashaunnuat to the Hydroelectric Projects, the proposed Project will be inconsistent with public interest and inconsistent with principles of environmental justice and the rights of indigenous peoples.</p>

Source of Comment	EIS Resource Topic	Comments
<p>Letter from Chuck Lesnick, City Council President, Yonkers City Council President, Local Government, August 2, 2010</p>	Proposed Action	<p>Yonkers has worked diligently toward revitalization, preservation, and rehabilitation of our Downtown Water Front district, specifically the area around the Alexander Street proposed portion of the I-park. This proposed project does not bring people to the downtown to use our restaurants and shops; provides no housing and few jobs; and seems to take away valuable parking spaces. It might even ruin the view for some. It remains to be seen what benefits, if any, the project will bring to Yonkers. I see no reason to site the project in Yonkers and like you to look at other alternatives.</p>
	Visual Resources	<p>Before you decide to locate the project in Yonkers, please show the visual impact of the structure from the library, the BOE, and from the Beczak Community Center.</p>
	Proposed Action	<p>The Glenwood Power Plant has been deemed "Seven to Save" by the Preservation League of New York State. The Yonkers Landmarks Board recommended local landmarks designation to the City Council. In 2005, although the Council did not adopt the designation it did adopt the Alexander Street Master Plan, which called for the adaptive reuse of the Glenwood Power Plant. If the Glenwood Power Plant can be used it would be a public policy benefit to keep the building intact. If there would be enough income generated to do minor reinforcement of the facade, which as we understand is not structurally damaged, then it would be a good idea to site this project at the Glenwood Power Plant. There is no policy benefit to using this building or area if the building is not preserved. Currently the Glenwood Power Plant does not have a tenant and is immediately available for reconstruction. The Glenwood Power Plant's area is 2.03 acres. The building stands 10 stories high. The building could be decked to meet the needs of TDI's project. There is an area on its south side that could be filled to add additional area. If this were necessary the additional benefit is that Alexander Street could be extended, as per the Alexander Street Master Plan and GEIS, which you need to do to access that area. The possibility for a limited access free standing building off this land should also be considered.</p>
	Proposed Action	<p>Also any and all co-generation ideas should be considered with the Westchester County Water Treatment Plant or the American Sugar Refinery with potential steam creation. These industrial users in Yonkers, and perhaps other users, would be interested in receiving some of the transformed energy. Please examine the possibility for local access to less expensive energy, particularly within the downtown area near the proposed site. It has yet to be shown Yonkers would benefit from the electricity or steam created. Lots that should also be considered are on the south side of the American Sugar Refinery. East of Ludlow 6.15-16 —2.33 acres, 6.15-30 — 1.69 acres</p>

Source of Comment	EIS Resource Topic	Comments
Letter from Jurgen Wekerle, Chair, Sierra Club Sterling Forest Highlands Committee, Non-Governmental Organization, August 2, 2010	Proposed Action	The Project development appears to be dependent not on current or projected market conditions, but rather on Federal loan guarantees of at least \$1.52 billion pursuant to provisions of the Energy Policy Act of 2005 (EPAAct), and pursuant to the American Recovery and Reinvestment Act of 2009 (the Recovery Act, better known as the Federal Economic Stimulus Package). Those Federal subsidies would underwrite at least 80 percent of the Project's cost. Additionally, the Project would be eligible for a plethora of other Federal, state, and local subsidies and business incentives such as state and county Industrial Development Agency sales tax exemption, property tax abatement, IRS accelerated and bonus depreciation allowances, job creation credits, and brown field redevelopment grants. It is possible that the collective public subsidy could equal or even exceed the total cost of the Project, all of which must be detailed in the EIS.
	Proposed Action	Remarkably, the Project seeks to enter an energy market that already has an oversupply of electricity at a time of contracting economic activity and in a business climate fostering energy efficiency and conservation initiatives that collectively are reducing the demand for existing supply.
	Proposed Action	Before the specifics of the Project are even considered, the EIS must establish the need for such a new source of long-distance power supply to the NY Metro region. NEPA requires a declaration of public need and the taking of a "HARD LOOK" at new proposals and at a full range of alternatives and strategies that could also satisfy the Project's stated purpose.
	Proposed Action	New York State regulations require an evaluation of impacts on the use and conservation of energy including a demonstration that the Project will satisfy generating capacity and other electric system needs in a manner consistent with the state energy plan.
	Proposed Action	Further, any proposal should serve the transmission/distribution requirements of the power grid which serves the entire state. New York power producers will effectively be excluded from use of the cable which will not modernize the existing state transmission infrastructure.
	Proposed Action	The EIS must evaluate the total consumption patterns within the state and the capacity of all supply sources, especially those that are within the NY Metro region including the following: the installation of the Cross Sound cable from New Haven, CT, to Shoreham, Long Island; the installation of the Neptune cable from Sayreville, NJ, to Levittown, Long Island; and, the implementation of the state energy plan which promotes efficiency, conservation, improved building codes, and decentralized solar and wind net-metering applications.

Source of Comment	EIS Resource Topic	Comments
Letter from Jurgen Wekerle, Chair, Sierra Club Sterling Forest Highlands Committee, Non-Governmental Organization, August 2, 2010 (continued)	Proposed Action	The EIS must evaluate the supply projects that are nearing approval and construction such as the Cross-Hudson cable from Ridgefield, NJ, to the 49th Street substation in Manhattan which will link Con Ed with the existing NJ PSE&G/PJM power systems in place west of the Hudson River; the Transco Gas pipeline extension through North Jersey to lower Manhattan; the 1,000-MW Cricket Valley Power Plant in the Town of Dover, Dutchess County, that will connect directly to the Con Ed transmission line to the Bronx; the 630-MW Competitive Power Ventures Power Plant in the Town of Wawayanda, Orange County, that will connect directly to the Marcy-South power line; and, the 63-MW hydro projects to be generated from existing New York City reservoir spillways in the Catskill Mountains that will connect directly to the Marcy-South power line.
	Proposed Action	The EIS must evaluate the impacts of the full range of alternatives that would obviate the stated purpose and need for the Project. The EIS must evaluate competing proposals/ technologies, efficiency and conservation initiatives, changing development/construction trends, and changing economic/consumption conditions.
	Proposed Action	The EIS must consider the example of efficiency represented by the Lovett power plant that demonstrates the importance of the NYS priority to modernize the local grid/distribution system.
	Proposed Action	The EIS must evaluate the full range of Demand-Side-Management (DSM) strategies and technologies ranging from dynamic time-of-day pricing to various digital metering systems within a home that regulate appliance on and off cycles and sequential use, to grid-based, systemwide controls. The radio-controlled thermostats for cooling systems in large buildings that were activated by Con Ed to reduce NYC peak load during the July 2010 heat wave is a good example of a relatively low-tech, low-cost solution.
	Proposed Action	The EIS must include the findings of the January 9, 2008, DOE report which shows that implementing the systemwide technology of digital time-of-day temperature and price metering could reduce peak electric loads by up to 15 percent a year and thus save more than \$70 billion no longer needed to build new power facilities such as the proposed Champlain Hudson Power Express Project. Such a strategy would simultaneously remedy pollution, climate change emissions, supply concerns, and reduce consumer expenses.
	Proposed Action	The EIS must evaluate the unused, available reserve capacity of all power plants supplying the NY Metro region. For example, the Bow Line power plant on the Hudson River is producing minimum power due to low demand and high costs. However, Bow Line can quickly generate its maximum capacity if needed at peak load times.
	Proposed Action	The EIS must evaluate the New York City regulations that require the ability to produce 80 percent of peak load from generating facilities within the city.

Source of Comment	EIS Resource Topic	Comments
Letter from Jurgen Wekerle, Chair, Sierra Club Sterling Forest Highlands Committee, Non-Governmental Organization, August 2, 2010 (continued)	Proposed Action	The EIS must evaluate all of the alternate supply, efficiency, and conservation programs conducted by the NYS Energy Research and Development Authority (NYSERDA) which make the Project unnecessary.
	Proposed Action	The EIS must examine the impact on reduced power consumption due to state and local improved building construction codes and code enforcement.
	Proposed Action	The EIS must examine the impact of the Recovery Act's funding weatherization and other energy-efficient programs designed to reduce and conserve energy which conflict with the Project's application for funding from the same Federal economic stimulus source to increase energy consumption.
	Proposed Action	The EIS must evaluate the impact of all the solar energy products which are replacing traditional electric generation use and which also reduces the need for new transmission facilities.
	Proposed Action	The EIS must evaluate the impact of decentralized, land-based, and offshore wind power which is close to points of consumption, and which uses existing transmission/distribution infrastructure.
	Proposed Action	The greatest gain in energy supply in recent years has been through the development of "negawatts," the freeing up of existing power through reduced consumption supported by the State energy plan. The EIS must consider those cost-effective outcomes in its full range of alternatives which support the "no action" or "no build" option, and which could demonstrate the Project to be unnecessary.
	Proposed Action	One half of the original Project proposal, the 1,000-MW cable to Bridgeport, CT, intended to supply the New England ISO, was aborted at the last moment due to the lack of need for that power. The EIS must examine the circumstances that caused the Project reduction and determine if those circumstances and lack of need also apply to the New York State portion of the Project.
	Proposed Action	The EIS, therefore, must consider in an equally thorough manner, all components as a single conjoined enterprise. Further, the EIS must examine how the Project will interface with the regional, transmission grid serving the entire state.
	Proposed Action	Since the funding streams for each component might be segregated for accounting purposes, and since each component supports the total funding required to develop the enterprise in common, the EIS should evaluate the cumulative impacts of both transmission and generating components as two steps of the same action, not as disconnected, unrelated actions.
	Proposed Action	The EIS should evaluate the feasibility of all funding from all public and private sources, and detail how American Recovery Act subsidies will support construction of the underlying generation facilities in Canada, and how those facilities will compete with generating facilities in New York State.
Proposed Action	The EIS must evaluate the delivery potential of all power from all sources and from all locations for cumulative environmental impact reasons, and for Recovery Act subsidy eligibility reasons.	

Source of Comment	EIS Resource Topic	Comments
Letter from Jurgen Wekerle, Chair, Sierra Club Sterling Forest Highlands Committee, Non-Governmental Organization, August 2, 2010 (continued)	Affected Environment	Dams at Churchill Falls are yet to be built, and forests are yet to be cut down and flooded. What effect will the loss of forests and habitat have on the wildlife to be displaced, and on a net increase of greenhouse gases? What is the chance that methane and other climate-changing chemicals will be introduced into the atmosphere as a result of the proposed flooding?
	Proposed Action	What effect on energy reliability would impoundment-generated power have during high heat, summer drought conditions causing high rates of evaporation and low water flow at the same time New York consumer demand for electricity is the highest?
	Proposed Action	The EIS must detail the sources and quality of the hydro power that is promised by the Project and evaluate whether or not those Canadian sources are really renewable and eco-friendly, both from an environmental perspective and as a precondition for Federal Recovery Act funding.
	Proposed Action	Most troubling is the Project design that blocks cable access to competing US/NYS power merchants who are prevented from using the cable to transport electricity generated and distributed within the state. Likewise, state producers are denied the ability to transport and sell NYS-generated power via the cable into the Canadian market. The Project effectively is a one-way monopoly that channels trade-protected Canadian power into the high-use but already well-supplied NY Metro market at a disadvantage to NYS merchants.
	Proposed Action	The unfair trade advantage given to Canadian power producers by the Project design also is in conflict with DOE policy that requires cross-border trade in electric energy between Canada and the USA to follow the same comparable open access and non-discrimination principles that apply to interstate electric transmission within the USA.
	Proposed Action	The EIS must evaluate the anti-competitive, monopoly aspects of the Project as they relate to DOE open access and non-discrimination trade policies, and to the related funding requirements of the Recovery Act. Further, the EIS must reconcile the policy contradictions and financial absurdity of Recovery Act funding that will promote competition with the existing grid rather than assist to upgrade that grid; that will give an advantage to imported "renewable" energy at the expense of domestically produced renewables; and, that will underwrite a very expensive transmission cable that NYS energy producers cannot use.
	Proposed Action	The EIS must evaluate the total cost of the Project, the total cost of the tandem generating project upon which it depends, and the total public subsidies for which both projects are eligible. The EIS should consider the impact that the failure of either project would have on the other.
	Proposed Action	Further, the EIS must detail how subsidies awarded to this Project will absorb available finite public resources that will displace or delay renewable energy priorities of NYISO and job creation in solar/wind/smart grid programs promoted by the state energy plan.

Source of Comment	EIS Resource Topic	Comments
Letter from Jurgen Wekerle, Chair, Sierra Club Sterling Forest Highlands Committee, Non-Governmental Organization, August 2, 2010 (continued)	Proposed Action	The EIS must evaluate the effect of the economic recession on energy trends and on the transformation of industry and lifestyles that need less, rather than more, energy.
	Proposed Action	With a protracted economic downturn in place, the EIS should add a "negative growth action alternative" as a companion scenario to that of the standard "no action" alternative. Such a scenario would address practical responses requiring systemwide adjustments to an economy having excess capacity and under-utilization of power in general.
	Proposed Action	The EIS must evaluate the risk of financial default requiring a U.S. Government financial rescue. Is the Project cost-effective and viable at all in today's market? Will revenue be sufficient and sustainable to cover debt service and operating expenses without additional public subsidies? If the Project is sound and such a smart plan, why do the investors need government guaranteed funds at all? What risk and exposure would the investors have in the event of default and bankruptcy?
	Purpose and Need	This presentation (the proposed project) is a classic example of segmentation, and that is something that the whole NEPA and the Article 7 process should acknowledge and should be a little bit more careful in terms of the source of the electricity and the end-users of that electricity. The project takes no responsibility for the supply, reliability, for the need, or for the end-use of that electricity.
	Socioeconomics	It is the cumulative environmental, social, economic, and public cost impacts that will both drive this project and will be driven by this project that must be examined by the EIS, not just the construction aspects in isolation of the total picture.
	Proposed Action	The EIS must evaluate the applicant's own New England Project, the Maine Express.
	Proposed Action	The EIS must describe the role of eminent domain in acquiring the properties for these routes.
	Proposed Action	The EIS must document those deposits (buried pollutants) and also evaluate the consequences of riverbed channeling, especially in the active, dynamic tidal river as is the Hudson.
Letter from George Klein, Chairman, Sierra Club Lower Hudson Group, Non-Governmental Agency, August 2, 2010	Proposed Action	The Champlain Hudson Power Express project would encourage perpetuation of reliance on an antiquated type of energy production and consumption, instead of encouraging domestic renewable energy sources, which we urgently need to combat climate change. If the Champlain Hudson Power Express project were simply not to be built, and demand continued to grow, there would be more relative demand for renewable energy. For renewable energy to succeed, it needs more demand, more markets, and lowering of costs that come with increasing scale, as soon as possible. Therefore, the public interest would be better served if Champlain Hudson Power Express were not built, and we regard this as worthy of inclusion in the scoping.

Source of Comment	EIS Resource Topic	Comments
Letter from George Klein, Chairman, Sierra Club Lower Hudson Group, Non-Governmental Agency, August 2, 2010 (continued)	Proposed Action	The Champlain Hudson Power Express project would encourage construction of dam-powered hydropower, which raises serious environmental justice issues in Quebec. This type of power is not defined as a renewable energy source for the purposes of New York State's Renewable Energy Portfolio (free-flowing river water is defined as renewable). These two points we regard as worthy of inclusion in the scoping.
	Proposed Action	From an economic perspective, purchasing of energy from outside New York State is bad for the state's balance of payments, as well as our national balance of payments. The public interest would not be served by the project from this perspective, and we ask that this be considered in the scoping.
Letter from Doris Delaney, on behalf of PROTECT, Non-Governmental Organization, undated	Socioeconomics	It will limit production of power in this nation for our own consumption in part because the availability of imported power removes the sense of urgency for development of power here that is environmentally acceptable, for which we take responsibility for its development, construction and full range of impacts including socioeconomic impacts.
	Proposed Action	Impacts upon the Canadian environment and the social and economic impacts upon native people affected by hydropower development in Canada are severe and must not be ignored by the United States.
	Proposed Action	It is important to note that while this power is supposedly from Labrador, in fact, it is part of the pool of power in which Hydro-Quebec is involved, a pool that is supplied by ever-increasing damming and diking and flooding of rivers and wilderness areas in Quebec, almost exclusively on native lands. The relationship between the Labrador facility and Hydro-Quebec's overall development plans needs close examination. The United States should not be Hydro-Quebec's partner in their <i>Plan du Nord</i> .
	Proposed Action	The profits will be in Canada. How will the United States re-coup fiscal damages in the event of a disaster?
	Water Resources	The proposed cable itself is also of enormous concern and we ask that you consider the serious threat to water supplies should some accident or engineering flaw result in leaks or breaks in that line.
	Proposed Action	It will limit efforts to constrain the disproportional consumption of electricity in the United States because, in part, the environmental impacts involved are far out of sight and mind, suffered only by distant and often native people whose concerns are not of concern to U.S. consumers. This power will support the illusion that electricity is an unlimited resource and can be used and wasted without concern.
	Proposed Action	Proponents of this facility must be held accountable by NEPA for considering and discussing openly every possible contingency, every possible problem that the line could cause, and every detailed plan to immediately repair damages and prevent contamination of the environment through which the line passes.
	Proposed Action	Our major waterways must not be used for the experimentation this project represents.

Source of Comment	EIS Resource Topic	Comments
Letter from Doris Delaney, on behalf of PROTECT, Non-Governmental Organization, undated (continued)	Proposed Action	There is an alternative to this line and that alternative is sensible and easily applicable energy efficiency, from which experts such as Rocky Mountain Institute estimate we could obtain another 60% or more of the power available to us today.
	Proposed Action	PROTECT urges you to seriously and comprehensively consider alternatives to this proposed transmission line.

