

Department of Energy

Washington, DC 20585

20 April 2010

Mr. Derek Steenson 5 S. Garfield Avenue Wenonah, NJ 08090-1812

Dear Mr. Steenson:

We have received your Motion to Intervene regarding the Champlain Hudson Power Express, Inc., project. However, your submittal did not include a signed original. To confirm your intervention, please mail or ship to us by overnight carrier the original version of your motion with your original signature.

Also, please provide your e-mail address so that we can conveniently and quickly communicate with you. If you e-mail (see below) to me the original electronic file from which you printed your intervention, I would then be able to access the footnoted hyperlinks included in your filing; they are not legible on the copies.

If you have any questions or concerns, please feel free to contact me either by e-mail at jerry.pell@hq.doe.gov or by phone (202-586-3362).

Very truly yours,

Dr. Jerry Pell, Ph.D., CCM Principal NEPA Document Manager Office of Electricity (OE-20, Room 8G-024) U.S. Department of Energy Washington, DC 20585 Derek Steenson

5 S. Garfield Avenue

Wenonah, NJ 08090

Motion To Intervene Pursuant To 18 C.F.R. § 385.214 In Order To Comment on the Application of Champlain Hudson Power Express, Inc. (CHPEI) for a Presidential Permit to Construct, Operate, Maintain, and Connect an Electric Transmission Line Across the United States Border With Canada.

[I] Position Taken:

The Secretary should approve CHPEI's application.

[II] Movant's Interest:

I am a U.S. citizen and resident of the Eastern Seaboard. The Eastern Seaboard's energy supply is of interest to all those who reside therein.

This application is intertwined with the issues of national security and the United States Government's resource management. Said two issues are of such national importance as to have an effect on all U.S. citizens. Therefore, all U.S. citizens should be allowed to comment on said application.

[III] Basis of Movant's Position Taken:

Cables and Fish. The HVDC cables could effect the fish that swim over them in at least two ways. The HVDC cables have the potential to affect the migratory patterns of the fish in the waters through which said cables will run.¹ The cables also have the potential to affect fish development.² Studies on the effect of submarine HVDC lines on fish are not conclusive however³, and fish may be able to maintain current migratory patterns in spite of the magnetic fields caused by the submarine cables.⁴

The Big Picture. CHPEI's ultimate goal is to transfer wind and water power through

the HVDC cables. The use of the cables should be discussed in the context of sources from

which our energy comes. The effects of coal-fired plants on fish and people are conclusive.

Not only do coal-fired plants harm and kill fish, but they harm the people who eat the fish as

¹⁰ffshore Windmills and the Effects of Electromagnetic Fields on Fish. AMBIO: A Journal of the Human Environment / Marcus C. Öhman, Peter Sigray, and Håkan Westerberg December 2007 / pg(s) 634-636.

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²⁴ conversion detections - Other in State Marchestering and Contributer Americanity - Offshore - 200 Madra 193, 20 and 22 abits - 20 Effected - 20 all 20 Electromatication (20 Fields) - 20 and 20 Fish Accessed Via Illumina Database Via Rutgers

Paul Robeson Library web page on 3-30-10. "There are studies that suggest that fish[] could be influenced by magnetic fields as there are species that contain magnetic material which could be used for geomagnetic field detection, assisting them in spatial orientation (16)."

² Id. "For example, magnetic exposure was noted to modify hormone levels in brook trout (Salvelinus fontinalis) (2.1). In another study, it slowed down embryonic development of trout (Salmo trutta) and rainbow trout (O. mykiss) and altered the circulation motion in embryos of trout as well as in larvae of pike (Esox lucius) and carp (Cyprinus carpio) (2.1)." 3 Id. "Studies indicate that fish[] are influenced by magnetism but [] this does not necessar[ily] mean that submarine cables will have an impact."

⁴ *Id.* "A detection of stimuli does not necessarily lead to a response in behavior ...Further, senses that detect magnetic fields are not the only means of spatial orientation; vision, hearing, and olfaction as well as hydrographic and geoelectric information could all be used for spatial orientation (13, 16, 37)."

well.⁵ Encouraging clean energy production discourages coal-fired energy, and facilitating the growth of clean energy sources reduces the need for additional coal-fired plants. In turn, this zero sum effect helps to improve the health of both the fish and the people who live in and around the several bodies of water under which the HVDC cables will run.

NEPA. If granting the application is considered a major action⁶ then an adequate consideration of the factors required under 42 U.S.C. § 4332(C)(i) – (v) would come out in favor of granting the application. The environmental impact of granting the application would be minimal, especially in light of the context of the project's end result being to encourage clean energy in favor of coal fired energy, thereby reducing the global anthropogenic environmental impact.

The adverse effects related to the installation of the cables are acceptable in light of the ultimate goal of the project for which the application is sought. Also, CHPEI plans to use the least harmful method of submarine cable installation where the cable is buried under the sediment.⁷ The alternative, doing nothing, would ignore the growing energy demands of the target region⁸ and the nation⁹, and is therefore not a viable option. Granting the application would facilitate energy supplied by renewable sources which do not harm the environment. Finally, the only resources which would be committed, wind and water, are renewable.

8 New York City Energy Policy: An Electricity Resource Roadmap. Bloomberg, Michael R 2004.

⁵ Who'll Stop the Mercury Rain? U.S. News & World Report. Levine, Samantha 3-28-04.

⁶ See Winnebago Tribe of Nebraska v. Ray, 621 F.2d 269 (8th Cir. 1980)

⁷ Project Details. Champlain Hudson Power Express: Project Development Portal. http://www.choespress.com/doa/php Accessed 4-2-10.

http://www.wedgov/html/on/pdi/energy_task_force.pdf Accessed 4-2-10. "The City has adequate energy resources for its electricity needs today, but the margins necessary for reliability are extremely thin. And the growth of demand for electricity in the City continues to be strong, even in the face of a weakened economy."

⁹ International Energy Outlook 2009. U.S. Energy Information Administration Independent Statistics and Analysis. <u>http://www.ciu.doc.cov/outlieo/world.html</u> Accessed 4-2-10. "In the IEO2009 projections, total world consumption of marketed energy is projected to increase by 44 percent from 2006 to 2030."

Conclusion. CHPEI's proposed project would help satisfy the energy demands of the Northeastern Seaboard in an environmentally conscious manner. Therefore, the application should be granted.