



Department of Energy
Washington, DC 20585

13 January 2011

Ms. Charlene Dwin Vaughn, Assistant Director
Federal Permitting, Licensing, and Assistance Section
Advisory Council on Historic Preservation
Office of Federal Agency Programs
Old Post Office Building
1100 Pennsylvania Avenue NW, Suite 803
Washington, DC 20004

SUBJECT: Proposed Champlain Hudson Power Express Transmission Line Project

Dear Ms. Vaughn:

The purpose of this letter is to ensure that the Advisory Council on Historic Preservation (ACHP) is aware of the subject project, and to inquire as to whether you wish to be considered, or participate, in the conduct of our ongoing analysis of potential environmental impacts of this proposed project.

On January 5, 2010, Champlain Hudson Power Express, Inc. (CHPEI) applied to the Department of Energy's (DOE) Office of Electricity Delivery and Energy Reliability for a Presidential permit to construct, operate, and maintain the Champlain Hudson Power Express Transmission Line Project. As described in the application, the project would comprise a high-voltage direct current (HVDC) transmission line extending south from an HVDC converter station near Montreal, Quebec, to a HVDC converter station in the New York City metropolitan area. This project would be installed within existing waterways and along railroad rights-of-way, either buried beneath the lake or riverbed, or buried within the existing railroad.

By letter dated August 5, 2010, CHPEI submitted an addendum to the Presidential permit application modifying the number of circuits and the project's proposed alignment. The project currently under review by DOE includes a single circuit extending from the U.S./Canada border to an HVDC converter station within the vicinity of Yonkers, New York. From the Yonkers converter station, above-ground alternating current (AC) cables would carry electricity to a Consolidated Edison Company of New York, Inc., substation, currently under construction near the site of the former Charles Poletti Power Plant in Astoria, Queens, New York.

We have determined that an Environmental Impact Statement (EIS) is the appropriate level of review under the National Environmental Policy Act (NEPA) for this proposed project, as was documented in our *Federal Register* Notice of Intent to prepare an EIS on June 18, 2010 (75 FR 34720). All of these documents, along with background information, an opportunity to subscribe to our mailing list, and more, are available at <http://www.chpexpresseis.org>.

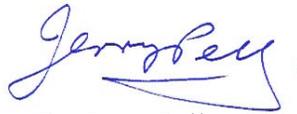
The proposed project has the potential to affect historic properties either listed in, or eligible for, inclusion in the National Register of Historic Places. Resources within the project's prospective area of potential effects (APE) include historic properties designated by the Secretary of the Interior as National Historic Landmarks (NHLs). As of now, the following NHLs have been identified as potentially located within or immediately adjacent to the project's APE:

- Fort Crown Point
- Fort Ticonderoga
- Hudson River Heritage District
- U.S. Military Academy
- Old Croton Aqueduct

Accordingly, we are inviting the ACHP to participate in the ongoing environmental analysis of this proposed project. Should your office have a material interest in this project, or if you have additional information that we should consider, please contact HDR, Inc., our contractor for the preparation of the EIS; to that end, I am designating regulatory specialist Robert Quiggle of HDR to follow-up with you in the near future. He can be reached at (315) 414-2216 or by e-mail at Robert.Quiggle@hdrinc.com.

I look forward to hearing from your office; please feel free to contact me at any time either by e-mail at Jerry.Pell@hq.DOE.gov (preferred), by phone at (202) 586-3362, or by fax at (202) 318-7761.

Yours very truly,

A handwritten signature in blue ink that reads "Jerry Pell". The signature is fluid and cursive, with a long horizontal stroke at the end.

Dr. Jerry Pell
Principal NEPA Document Manager
Permitting, Siting, and Analysis, OE-20
Office of Electricity Delivery and
Energy Reliability
U.S. Department of Energy

cc: Robert Quiggle (HDR, Inc.)



Department of Energy
Washington, DC 20585

June 21, 2012

Charlene Dwin Vaughn
Advisory Council on Historic Preservation
Office of Federal Agency Programs
Old Post Office Building
1100 Pennsylvania Avenue NW, Suite 803
Washington, DC 20004

SUBJECT: Proposed Champlain Hudson Power Express Transmission Line Project

Dear Ms. Vaughn:

As you are aware, Champlain Hudson Power Express, Inc. ("CHPEI" or "Applicants") has applied to the U.S. Department of Energy's (DOE) Office of Electricity Delivery and Energy Reliability for a Presidential Permit to construct, operate, maintain, and connect the proposed Champlain Hudson Power Express Transmission Line Project (Project). In considering a Presidential Permit for the Project, the DOE has the lead responsibility for compliance with applicable federal laws, regulations, and policies pertaining to historic properties, including the National Historic Preservation Act of 1966, as amended (NHPA).^a Section 106 of the NHPA (Section 106) directs federal agencies to take into account the effects of their undertakings on historic properties and to afford the Advisory Council on Historic Preservation (ACHP) a reasonable opportunity to comment.

By letter dated January 13, 2011, the DOE formally initiated the Section 106 consultation process with the ACHP, the New York State Historic Preservation Officer (NYSHPO), the Delaware Nation, the St. Regis Mohawk Tribe, the Stockbridge-Munsee Community, and the U.S. Bureau of Indian Affairs (collectively the "Consulting Parties") regarding portions of the Project within the United States. Specifically, we invited the Consulting Parties to participate in the conduct of our ongoing analysis of potential environmental impacts of this undertaking, and to formally consult with us pursuant to Section 106 and its implementing regulations at 36 CFR Part 800.

CHPEI's application for a Presidential Permit was submitted to the DOE on January 27, 2010. CHPEI subsequently modified its application on August 6, 2010; July 7, 2011; and February 28, 2012. The Project currently under review by the DOE would consist of a 1,000-megawatt (MW) high-voltage direct current (HVDC) Voltage Source Converter controllable transmission system extending from the Canadian Province of Quebec to New York City. From the international border between the United States and Canada, two cables (comprising a single bipole) would extend south to an HVDC Converter Station to be located near Luyster Creek, north of 20th Avenue in Astoria, Queens. From the Converter Station, a 345-kilovolt (kV) underground alternating current (AC) circuit would connect to the existing 345-kV gas-insulated substation owned by the New York Power Authority (NYPA) and situated near NYPA's

^a 16 USC 470 *et seq.*

Charles Poletti Power Project in Astoria. The Applicants also propose to construct a 3-mile buried 345-kV HVAC cable circuit from the Astoria Substation to Consolidated Edison's Rainey Substation in Queens. The Applicants have proposed to install the cables within waterways, and within the rights-of-way of existing transportation infrastructure, including railroads and roadways. Sections of the transmission line installed within waterways will generally be buried beneath the lake or riverbed. Overland sections of the Project will be buried within existing ROW corridors.

The DOE has determined that an Environmental Impact Statement (EIS) is the appropriate level of review under the National Environmental Policy Act (NEPA) for the proposed project, as was documented in our *Federal Register* Notice of Intent to prepare an EIS on June 18, 2010 (75 FR 117). The Notice of Intent, along with background information, an opportunity to subscribe to our mailing list, and more, are available on our EIS-specific website at <http://www.chpexpresseis.org>.

At this time, we wish to clarify the name and contact information for the DOE's contractor for preparation of the EIS and our representative for purposes of consultation pursuant to Section 106. In accordance with 36 CFR Part 800.2(a)(3), the DOE has authorized our contractor, HDR Environmental, Operations and Construction, Inc. (HDR EOC), to prepare the EIS. The EIS will include an analysis of the Project's potential for adverse effects on cultural resources, including historic properties as defined by Section 106 of the NHPA and its implementing regulations (36 CFR Part 800). Specifically, I am designating Dr. Greg Lockard, RPA of HDR EOC as the point-of-contact for preparing this information on behalf of the DOE. He can be reached at (571) 327-5815 or by e-mail at Gregory.Lockard@hdrinc.com. Coordination of consultation activities under the Section 106 process will be completed by Mr. Robert Quiggle, RPA, of HDR Engineering, Inc., who is working on behalf of the Applicants. Mr. Quiggle can be contacted at (315) 414-2216 or by e-mail at Robert.Quiggle@hdrinc.com. As provided in 36 CFR Part 800, the DOE remains legally responsible for findings and determinations and for the DOE's government-to-government relationships with Indian tribes.

As noted above, the DOE has formally initiated Section 106 consultation in accordance with 36 CFR Part 800.3. We anticipate additional consultation activities in the coming weeks regarding the ongoing identification of historic properties in the Project's area of potential effects (APE), assessment of adverse effects on these properties, and minimization and/or mitigation of these adverse effects. As described in our January 13, 2011 letters to the Consulting Parties, we intend to develop a Programmatic Agreement (PA) pursuant to 36 CFR Part 800.14(b) to address the proposed Project's potential effects on historic properties. The PA will be developed in consultation with federally recognized Indian tribes, the NYSHPO, the ACHP, the public, and other interested parties, as appropriate.

Please feel free to contact me directly at any time at Brian.Mills@hq.DOE.gov, or by phone at (202) 586-8267.

Very truly yours,



Mr. Brian Mills
Permitting, Siting, and Analysis, OE-20
Office of Electricity Delivery and
Energy Reliability
U.S. Department of Energy

Cc: G. Lockard (HDR EOC)
R. Quiggle (HDR Engineering, Inc.)

CHPE EIS NHPA Section 106 Consultation Distribution List

Agencies

Charlene Dwin Vaughn
Advisory Council on Historic Preservation
Office of Federal Agency Programs
Old Post Office Building
1100 Pennsylvania Avenue NW, Suite 803
Washington, DC 20004

Franklin Keel
Regional Director
Bureau of Indian Affairs
Eastern Region Office
545 Marriott Drive, Suite 700
Nashville, TN 37214

Diane Rosen
Regional Director
Bureau of Indian Affairs
Midwest Region Office
Norman Pointe II Building
5600 W. American Blvd., Suite 500
Bloomington, MN 55347

The Honorable Ken Salazar, Secretary
U.S. Department of the Interior
1849 C Street, N.W.
Washington DC 20240

Mary K. (Missy) Morrison
Resource Planning Specialist, External Review
Coordinator
Division of Resource Planning and Compliance
National Park Service, Northeast Region
200 Chestnut Street
Philadelphia, PA 19106

Honorable Randy King, Chairperson
Ruth Pierpont, Director
New York State Historic Preservation Office
Pebbles Island Resource Center
Delaware Avenue
Cohoes, NY 12047

Native American Tribes

Delaware Nation
Anadarko, OK

St. Regis Mohawk Tribe
Akwesasne, NY

Shinnecock Indian Nation
Southampton, NY

Stockbridge-Munsee Community of Wisconsin
Bowler, WI