

Public Attachments  
to  
Base Proposal

## Attachment 3.5.1

### CHPE Letters of Support - Labor Organizations



## EASTERN NEW YORK LABORERS' DISTRICT COUNCIL

668 WEMPLE ROAD  
GLENMONT, NY 12077  
(518) 462-9350 FAX: (518) 462-9359  
ENYLDC@GMAIL.COM

April 8, 2021

DARIO BOCCAROSSA  
*President*

NYSERDA's Large Scale Renewable Team  
NYSERDA  
17 Columbia Circle  
Albany, NY 12203

STEPHEN J. REICH  
*Vice President*

L. TODD DIORIO  
*Secretary-Treasurer*

SAMUEL M. FRESINA  
*Business Manager*

LIUNA - the Laborers' International Union of North America - writes to express our support for the Champlain Hudson Power Express' (CHPE) proposal to build a Green Energy Superhighway, as set forth in RFP T4RFP21-1 issued by New York State Energy and Research Development Authority. The project is a joint effort between Hydro Quebec and New York based Transmission Developers, Inc.

*Executive Board*

CARMEN NICOTERA, JR.

JOSH SHAUL

ANTHONY ASCENCAO

LIUNA is a powerhouse of workers who are proud to build the United States and Canada. A half-million strong, we are united through collective bargaining agreements that ensure family-supporting pay, good benefits and the opportunity for advancement and better lives.

*Sergeant-at-Arms*

JEFFREY DIORIO

LIUNA members are a skilled and experienced union workforce trained to work safely in the construction and energy industries. Our members build infrastructure - from roads, bridges, and transit to schools and skyscrapers. And we work in every area of the energy sector, helping to build and maintain solar plants, wind farms, natural gas and oil pipelines, and energy transmission projects.

*Auditors*

MICHAEL MOREIRA

RALPH J. MERRIT

ANTHONY FRESINA

The CHPE project is an area where need and opportunity meet. New York has an aging electrical infrastructure that desperately needs to be upgraded, and fortunately, also has a skilled workforce (including LIUNA members) ready to address the problem.

CHPE will supply New York City with enough renewable energy to power one million New York homes. This renewable power will accelerate the state's efforts to develop more wind and solar projects in New York and provide a steady, firm power source to back intermittent solar and wind projects.

This buried power line is also good for the state's economy, as it would create more than 1,000 good paying local construction jobs and another 1,100 indirect jobs during the nearly four-year construction period. CHPE has committed to using local union labor – New York's workers who are the best trained to get the job done right. The developers also have the necessary project permits to begin construction immediately – a vital component to help New York reach its ambitious carbon-reduction goals on schedule.

In addition to jobs, CHPE will deliver substantial economic benefits to the entire state. From the beginning of construction through the first 30 years of operation, CHPE will deliver \$28.6 billion in economic benefits to New York State - including \$1.7 billion for

**LIUNA!**  
*Feel the Power*

LOCALS: 17 NEWBURGH 60 WESTCHESTER 157 SCHENECTADY 190 ALBANY 235 WESTCHESTER 754 NYACK

communities. These benefits come in the form of reduced wholesale electricity costs, lowered CO2 emissions, enhanced economic activity, and taxes paid to local communities along the route.

The project will have substantial environmental benefits as well. Once in service, the carbon emissions reduction resulting from CHPE will be equivalent to removing approximately 28 percent of the cars from New York City's streets, and will reduce harmful emissions from five major groups of pollutants by 33 percent in its first year of service.

LIUNA is committed to building the infrastructure and clean energy generation the state needs to power our new green-energy economy. We support new wind and solar farms, we support the state's offshore wind, and we support connecting existing clean hydro power to needed markets. We support the completion of the Champlain Hudson Power Express.

Sincerely:

A handwritten signature in black ink, appearing to read "Samuel Fresina". The signature is fluid and cursive, with a large initial "S" and "F".

Samuel Fresina  
Business Manager  
Eastern New York Laborers' District Council



NEW YORK STATE CONFERENCE  
INTERNATIONAL UNION OF OPERATING ENGINEERS

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44-40 11th STREET • LONG ISLAND CITY, NY 11101

Tel: (212) 929-5327

Fax: (718) 729-3070

Affiliated with the AFL-CIO



April 15, 2021

NYSERDA  
Large Scale Renewable Team  
17 Columbia Circle  
Albany, NY 12203

To NYSERDA:

On behalf of the NYS Conference of Operating Engineers, we are comprised of 12 local unions and 30,000 members statewide, we write to formally express our support for the Champlain Hudson Power Express (CHPE) a proposal submitted by Hydro Quebec and NY based Transmission Developers, Inc. in response to RFP T4RFP21-1 issued by the New York State Energy and Research Development Authority.

We are a progressive, diversified trade union that represents operating engineers who work as heavy equipment operators, mechanics, and surveyors in the construction industry and stationary engineers who work in operations and maintenance in building and industrial complexes, and in the service industries.

Our members are expert builders who work tirelessly to construct the roads we travel on, the bridges we cross, the buildings and complexes where we work, the hospitals that nurse us back to health and the energy facilities that keep our lights on and our homes and offices warm.

We have been steadfast supporters of the CHPE project because it is good for the working men and women of New York, good for the state's economy, and good for the environment. This buried, renewable energy transmission line will create more than 1,000 good paying construction jobs, and 1,100 secondary jobs while it is being built and the project is committed to using union labor – ensuring it is built correctly.

In addition to jobs, CHPE will deliver substantial economic benefits to the entire state. From the beginning of construction through the first 30 years of operation, CHPE will deliver \$28.6 billion in economic benefits to New York state -- including \$1.7 billion for communities along the route. These benefits come in the form of reduced wholesale electricity costs, lowered CO2 emissions, enhanced economic activity, and taxes paid to local municipalities.

The \$3 billion investment it will take to build the line will inject new capital and jobs into New York's economy at time of desperate need. As New York emerges from the COVID-19 pandemic, it is large-scale construction projects like this that will truly help us rebuild our economy.

In addition to the economic benefits, CHPE will help New York State meet its carbon-reduction goals set forth in the Climate and Community Protection Act. To achieve the state's goal of 70 percent renewable

energy by 2030, we need projects that are large-scale and can be built quickly. Thanks to having all the necessary permits in hand, construction of CHPE can begin very quickly.

Once in service, the carbon emissions reduction resulting from CHPE will be equivalent to removing approximately 28 percent of the cars from NYC streets and reduce harmful emissions from five major groups of pollutants by 33 percent in its first year of service.

The men and women of the International Union of Operating Engineers strongly support the Champlain Hudson Power Express. The project has our full support.

Sincerely,

A handwritten signature in black ink, appearing to read "Daniel J. McGraw". The signature is fluid and cursive, with a large initial "D" and "M".

Daniel J. McGraw  
President



**Local Union No. 3**  
**International Brotherhood of Electrical Workers**  
**OF GREATER NEW YORK AND VICINITY**

**OFFICES AND HEADQUARTERS**  
158-11 Harry Van Arsdale Jr. Avenue, Flushing NY 11365  
Phone 718-591-4000 • Fax 718-380-8998

200 Bloomingdale Road, White Plains NY 10605  
Phone 914-948-3800 • Fax 914-948-1843

AFFILIATED WITH AFL-CIO  
NEW YORK CITY  
CENTRAL LABOR COUNCIL  
AFL-CIO  
BUILDING & CONSTRUCTION  
TRADES COUNCIL  
OF GREATER NEW YORK  
AFL-CIO  
AND ALL STATE AND  
CENTRAL BODIES

May 4, 2021

Mr. Gene Martin  
President & COO  
Transmission Developers, Inc.  
1301 Avenue of the Americas, 26<sup>th</sup> Floor  
New York, NY 10019-6022

Dear Mr. Martin:

On behalf of the members of Local 3 of the International Brotherhood of Electrical Workers (IBEW), I write in support of the proposal submitted by the Champlain Hudson Power Express (CHPE) to the RFP issued by the New York State Energy and Research Development Authority to build New York's Green Energy Transmission Superhighway. It is my understanding that the CHPE, is in possession of both its permits and has widespread support throughout the State.

Nationally, the IBEW represents 775,000 active members and retirees who work in a wide range of fields, including utilities, construction, telecommunications, broadcasting, manufacturing, railroads and government.

We are always leading the way and Local 3 has been a supporter of the innovative clean energy CHPE project for years. It is clear New York needs energy infrastructure as the state transitions to a cleaner, greener economy and CHPE is ready to power New Yorkers into the future and IBEW members stand ready to build it.

The backers of the project have already committed to using union labor to safely construct and install this 338-mile line that will connect up to 1,250 MW of clean power to New York City. In doing so, the project will create more than 1,000 good paying construction jobs, and 1,100 secondary jobs during its three-and-a-half-year construction period. This is work our members specialize in, and we are ready to perform the task at hand.

In addition to jobs, it is my understanding that CHPE will deliver substantial economic benefits to the entire state. From the beginning of construction through the first 30 years of operation, it is estimated that CHPE will deliver \$28.6 billion in economic benefits to New York state -- including almost 2 billion dollars in taxes for communities along the route. These benefits come in the form of reduced wholesale electricity costs, lowered CO2 emissions, enhanced economic activity, and taxes paid to local governments.

The passage of the Climate and Community Protection Act in New York has codified into law some of the most aggressive carbon-reduction targets in the country and, if the state is to meet these goals, we need to act quickly. New York has committed to reducing greenhouse gas emissions by 40 percent by 2030, and 85 percent by 2050 -- while calling for renewable energy to make up 70 percent of the market share by 2030.

To meet these goals NYSERDA must select projects that are ready now, like the Champlain Hudson Power Express. This project, unlike other projects that will need to navigate the approval process, can start in a matter of months. 2030 will be here soon, there is no time left to waste.

The project will have substantial environmental benefits as well. It has been reported that once in service, the carbon emissions reduction resulting from CHPE will be equivalent to removing approximately 28 percent of the cars from New York City streets and will reduce harmful emissions from five major groups of pollutants by 33 percent in its first year of service.

Reduced carbon emissions mean fewer harmful pollutants will be in the air in our neighborhoods and the large amount of power it will deliver will account for 20 percent of generation needed to meet New York State's 2030 renewable energy targets.

On behalf of the men and women of Local 3, IBEW, I am proud to support CHPE. It is the right project for New York, and we are ready and eager to get to work.

Sincerely:



Christopher Erikson  
Business Manager, IBEW-Local 3

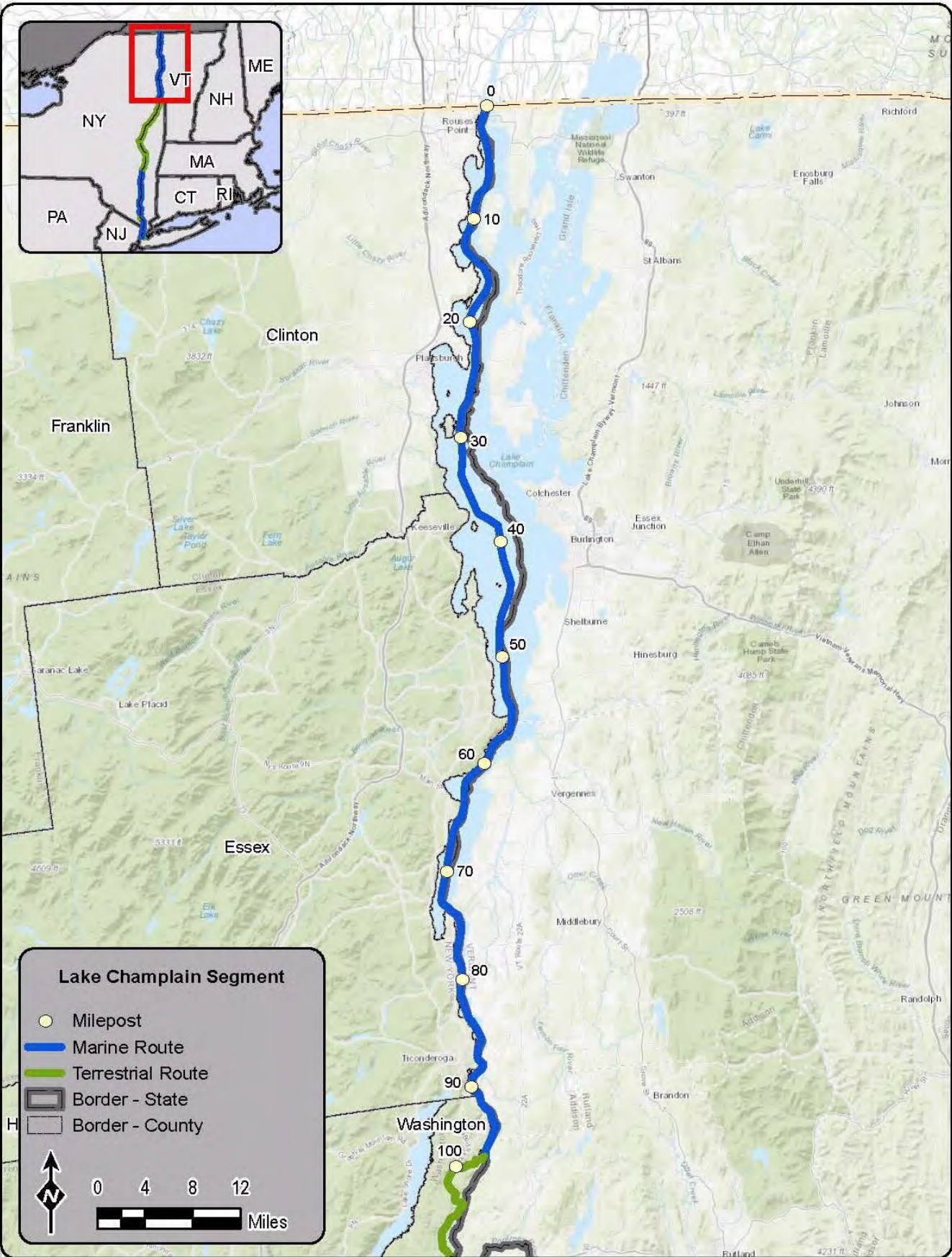
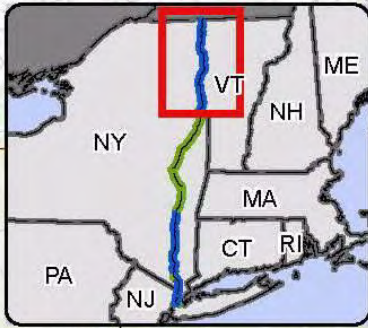


## Attachment 5.5

### CHPE Proposed Route Maps

## **CHPE PROPOSED ROUTE MAPS**

LAKE CHAMPLAIN SEGMENT	1
ADIRONDACK-CAPITOL REGION OVERLAND SEGMENT	2
HUDSON VALLEY SEGMENT	3
NEW YORK CITY METROPOLITAN AREA SEGMENT	4

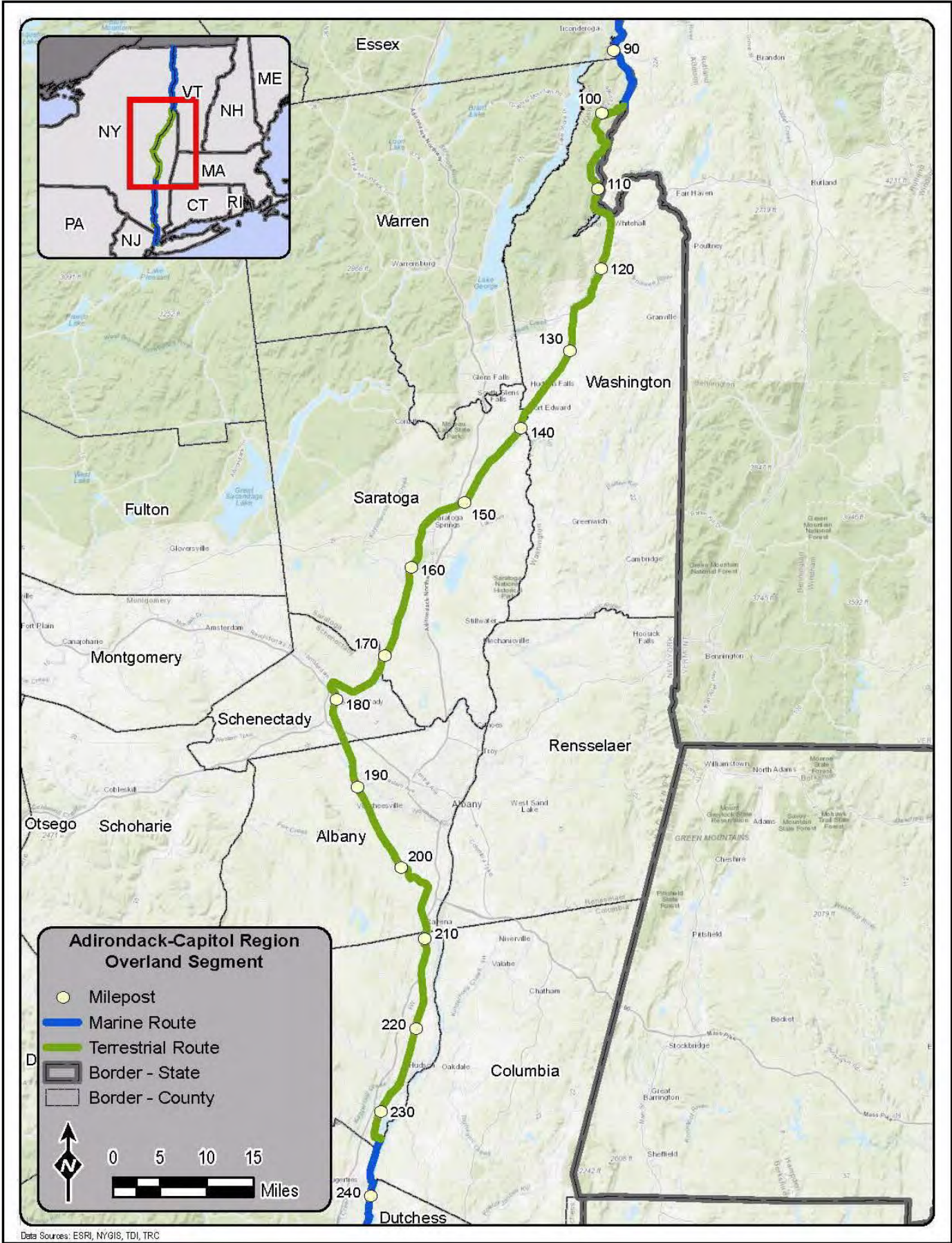


**Lake Champlain Segment**

- Milepost
- Marine Route
- Terrestrial Route
- Border - State
- Border - County

0
4
8
12
  
Miles

Data Sources: ESRI, NYGIS, TDI, TRC



Essex

90

100

110

120

130

140

150

160

170

180

190

200

210

220

230

240

Warren

Washington

Saratoga

Fulton

Montgomery

Schenectady

Rensselaer

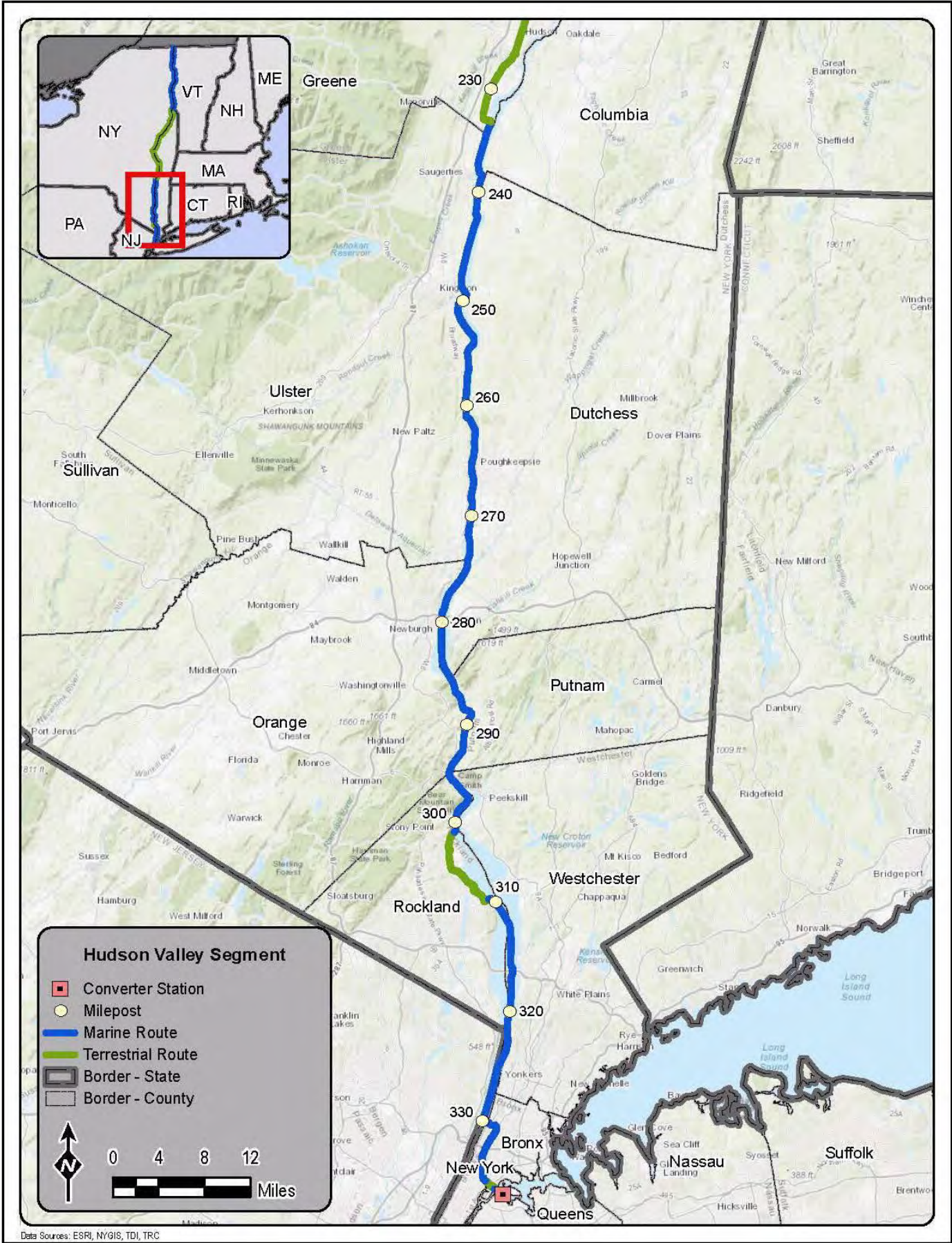
Otsego

Schoharie

Albany

Columbia

Dutchess



**Hudson Valley Segment**

- Converter Station
- Milepost
- Marine Route
- Terrestrial Route
- Border - State
- Border - County

0
4
8
12
Miles

Data Sources: ESRI, NYGIS, TDI, TRC



**New York City Metropolitan Area Segment**

- Converter Station
- Milepost
- Marine Route
- Terrestrial Route
- Border - State
- Border - County

0 1 Miles

Data Sources: ESRI, NYGIS, TDI, TRC

Attachment 5.5.6.2

CHPE Municipal Consents; Resolutions of Support

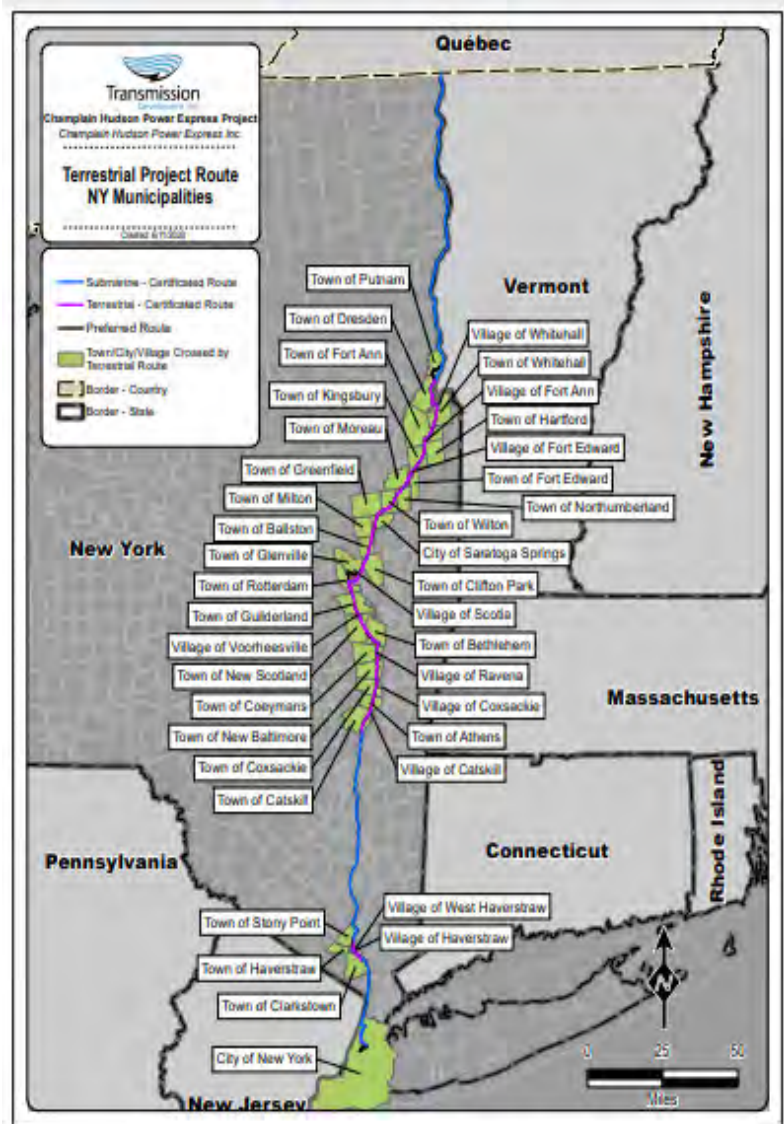
As shown in the map below, CHPE’s terrestrial route passes through 39 New York State municipalities. Of these 39, 36 have been identified as host communities where there will be construction/installation of CHPE on municipal property, primarily under roads.

One municipality, New York City, is unique among the others. New York City is the municipality where power transmitted over CHPE will be delivered and the Converter Station will be located. There are two segments of CHPE in New York City where, unlike the other municipalities, a Revocable Consent instead of a Municipal Consent is needed to construct CHPE. This Revocable Consent process is currently underway. Transmission Developers and New York City are working closely together to complete the Revocable Consent process in 2021.

Excluding New York City, there are 35 remaining host communities where municipal property will be impacted by CHPE’s installation. The vast majority of these temporary impacts are related to CHPE

of the CHPE project. 33 of those resolutions are found within broader municipal consents that also authorize installation of CHPE within publicly-owned land, effectively confirming CHPE’s site control in those areas. One last municipal consent is still required for CHPE and is currently in process. It is expected to be passed in June 2021. In addition, and although not mandatory for site control purposes, the Washington County Board of Supervisors also passed a supportive resolution in support of the project.

The table on the following page lists all the municipalities along CHPE’s terrestrial route in New York State and provides detail on the documentation needed and obtained from host communities to formalize their support of the project and approve installation of the project within their jurisdictions.





Copies of the resolutions/consents passed by each of the respective municipalities are provided in this Attachment.

	Municipality	Supportive Resolution Needed/Obtained	Municipal Consent Needed/Obtained	Additional Details	Pg. No.
1	Town of Putnam	✓	✓		1
2	Town of Dresden	✓	✓		5
3	Village of Whitehall	✓	✓		8
4	Town of Whitehall	✓	✓		12
5	Town of Fort Ann	✓	✓		15
6	Village of Fort Ann	✓	✓		18
7	Town of Hartford	N/A	N/A	No public action necessary as CHPE installation does not impact public property	--
8	Town of Kingsbury	✓	✓		21
9	Village of Fort Edward	✓	✓		27
10	Town of Fort Edward	✓	N/A	No municipal consent necessary, as CHPE installation does not impact public property.	29
11	Town of Moreau	✓	✓		31
12	Town of Northumberland	✓	✓		34
13	Town of Wilton	✓	✓		36
14	Town of Greenfield	✓	✓		39
15	City of Saratoga Springs	✓	✓		41
16	Town of Milton	✓	✓		44
17	Town of Ballston	✓	✓		58
18	Town of Clifton Park	✓	✓		61
19	Town of Glenville	✓	✓		63
20	Village of Scotia	✓	✓		65
21	Town of Rotterdam	✓	✓		69
22	Town of Guilderland	✓	✓		71
23	Village of Voorheesville	✓	✓		73
24	Town of New Scotland	✓	✓		77
25	Town of Bethlehem	✓	Expected Q2 2021	Supportive resolution passed prior to and separate from municipal consent.	79
26	Town of Coeymans	✓	✓		82
27	Village of Ravena	N/A	N/A	No public action necessary as CHPE installation does not impact public property	--
28	Town of New Baltimore	✓	✓		85
29	Village of Coxsackie	✓	✓		87
30	Town of Coxsackie	✓	✓		90
31	Town of Athens	N/A	N/A	No public action necessary as CHPE installation does not impact public property	--
32	Village of Catskill	✓	✓		93
33	Town of Catskill	✓	✓		97
34	Town of Stony Point	✓	✓	See also Rockland County MoU on pg. 101	114
35	Village of West Haverstraw	✓	✓	See also Rockland County MoU on pg. 101	131
36	Village of Haverstraw	✓	✓	See also Rockland County MoU on pg. 101	133
37	Town of Haverstraw	✓	✓	See also Rockland County MoU on pg. 101	139
38	Town of Clarkstown	✓	✓	See also Rockland County MoU on pg. 101	140
39	City of New York	See Notes	See Notes	Support for project widely-publicized. Revocable Consent process expected to be complete in 2021.	--
	Washington County Board of Supervisors	See Notes	N/A	Additional supportive resolution, not needed but obtained.	142

## **Resolution No. 51 of 2018**

Resolution of the Putnam Town Board  
Washington County, New York 12861

March 8, 2018

14 Putnam Center Road  
Putnam, New York  
(518) 547-8317

WHEREAS, the Champlain Hudson Power Express, Inc. (CHPEI) is developing the Champlain Hudson Power Express Project (the "Project"), a 1,000 MW underground and underwater high voltage, direct current ("HVDC") electric transmission facility extending from the United States border with Canada to Queens, New York; and

WHEREAS, CHPEI has advised the Putnam Town Board that the Project will supply clean, renewable hydroelectricity to New York State; and

WHEREAS, CHPEI has advised the Putnam Town Board that the Project has received both State and Federal approvals to proceed with the project; and

WHEREAS the Project route was originally located under the waters of Lake Champlain (the "Water Route"), extending through lower Lake Champlain (the "Original Putnam Routing"); and

WHEREAS, for a variety of practical and environmental reasons intended to decrease environmental impacts and improve constructability, CHPEI has determined that a portion of the Project is better suited to bypass and leave the original Water Route and continue underground through a portion of the Town of Putnam and other communities ("Putnam Underground Route") before re-entering the Water Route at some point further south of the Town of Putnam; and

WHEREAS, CHPEI has developed an alternate, proposed Underground Route in which the route of the electric transmission equipment departs the



Water Route at the shoreline of Lake Champlain in the vicinity of County Route 3 in the Town of Putnam, then extending along County Route 3 for approximately one (1) mile, then turning south onto Lake Road, continuing for approximately two (2) miles, connecting with NYS Route 22 and continuing south approximately two (2) miles to the southern boundary of the Town of Putnam, continuing through the Town of Dresden and beyond; and

WHEREAS, the CHPEI advises the Town of Putnam that the Project will provide significant economic and environmental benefits to New York State in the form of lower electric rates, by reducing greenhouse gas emissions, creating jobs, including local jobs during the Project's construction time; and

WHEREAS, CHPEI has indicated its intention to generate tax revenue, either directly or via allowable payment in lieu of taxes (PILOT), to the Town of Putnam, the Putnam Central School District and the County of Washington at such time the Project commences operation; and

WHEREAS; once construction of the Project commences, no services will be required of any Town of Putnam departments or from the Putnam Central School District; and

WHEREAS, CHPEI is seeking the endorsement of the Town of Putnam for the proposed alternate Putnam Underground Route; and

WHEREAS, CHPEI believes that endorsement of the alternate Putnam Underground Route by the Putnam Town Board is a key pre-requisite to obtaining all final Project permits and approvals from all authorities with jurisdiction over the Champlain Hudson Express Project;

NOW, THEREFORE BE IT RESOLVED,

1. The Town Board of the Town of Putnam has been advised by CHPEI about the general scope of the Champlain Hudson Express Project and the proposed alternate underground routing of electric transmission equipment through the Town of Putnam and beyond.



2. The Town Board of the Town of Putnam understands that the proposed alternate underground route for the Project's electric transmission equipment departs the original Water Route at the shoreline of Lake Champlain in the vicinity of County Route 3, extending along County Route 3 for approximately one (1) mile, then turning south onto Lake Road, continuing for approximately two (2) miles, connecting with NYS Route 22 and continuing south approximately two (2) miles to the southern boundary of the Town of Putnam, continuing through the Town of Dresden and beyond.
3. The Town Board of the Town of Putnam hereby consents to the proposed alternative underground routing so that CHPEI may seek and obtain any and all permits and approvals for the proposed alternate underground routing plan through the Town of Putnam for the Champlain Hudson Power Express Project, and once obtained to enter the Town of Putnam for the purpose of planning, laying down, constructing, installing, repairing and maintaining its wires, conductors, conduits, equipment and other fixtures in and under the streets, roads, public parks and other places located in the Town of Putnam, County of Washington, and State of New York in accordance with the requirements of any and all of CHPEI's plans, amended and revised plans; subject to all federal, state, county and local approvals, permits, and authority; and further subject to the jurisdiction of any other county or state government entity with jurisdiction or authority over, under and across the proposed alternate underground route.
4. The Town Board of the Town of Putnam hereby authorizes and directs the Putnam Town Clerk to forward a certified copy of this resolution to Transmission Developers, Inc. at The Pieter Schuyler Building, 600 Broadway, Albany, New York 122907 to be included in the Champlain Hudson Power Express, Inc. application to amend its New York State



Certificate of Environmental Compatibility and Public Need and any other or further required applications for amendments to the Federal Permits for the alternate underground route described hereinabove for the Champlain Hudson Power Express Project.

5. The terms of this resolution of the Putnam Town Board shall take effect immediately.

The question of the adoption of the foregoing resolution was duly discussed and put to a roll call vote as follows:

Ayes: 5

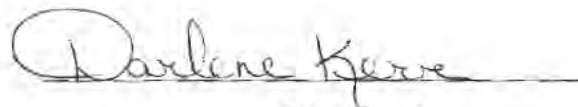
Nays: 0

Thereupon, the foregoing resolution was duly adopted.

Dated this 8th day of March, 2018.

I hereby certify that this Resolution was duly adopted by the Town Board of the Town of Putnam at the regular meeting of the Town Board conducted on March 8, 2018.

Seal



Darlene Kerr  
Putnam Town Clerk



**DRESDEN, N. Y.  
WASHINGTON COUNTY**



**FROM THE DESK OF  
DRESDEN TOWN CLERK/ TAX COLLECTOR**

Marcinda Wilbur  
1 Lillians Way  
Clemons, NY 12819  
Ph. 518-499-1813  
Fax 518-499-2763

September 9, 2018

Transmission Developers, Inc.  
The Pieter Schuyler Building  
600 Broadway St.  
Albany NY 12207

Dear Sirs:

Please find enclosed a certified copy of the approved resolution passed during the Town of Dresden Town Board Meeting held on August 13, 2018.

In accordance with paragraph #2, I have affixed the town seal and ascribed my signature to the foregoing document.

If there are any questions please don't hesitate to contact me during business hours at the number above.

Sincerely,

Marcinda Wilbur Dresden Town Clerk  
C/c Supervisor P. Ferguson

**TOWN BOARD OF THE TOWN OF DRESDEN  
COUNTY OF WASHINGTON, STATE OF NEW YORK**

Resolution No. 15 of 2018  
Adopted August 13, 2018

Introduced by Councilman Greenough  
Who moved its adoption

Seconded by Councilman Raymond

**Resolution adopting Champlain Hudson Power Express Project, Inc. Alternative Routing in the  
Town of Dresden, New York**

**WHEREAS**, CHPEI is developing the Champlain Hudson Power Express Project (“the Project”), a 1,000 MW underground and underwater high voltage, direct current (“HVDC”) electric transmission facility extending from the United States’ border with Canada to Queens, New York; and

**WHEREAS**, the Project will supply clean, renewable hydroelectricity to New York State; and

**WHEREAS**, the State and Federally-approved Project route was originally located underwater in lower Lake Champlain (the Water Route”) (the Original Dresden Routing”); and

**WHEREAS**, Champlain Hudson Power Express, Inc. (“CHPEI”) has discussed the project with the Town of Dresden (“Dresden Host Community”), as the Project will be located within this community;

**WHEREAS**, the Original Dresden Routing led CHPEI to develop an alternative routing (the New Dresden Routing”) in the Town of Dresden, NY that departs the Water Route in the Town of Dresden, NY and travels underground along County Route 22 for approximately two miles longer than the Original Dresden Routing; and

**WHEREAS**, the New Dresden Routing is proposed with a view towards decreasing environmental impact and increasing constructability; and

**WHEREAS**, the Project will provide significant economic and environmental benefits to New York State in the form of lower electric rates, by reducing greenhouse gas emissions and jobs, including local jobs during the Project’s construction; and

**WHEREAS**, in recognition that CHPEI will generate tax revenue to Washington County, the Town of Dresden, and the Whitehall School District once the project commences operation; and

**WHEREAS**, once the project commences operation it will not require ongoing services of Town departments or local schools; and

**WHEREAS**, CHPEI desires that the Town of Dresden endorse the Project and the New Dresden Routing within the Town of Dresden; and

**WHEREAS**, CHPEI believes that the Town of Dresden endorsement is a key prerequisite to obtaining all final Project permits and approvals;

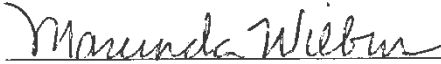
**NOW, THEREFORE, IT BE RESOLVED,**

1. That the Town Board of the Town of Dresden is fully familiar with the Project, including the scope of the work to be performed by CHPEI within the Town of Dresden in furtherance of the Project.
2. That the Town Clerk is hereby directed to forward a certified copy of this approved resolution to Transmission Developers, Inc. at The Pieter Schuyler Building, 600 Broadway, Albany, NY 12207 for inclusion with CHPEI's application for amendment to its New York State Certificate of Environmental Compatibility and Public Need and any required applications for amendments to the Project's Federal Permits.
3. That the Town Board of the Town of Dresden hereby grants its consent to CHPEI in accordance with section 11 of New York's Transportation Corporations Law to lay down, construct and maintain its wires, conductors, conduits and other fixtures in and under the streets, avenues, public parks and places in the Town of Dresden in accordance with the requirements of CHPEI's Article VII Certificate, as amended and in effect from time to time.
4. This resolution shall take effect immediately.

The question of the adoption of the foregoing resolution was duly put to vote on a roll call which resulted as follows:

Councilman Barber	Aye
Councilman Wilbur	Aye
Councilman Greenough	Aye
Councilman Raymond	Aye

The foregoing resolution was thereupon declared duly adopted the 13<sup>th</sup> day of August, 2018.

  
\_\_\_\_\_  
Marcinda Wilbur Dresden Town Clerk

(Seal)



**RESOLUTION OF THE  
BOARD OF THE  
VILLAGE OF WHITEHALL**

WHEREAS, Champlain Hudson Power Express, Inc. (including its successors and/or assigns, "CHPEI") is developing the Champlain Hudson Power Express Project (the "Project"), an approximately 1,000 megawatt underground and underwater high voltage, direct current electric transmission facility extending from the United States' border with Canada to Queens, New York; and

WHEREAS, the New York State Public Service Commission (the "PSC") has ruled that the Project will supply clean, renewable hydroelectricity to New York State and has issued a Certificate of Environmental Compatibility and Public Need authorizing the construction and operation of the Project (including any amendments thereto, the "Certificate"); and

WHEREAS, CHPEI has discussed the Project extensively with the Village of Whitehall (the "Municipality"), as a portion of the Project will be located within the Municipality and will occupy certain privately and/or publicly-owned land; and

WHEREAS, the Project will provide significant economic and environmental benefits to New York State and the Municipality in the form of lower electric rates, a reduction in greenhouse gas emissions and increased jobs, including local jobs during the Project's construction; and

WHEREAS, the Project will provide significant tax (or payment in lieu of tax) revenue to the Village of Whitehall, Town of Whitehall, County of Washington and School District of Whitehall during the course of its expected 40-60 year operating life; and

WHEREAS, prior to construction within the Municipality, CHPEI will require a Road Crossing Agreement to be negotiated with the Municipality that will include, at a minimum, construction responsibilities and plans, restoration and repair of damage, dispute resolution, bonding, insurance and indemnification provisions; and

WHEREAS, once the Project commences operation, it is not expected to require any services from the Municipality;

**NOW, THEREFORE, BE IT RESOLVED,**

1. That the Board of Trustees (the "Board") is fully familiar with and supportive of the Project, including the use and occupancy of privately and/or publicly-owned land in the Municipality.

2. That the Board hereby grants its consent to CHPEI, in accordance with section 11(3) of the New York State Transportation Corporations Law, upon submission of plans and specifications therefore and review by the Village, including its engineers and counsel, and entering into a written agreement to be provided by CHPEI and reviewed by counsel to the Village, to lay down, construct and maintain its wires, conductors, conduits and other fixtures in and under the streets, avenues, public parks and all other publicly-owned places in the Municipality in accordance with the provisions of the Certificate. Any disturbance caused by CHPEI shall be repaired and restored to an equal to or better condition therefore prior to such disturbance and a budget and bond for such restoration shall be provided by CHPEI prior to such disturbance.

3. That the Board commits the Municipality to the taking of such further actions, if and when reasonably requested by CHPEI and consistent with applicable law, as may facilitate the successful achievement of the Project, including, without limitation, executing a Crossing Agreement substantially in the form annexed hereto.

4. That the Mayor is hereby authorized and directed to take all appropriate measures to implement the intent of this Resolution and the Village Clerk is hereby directed to forward a certified copy hereof to CHPEI at the Pieter Schuyler Building, 600 Broadway, Albany, NY 12207.

5. That the Board approves the inclusion of a copy of this Resolution as a part of any filing made by CHPEI with any governmental bodies when and as required or requested by the same and the use of this Resolution in public statements made by CHPEI regarding host community support for the Project.

6. That this Resolution shall take effect immediately.

The question of the adoption of the foregoing Resolution was duly put to vote on a roll call, which resulted as follows:

	Aye	Nay
Mayor Smith	X	
Trustee Austin	X	
Trustee Chaplin	X	
Trustee Norton	X	
Trustee Watson (absent)		

The foregoing Resolution was thereupon declared duly adopted.

**TOWN OF WHITEHALL**

57 Skenesborough Drive

Whitehall, NY 12887

Phone :( 518)499-1535 Fax :( 518)499-1546

Email: townofwhitehall@live.com

**Supervisor, John Rozell**

Councilperson, Christopher Dudley Sr.

Councilperson, David Hollister

Councilperson, Timothy Kingsley

Town Clerk, Julie Millett

Councilperson, Stephanie Safka

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**RESOLUTION # 33**

**Motion made by Councilperson Hollister**

**Seconded by Councilperson Safka**

**WHEREAS, CHPEI** is developing the Champlain Hudson Power Express Project (the "Project"), a 1,000 MW underground and underwater high voltage, direct current (HVDC) electric transmission facility extending from the United States' border with Canada to Queens, New York; and

**WHEREAS,** the Project will supply clean, renewable hydroelectricity to New York State; and

**WHEREAS,** the State and Federally-approved Project route within the Town of Whitehall, NY originally included approximately 4.7 miles located on right-of-way property owned by Canadian Pacific Railway (the "Rail ROW") (the Original Whitehall Routing"); and

**WHEREAS,** Champlain Hudson Power Express, Inc. ("CHPEI") has discussed the project extensively with the Town of Whitehall ("Whitehall Host Community"), as the Project will be located within this community; and

**WHEREAS,** the Original Whitehall Routing led CHPEI to develop an alternative routing (the "New Whitehall Routing") to include the Rail ROW until it diverts to Old North Route 4 for approximately 0.2 miles to the southern Town of Whitehall boundary where it then continues in the Town of Fort Ann; and

**WHEREAS,** the New Whitehall Routing is proposed with a view towards decreasing environmental, and community impacts and increasing constructability; and

**WHEREAS**, the Project will provide significant economic and environmental benefits to New York State in the form of lower electric rates, by reducing greenhouse gas emissions and jobs, including local jobs during the Project's construction; and

**WHEREAS**, in recognition that CHPEI will generate tax revenue to Washington County, the Town of Whitehall and the Whitehall Central School District once the project commences operation; and

**WHEREAS**, once the project commences operation it will not require ongoing services of Town departments or local schools; and

**WHEREAS**, CHPEI desires that the Town of Whitehall endorse the Project and the New Whitehall Routing within the Town of Whitehall; and

**WHEREAS**, CHPEI believes that the Town of Whitehall endorsement is an essential prerequisite to obtaining all final Project permits and approvals; and

**NOW, THEREFORE, BE IT RESOLVED,**

1. That the Town Board of the Town of Whitehall is fully familiar with the Project, including the scope of the work to be performed by CHPEI within the Town of Whitehall in furtherance of the Project.
2. That, the Town Clerk is hereby directed to forward a certified copy of this approved resolution to Transmission Developers Inc. at The Pieter Schuyler Building, 600 Broadway, Albany, NY 12207 for inclusion with CHPEI's application for amendment to its New York State Certificate of Environmental Compatibility and Public Need and any required applications for amendments to the Project's Federal Permits.
3. That the Town Board of the Town of Whitehall hereby grants its consent to CHPEI in accordance with section 11 of New York's Transportation Corporations Law to lay down, construct and maintain its wires, conductors, conduits and other fixtures in and under the streets, avenues, public parks and places in the Town of Whitehall in accordance with the requirements of CHPEI's Article VII Certificate, as amended and in effect from time to time.
4. This Resolution shall take effect immediately.

The question of the adoption of the foregoing resolution was duly put to vote on a roll call, which resulted as follows:

Supervisor John Rozell, aye

Councilperson Stephanie Safka, aye

Councilperson David Hollister, aye

Councilperson Timothy Kingsley, aye

Councilperson Christopher Dudley Sr., aye

The foregoing resolution was thereupon declared duly adopted.

#### CERTIFICATION

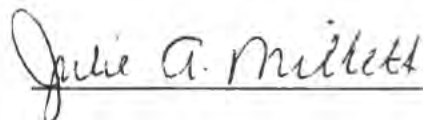
I, Julie Millett, the duly qualified and acting Town Clerk of the Town of Whitehall, New York, do hereby certify that the preceding Resolution was duly adopted at a regular meeting of the Town of Whitehall held on March 21, 2018 that said Resolution was entered in the minutes of said meeting; that I have compared the foregoing copy with the original thereof now on file in my office; and that the same is a true and correct transcript of said Resolution and of the whole thereof.

I FURTHER CERTIFY that all members of said Town Board had due notice of said meeting.

IN WITNESS WHEREOF, I have hereunto set my hand affixed the seal of the Town of Whitehall, NY this 21<sup>st</sup> day of March, 2018.

DATED: March 21, 2018

Whitehall, New York



Town Clerk of the Town of Whitehall

Washington County, New York



**TOWN BOARD OF THE TOWN OF FORT ANN  
COUNTY OF WASHINGTON, STATE OF NEW YORK**

RESOLUTION NUMBER 61 OF 2018  
Adopted March 12, 2018

Introduced by COUNCILMAN HALL who moved its adoption  
Seconded by COUNCILWOMAN WITHERELL

**RESOLUTION TO SUPPORT CHAMPLAIN HUDSON POWER EXPRESS PROJECT**

WHEREAS, CHPEI is developing the Champlain Hudson Power Express Project (the “Project”), a 1,000 MW underground and underwater high voltage, direct current (“HVDC”) electric transmission facility extending from the United States’ border with Canada to Queens, New York; and

WHEREAS, the Project will supply clean, renewable hydroelectricity to New York State; and

WHEREAS, the State and Federally-approved Project route within the Town of Fort Ann, NY originally included approximately 6.6 miles located on right-of-way property owned by Canadian Pacific Railway (the “Rail ROW”) (the “Original Fort Ann Routing”); and

WHEREAS, Champlain Hudson Power Express, Inc. (“CHPEI”) has discussed the project extensively with the Town of Fort Ann (“Fort Ann Host Community”), as the Project will be located within this community; and

WHEREAS, the Original Fort Ann Routing led CHPEI to develop an alternative routing (the “New Fort Ann Routing”) along Old North Route 4 and Old South Route 4 for approximately 3.1 miles from the Towns of Whitehall and Fort Ann boundary to its southern end where it then connects with the Rail ROW for approximately 3.5 miles; and

WHEREAS, the New Fort Ann Routing is proposed with a view towards decreasing environmental, and community impacts and increasing constructability; and



WHEREAS, the Project will provide significant economic and environmental benefits to New York State in the form of lower electric rates, by reducing greenhouse gas emissions and jobs, including local jobs during the Project's construction; and

WHEREAS, in recognition that CHPEI will generate tax revenue to Washington County, the Town of Fort Ann and the Fort Ann Central School District once the project commences operation; and

WHEREAS, once the project commences operation it will not require ongoing services of Town departments or local schools; and

WHEREAS, CHPEI desires that the Town of Fort Ann endorse the Project and the New Fort Ann Routing within the Town of Fort Ann; and

WHEREAS, CHPEI believes that the Town of Fort Ann endorsement is an essential prerequisite to obtaining all final Project permits and approvals;

**NOW, THEREFORE, BE IT RESOLVED,**

1. That the Town Board of the Town of Fort Ann is fully familiar with the Project, including the scope of the work to be performed by CHPEI within the Town of Fort Ann in furtherance of the Project.
2. That, the Town Clerk is hereby directed to forward a certified copy of this approved resolution to Transmission Developers Inc. at The Pieter Schuyler Building, 600 Broadway, Albany, NY 12207 for inclusion with CHPEI's application for amendment to its New York State Certificate of Environmental Compatibility and Public Need and any required applications for amendments to the Project's Federal Permits.
3. That the Town Board of the Town of Fort Ann hereby grants its consent to CHPEI in accordance with section 11 of New York's Transportation Corporations Law to

lay down, construct and maintain its wires, conductors, conduits and other fixtures in and under the streets, avenues, public parks and places in the Town of Fort Ann in accordance with the requirements of CHPEI's Article VII Certificate, as amended and in effect from time to time.

4. This Resolution shall take effect immediately.

The question of the adoption of the foregoing resolution was duly put to vote on a roll call, which resulted as follows:

Councilman Fletcher - AYE  
Councilwoman Stark - AYE  
Councilman Hall – AYE  
Councilwoman Witherell – AYE  
Supervisor Moore - AYE

**RESOLUTION OF THE  
BOARD OF THE  
VILLAGE OF FORT ANN**

WHEREAS, CHPE LLC and its wholly-owned subsidiary CHPE Properties, Inc., their successors and assigns (hereinafter “CHPE”), is developing the Champlain Hudson Power Express Project (the “Project”), an approximately 1,000 megawatt underground and underwater high voltage, direct current electric transmission facility extending from the United States’ border with Canada to Queens, New York; and

WHEREAS, the New York State Public Service Commission (the “PSC”) has ruled that the Project will supply clean, renewable hydroelectricity to New York State and has issued a Certificate of Environmental Compatibility and Public Need authorizing the construction and operation of the Project (including any amendments thereto, the “Certificate”); and

WHEREAS, CHPE has discussed the Project with the Village of Fort Ann (the “Municipality”), as a portion of the Project will be located within the Municipality and will occupy certain privately and/or publicly-owned land; and

WHEREAS, the Project will provide significant economic and environmental benefits to New York State and the Municipality in the form of lower electric rates, a reduction in greenhouse gas emissions and increased jobs, including local jobs during the Project’s construction; and

WHEREAS, the Project will provide significant tax (or payment in lieu of tax) revenue to the Village of Fort Ann and Washington County during the course of its expected 40-60 year operating life; and

WHEREAS, prior to construction within the Municipality, CHPE will require a Road Use and Crossing Agreement with the Municipality that will include, at a minimum, construction responsibilities and plans, restoration and repair of damage, dispute resolution, bonding, insurance and indemnification provisions; and

WHEREAS, once the Project commences operation, it is not expected to require any services from the Municipality.

**NOW, THEREFORE, BE IT RESOLVED,**

1. That the Village of Fort Ann (“Village”) is familiar with and supportive of the Project, including the use and occupancy of privately and/or publicly-owned land in the Municipality.

2. That the Village hereby grants its consent to CHPE, in accordance with section 11(3) of the New York State Transportation Corporations Law, to lay down, construct and maintain its wires, conductors, conduits and other fixtures in and under the streets, avenues, public parks and all other publicly-owned places in the Municipality in accordance with the provisions of the Certificate.

3. That the Village commits the Municipality to the taking of such further actions, if and when reasonably requested by CHPE and consistent with applicable law, as may facilitate the successful achievement of the Project, including, without limitation, executing a Crossing Agreement substantially in the form annexed hereto.

4. That the Village Mayor is hereby authorized and directed to take all appropriate measures to implement the intent of this Resolution and the Town Clerk is hereby directed to forward a certified copy hereof to CHPE at the Pieter Schuyler Building, 600 Broadway, Albany, NY 12207.

5. That the Village approves the inclusion of a copy of this Resolution as a part of any filing made by CHPE with any governmental bodies when and as required or requested by the same and the use of this Resolution in public statements made by CHPE regarding host community support for the Project.

6. That this Resolution shall take effect immediately.

The question of the adoption of the foregoing Resolution was duly put to vote on a roll call, which resulted as follows:

Aye	Nay
Denis, Mayor	
Roy, Trustee	
ED, Trustee	

The foregoing Resolution was thereupon declared duly adopted.

The first regular meeting of the Kingsbury Town Board was conducted on June 1, 2020 via teleconference/virtual.

MEMBERS PRESENT: Dana Hogan, Supervisor  
Richard Doyle, Councilman  
William Haessly, Councilman  
Jane Havens, Councilwoman  
Dan Washburn

OTHERS PRESENT: Jeffrey Meyer, Town Attorney  
Rebecca Pomainville, Comptroller  
Michael Graham, Highway Superintendent  
Todd Humiston, Enforcement & Dog Control Officer  
Josh Bagnato, Transmission Developers, Inc.  
Jerry & Jolene Caruso, Town Residents

The meeting was called to order at 7:01 PM by Supervisor Hogan and opened for the order of business with the Flag Salute led by Councilwoman Havens.

The minutes of the May 13, 2020 Special Town Board Meeting were accepted as submitted by the Town Clerk with a **motion** by Councilman Haessly seconded by Councilman Washburn and carried by a vote of 5 ayes.

Josh Bagnato of Transmissions Developers, Inc. gave a summary of the Champlain Hudson Power Express Project. The CHPE is a fully permitted, 1,000-megawatt high voltage direct current underwater and underground transmission line bringing low cost renewable energy from the U.S. – entirely down the Canadian-Pacific Railway. It is a private transmission line which will be buried. Mr. Bagnato is seeking a resolution from the Town Board stating they are fully familiar and supportive of the project. Attorney Meyer recommended the following be added to the sample resolution provided by the Champlain Hudson Power Express, Inc.:

In the resolved section that the Board hereby grants its consent to CHPEI, in accordance with section 11(3) of the New York State Transportation Corporations Law, he would add notwithstanding the foregoing the Board makes no commitment relative to the real property that is underlying the Town highways that is not owned by the Municipality. A **motion** by Councilman Doyle seconded by Councilman Haessly to accept the following with the changes recommended by Attorney Meyer:

## **RESOLUTION OF THE BOARD OF THE TOWN OF KINGSBURY**

WHEREAS, Champlain Hudson Power Express, Inc. (including its successors and/or assigns, “CHPEI”) is developing the Champlain Hudson Power Express Project (the “Project”),

an approximately 1,000 megawatt underground and underwater high voltage, direct current electric transmission facility extending from the United States' border with Canada to Queens, New York; and

WHEREAS, the New York State Public Service Commission (the "PSC") has ruled that the Project will supply clean, renewable hydroelectricity to New York State and has issued a Certificate of Environmental Compatibility and Public Need authorizing the construction and operation of the Project (including any amendments thereto, the "Certificate"); and

WHEREAS, CHPEI has discussed the Project extensively with the Town of Kingsbury, as a portion of the Project will be located within the Municipality and will occupy certain privately and/or publicly-owned land; and

WHEREAS, the Project will provide significant economic and environmental benefits to New York State and the Municipality in the form of lower electric rates, a reduction in greenhouse gas emissions and increased jobs, including local jobs during the Project's construction; and

WHEREAS, the Project will provide significant tax (or payment in lieu of tax) revenue to Town of Kingsbury, County of Washington and School District of Hudson Falls during the course of its expected 40-60 year operating life; and

WHEREAS, prior to construction within the Municipality, CHPEI will require a Road Crossing Agreement with the Municipality that will include, at a minimum, construction responsibilities and plans, restoration and repair of damage, dispute resolution, bonding, insurance and indemnification provisions; and

WHEREAS, once the Project commences operation, it is not expected to require any services from the Municipality;

**NOW, THEREFORE, BE IT RESOLVED,**

1. That the Kingsbury Town Board is fully familiar with and supportive of the Project, including the use and occupancy of privately and/or publicly-owned land in the Municipality.

2. That the Board hereby grants its consent to CHPEI, in accordance with section 11(3) of the New York State Transportation Corporations Law, to lay down, construct and maintain its wires, conductors, conduits and other fixtures in and under the streets, avenues, public parks and all other publicly-owned places in the Municipality in accordance with the provisions of the Certificate. Notwithstanding the foregoing, the Board makes no representations or warranties as to the ownership of the land under the highway and if they are not owned by the Town, CHPEI shall secure the necessary easements.

3. That the Board commits the Municipality to the taking of such further actions, if and when reasonably requested by CHPEI and consistent with applicable law, as may facilitate the successful achievement of the Project, including, without limitation, executing a Crossing Agreement substantially in the form annexed hereto.

4. That the Kingsbury Town Board is hereby authorized and directed to take all appropriate measures to implement the intent of this Resolution and the Town Clerk is hereby directed to forward a certified copy hereof to CHPEI at the Pieter Schuyler Building, 600 Broadway, Albany, NY 12207.

5. That the Board approves the inclusion of a copy of this Resolution as a part of any filing made by CHPEI with any governmental bodies when and as required or requested by the same and the use of this Resolution in public statements made by CHPEI regarding host community support for the Project.

6. That this Resolution shall take effect immediately.

The question of the adoption of the foregoing Resolution was duly put to vote on a roll call, which resulted as follows:

Aye

Abstain

Supervisor Hogan  
Councilman Doyle  
Councilman Haessly  
Councilman Washburn

Councilwoman Havens, did not have the opportunity to review the proposed resolution

The foregoing Resolution was thereupon declared duly adopted.



A **motion** by Councilman Doyle seconded by Councilman Washburn and carried by a vote of 5 ayes to schedule a Public Hearing on July 20, 2020 for a Local Law amending reducing the number of members on the Zoning Board of Appeals.

The Board discussed clarifying the definition of a Town Zoning & Planning Law in regard to a “buffer zone” between a residential and commercial property. Councilman Doyle stated at this time a lawn can constitute a buffer zone. He thinks we should specify that it be something that cannot be seen through whether it be fir trees, cedar or some type of conifer tree. Councilman Haessly suggested we should discuss the definition of a vision barrier as well as a buffer zone. Supervisor Hogan asked Attorney Meyer if there was a template to be used in this situation to better define a buffer zone. Attorney Meyer stated different communities do different things. The way the language is written now is when you are transitioning from a commercial district to a residential district the portion that is facing the residential district must have a 5 foot fence and there needs to be a buffer essentially from the property line fifty feet which must be maintained. It does not say what is existing or what may occur it just says it must be maintained. Attorney Meyer stated it is one of the areas where there is room for improvement. Supervisor Hogan asked Attorney Meyer in order to move forward and tighten the definition of buffer zone what would the steps be to come up with a better definition. Attorney Meyer stated you could do it two ways; you could see what other communities do when there is a transition from residential to commercial or we can use what we have and better define what should be in the 50 foot buffer zone. If the Board would like to see landscaping, a visual buffer and some kind of noise mitigation we could use that and save the time and energy in research. The discussion continued. Enforcement Officer Todd Humiston stated he feels there is room for improvement in the transition zones, he will research and have ideas for the next Board Meeting.

Supervisor Hogan reported Highway Superintendent Michael Graham brought his entire crew back after working half crews for the last few weeks. Superintendent Graham spoke with the Washington County Safety Officer last week and then printed some forms about disinfecting and social distancing and then conducted a safety meeting with the highway crew. When the crew arrives they are required to complete a COVID-19 pre-screening checklist and a discussion occurs where COVID-19, disinfecting, social distancing and wearing masks is addressed. Posters have been placed in the facility with the proper way to wash your hands and ways to prevent the spread of COVID-19.

Supervisor Hogan stated it was time to discuss the opening of Town Hall and requested the Comptroller and the Town Clerk put together a plan. Comptroller Rebecca Pomainville reported she had the same pre-screening forms for employees and posters that the Highway employees have to keep things consistent. She will maintain the required state records. A drop box will be installed by the Highway Department this week on the Town Clerk side of the Town Hall for payments to help reduce the foot traffic in Town Hall. A door chime with an intercom has been ordered which will be installed at the main entrance of Town Hall. The door will remain locked, allowing one person at a time in the building. When they ring the door chime a clerk can respond and assist them and let them know if they can enter the building. Comptroller Pomainville stated every organization must have a COVID-19 Response Coordinator, Highway Superintendent Graham will be responsible for the employees in his building and the Comptroller will make sure we maintain the proper records and training.

Supervisor Hogan stated with the way Town Hall is set up we should be able to maintain social distancing. The Town Clerk feels her Deputy can return to the office; they will be able to work from the Town Clerk Office and the Tax Office if necessary. Supervisor Hogan asked the Town Clerk if the door should remain locked. The Town Clerk stated the door should remain locked due to the limited space in Town Hall. The hallway is not six feet wide and social distancing would not be possible.

Councilwoman Jane Havens addressed the Board with her thoughts related to the handling and effects of the COVID-19 pandemic. She is supportive of whatever is comfortable for the Town Clerk and Comptroller in regard to the re-opening of Town Hall.

Councilman Haessly shared his thoughts on the re-opening of Town Hall. Councilman Haessly, Councilman Washburn and Councilman Doyle are supportive of whatever is comfortable for the Town Clerk and Comptroller in regard to the re-opening of Town Hall.

Enforcement Officer Todd Humiston agrees there should be no more than one or two customers in the building at one time. Due to the small size of his office and his secretary's office social distancing will not be possible, they may have to conduct business near the front of the offices.

The Board discussed the re-opening of the Town Court. Attorney Meyer stated the court system is slowly starting to process things again and may re-open sooner than expected. The discussion continued in regard to the cleaning of Town Hall and the Town Court.

Supervisor Hogan reviewed the plan for re-opening Town Hall; the Board is in favor of us moving back to a blended re-opening where we bring people back, we maintain the proper social distancing, we keep Town Hall locked, essentially open by appointment only, but customers can enter the building if they would like.

#### TOWN CLERK REPORT:

Town Clerk reported she had sent a letter and an oath of office to Kathy Macura, the newly appointed member of the Board of Assessment Review. The notarized oath of office has been returned to the Town Clerk and filed.

Town Clerk reported effective August 1, 2020 the State Archives is revising its local government records retention and disposition schedules which will replace and supersede the MU-1 Schedule used by municipalities. The Town Board must adopt by resolution the LGS-1 schedule before the Town Clerk can utilize it.

#### ENFORCEMENT & DOG CONTROL OFFICER REPORT:

Todd Humiston reported he is back working in the office full time and has been very busy with enforcement and dog calls. He has been conducting curbside appointments; a lot of people have been dropping off permits to be signed or picking up complaint forms. The verbal warnings that are issued about barking dogs or unleashed dogs have been handled via mail and is working very well.

#### COMPTROLLER/BUDGET OFFICER REPORT:

Rebecca Pomainville requested an executive to discuss the health insurance for a particular individual.

#### HIGHWAY SUPERINTENDENT REPORT:

Michael Graham reported they had received the bills for paving and they are approximately \$20,000.00 under budget.

Graham received an email from Councilman Haessly in regard to putting stone in the Town Court parking lot. Graham stated he would prefer to pave the parking lot. The cost to pave the parking lot will

be approximately \$15,000.00. A discussion followed. Comptroller Pomainville asked if the Board would be opposed to waiting until the third quarter to see how the Town's revenue and expenses were playing before making a decision to pave.

**COUNCIL REPORT:**

Councilwoman Havens asked the Comptroller if she had heard from the other Board of Assessment Review candidate. The Comptroller stated she received a call from the candidate and asked him to submit a letter of interest and his resume. She has not received anything at this time.

Councilwoman Havens "Good News About Town" is they did have a Memorial Day Parade. Tim Havens orchestrated a tractor parade with about 18 participants. They put the flags on and got an escort from the Sheriff's Department. They took the normal parade route and went into the cemetery to the War Memorial and Tim Havens did a little service. Everyone felt like they did not let Memorial Day pass, so Kingsbury and Hudson Falls did have a Memorial Day parade and it was safe.

**SUPERVISOR REPORT:**

Supervisor Hogan reported the County is opening on June 8<sup>th</sup> by appointment only.

The County Budget Officer Dan Shaw was replaced by another Budget Officer.

Supervisor Hogan spoke to Assessor Colleen Adamec in regard to Grievance Day. Colleen feels we can conduct Grievance Day at the Town Hall by appointment only and maintain social distancing.

A **motion** by Councilman Washburn seconded by Councilman Haessly and carried by a vote of 5 ayes to accept the reports of certain officers for the month of May as follows:

Dog Control Officer: Complaints/Calls 32; Unlicensed Dogs 6; Bites Investigated 1; Mileage 154 (44,568)

Town Clerk: Paid to Supervisor: \$1,379.00; Paid to the Village of Hudson Falls; Paid to Ag & Markets for Population Control \$71.00

Town Justice for March: Fees Collected \$14,609.50

Assessor Sales for March

**PUBLIC COMMENT:**

Jerry Caruso thanked the Town Clerk for keeping him in the loop with notification of Town Board Meetings and a thank you to Superintendent Graham and his crew for the clean-up after the weekend storms.

A **motion** by Councilwoman Havens seconded by Councilman Haessly and carried by a vote of 5 ayes to re-appoint Randy Weaver to the Planning Board for a 7- year term.

A **motion** by Councilman Washburn seconded by Councilman Haessly and carried by a vote of 5 ayes to enter into executive session at 8:34 PM to discuss potential legal action and health insurance for a specific individual.

A **motion** by Councilman Washburn seconded by Councilman Haessly and carried by a vote of 5 ayes to exit the executive session at 8:53 PM; no action was taken.

There being no further business before the Board a **motion** by Councilman Washburn seconded by Councilman Doyle and carried by a vote of 5 ayes to adjourn the meeting at 8:53 PM.

Respectfully submitted,  
Cynthia A. Bardin



# VILLAGE OF FORT EDWARD

118 Broadway, P.O. Box 345, Fort Edward, N.Y. 12828

Phone (518) 747-4023 Fax (518) 747-0476

[www.villageoffortedward.com](http://www.villageoffortedward.com)

## BOARD OF TRUSTEES

Mayor Matthew Traver

Trustee Peter Williams

Trustee John Boucher

Trustee Edward Carpenter

Trustee David Cutler

## BOARD OF TRUSTEES OF THE VILLAGE OF FORT EDWARD COUNTY OF WASHINGTON, STATE OF NEW YORK

Resolution 35 of 2020-2021

### CHAMPLAIN HUDSON POWER EXPRESS

Motion By	<u>Trustee Williams</u>
Seconded By	<u>Trustee Cutler</u>
Dated	<u>April 5 2021</u>

### RESOLUTION OF THE BOARD OF TRUSTEES OF THE VILLAGE OF FORT EDWARD

WHEREAS, Champlain Hudson Power Express, Inc. (including its successors and/or assigns, "CHPEI") is developing the Champlain Hudson Power Express Project (the "Project"), an approximately 1,000 megawatt underground and underwater high voltage, direct current electric transmission facility extending from the United States' border with Canada to Queens, New York; and

WHEREAS, the New York State Public Service Commission (the "PSC") has ruled that the Project will supply clean, renewable hydroelectricity to New York State and has issued a Certificate of Environmental Compatibility and Public Need authorizing the construction and operation of the Project (including any amendments thereto, the "Certificate"); and

WHEREAS, CHPEI has discussed the concept of the Project with the Village of Fort Edward (the "Village"), as a portion of the Project will be located within the Village and will occupy certain privately and/or publicly-owned land; and

WHEREAS, CHPEI has materially represented to the Village that the Project will provide significant economic and environmental benefits to New York State and the Village in the form of lower electric rates, a reduction in greenhouse gas emissions and increased jobs, including local jobs during the Project's construction; and

WHEREAS, CHPEI has materially represented to the Village that the Project will provide significant tax revenue to the Village during the course of its expected 40-60 year operating life; and

WHEREAS, prior to construction within the Village, the Village will require a Road Crossing Agreement with the CHPEI that will include, at a minimum, construction responsibilities and plans, restoration and repair of damage, dispute resolution, bonding, insurance and indemnification provisions; and

WHEREAS, CHPEI has materially represented to the Village that once the Project commences operation, it is not expected to require any services from the Municipality;

**NOW, THEREFORE, BE IT RESOLVED,**

1. That the Board of Trustees of the Village (the “Board”) is familiar with Project, including the use and occupancy of privately and/or publicly-owned land in the Municipality, as represented by CHPEI.

2. That the Board hereby grants its preliminary consent to CHPEI, in accordance with section 11(3) of the New York State Transportation Corporations Law, to lay down, construct and maintain its wires, conductors, conduits and other fixtures in and under the streets and avenues in the Municipality in accordance with the provisions of the Certificate, subject to the terms of this resolution and a Road Crossing Agreement in form and substance acceptable to the Board.

3. That the Mayor is hereby authorized and directed to take all appropriate measures to implement the intent of this Resolution and the Village Clerk is hereby directed to forward a certified copy hereof to CHPEI at the Pieter Schuyler Building, 600 Broadway, Albany, NY 12207.

4. That the Board approves the inclusion of a copy of this Resolution as a part of any filing made by CHPEI with any governmental bodies when and as required or requested by the same and the use of this Resolution in public statements made by CHPEI regarding host community support for the Project.

5. That this Resolution shall take effect immediately.

ALL AYES. MOTION CARRIED.

**RESOLUTION SUPPORTING THE  
CHAMPLAIN HUDSON POWER EXPRESS PROJECT**

**RESOLUTION NO. 19 OF 2020**

**MOTION BY COUNCILWOMAN HOLDEN**

**SECONDED BY COUNCILMAN FISHER**

WHEREAS, Champlain Hudson Power Express, Inc. (“CHPEI”) is developing the Champlain Hudson Power Express Project (the “Project”), an approximately 1,000 megawatt underground and underwater high voltage, direct current electric transmission facility extending from the United States’ border with Canada to Queens, New York; and

WHEREAS, the New York State Public Service Commission (the “PSC”) has ruled that the Project will supply clean, renewable hydroelectricity to New York State and has issued a Certificate of Environmental Compatibility and Public Need authorizing the construction and operation of the Project (including any amendments thereto, the “Certificate”); and

WHEREAS, a portion of the Project will be located within the Town and will occupy certain privately-owned land; and

WHEREAS, the Project will provide significant economic and environmental benefits to New York State in the form of lower electric rates, a reduction in greenhouse gas emissions and increased jobs, including local jobs during the Project’s construction;

**NOW, THEREFORE, BE IT RESOLVED,**

1. That the Fort Edward Town Board is fully familiar with and supportive of the Project and looks forward to the completion of the Project.
2. That the Board approves the inclusion of a copy of this Resolution as a part of any filing made by CHPEI with any governmental bodies when and as required or requested by the same and the use of this Resolution in public statements made by CHPEI regarding host community support for the Project.

The question of the adoption of the foregoing Resolution was duly put to vote on a roll call, which resulted as follows:

The foregoing Resolution was thereupon declared duly adopted.

DATED: June 8, 2020

Vote: Councilman Mercier – AYE  
Councilwoman Mullen – AYE  
Councilman Fisher – AYE  
Councilwoman Holden – AYE  
Supervisor Losaw – AYE

May 12, 2020

**RESOLUTION OF THE  
TOWN BOARD OF THE  
TOWN OF MOREAU**

WHEREAS, Champlain Hudson Power Express, Inc. (including its successors and/or assigns, "CHPEI") is developing the Champlain Hudson Power Express Project (the "Project"), an approximately 1,000 megawatt underground and underwater high voltage, direct current electric transmission facility extending from the United States' border with Canada to Queens, New York; and

WHEREAS, the New York State Public Service Commission (the "PSC") has ruled that the Project will supply clean, renewable hydroelectricity to New York State and has issued a Certificate of Environmental Compatibility and Public Need authorizing the construction and operation of the Project (including any amendments thereto, the "Certificate"); and

WHEREAS, CHPEI has discussed the Project extensively with the Town of Moreau (the "Municipality"), as a portion of the Project will be located within the Municipality and will occupy certain privately and/or publicly-owned land; and

WHEREAS, the Project will provide significant economic and environmental benefits to New York State and the Municipality in the form of lower electric rates, a reduction in greenhouse gas emissions and increased jobs, including local jobs during the Project's construction; and

WHEREAS, the Project will provide significant tax (or payment in lieu of tax) revenue to the Town of Moreau, County of Saratoga and South Glens Falls Central School District during the course of its expected 40-60 year operating life; and

WHEREAS, prior to construction within the Municipality, CHPEI will require a Road Crossing Agreement with the Municipality that will include, at a minimum, construction responsibilities and plans, restoration and repair of damage, dispute resolution, bonding, insurance and indemnification provisions; and



WHEREAS, once the Project commences operation, it is not expected to require any services from the Municipality;

**NOW, THEREFORE, BE IT RESOLVED,**

1. That the Town Board (the "Board") is fully familiar with and supportive of the Project, including the use and occupancy of privately and/or publicly-owned land in the Municipality.

2. That the Board hereby grants its consent to CHPEI, in accordance with section 11(3) of the New York State Transportation Corporations Law, to lay down, construct and maintain its wires, conductors, conduits and other fixtures in and under the streets, avenues, public parks and all other publicly-owned places in the Municipality in accordance with the provisions of the Certificate.

3. That the Board commits the Municipality to the taking of such further actions, if and when reasonably requested by CHPEI and consistent with applicable law, as may facilitate the successful achievement of the Project, including, without limitation, executing a Crossing Agreement substantially in the form annexed hereto.

4. That the Supervisor is hereby authorized and directed to take all appropriate measures to implement the intent of this Resolution and the Town Clerk is hereby directed to forward a certified copy hereof to CHPEI at the Pieter Schuyler Building, 600 Broadway, Albany, NY 12207.

5. That the Board approves the inclusion of a copy of this Resolution as a part of any filing made by CHPEI with any governmental bodies when and as required or requested by the same and the use of this Resolution in public statements made by CHPEI regarding host community support for the Project.

6. That this Resolution shall take effect immediately.

The question of the adoption of the foregoing Resolution was duly put to vote on a roll call, which resulted as follows:

MOTION: Councilmember LeClair  
SECOND: Councilmember Noonan

Roll Call

Councilman Donohue:	Aye
Councilman Hogan:	Aye
Councilwoman LeClair:	Aye
Deputy Supervisor Noonan:	Aye
Supervisor Kusnierz:	Aye

I hereby certify that this Resolution was duly adopted by the Town Board of the Town of Moreau at a regular meeting of the Town Board conducted on May 12, 2020.

By: *Leeann McCabe*

Leeann McCabe  
Town Clerk  
Town of Moreau

**RESOLUTION OF THE  
BOARD OF THE  
TOWN OF NORTHUMBERLAND**

**WHEREAS**, Champlain Hudson Power Express, Inc. and CHPE Properties, Inc. (including their successors and/or assigns, "CHPE") is developing the Champlain Hudson Power Express Project (the "Project"), an approximately 1,000 megawatt underground and underwater high voltage, direct current electric transmission facility extending from the United States' border with Canada to Queens, New York; and

**WHEREAS**, the New York State Public Service Commission (the "PSC") has ruled that the Project will supply clean, renewable hydroelectricity to New York State and has issued a Certificate of Environmental Compatibility and Public Need authorizing the construction operation of the Project (including any amendments thereto, the "Certificate"); and

**WHEREAS**, CHPEI has discussed the Project with the Town of Northumberland (the "Municipality"), as a portion of the Project will be located within the Municipality and will occupy certain privately and/or publicly-owned land; and

**WHEREAS**, the project will provide significant economic and environmental benefits to New York State in the form of lower electric rates, a reduction in greenhouse gas emissions and increased jobs, including local jobs during the Project's construction; and

**WHEREAS**, the Project will provide tax (or payment in lieu of tax) revenue to the Town of Northumberland, County of Saratoga and the South Glens Falls School District during the course of its expected 40-60-year operating life; and

**WHEREAS**, prior to construction within the Municipality, CHPEI will require a Road Crossing Agreement with the Municipality that will include, at a minimum, construction responsibilities and plans, restoration and repair of damage, dispute resolution, bonding, insurance and indemnification provisions; and

**WHEREAS**, once the Project commences operation, it is not expected to require any services from the Municipality;

**NOW, THEREFORE, BE IT RESOLVED,**

1. That the Northumberland Town Board (the "Board") is fully familiar with and supportive of the Project, including the use and occupancy of privately and/or publicly-owned land in the Municipality.

2. That the Board hereby grants its consent to CHPEI, in accordance with section 11(3) of the New York State Transportation Corporations Law, to lay down, construct and maintain its wires, conductors, conduits and other fixtures in and under the streets, avenues, public parks and all other publicly-owned places in the Municipality in accordance with the provisions of the Certificate.

3. That the Board supports the Municipality to the taking of such further actions, if and when reasonably requested by CHPEI and consistent with applicable law, as may facilitate the successful achievement of the Project, including, without limitation, executing a Crossing Agreement substantially in the form annexed hereto.

4. That the Town Supervisor is hereby authorized and directed to take all appropriate measures to implement the intent of this resolution and the Town Clerk is hereby directed to forward a certified copy hereof to CHPEI at the Pieter Schuyler Building, 600 Broadway, Albany, NY 12207.

5. That the Board approves the inclusion of a copy of this resolution as a part of any filing made by CHPEI with any governmental bodies when and as required or requested by the same and the use of this Resolution in public statements made by CHPEI regarding host community support for the Project.

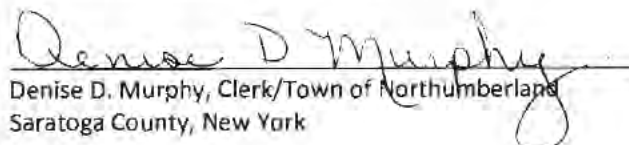
6. That this Resolution shall take effect immediately.

STATE OF NEW YORK

COUNTY OF SARATOGA

I, Denise D. Murphy, Clerk for the Town of Northumberland, do hereby certify that the foregoing is a true copy, and the whole thereof, of a Resolution duly adopted by the Town Board of said County on the 8<sup>th</sup> day of October, 2020.

**IN WITNESS WHEREOF**, I have hereunto subscribed my name and affixed hereto the official seal of said Town this 8<sup>th</sup> day of October, 2020.

  
Denise D. Murphy, Clerk/Town of Northumberland  
Saratoga County, New York

**Consideration of Champlain Hudson project Express Transmission Line Resolution**

On a motion introduced by **Councilman O'Connor**, the board adopted the following resolution:

**RESOLUTION #146**

WHEREAS, Champlain Hudson Power Express, Inc. (including its successors and/or assigns, "CHPEI") is developing the Champlain Hudson Power Express Project (the "Project"), an approximately 1,000 megawatt underground and underwater high voltage, direct current electric transmission facility extending from the United States' border with Canada to Queens, New York; and

WHEREAS, the New York State Public Service Commission (the "PSC") has ruled that the Project will supply clean, renewable hydroelectricity to New York State and has issued a Certificate of Environmental Compatibility and Public Need authorizing the construction and operation of the Project (including any amendments thereto, the "Certificate"); and

WHEREAS, CHPEI has discussed the Project with the Town of Wilton (the "Municipality"), as a portion of the Project will be located within the Municipality and will occupy certain privately and/or publicly owned land; and

WHEREAS, the Project will provide significant economic and environmental benefits to New York State and the Municipality in the form of lower electric rates, a reduction in greenhouse gas emissions and increased jobs, including

local jobs during the Project's construction; and

WHEREAS, the Project will provide significant tax (or payment in lieu of tax) revenue to the Town of Wilton, the County of Saratoga and the Saratoga Springs, Schuylerville and South Glens Falls School Districts during the course of its expected 40-60 year operating life; and

WHEREAS, prior to construction within the Municipality, CHPEI will require a Road Crossing Agreement with the Municipality that will include, at a minimum, construction responsibilities and plans, restoration and repair of damage, dispute resolution, bonding, insurance and indemnification provisions; and

WHEREAS, once the Project commences operation, it is not expected to require any services from the Municipality.

**NOW, THEREFORE, BE IT RESOLVED,**

1. That the Wilton Town Board (the "Board") is fully familiar with and supportive of the Project, including the use and occupancy of privately and/or publicly-owned land in the Municipality.

2. That the Board hereby grants its consent to CHPEI, in accordance with section 11(3) of the New York State Transportation Corporations Law, to lay down, construct and maintain its wires, conductors, conduits and other fixtures in and under the streets, avenues, public parks and all other publicly-owned places in the Municipality that have been identified by CHPEI as the location of any necessary crossing, and in

accordance with the provisions of the Certificate.

3. That the Town Supervisor, Town Clerk and Town Counsel are hereby authorized to undertake any further actions, if and when reasonably requested by CHPEI and consistent with applicable law, as may facilitate the successful achievement of the Project, including executing a Crossing Agreement substantially in the form annexed hereto.

4. That the Town Clerk is hereby authorized and directed to forward a certified copy of this Resolution to CHPEI at the Pieter Schuyler Building, 600 Broadway, Albany, NY 12207.

5. That the Board approves the inclusion of a copy of this Resolution as a part of any filing made by CHPEI with any governmental bodies when and as required or requested by the same and the use of this Resolution in public statements made by CHPEI regarding host community support for the Project.

6. That this Resolution shall take effect immediately.

The question of the adoption of the foregoing Resolution was duly put to vote on a roll call, which resulted as follows.

The adoption of the Resolution was seconded by, **Councilwoman Kolligian**, duly put to vote all in favor. The motion passed 5-0.

#### **Fence Ordinance**

**Supervisor Lant** asked the Board if they had any adjustments they would like to see. Mark Mykins will be available to discuss them.

On a motion introduced by **Deputy Supervisor McEachron**, the board adopted the following resolution:

**September 10, 2020 Town Board Minutes – Town of Greenfield**

**CHAMPLAIN HUDSON POWER PROJECT-** Supervisor Pemrick states the Town Board members have a copy of the Resolution that has been reviewed by the Town Attorney any comments or changes have been accepted by Champlain Hudson Power Express Inc. and authorizes the project within the Town of Greenfield. The Superintendent of Highways did the research for the roads. Supervisor Pemrick asks Town Counsel Schachner that he has no objections to passing the Resolution in support of the Champlain Hudson Power Project. Counsel Schachner states that is correct.

**RESOLUTION #102-2020 –SUPPORT THE CHAMPLAIN HUDSON POWER PROJECT WITHIN THE TOWN OF GREENFIELD**

Motion: Johnson, C

Seconded: Veitch, C

**WHEREAS**, Champlain Hudson Power Express, Inc. ( including its successors and /or assigns, "CHPEI) is developing the Champlain Hudson Power Express Project (the "Project) an approximately 1,000 megawatt underground and underwater high voltage, direct current electric transmission facility extending from the United States' border with Canada to Queens, New York; and

**WHEREAS**, The New York State Public Service Commission (the "PSC") has ruled that the Project will supply clean, renewable hydroelectricity to New York State and has issued a Certificate of Environmental Compatibility and Public Need authorizing the construction and operation of the Project (including any amendments thereto, the "Certificate"); and

**WHEREAS**, CHPEI has discussed the project with the Town of Greenfield (the Municipality), as a portion of the Project will be located within the Municipality and will occupy certain privately and/or publicly-owned land; and

**WHEREAS**, the Project will provide significant economic and environmental benefits to New York State and the Municipality in the form of lower electric rates, a reduction in greenhouse emissions and increased jobs, including local jobs during the Project's construction; and

**WHEREAS**, the Project will provide significant tax (or payment in lieu of tax) revenue to the Town of Greenfield, the County of Saratoga and the Saratoga Springs School District during the course of its expected 40-60 year operating life; and

**WHEREAS**, prior to construction within the Municipality, CHPEI will require a Road Crossing Agreement with the Municipality that will include, at a minimum, construction responsibilities and plans, restoration and repair of damage, dispute resolution, bonding, insurance and indemnification provisions; and

**WHEREAS**, once the Project commences operation, it is not expected to require any services from the Municipality.

**NOW, THEREFORE, BE IT RESOLVED,**

1. That the Greenfield Town Board (the "Board") is fully familiar with and supportive of the Project, including the use and occupancy of privately and/or publicly- owned land in the Municipality.
2. That the Board hereby grants its consent to CHPEI, in accordance with section 11(3) of the New York State Transportation Corporations Law, to lay down, construct and maintain its wires, conductors, conduits and other fixtures in and under the streets, avenues, public parks and all other



publicly-owned places in the Municipality that have been identified by CHPEI as the location of any necessary crossing and in accordance with the provisions of the Certificate.

3. That the Board commits the Municipality to the taking of such further actions, if and when reasonably requested by CHPEI and consistent with applicable law, as may facilitate the successful achievement of the Project, including executing a Crossing Agreement substantially in the form annexed hereto.

4. That the Supervisor, after review and approval by the Town's Attorney, is hereby authorized and directed to take all appropriate measures to implement the intent of this Resolution and the Town Clerk is hereby directed to forward a certified copy hereof to CHPEI at the Pieter Schuyler Building, 600 Broadway, Albany, NY 12207.

5. That the Board approves the inclusion of a copy of this Resolution as a part of any filing made by CHPEI with any government bodies when and as required or requested by the same and the use of this Resolution in public statements made by CHPEI regarding host community support for the Project.

6. That this Resolution shall take effect immediately.

The question of the adoption of the foregoing Resolution was duly put to vote on roll call, which resulted as follows:

VOTE: Ayes: Pemrick, Johnson, Capasso, Veitch, Stacey  
Noes: None

The foregoing Resolution was thereupon declared duly adopted.

  
\_\_\_\_\_  
TOWN CLERK

**RESOLUTION OF THE  
CITY COUNCIL OF THE  
CITY OF SARATOGA SPRINGS**

WHEREAS, CHPE LLC and its wholly-owned subsidiary CHPE Properties, Inc., their successors and assigns (hereinafter “CHPE”), is developing the Champlain Hudson Power Express Project (the “Project”), an approximately 1,000 megawatt underground and underwater high voltage, direct current electric transmission facility extending from the United States’ border with Canada to Queens, New York; and

WHEREAS, the New York State Public Service Commission (the “PSC”) has ruled that the Project will supply clean, renewable hydroelectricity to New York State and has issued a Certificate of Environmental Compatibility and Public Need authorizing the construction and operation of the Project (including any amendments thereto, the “Certificate”); and

WHEREAS, CHPE has discussed the Project with the City of Saratoga Springs (the “City”), as a portion of the Project will be located within the City and will occupy certain privately and/or publicly-owned land; and

WHEREAS, the Project will provide significant economic and environmental benefits to New York State and the City in the form of lower electric rates, a reduction in greenhouse gas emissions and increased jobs, including local jobs during the Project’s construction; and

WHEREAS, the Project will provide significant tax (or payment in lieu of tax) revenue to the City of Saratoga Springs, County of Saratoga and the Saratoga Springs School District during the course of its expected 40-60 year operating life; and

WHEREAS, prior to construction within the City, CHPE will require a Road Use and Crossing Agreement with the City that will include, at a minimum, construction responsibilities and plans, restoration and repair of damage, dispute resolution, bonding, insurance and indemnification provisions; and

WHEREAS, once the Project commences operation, it is not expected to require any services from the City.

**NOW, THEREFORE, BE IT RESOLVED,**

1. That the Saratoga Springs City Council (the “Council”) is fully familiar with and supportive of the Project, including the use and occupancy of privately and/or publicly-owned land in the City.

2. That the Council hereby grants its consent to CHPE, in accordance with section 11(3) of the New York State Transportation Corporations Law, to lay down, construct and maintain its wires, conductors, conduits and other fixtures in and under the streets, avenues, and all other publicly-owned places in the City in accordance with the provisions of the Certificate.

3. That the City Council commits the City to the taking of such further actions, if and when reasonably requested by CHPE and consistent with applicable law, as may facilitate the successful achievement of the Project, including, without limitation, executing a Road Use and Crossing Agreement substantially in the form annexed hereto.

4. That the Commissioner of Public Works is hereby authorized and directed to take all appropriate measures to implement the intent of this Resolution and the City Clerk is hereby directed to forward a certified copy hereof to CHPE at the Pieter Schuyler Building, 600 Broadway, Albany, NY 12207.

5. That the City Council approves the inclusion of a copy of this Resolution as a part of any filing made by CHPE with any governmental bodies when and as required or requested by the same and the use of this Resolution in public statements made by CHPE regarding host community support for the Project.

6. That this Resolution shall take effect immediately.

The question of the adoption of the foregoing Resolution was duly put to vote on a roll call, which resulted as follows:

Aye

Nay

The foregoing Resolution was thereupon declared duly adopted.



Town Clerk's Office

503 Geyser Road • Ballston Spa, New York 12020  
(518) 885-9220

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I, Brenda Howe, Town Clerk of the Town of Milton do hereby certify that the attached is a true and accurate copy of the original on file, in the office of the Town Clerk of the Town of Milton, 503 Geyser Road, Ballston Spa, NY 12020.

  
\_\_\_\_\_  
Brenda Howe  
Town Clerk

10/15/2020  
\_\_\_\_\_  
Date

TOWN OF MILTON  
RESOLUTION NO 51-2020  
OCTOBER 14, 2020

RESOLUTION TO APPROVE THE CHAMPLAIN HUDSON  
POWER EXPRESS PROJECT

MOVED BY: Councilman Frolish  
SECOND BY: Councilman Isachsen

**WHEREAS**, CHPE LLC and its wholly-owned subsidiary, CHPE Properties, Inc., their successor and assigns (hereinafter “CHPE”), is developing the Champlain Hudson Power Express Project (the “Project”), an approximately 1,000 megawatt underground and underwater high voltage, direct current electric transmission facility extending from the United States’ border with Canada to Queens, New York; and

**WHEREAS**, the New York State Public Service Commission (the “PSC”) has ruled that the Project will supply clean, renewable hydroelectricity to New York State and has issued a Certificate of Environmental Compatibility and Public Need authorizing the construction and operation of the Project (including any amendments thereto, the “Certificate”); and

**WHEREAS**, CHPE has discussed the Project with the Town of Milton (the “Municipality”), as a portion of the Project will be located within the Municipality and will occupy certain privately and/or publicly-owned land; and

**WHEREAS**, the Project will provide significant economic and environmental benefits to New York State and the Municipality in the form of lower electric rates, a reduction in greenhouse gas emissions and increased jobs, including local jobs during the Project’s construction; and

**WHEREAS**, the Project will provide significant tax (or payment in lieu of tax) revenue to the Town of Milton, County of Saratoga and the Ballston Spa and local School Districts during the course of its expected 40-60 year operating life; and

**WHEREAS**, prior to construction within the Municipality, CHPE will require a Road Use and Crossing Agreement with the Municipality that will include, at a minimum, construction responsibilities and plans, restoration and repair of damage, dispute resolution, bonding, insurance and indemnification provisions, all of which must be acceptable to the Town and approved by Town Counsel; and

**WHEREAS**, once the Project commences operation, it is not expected to require any services from the Municipality.

**NOW, THEREFORE, BE IT RESOLVED,**

1. That the Milton Town Board (the “Board”) is fully familiar with and supportive of the Project, including the use and occupancy of privately and/or publicly-owned land in the Municipality.
2. That the Board hereby grants its consent to CHPE, in accordance with section 11(3) of the New York State Transportation Law, to lay down, construct and maintain its wires, conductors, conduits and other

fixtures in and under the streets, avenues, public parks and all other publicly-owned places in the Municipality in accordance with the provisions of the Certificate.

3. That the Board commits the Municipality to the taking of such other further actions, if and when reasonably requested by CHPE and consistent with applicable law, as may facilitate the successful achievement of the Project, including, without limitation, executing a Crossing Agreement substantially in the form annexed hereto, subject however, to approval of same by the Town Attorney.

4. That the Town Supervisor is hereby authorized and directed to take all appropriate measures to implement the intent of this Resolution and the Town Clerk is hereby directed to forward a certified copy hereof to CHPE at the Pieter Schuyler Building, 600 Broadway, Albany, NY 12207.

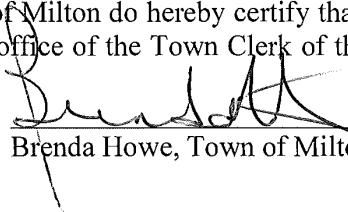
5. That the Board approves the inclusion of a copy of this Resolution as a part of any filing made by CHPE with any governmental bodies when and as required or requested by the same and the use of this Resolution in public statements made by CHPE regarding host community support for the Project.

6. That this Resolution shall take effect immediately.

**Now, Therefore Be It Resolved** by the Town Board of the Town of Milton:

	Yes	No
Benny Zlotnick, Supervisor	X	
Barbara Kerr, Deputy Supervisor	X	
John Frolish	X	
Frank Blaisdell	X	
Ryan Isachsen	X	
The resolution was duly adopted on <b>October 14, 2020</b>		

I, Brenda Howe, Town Clerk of the Town of Milton do hereby certify that the attached Resolution is a true and accurate copy of the original on file at the office of the Town Clerk of the Town of Milton, 503 Geysers Road, Ballston Spa, New York, 12020.

  
Brenda Howe, Town of Milton Town Clerk

**DRAFT THIS AGREEMENT WILL BE EXECUTED IN THE FUTURE ONCE THE ENGINEERING FOR THE PROJECT IS FUTHER DEVELOPED AND THE EXHIBITS ARE AVAILABLE**

**CHAMPLAIN HUDSON POWER EXPRESS, LLC**

**AND**

**THE TOWN OF \_\_\_\_\_**

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**ROAD USE AND CROSSING  
AGREEMENT FOR THE  
CHAMPLAIN HUDSON POWER EXPRESS ELECTRIC  
TRANSMISSION CABLE SYSTEM CROSSING**

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**DATED \_\_\_\_\_, 2021**

ADDRESS:  
CITY/VILLAGE/TOWN:  
COUNTY:  
STATE: New York  
SECTION:  
BLOCK:  
LOT:

Prepared By and Upon Recording Return To:  
Phillips Lytle LLP  
One Canalside  
125 Main Street  
Buffalo, NY 14203-2887  
Attention: Karen Bierfeldt-Held



**DRAFT THIS AGREEMENT WILL BE EXECUTED IN THE FUTURE ONCE THE ENGINEERING FOR THE PROJECT IS FUTHER DEVELOPED AND THE EXHIBITS ARE AVAILABLE**

**ROAD USE AND CROSSING AGREEMENT**

This Road Use and Crossing Agreement (“Agreement”), entered into this \_\_\_ day of \_\_\_\_\_, 2021\_ by and between **CHPE LLC and its wholly-owned subsidiary CHPE Properties, Inc., their successors and assigns (hereinafter “CHPE”)**, a New York Transportation Corporation, duly formed and existing under the laws of the State of New York and having offices at 600 Broadway, Albany, New York 12207, hereinafter “CHPE,” and the Town of \_\_\_\_\_, a municipal corporation having offices at \_\_\_\_\_, New York, hereinafter “Town” witnesseth that:

**RECITALS**

WHEREAS, CHPE intends to construct and operate a buried 1,000 megawatt High Voltage Direct Current electric transmission facility consisting of two solid-state cables and related equipment and appurtenances (“Project”) pursuant to the Certificate of Environmental Capability and Public Need granted to CHPE by the New York State Public Service Commission (“PSC”) on April 20, 2013 (as amended from time to time, the “Certificate”), the Project’s Environmental Management and Construction Plan (as amended from time to time, “EM&CP”) to be approved by the PSC in due course, and other permits and authorizations to conduct certain related activities, including Project construction and Project restoration activities as provided for herein (collectively, “project activities”); and

WHEREAS, in order to accomplish project activities within the Town, CHPE needs to traverse certain Town streets, avenues, highways, roads and bridges, work zones and related lands, rights-of-way, places or easements owned or maintained by the Town as specified in section 2(a) of this Agreement (collectively “Roads” and, in the singular context, “Road”) with heavy machinery, including but not limited to trucks, construction machinery and equipment and other related items; and

WHEREAS, CHPE also needs to install the Project’s transmission cables under, within and across certain road, as specified herein, and the Town agrees to such construction, maintenance, repair, replacement, and installation, and the associated occupancy of the Roads during the useful life of the Project (“Occupancy”); and

WHEREAS, the Town seeks assurances from CHPE that CHPE will pay and/or otherwise indemnify the Town for any damage to Roads arising from or related to Project construction, maintenance, and occupancy activities; and

WHEREAS, the Town Board on \_\_\_\_\_, 2020 adopted and approved that certain “Resolution Authorizing and Directing \_\_\_\_\_ to execute this Road Use and Crossing Agreement with Champlain Hudson Power Express, Inc.” attached hereto as Exhibit A (“Resolution”).

NOW, THEREFORE, in consideration of these premises and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, CHPE and the Town, each intending to be legally bound, agree as follows:

**DRAFT THIS AGREEMENT WILL BE EXECUTED IN THE FUTURE ONCE THE ENGINEERING FOR THE PROJECT IS FUTHER DEVELOPED AND THE EXHIBITS ARE AVAILABLE**

**1. Rights Granted.**

a. The Town hereby grants its consent to CHPE in accordance with Section 11(3) of the New York State Transportation Corporations Law, to lay down, construct and maintain its wires, conductors, conduits and other fixtures in and under the streets, avenues, public parks and all other publicly-owned places in the Town in accordance with the provisions of this Agreement.

**2. CHPE Construction Responsibilities.**

a. CHPE shall be responsible for obtaining any approvals, permits, and/or orders, including renewals thereof, which are required by governing law to undertake project activities affecting Roads.

b. CHPE shall be responsible for ensuring that all Road debris, garbage, and waste generated by project activities are disposed of in accordance with governing law.

c. CHPE shall not block or obstruct or interfere with the flow of traffic in both lanes of traffic on any Road except under severe hardship. However, single lane closures will be required periodically during project activities taking into account all of the pertinent circumstances, with close coordination with the Town's Department of Public Works and/or Highway Department.

d. CHPE shall require that its employees, officers, directors, members, managers, agents, licensees, vendors, contractors, subcontractors, haulers and subcontractors will comply with the terms and conditions of this Agreement.

e. CHPE will examine existing conditions and traffic flow and volume patterns to determine the appropriate construction methods for each area. Where in-road work will be extensive enough to require detours or road closings, a Traffic Control Plan will be completed in consultation with all affected Town's Department of Public Works and/or Highway Department prior to the start of construction. All work zone traffic control ("WZTC") will be done in conformance with New York State Department of Transportation ("NYSDOT") Standard Specifications.

f. CHPE will endeavor to plate over any open trenches during non-working hours. CHPE shall not permit any excavation to be made in or upon any Road to remain open or uncovered either day or night, without causing the same to be properly barricaded by day and night and, in addition thereto, CHPE shall place at any such location signage, flares, red lanterns or other warning devices by night so as to properly warn all persons of the danger of such excavation. All active and inactive work zones shall be provided with adequate WZTC for the duration of the work within the roadway.

**3. Road Surveys and Routes.**

**DRAFT THIS AGREEMENT WILL BE EXECUTED IN THE FUTURE ONCE THE ENGINEERING FOR THE PROJECT IS FUTHER DEVELOPED AND THE EXHIBITS ARE AVAILABLE**

a. CHPE will review the proposed project route crossings with the Town's Highway Superintendent or designee. Additionally, CHPE will also consult with the Town Highway Superintendent or designee to finalize a list of Roads that CHPE will traverse in connection with project construction activities.

b. Exhibits B-1 and B-2 are a list and map, respectively, of the Roads that the Town understands that CHPE needs to traverse or occupy in connection with project activities. Prior to CHPE undertaking any project activities, CHPE will provide final PSC-approved versions of Exhibits B-1 and B-2 updating the versions of these exhibits available at the time the Agreement was executed. CHPE will install the Project's cables within the Town, along the PSC approved routing alignment, while utilizing the means and methods approved by the PSC in the EM&CP and only in those locations certified by the PSC. Exhibits B-1 and B-2 shall serve as the basis for the required bonding set forth herein.

c. Prior to the commencement of Project construction activities, CHPE will prepare and provide to the Town a pre-construction video survey of the Roads identified in Exhibits B-1 and B-2, which video survey must be acceptable to the Town in its reasonable discretion.

d. If, in the opinion of the Town's Highway Superintendent or designee, the conditions of a Road change after the date of this Agreement and before the start of Project construction activities such that any Road planned to provide for construction access to the PSC certified crossing included on Exhibits B-1 and B-2 cannot withstand the structural and functional distress anticipated by heavy vehicular traffic resulting from the Project construction activities, the Town will so notify CHPE and include in its notice the improvements that would be necessary for CHPE to continue using such Road. CHPE will have five (5) business days from its receipt of such notice to notify the Town as to whether it can make alternate route arrangements.

i. If CHPE notifies the Town that it can make alternate route arrangements, CHPE will include in its notice to the Town a map and description of its proposed alternate route. The Town must notify CHPE within three (3) business days from its receipt of such alternate proposed route whether or not that proposed route is reasonably satisfactory to the Town. If the proposed alternate route is satisfactory to the Town, Exhibits B-1 and B-2 will be amended to remove the Road that cannot withstand the structural and functional distress and to add the alternate route. If the proposed alternate route is not reasonably satisfactory to the Town, then CHPE and the Town will repeat the above process until an alternate route that is reasonably satisfactory to both parties is agreed upon.

ii. If CHPE notifies the Town that it cannot make alternate road arrangements, then CHPE prior to continued use of said Road will make the improvements described in the Town's initial notice of changed Road conditions, which repairs will be at CHPE's cost.

e. If, during the term of this Agreement, the Town's Highway Superintendent or designee believes that the condition of any Road has changed after the start of Project construction activities such that the Road cannot, due to its condition, withstand or continue to

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withstand the structural and functional distress anticipated by further heavy vehicular traffic, the Town will so notify CHPE and include in its notice the improvements that would be necessary for CHPE to continue using such Road. CHPE will have five business days from its receipt of such notice to decide if it can make alternate route arrangements.

- i. If CHPE notifies the Town that it can make alternate route arrangements, CHPE will include in its notice to the Town a map and description of its proposed alternate route. The Town must notify CHPE within three (3) business days from its receipt of such alternate proposed route whether or not that proposed route is satisfactory to the Town. If the proposed alternate route is satisfactory to the Town, Exhibits B-1 and B-2 will be amended to remove the Road that cannot withstand the structural and functional distress and to add the alternate route. If the proposed alternate route is not satisfactory to the Town, then CHPE and the Town will repeat the above process until an alternate route that is satisfactory to both parties is agreed upon.
- ii. If CHPE notifies the Town that it cannot make alternate road arrangements, then CHPE prior to continued use of said Road will make the improvements described in the Town's initial notice of changed Road conditions, which repairs will be at CHPE's cost.

f. Promptly following the substantial completion of Project construction activities, CHPE shall prepare and provide to the Town a post-construction video survey of the Roads identified in Exhibits B-1 and B-2, which video survey must be acceptable to the Town in its reasonable discretion. After CHPE has substantially completed construction, CHPE will not use any heavy machinery on the Roads that would cause damage, unless authorized by the Town.

g. In the event CHPE deviates from the Road routes designated in Exhibits B-1 and B-2 without prior written permission from the Town, CHPE shall upon request suspend Project construction activities in such areas and the parties will resort to the procedures outlined above.

**4. Road Restoration and Repair of Damage.**

a. The standard to be achieved by CHPE in pursuing Project restoration activities is the return of any affected Road to its original condition as nearly as practicable and, in all events, to restore full service and functionality of affected Roads as soon as reasonably practicable.

b. Within 30 days of the date upon which CHPE has completed the comprehensive closing on the debt and/or equity financing that will fund the Project, and in any and all events before the commencement of any Project construction activities within the Town, CHPE will provide a non-refundable amount of \$10,000 that the Town shall deposit into an interest-bearing escrow account ("Account"). The Town may only withdraw funds from the Account to pay for the incremental and out-of-pocket costs, fees, expenses and other bills rendered to or incurred by the Town in connection with its monitoring of Project construction activities and the performance of its functions as provided for by this Agreement. The Town shall provide an itemized statement, together with detailed backup, of any deduction from the Account. If at any time the balance in the Account is reduced to one-third or less of its initial amount, the Town

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Clerk shall so advise CHPE and CHPE shall deposit additional funds in the Account to bring its balance up to the amount of the initial deposit.

c. Within 15 days of the date upon which CHPE notifies the Town that it has completed the initial re-seeding that CHPE will undertake as part of its Project restoration activities, the Town must notify CHPE in writing if it believes any significant residual damage to the Roads listed in Exhibits B-1 and B-2 (or any alternate route arrangements agreed upon under paragraph 2) exist and were caused by Project construction activities. Damage may include but is not limited to cracking, imprinting, pitting, tracking, buckling or asphalt and road base damage, damage to culverts, bridges and/or drainage facilities (“residual project damage”).

d. Within 10 days of receipt of an allegation of residual project damage from the Town, CHPE shall notify the Town in writing of its agreement or disagreement with the allegations. If CHPE accepts responsibility, it will proceed with due diligence to rectify the condition. If CHPE declines to accept responsibility, the Town shall then submit a written invoice (“damage invoice”) to CHPE detailing estimates of the costs, fees, and/or expenses incurred or to be incurred by the Town to repair the residual project damage.

e. CHPE may elect in its sole discretion either to pay the amount set forth in the damage invoice as liquidated damages, and, in such event, the Town will have no further claim against CHPE in connection with residual project damage, or to resort to the procedure for dispute resolution set forth in paragraph 4 below.

f. The manner of repair of any project damage by either party shall be in accordance with official industry standards with New York State Department of Transportation and/or municipal requirements that are applicable for the type of Road and restoration involved.

g. Any excess amount remaining in the Account following the completion of Project restoration activities (and final disposition of any and all relevant disputes between the parties) may be withdrawn and retained by the Town.

**5. Ongoing Cooperation.**

The Town commits to the taking of such further actions, if and when reasonably requested by CHPE and consistent with applicable law, as may facilitate the successful achievement of the Project, including, without limitation, the terms and conditions of this Agreement.

**6. Bonding.**

a. Prior to the commencement of any Project construction activities across or under any Road, CHPE shall obtain and deliver to the Town a performance bond (“Bond”), which amount is to be calculated based upon the length and types of Roads as set forth in Exhibits B-1 and B-2 and sufficient to satisfy the Town’s standard bonding requirements for Road use and Road excavation. The Bond shall be executed by a reliable bonding or insurance institution

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authorized to do business in the State of New York and acceptable to the Town in its reasonable discretion. A form of bond acceptable to the Town is attached to this Agreement as Exhibit C.

b. The Bond shall remain in full force and effect in the stated amount for a period of 3 months after CHPE's completion of all Project restoration activities.

c. CHPE shall be listed as principal in the Bond, as obligee, and shall include that CHPE will comply with the terms and conditions of this Agreement. The original Bond shall be delivered to the Town Clerk.

d. The purpose of the Bond is to guarantee reimbursement to the Town for all labor, material and equipment expenses the Town may incur in repairing any residual project damage, to the extent that (i) CHPE's liability for the same has been finally adjudicated, (ii) CHPE has failed to pay the ordered judgment, and (iii) applicable insurance is unavailable to reimburse the Town for the aforesaid expenses.

**7. Indemnification and Insurance.**

a. CHPE, at its own expense, agrees to the insurance, indemnification and general terms and conditions set forth herein.

b. CHPE shall present to the Town Certificates of Insurance evidencing the acquisition of liability insurance coverage naming the Town as additional insured, on a primary noncontributory basis, in the amount of at least:

i. Death/Bodily Injury: \$1,000,000 per person; \$2,000,000 aggregate

ii. Property Damage: \$500,000

c. Said insurance shall be maintained throughout the period during which Project construction activities take place and the aforementioned certificate shall provide for 10 days' notice to the Town prior to cancellation of coverage.

d. To the extent permitted by the governing law, CHPE agrees to at all times defend, indemnify, protect, save, hold harmless, and exempt the Town and its officers, boards, employees, committee members, attorneys, agents, and consultants from any and all penalties, damages, costs, or charges arising out of any and all claims, suits, demands, causes of action, or award of damages, whether compensatory or punitive, or award of damages, whether compensatory or punitive, or expenses arising therefrom either at law or in equity, which might arise out of, or are caused by, any and all claims arising out of this Agreement except to the extent any such claims, suits, demands, causes of action, or award of damages relate to the negligence or willful misconduct of the Town or any of its officers, boards, employees, committee members, attorneys, agents, consultants, vendors, contractors and subcontractors.

**8. Captions and Headings.**

Captions and headings throughout this Agreement are for convenience and reference only and the words contained therein shall in no way be held or deemed to define, limit, describe,

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explain, modify, amplify or add to the interpretation, construction or meaning of any provision or of the scope or intent of this Agreement nor in any way affect this Agreement.

**9. Modifications.**

This Agreement cannot be amended, modified, or changed orally, but only by agreement in writing signed by the parties.

**10. Severability; No Waiver.**

If any provision of this Agreement, or any portion of any provision of this Agreement, is declared null, void, voidable, or unenforceable, such provision or such portion of a provision shall be considered separate and apart from the remainder of this Agreement, which remainder shall remain in full force and effect. The waiver by any party hereto or a breach of violation of any term or provision of this Agreement shall not operate or be construed as a waiver of any subsequent breach or violation. No waiver is valid unless in writing and signed by party making the waiver. The parties reserve all of their rights and remedies under this Agreement, at law and at equity, including, without limitation, any such rights and remedies under the New York Public Service Law, the New York Eminent Domain Procedure Law, and the New York Transportation Corporation Law.

**11. Governing Law.**

a. This Agreement shall be governed and construed in accordance with the laws of the State of New York, as in effect from time to time without regard to principles of conflicts of laws.

**12. Binding Effect.**

This Agreement shall be binding upon, and inure to the benefit of, the parties hereto and their respective successors and assigns. Except as set forth in the preceding sentence, nothing in this Agreement is intended to be for, or to inure to, the benefit of any person other than the parties hereto, and their respective successors and assigns.

**13. Entire Agreement.**

The entire agreement of the parties is contained in this Agreement. No promises, inducements or considerations have been offered or accepted except as herein set forth. This Agreement supersedes any prior oral or written agreement, understandings, discussion, negotiations, and statements concerning the subject matter thereof. The parties hereto agree to execute and deliver such other documents and to perform such other acts as may, from time to time, be reasonably required to give full force and effect to the intent and purpose of this Agreement.

**14. Counterparts.**

**DRAFT THIS AGREEMENT WILL BE EXECUTED IN THE FUTURE ONCE THE ENGINEERING FOR THE PROJECT IS FUTHER DEVELOPED AND THE EXHIBITS ARE AVAILABLE**

This Agreement may be entered in counterparts, each of which will be considered an original, and all of said counterparts shall together constitute one and the same instrument which may be sufficiently evidenced by one counterpart.

**15. Authority of Parties.**

The individuals who have executed this Agreement on behalf of the respective parties expressly represent and warrant that they are authorized to sign on behalf of such entities for the purpose of duly binding such entities to this Agreement.

**16. Notice.**

Any notice or other communication required or permitted under this Agreement shall be in writing and shall be deemed to have been duly given (1) upon hand delivery, or (2) upon the third day following delivery via the United States Postal Service, or (3) on the first day following delivery via a nationally registered United States overnight courier service, or (4) on the day when telecopies are sent by facsimile transmission if additional notice is also given under (1), (2) or (3) above within three (3) business days thereafter. For purposes of this Agreement only, any notice to the parties shall be directed to the party as set forth below.

For CHPE:

CHPE LLC  
600 Broadway,  
Pieter Schuyler Building  
Albany, NY 12207  
Attn: William S. Helmer, Executive Vice President and General Counsel

with a copy to:

Phillips Lytle LLP  
One Canalside  
125 Main Street  
Buffalo, NY 14203-2887  
Attn: David P. Flynn, Esq.

For Town:

Town of \_\_\_\_\_  
Town Hall  
\_\_\_\_\_  
\_\_\_\_\_, NY 12084  
Attn: \_\_\_\_\_

**17. Assignment.**



**DRAFT THIS AGREEMENT WILL BE EXECUTED IN THE FUTURE ONCE THE ENGINEERING FOR THE PROJECT IS FUTHER DEVELOPED AND THE EXHIBITS ARE AVAILABLE**

Neither Party may assign its rights or its obligations under this Agreement in whole or in part without the prior written consent of the other Party, which consent shall not be unreasonably withheld conditioned, or delayed; except no consent of any kind shall be required in the case of: (i) a lender or lenders providing financing for the CHPE Project or (ii) an entity to which the Certificate is transferred pursuant to an Order issued by the PSC. The Town acknowledges that CHPE may, without the consent of the Town, convert into a limited liability company, which limited liability company shall be CHPE's successor hereunder. For the avoidance of doubt, any such conversion shall not be deemed to constitute an assignment of this Agreement and shall not affect the rights or obligations of either Party hereunder.

*[Signature Page Follows]*

**DRAFT THIS AGREEMENT WILL BE EXECUTED IN THE FUTURE ONCE THE ENGINEERING FOR THE PROJECT IS FUTHER DEVELOPED AND THE EXHIBITS ARE AVAILABLE**

IN WITNESS WHEREOF, CHPE and the Town have caused their respective, duly authorized officers to execute this Road Use and Crossing Agreement of the day and year first above written.

**Town of \_\_\_\_\_**

**CHPE LLC**

By: \_\_\_\_\_

By: \_\_\_\_\_

Print Name: \_\_\_\_\_

Print Name: \_\_\_\_\_

Title: \_\_\_\_\_

Title: \_\_\_\_\_

- Exhibit A Resolution
- Exhibit B-1 List of Roads
- Exhibit B-1 Map of Roads
- Exhibit C Form of Bond




# TOWN OF BALLSTON

Carol A. Gumienny, Town Clerk  
323 Charlton Road, Ballston Spa, NY 12020  
518-490-2750

July 15, 2020

I, Carol A. Gumienny, Town Clerk, hereby certify that the attached is a true and correct copy of Resolution 20-142 taken from the meeting of the Town Board on July 14, 2020.

  
Carol A. Gumienny, Town Clerk

## RESOLUTION 20-142 OF THE BOARD OF THE TOWN OF BALLSTON

WHEREAS, Champlain Hudson Power Express, Inc. (including its successors and/or assigns, "CHPEI") is developing the Champlain Hudson Power Express Project (the "Project"), an approximately 1,000 megawatt underground and underwater high voltage, direct current electric transmission facility extending from the United States' border with Canada to Queens, New York; and

WHEREAS, the New York State Public Service Commission (the "PSC") has ruled that the Project will supply clean, renewable hydroelectricity to New York State and has issued a Certificate of Environmental Compatibility and Public Need authorizing the construction and operation of the Project (including any amendments thereto, the "Certificate"); and

WHEREAS, CHPEI has discussed the Project extensively with the Town of Ballston (the "Municipality"), as a portion of the Project will be located within the Municipality and will occupy certain privately and/or publicly-owned land; and

WHEREAS, the Project will provide significant economic and environmental benefits to New York State and, potentially, the Municipality in the form of lower electric rates, a reduction in greenhouse gas emissions and increased jobs, including local jobs during the Project's

construction; and

WHEREAS, the Project will provide significant tax (or payment in lieu of tax) revenue to the Town of Ballston, County of Saratoga and the Ballston Spa Central School District during the course of its expected 40-60 year operating life; and

WHEREAS, prior to construction within the Municipality, CHPEI will require a Road Crossing Agreement with the Municipality that will include, at a minimum, construction responsibilities and plans, restoration and repair of damage, dispute resolution, bonding, insurance and indemnification provisions; and

WHEREAS, once the Project commences operation, it is not expected to require any services from the Municipality;

**NOW, THEREFORE, BE IT RESOLVED,**

1. That the Town Board (the "Board") is supportive of the Project, including the use and occupancy of privately and/or publicly-owned land in the Municipality.
2. That the Board hereby grants its consent to CHPEI, in accordance with section 11(3) of the New York State Transportation Corporations Law, to lay down, construct and maintain its wires, conductors, conduits and other fixtures in and under the streets, avenues, public parks and all other publicly-owned places in the Municipality in accordance with the provisions of the Certificate.
3. That the Board commits the Municipality to the taking of such further actions, if and when reasonably requested by CHPEI and consistent with applicable law, as may facilitate the successful achievement of the Project, including, without limitation, executing a Crossing Agreement subject to the Town of Ballston's Town Attorney's approval in a form similar to what is annexed hereto.
4. That the Town Supervisor for the Town of Ballston is hereby authorized and directed to take all appropriate measures to implement the intent of this Resolution and the Town Clerk is hereby directed to forward a certified copy hereof to CHPEI at the Pieter Schuyler Building, 600 Broadway, Albany, NY 12207.
5. That the Board approves the inclusion of a copy of this Resolution as a part of any filing made by CHPEI with any governmental bodies when and as required or requested by the same and the use of this Resolution in public statements made by CHPEI regarding host community support for the Project.

6. That this Resolution shall take effect immediately.

A motion was made by Councilwoman Stewart and seconded by Councilman Solberg.

The question of the adoption of the foregoing Resolution was duly put to vote, which resulted as follows:

Councilperson Antoski	Aye
Councilperson Curtiss	Aye
Councilperson Solberg	Aye
Councilperson Stewart	Aye
Supervisor Connolly	Aye

The foregoing Resolution was thereupon declared duly adopted.

# Town of Clifton Park

One Town Hall Plaza  
Clifton Park, New York 12065  
(518)371-6651  
Fax: (518)371-1136

**Philip C. Barrett**  
Supervisor  
(518)371-6651

**James M. Whalen**  
Councilman

**James J. Romano**  
Councilman



**Teresa J. Brobston**  
Town Clerk  
(518)371-6681

**Amy J.H. Standaert**  
Councilwoman

**Lynda M. Walowit**  
Councilwoman

Resolution No. 104 of 2020, a resolution authorizing the Supervisor to execute necessary documents and agreements to permit construction of a portion of the Champlain Hudson Power Express Project proposed by Transmission Developers, Inc.

Introduced by Councilwoman Standaert, who moved its adoption, and seconded by Councilwoman Walowit.

WHEREAS, Champlain Hudson Power Express, Inc. (including its successors and/or assigns, "CHPEI") is developing the Champlain Hudson Power Express Project (the "Project"), an approximately 1,000 megawatt underground and underwater high voltage, direct current electric transmission facility extending from the United States' border with Canada to Queens, New York, and

WHEREAS, the New York State Public Service Commission (the "PSC") has ruled that the Project will supply clean, renewable hydroelectricity to New York State and has issued a Certificate of Environmental Compatibility and Public Need authorizing the construction and operation of the Project (including any amendments thereto, the "Certificate"), and

WHEREAS, CHPEI has discussed the Project extensively with the Town of Clifton Park (the "Municipality"), as a portion of the Project will be located within the Municipality and will occupy certain privately and/or publicly owned land, and

WHEREAS, the Project will provide significant economic and environmental benefits to New York State and the Municipality in the form of lower electric rates, a reduction in greenhouse gas emissions and increased jobs, including local jobs during the Project's construction, and

WHEREAS, the Project will provide significant tax (or payment in lieu of tax) revenue to the Town of Clifton Park, County of Saratoga and School District of Shenendehowa Central Schools during the course of its expected 40-60-year operating life, and

WHEREAS, prior to construction within the Municipality, CHPEI will require a Road Crossing Agreement with the Municipality that will include, at a minimum, construction responsibilities and plans, restoration and repair of damage, dispute resolution, bonding, insurance, and indemnification provisions, and

WHEREAS, once the Project commences operation, it is not expected to require any services from the Municipality; now, therefore, be it

RESOLVED,

1. That the Town Board (the "Board") is fully familiar with and supportive of the Project, including the use and occupancy of privately and/or publicly owned land in the Municipality.

2. That the Board hereby grants its consent to CHPEI, in accordance with Section 11(3) of the New York State Transportation Corporations Law, to lay down, construct and maintain its wires, conductors, conduits and other fixtures in and under the streets, avenues, public parks and all other publicly-owned places in the Municipality in accordance with the provisions of the certificate.

3. That the Board commits the Municipality to the taking of such further actions, if and when reasonably requested by CHPEI and consistent with applicable law, as may facilitate the successful achievement of the Project, including, without limitation, executing a Crossing Agreement substantially in the form annexed hereto.

4. That the Supervisor is hereby authorized and directed to take all appropriate measures to implement the intent of this resolution and the Town Clerk is hereby directed to forward a certified copy hereof to CHPEI at the Pieter Schuyler Building, 600 Broadway, Albany, NY, 12207.

5. That the Board approves the inclusion of a copy of this resolution as a part of any filing made by CHPEI with any governmental bodies when and as required or requested by the same and the use of this resolution in public statements made by CHPEI regarding host community support for the Project.

6. That this resolution shall take effect immediately.

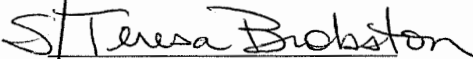
ROLL CALL VOTE

Ayes: Councilman Whalen, Councilwoman Standaert, Councilman Romano,  
Councilwoman Walowit, Supervisor Barrett

Noes: None

DECLARED ADOPTED

May 18, 2020

  
Teresa Brobston, Town Clerk

Sponsored by: Christopher A. Koetzle, Town Supervisor  
Submitted by: Michael R. Cuevas, Attorney for the Town

**RESOLUTION NO. 108-2019**

**Moved by:** Councilwoman Wierzbowski  
**Seconded by:** Councilman Godlewski

**WHEREAS**, Champlain Hudson Power Express, Inc. ("CHPEI") is developing the Champlain Hudson Power Express Project (the "Project"), a 1,000 MW underground and underwater high voltage, direct current ("HVDC") electric transmission facility extending from the United States' border with Canada to Queens, New York; and

**WHEREAS**, the Project will supply clean, renewable hydroelectricity to New York State; and

**WHEREAS**, the State and Federally-approved Project route within the Town of Glenville originally included approximately 3 miles located on right-of-way property owned by CSX Transportation (the "Rail ROW ") (the "Initial Leg of the Original Town of Schenectady Routing"); and

**WHEREAS**, Champlain Hudson Power Express, Inc. ("CHPEI") has discussed the project extensively with the Town of Glenville ("Glenville Host Community"), as the Project will be located within this community; and

**WHEREAS**, the Initial Leg of the Original Town of Schenectady Routing led CHPEI to develop an alternative routing (the "New Pan Am Railroad Routing") along approximately 5.9 miles located on right-of-way property owned by Pan Am Railroad within the Town of Glenville (Route) bordered between Maple Avenue on the Northeast; and Amsterdam Road, on the Southwest portion of the Town.

**WHEREAS**, the New Pan Am Railroad Routing is proposed with a view towards decreasing environmental, and community impacts and increasing constructability; and

**WHEREAS**, the Project will provide significant economic and environmental benefits to New York State in the form of lower electric rates, by reducing greenhouse gas emissions and jobs, including local jobs during the Project's construction; and

**WHEREAS**, in recognition that CHPEI will generate tax revenue to Schenectady County, the Town and Scotia Glenville Central School District once the project commences operation; and

**WHEREAS**, by a letter agreement to be fully executed as of this date, CHPEI has committed to the funding up to a not to exceed amount as a part of its construction program of certain pedestrian improvements (the "Letter Agreement"); and



**WHEREAS**, once the project commences operation it will not require ongoing services of Town (Village) departments or local schools; and

**WHEREAS**, CHPEI desires that the Town of Glenville endorse the Project and the New Pan Am Railroad Routing within the Town of Glenville and

**WHEREAS**, CHPEI believes that the Town of Glenville endorsement is an essential prerequisite to obtaining all final Project permits and approvals;

**NOW, THEREFORE, BE IT RESOLVED,**

1. That the Town Board of the Town of Glenville is fully familiar with and supportive of the Project, including the scope of the work to be performed by CHPEI within the Town of Glenville in furtherance of the Project.
2. That the Town Board of the Town of Glenville directs the Supervisor to execute the Letter Agreement and deliver a copy to the appropriate CHPEI representative.
3. That, the Town Clerk is hereby directed to forward a certified copy of this approved resolution to Transmission Developers Inc. at The Pieter Schuyler Building, 600 Broadway, Albany, NY 12207 for inclusion with CHPEI's application for amendment to its New York State Certificate of Environmental Compatibility and Public Need and any required applications for amendments to the Project's Federal Permits.
4. That the Town Board of the Town of Glenville hereby grants its consent to CHPEI in accordance with section 11 of New York's Transportation Corporations Law to lay down, construct and maintain its wires, conductors, conduits and other fixtures in and under the streets, avenues, public parks and places in the Town of Glenville in accordance with the requirements of CHPEI's Article VII Certificate, as amended and in effect from time to time.
5. This Resolution shall take effect immediately.

**Ayes:** Councilmen Aragosa, Godlewski, Councilwoman Wierzbowski and Supervisor Koetzle

**Noes:** None

**Absent:** Councilman Pytlovany

**Abstentions:** None

**Motion Carried**

Town Board decision on June 12, 2019 (spec. mtg.)

This is a certified copy of the original document filed in the Office of the Town Clerk of the Town of Glenville, New York.

*Julie L. ...*  
Dep. Town Clerk      Date 6/26/2019

## RESOLUTION

MOVED by Trustee Rizzo, seconded by Trustee Tiberio that

WHEREAS, CHPEI is developing the Champlain Hudson Power Express Project (the "Project"), a 1,000 MW underground and underwater high voltage, direct current ("HVDC") electric transmission facility extending from the United States' border with Canada to Queens, New York; and

WHEREAS, the Project will supply clean, renewable hydroelectricity to New York State; and

WHEREAS, the State and Federally-approved Project route bypassed the Village of Scotia, NY (the "Original Project Routing") travelling through the Erie Boulevard corridor in Schenectady, NY ("Erie Boulevard Corridor"); and

WHEREAS, Champlain Hudson Power Express, Inc. ("CHPEI") has discussed the project extensively with the Village of Scotia ("Scotia Host Community"), as the Project will be located within this community; and

WHEREAS, the Original Project Routing led CHPEI to develop an alternative routing (the "New Scotia Routing") along the Pan Am Railway through the Village of Scotia for approximately 1.2 miles due to recent development of the Erie Boulevard Corridor; and

WHEREAS, the New Scotia Routing is proposed with a view towards decreasing environmental, and community impacts and increasing constructability; and

WHEREAS, the Project will provide significant economic and environmental benefits to New York State in the form of lower electric rates, by reducing greenhouse gas emissions and jobs, including local jobs during the Project's construction; and

WHEREAS, in recognition that CHPEI will generate tax revenue to Schenectady County, the Village of Scotia and the Scotia-Glenville Central School District once the project commences operation; and

WHEREAS, once the project commences operation it will not require ongoing services of Village departments or local schools; and

WHEREAS, CHPEI desires that the Village of Scotia endorse the Project and the New Scotia Routing within the Village of Scotia; and

WHEREAS, CHPEI believes that the Village of Scotia endorsement is an essential prerequisite to obtaining all final Project permits and approvals;

**NOW, THEREFORE, BE IT RESOLVED,**

1. That the Village Board of Trustees of the Village of Scotia is fully familiar with the Project, including the scope of the work to be performed by CHPEI within the Village of Scotia in furtherance of the Project.
2. That, the Village Clerk is hereby directed to forward a certified copy of this approved resolution to Transmission Developers Inc. at The Pieter Schuyler Building, 600 Broadway, Albany, NY 12207 for inclusion with CHPEI's application for amendment to its New York State Certificate of Environmental Compatibility and Public Need and any required applications for amendments to the Project's Federal Permits.
3. That the Village Board of Trustees of the Village of Scotia hereby grants its consent to CHPEI in accordance with section 11 of New York's Transportation Corporations Law to lay down, construct and maintain its wires, conductors, conduits and other fixtures in and under the streets, avenues, public parks and places

in the Village of Scotia in accordance with the requirements of CHPEI's Article VII Certificate, as amended and in effect from time to time.

4. This Resolution shall take effect immediately.

The question of the adoption of the foregoing resolution was duly put to vote on a roll call, which resulted as follows:

Aye: Trustee Gifford, Mathes, Rizzo, Tiberio and Mayor Kastberg

Nay: None

The foregoing resolution was thereupon declared duly adopted.

I, MARIA SCHMITZ, Village Clerk of the Village of Scotia, NY **DO HEREBY CERTIFY** that the preceding Resolution was duly adopted by the Village Board of Trustees of the Village of Scotia at a regular meeting of the Board of Trustees duly called and held on the 11<sup>th</sup> day of APRIL, 2018; that said Resolution was entered in the minutes of said meeting; that I have compared the foregoing copy with the original thereof now on file in my office; and that the same is a true and correct transcript of said Resolution and of the whole thereof.

**I FURTHER CERTIFY** that all members of said Board of Trustees had due notice of said meeting.

**IN WITNESS WHEREOF**, I have hereunto set my hand and affixed the seal of the Village of Scotia, NY this 12<sup>th</sup> day of APRIL, 2018.

**DATED:** APRIL 12, 2018  
Scotia, New York

Maria Schmitz

**Village Clerk of the Village of Scotia  
Schenectady County, New York**

**RESOLUTION NO. 143.18**

**WHEREAS**, Champlain Hudson Power Express, Inc. (“CHPEI”) is developing the Champlain Hudson Power Express Project (the “Project”), a 1,000 MW underground and underwater high voltage, direct current (“HVDC”) electric transmission facility extending from the United States’ border with Canada to Queens, New York; and

**WHEREAS**, the Project will supply clean, renewable hydroelectricity to New York State; and

**WHEREAS**, the State and Federally-approved Project route within the Town of Rotterdam, NY originally included approximately 4.7 miles located on right-of-way property owned by Canadian Pacific and CSX Railways (the “Rail ROW”) (the “Original Rotterdam Routing”); and

**WHEREAS**, CHPEI has discussed the project extensively with the Town of Rotterdam, as the Project will be located within this community; and

**WHEREAS**, the Original Rotterdam Routing led CHPEI to develop an alternative routing (the “New Rotterdam Routing”) along the CSX Railway for approximately 7.0 miles, beginning at the boundary between the Towns of Glenville and Rotterdam where it then proceeds south through the Town along the railroad; and

**WHEREAS**, the New Rotterdam Routing is proposed with a view towards decreasing environmental, and community impacts and increasing constructability; and

**WHEREAS**, the Project will provide significant economic and environmental benefits to New York State in the form of lower electric rates, by reducing greenhouse gas emissions and jobs, including local jobs during the Project’s construction; and

**WHEREAS**, in recognition that CHPEI will generate tax revenue to Schenectady County, the Town of Rotterdam and the Schalmont Central School District once the project commences operation; and

**WHEREAS**, once the project commences operation it will not require ongoing services of the Town of Rotterdam or Schalmont Central School District; and

**WHEREAS**, CHPEI desires that the Town of Rotterdam endorse the Project and the New Rotterdam Routing within the Town of Rotterdam; and

**WHEREAS**, CHPEI believes that the Town of Rotterdam endorsement is an essential prerequisite to obtaining all final Project permits and approvals; **NOW**

**THEREFORE, UPON MOTION OF** Councilmember CHRISTOU, seconded by Councilmember SIGNORE,

**BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS**

**SECTION 1.** The Town Board of the Town of Rotterdam is fully familiar with the Project, including the scope of the work to be performed by Champlain Hudson Power Express, Inc. (“CHPEI”) within the Town of Rotterdam in furtherance of the Project.

**SECTION 2.** The Town Board of the Town of Rotterdam is fully familiar with the Project, including the scope of the work to be performed by Champlain Hudson Power Express, Inc. (“CHPEI”) within the Town of Rotterdam in furtherance of the Project.

**SECTION 3.** The Town Clerk is hereby directed to forward a certified copy of this approved resolution to Transmission Developers Inc. at The Pieter Schuyler Building, 600 Broadway, Albany, NY 12207 for inclusion with CHPEI’s application for amendment to its New York State Certificate of Environmental Compatibility and Public Need and any required applications for amendments to the Project’s Federal Permits.

**SECTION 4.** The Town Board of the Town of Rotterdam hereby endorses the New Rotterdam Routing.

**SECTION 5.** The Town Board of the Town of Rotterdam hereby grants consent to CHPEI in accordance with Section 11 of New York’s Transportation Corporations Law to lay down, construct and maintain its wires, conductors, conduits and other fixtures in and under the streets, avenues, public parks and places in the Town of Rotterdam in accordance with the requirements of CHPEI’s Article VII Certificate, as amended and in effect from time to time.

**SECTION 6.** This resolution shall become effective April 25, 2018.

**DATED:** April 25, 2018

<b>NAME</b>	<b>AYES</b>	<b>NOES</b>	<b>ABSTAIN</b>
Christou	X		
Guidarelli	X		
Miller-Herrera	X		
Signore	X		
Tommasone	X		

**RESOLUTION  
(CHAMPLAIN HUDSON POWER EXPRESS PROJECT)**

Be it resolved by the Town Board of the Town of Guilderland as follows:

WHEREAS, Champlain Hudson Power Express, Inc. (including its successors and/or assigns, "CHPEI") is developing the Champlain Hudson Power Express Project (the "Project"), an approximately 1,000 megawatt underground and underwater high voltage, direct current electric transmission facility extending from the United States' border with Canada to Queens, New York; and

WHEREAS, the New York State Public Service Commission ("PSC") ruled that the Project will supply clean, renewable hydroelectricity to New York State and has issued a Certificate of Environmental Compatibility and Public Need authorizing the construction and operation of the Project (including any amendments thereto, the "Certificate"); and

WHEREAS, CHPEI has discussed the Project extensively with the Town of Guilderland (the "Town"), as a portion of the Project will be located within the Town and will occupy certain privately and/or publicly-owned land; and

WHEREAS, the Project will provide significant economic and environmental benefits to New York State and the Town in the form of lower electric rates, a reduction in greenhouse gas emissions and increased jobs, including local jobs during the Project's construction; and

WHEREAS, the Project will provide tax (or payment in lieu of tax) revenue to the Town of Guilderland, County of Albany, and School Districts during the course of its expected 40-60 year operating life; and

WHEREAS, prior to construction within the Town, CHPEI will require a Road Crossing Agreement with the Town that will include, at a minimum, construction responsibilities and plans, restoration and repair of damage, dispute resolution, bonding, insurance and indemnification provisions; and

WHEREAS, once the Project commences operation, it is not expected to require any services from the Town;

**NOW, THEREFORE, BE IT RESOLVED THAT,**

1. The Town Board of the Town of Guilderland (the "Board") hereby grants consent to CHPEI, in accordance with NYS Transportation Corporations Law §11(3), to lay down, construct and maintain its wires, conductors, conduits and other fixtures in and



under the streets, avenues, public parks and all other publicly-owned places in the Town in accordance with the provisions of the Certificate.

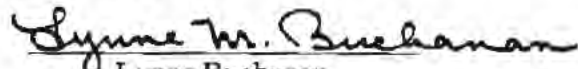
3. The Board authorizes the Town Supervisor and Highway Superintendent to taking such further actions, if and when reasonably requested by CHPEI and consistent with applicable law, as may facilitate the successful achievement of the Project, including, without limitation, executing a Crossing Agreement substantially in the form annexed hereto.

4. The Board authorizes that the Town Supervisor and Highway Superintendent to take all appropriate measures to implement the intent of this Resolution and the Town Clerk is hereby directed to forward a certified copy hereof to CHPEI at the Pieter Schuyler Building, 600 Broadway, Albany, NY 12207.

5. The Board authorizes the inclusion of a copy of this Resolution as a part of any filing made by CHPEI with any governmental bodies when and as required or requested by the same and the use of this Resolution in public statements made by CHPEI regarding host community support for the Project.

6. This Resolution shall take effect immediately.

**BY ORDER OF THE TOWN BOARD ON AUGUST 4, 2020.**

  
Lynne Buchanan  
Town Clerk

# VILLAGE OF VOORHEESVILLE

ROBERT D. CONWAY  
MAYOR

RICHARD A. BERGER  
DEPUTY MAYOR

JOHN J. STEVENS, JR.  
RICHARD A. STRAUT.  
SARITA WINCHELL



December 17, 2020

CHPE  
Pieter Schuyler Building  
600 Broadway  
Albany, NY 12207

To whom it may concern:

Enclosed please find Resolution #10 of the Village of Voorheesville regarding the Champlain Hudson Power Express Project.

Sincerely,

A handwritten signature in cursive script that reads "Kim F".

Karen M. Finnessey  
Deputy Clerk Treasurer

Encl.

**RESOLUTION #10 OF THE  
BOARD OF TRUSTEES  
THE VILLAGE OF VOORHEESVILLE**

**WHEREAS**, CHPE LLC and its wholly-owned subsidiary CHPE Properties, Inc., their successors and assigns (hereinafter “CHPE”), is developing the Champlain Hudson Power Express Project (the “Project”), an approximately 1,000 megawatt underground and underwater high voltage, direct current electric transmission facility extending from the United States’ border with Canada to Queens, New York; and

**WHEREAS**, the New York State Public Service Commission (the “PSC”) has ruled that the Project will supply clean, renewable hydroelectricity to New York State and has issued a Certificate of Environmental Compatibility and Public Need authorizing the construction and operation of the Project (including any amendments thereto, the “Certificate”); and

**WHEREAS**, CHPE has discussed the Project with the Village of Voorheesville (the “Municipality”), as a portion of the Project will be located within the Municipality and will occupy certain privately and/or publicly-owned land; and

**WHEREAS**, CHPE represents that the Project will provide significant economic and environmental benefits in the form of lower electric rates, a reduction in greenhouse gas emissions and increased jobs, including local jobs during the Project’s construction; and

**WHEREAS**, CHPE represents the Project will provide significant tax (or payment in lieu of tax) revenue to the Village of Voorheesville, County of Albany and the Voorheesville School District during the course of its expected 40-60 year operating life; and

**WHEREAS**, prior to construction within the Municipality, CHPE will require a Road Use and Crossing Agreement with the Municipality that will include, at a minimum, construction responsibilities and plans, restoration and repair of damage, dispute resolution, bonding, insurance and indemnification provisions; and

**WHEREAS**, once the Project commences operation, it is not expected to require any services from the Municipality.

**NOW, THEREFORE, BE IT RESOLVED,**

1. That the Voorheesville Village Board (the "Board") is fully familiar with the proposed Project, including the use and occupancy of publicly-owned land in the Municipality.

2. That the Board hereby grants its consent to CHPE, in accordance with section 11(3) of the New York State Transportation Corporations Law, to lay down, construct and maintain its wires, conductors, conduits and other fixtures in and under the streets, avenues, public parks and all other publicly-owned places in the Municipality in accordance with the provisions of the Certificate.

3. That the Board commits the Municipality to the taking of such further actions, upon advice of counsel and if and when reasonably requested by CHPE and consistent with applicable law, as may facilitate the successful achievement of the Project, including, without limitation, executing a Road Use and Crossing Agreement substantially in the form annexed hereto.

4. That the Village Mayor is hereby authorized and directed, after conferring with the Village Attorney, to take all appropriate measures to implement the intent of this Resolution and the Village Clerk is hereby directed to forward a certified copy hereof to CHPE at the Pieter Schuyler Building, 600 Broadway, Albany, NY 12207.

5. That the Board approves the inclusion of a copy of this Resolution as a part of any filing made by CHPE with any governmental bodies when and as required or requested by the same and the use of this Resolution in public statements made by CHPE regarding host community consent to the Project.

6. That this Resolution shall take effect immediately.

The question of the adoption of the foregoing Resolution was duly put to vote on a roll call, which resulted as follows:

Motion by Trustee Straut

Second by Trustee Stevens

Board Members present and voting:

Aye

Nay

Trustee Richard A. Berger

          X          

Trustee John J. Stevens, Jr.

          X          

Trustee Richard Straut

          X          

Trustee Sarita Winchell

          X          

Mayor Robert Conway

          X          

STATE OF NEW YORK                    }  
  } ss.:  
COUNTY OF ALBANY                    }

I, the undersigned,

DO HEREBY CERTIFY that I have compared the above copy of a resolution adopted December 9, 2020 with the original

record in this office and that the same is a correct transcript thereof and of the whole of said original record.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of said Village of Voorheesville

This 9th day of December 2020.

          Karen M. Finnessey            
Karen M. Finnessey, Deputy Clerk/Treasurer

The foregoing Resolution was thereupon declared duly adopted.



[www.townofnewscotland.com](http://www.townofnewscotland.com)

# TOWN OF NEW SCOTLAND

Diane R. Deschenes, RMC  
Town Clerk / Tax Collector  
[d-deschenes@townofnewscotland.com](mailto:d-deschenes@townofnewscotland.com)

Patricia A. Barber  
Deputy Town Clerk  
[pbarber@townofnewscotland.com](mailto:pbarber@townofnewscotland.com)

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## RESOLUTION NO. 139 OF 2020 Town of New Scotland, New York

### RESOLUTION REGARDING THE CHAMPLAIN HUDSON POWER EXPRESS PROJECT

**WHEREAS**, Champlain Hudson Power Express, Inc. (including its successors and/or assigns, "CHPEI" or the "Developer") is developing the Champlain Hudson Power Express Project (the "Project"), an approximately 1,000 megawatt underground and underwater high voltage, direct current electric transmission facility extending from the United States' border with Canada to Queens, New York; and

**WHEREAS**, the developer has represented that the New York State Public Service Commission (the "PSC") has issued a Certificate of Environmental Compatibility and Public Need authorizing the construction and operation of the Project (including any amendments thereto, the "Certificate"); and

**WHEREAS**, CHPEI has discussed the Project with representatives of the Town of New Scotland (the "Municipality"), as a portion of the Project will be located within the Municipality and will occupy certain privately and/or publicly-owned land; and

**WHEREAS**, prior to construction within the Municipality, CHPEI will require a Road Crossing Agreement with the Municipality with respect to underground improvements in the Town road at the location indicated (Game Farm Road); and

**WHEREAS**, once the Project commences operation, it is not expected to require any services from the Municipality.

### **NOW, THEREFORE, BE IT RESOLVED**, as follows:

1. The Town Board of the Town of New Scotland (the "Board") hereby grants its consent to CHPEI, in accordance with section 11(3) of the New York State Transportation Corporations Law, to lay down, construct and maintain its wires, conductors, conduits and other fixtures in and under the street identified in the Road Crossing Agreement annexed to this Resolution in accordance with the provisions of the Certificate.

---

2029 New Scotland Road  
Slingerlands, NY 12159

Phone:(518) 439-4865  
Fax:(518) 478-0217

2. The Board hereby approves the form of the Road Crossing Agreement (the "Agreement") attached to this Resolution, and authorizes the Supervisor to sign the Agreement when the exhibits to it are finalized.
3. The Supervisor is directed to take all appropriate measures to implement the intent of this Resolution.
4. This Resolution shall signify that the Town supports the Project as presented, and represented, by the Developer at the time this Resolution is approved, and the Resolution shall take effect immediately.

A motion by Member LaGrange, seconded by Member Greenberg to adopt Resolution No. **139 of 2020**.

Supervisor Douglas LaGrange:	<u>Aye</u>
William Hennessy, Jr.:	<u>Aye</u>
Daniel Leinung:	<u>Aye</u>
Adam Greenberg:	<u>Aye</u>
Bridgit Burke:	<u>Aye</u>

The Resolution was adopted at a meeting of the Town Board of the Town of New Scotland duly conducted on May 13, 2020.

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I Diane R. Deschenes, Clerk of the Town of New Scotland, New York, do hereby certify that I have compared the foregoing copy of the resolution with the original resolution on file in my office and that the same is a true and correct transcript of said original resolution and of the whole thereof as duly adopted by said Town Board at a meeting duly called and held at the New Scotland Town Hall on May 13, 2020 by the required necessary vote of the members to approve the resolution.

WITNESS, my hand and the official seal of the Town of New Scotland, New York, the 15<sup>th</sup> day of May 2020.

  
Clerk

Seal

STATE OF NEW YORK )  
COUNTY OF ALBANY ) SS:  
TOWN OF BETHLEHEM)

I, Nanci Moquin, Town Clerk of the Town of Bethlehem, Albany County, New York, DO HEREBY CERTIFY as follows:

The attached copy of Resolution # 2019-16 is a true and correct copy of the original resolution approved by the Town Board at the Town Board meeting held on June 12, 2019.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of said Town this 26th day of June, 2019.

  
Nanci Moquin  
Town Clerk



**Resolution # 2019-16**

**TOWN BOARD  
TOWN OF BETHLEHEM  
ALBANY COUNTY, NEW YORK**

**Resolution on Champlain Hudson Power Express Project - New Bethlehem Routing**

WHEREAS, Champlain Hudson Power Express, Inc. ("CHPEI") is developing the Champlain Hudson Power Express Project (the "Project"), a 3,000 MW underground and underwater high voltage, direct current electric transmission facility extending from the United States' border with Canada to Queens, New York; and

WHEREAS, the State and Federally approved Project route within the Town of Bethlehem originally included approximately 3.2 miles located on right-of-way property owned by CSX Transportation, Inc. (CSXT) (the "Original Bethlehem Routing"); and

WHEREAS, the Original Bethlehem Routing led CHPEI to develop an alternative routing (the "New Bethlehem Routing") along approximately 3.3 miles within the Town of Bethlehem, commencing at Feura Bush Road, turning into West Yard Road, continuing to the end of West Yard Road, crossing a CSXT abandoned rail spur to connect onto South Albany Road, then continuing on this route which changes to Bell Crossing Road before becoming Route 54, and finally returning to the CSXT Railroad Right of Way via a private easement; and

WHEREAS, once the project commences operation it will not require ongoing services of the Town of Bethlehem departments or local schools; and

WHEREAS, CHPEI desires that the Town of Bethlehem endorse the Project and the New Bethlehem Routing within the Town of Bethlehem.

**NOW, THEREFORE, BE IT RESOLVED,**

1. That the Town Board of the Town of Bethlehem is familiar with the Project and has no objections to the New Bethlehem Routing, including the scope of the work to be performed by

CHPEI within the Town of Bethlehem in furtherance of the Project.

2. That, the Town Clerk is hereby directed to forward a certified copy of this approved resolution to Transmission Developers Inc. at The Pieter Schuyler Building, 600 Broadway, Albany, NY 12207 for inclusion with CHPEI's application for amendment to its New York State Certificate of Environmental Compatibility and Public Need and any required applications for amendments to the Project's Federal Permits.
3. This Resolution shall take effect immediately.

On a motion by Councilman Foster, seconded by Councilman Coffey and a vote of 3 for and 2 against and 0 absent, this RESOLUTION was adopted on June 12, 2019

At a Meeting of the Town Board of the Town of Coeymans, at Town Hall, 18 Russell Avenue, Ravena, New York, on October 22, 2020 there were:

	<i>Present</i>	<i>Absent</i>	<i>Aye</i>	<i>Nay</i>	<i>Abstain</i>
George D. McHugh	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Daniel D. Baker	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kenneth A. Burns	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Zachary S. Collins	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Brandon L. LeFevre	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<i>Total</i>	<u>5</u>		<u>5</u>		

---

I, Council member LeFevre offer the following resolution and move its adoption:

**WHEREAS**, Champlain Hudson Power Express, Inc. and CHPE Properties, Inc. (including their successors and/or assigns, “CHPE”) is developing the Champlain Hudson Power Express Project (the “Project”), an approximately 1,000 megawatt underground and underwater high voltage, direct current electric transmission facility extending from the United States’ border with Canada to Queens, New York; and

**WHEREAS**, the New York State Public Service Commission (the “PSC”) has ruled that the Project will supply clean, renewable hydroelectricity to New York State and has issued a Certificate of Environmental Compatibility and Public Need authorizing the construction and operation of the Project (including any amendments thereto, the “Certificate”); and

**WHEREAS**, CHPE has discussed the Project with the Town of Coeymans (the “Municipality”), as a portion of the Project will be located within the Municipality and will occupy certain privately and/or publicly-owned land; and

**WHEREAS**, the Project will provide significant economic and environmental benefits to New York State and the Municipality in the form of lower electric rates, a reduction in greenhouse gas emissions and increased jobs, including local jobs during the Project’s construction; and

**WHEREAS**, the Project will provide significant tax (or payment in lieu of tax) revenue to the Village of Ravena, Town of Coeymans, County of Albany and School District of Ravena-Coeymans-Selkirk during the course of its expected 40-60 year operating life; and

**WHEREAS**, prior to construction within the Municipality, CHPE will require a Road Crossing Agreement with the Municipality that will include, at a minimum, construction responsibilities and plans, restoration and repair of damage, dispute resolution, bonding, insurance and indemnification provisions; and

**WHEREAS**, once the Project commences operation, it is not expected to require any services from the Municipality;

**NOW, THEREFORE, BE IT RESOLVED,**

1. That the Coeymans Town Board (the “Board”) is fully familiar with and supportive of the Project, including the use and occupancy of privately and/or publicly-owned land in the Municipality.

2. That the Board hereby grants its consent to CHPE, in accordance with section 11(3) of the New York State Transportation Corporations Law, to lay down, construct and maintain its wires, conductors, conduits and other fixtures in and under the streets, avenues, public parks and all other publicly-owned places in the Municipality in accordance with the provisions of the Certificate.

3. That the Board commits the Municipality to the taking of such further actions, if and when reasonably requested by CHPE and consistent with applicable law, as may facilitate the successful achievement of the Project, including, without limitation, executing a Crossing Agreement substantially in the form annexed hereto.

4. That the Town Supervisor is hereby authorized and directed to take all appropriate measures to implement the intent of this Resolution and the Town Clerk is hereby directed to forward a certified copy hereof to CHPE at the Pieter Schuyler Building, 600 Broadway, Albany, NY 12207.

5. That the Board approves the inclusion of a copy of this Resolution as a part of any filing made by CHPE with any governmental bodies when and as required or requested by the

same and the use of this Resolution in public statements made by CHPE regarding host community support for the Project.

6. That this Resolution shall take effect immediately.


Seconded by Council member McHugh, offered for discussion and duly put to a vote, the results of which appear above.

The question of the adoption of the foregoing Resolution was duly put to vote on a roll call, which resulted as follows:

	Aye	Nay
George D. McHugh	<u>X</u>	—
Kenneth A. Burns	<u>X</u>	—
Daniel D. Baker	<u>X</u>	—
Zachary S. Collins	<u>X</u>	—
Brandon LeFevre	<u>X</u>	—

The foregoing Resolution was thereupon declared duly adopted.

This is to certify this is a true and correct copy of the original resolution on file in the Town Clerk's Office, Town of Coeymans, County of Albany, State of New York.

  
\_\_\_\_\_  
Cindy L. Rowzee, Town Clerk

10/23/2020

SEAL

**TOWN OF NEW BALTIMORE, COUNTY OF GREENE**

**RESOLUTION 90-2021  
APRIL 26, 2021**

**RESOLUTION TO ADOPT MUNICIPAL CONSENT FOR THE  
CHAMPLAIN HUDSON POWER EXPRESS TRANSMISSION LINE PROJECT**

WHEREAS, CHPE LLC and its wholly-owned subsidiary CHPE Properties, Inc., their successors and assigns (hereinafter "CHPE"), is developing the Champlain Hudson Power Express Project (the "Project"), an approximately 1,000 megawatt underground and underwater high voltage, direct current electric transmission facility extending from the United States' border with Canada to Queens, New York; and

WHEREAS, the New York State Public Service Commission (the "PSC") has ruled that the Project will supply clean, renewable hydroelectricity to New York State and has issued a Certificate of Environmental Compatibility and Public Need authorizing the construction and operation of the Project (including any amendments thereto, the "Certificate"); and

WHEREAS, CHPE has discussed the Project with the Town of New Baltimore (the "Municipality"), as a portion of the Project will be located within the Municipality and will occupy certain privately and/or publicly owned land; and

WHEREAS, the Project will provide significant economic and environmental benefits to New York State and the Municipality in the form of lower electric rates, a reduction in greenhouse gas emissions and increased jobs, including local jobs during the Project's construction; and

WHEREAS, the Project will provide significant tax (or payment in lieu of tax) revenue to the Town of New Baltimore, County of Greene and the Coxsackie-Athens and Ravena-Coeymans-Selkirk School Districts during the course of its expected 40-60 year operating life; and

WHEREAS, prior to construction within the Municipality, CHPE will require a Road Use and Crossing Agreement with the Municipality that will include, at a minimum, construction responsibilities and plans, restoration and repair of damage, dispute resolution, bonding, insurance and indemnification provisions; and

WHEREAS, once the Project commences operation, it is not expected to require any services from the Municipality.

**NOW, THEREFORE, BE IT RESOLVED**

1. That the New Baltimore Town Board (the "Board") is fully familiar with and supportive of the Project, including the use and occupancy of privately and/or publicly owned land in the Municipality.

2. That the Board hereby grants its consent to CHPE, in accordance with section 11(3) of the New York State Transportation Corporations Law, to lay down, construct and maintain its wires, conductors, conduits and other fixtures in and under the streets, avenues,

public parks and all other publicly-owned places in the Municipality in accordance with the provisions of the Certificate.

3. That the Board commits the Municipality to the taking of such further actions, if and when reasonably requested by CHPE and consistent with applicable law, as may facilitate the successful achievement of the Project, including, without limitation, executing a Road Use and Crossing Agreement substantially in the form annexed hereto.

4. That the Town Supervisor is hereby authorized and directed to take all appropriate measures to implement the intent of this Resolution and the Town Clerk is hereby directed to forward a certified copy hereof to CHPE at the Pieter Schuyler Building, 600 Broadway, Albany, NY 12207.

5. That the Board approves the inclusion of a copy of this Resolution as a part of any filing made by CHPE with any governmental bodies when and as required or requested by the same and the use of this Resolution in public statements made by CHPE regarding host community support for the Project.

6. That this Resolution shall take effect immediately.

Motion by Supervisor Ruso seconded by Councilmember Downes

The question of the adoption of the foregoing Resolution was duly put to vote on a roll call, which resulted as follows:

SUPERVISOR RUSO	AYE
COUNCILMEMBER BOEHLKE	AYE
COUNCILMEMBER DOWNES	AYE
COUNCILMEMBER IRVING	AYE
CCOUNCILMEMBER VANETTEN	AYE

STATE OF NEW YORK )  
COUNTY OF GREENE )

I, Barbara M. Finke, Town Clerk of the Town of New Baltimore and Clerk of the New Baltimore Town Board, do hereby certify that Resolution 90-2021 was duly adopted by said Board by the required and necessary vote of the members at the Work Meeting held at the Town Hall on the 26<sup>th</sup> day of April, 2021, to Adopt Municipal Consent for the Champlain Hudson Power Express Transmission Line Project and the original thereof is on file in the Town Clerk's office.

WITNESS my Hand and the Official Seal of the Town of New Baltimore, Greene County, New York, this 27<sup>th</sup> day of April, 2021.

  
\_\_\_\_\_  
Barbara M. Finke, Town Clerk

**Board of Trustees of the Village of  
Coxsackie held at Village Hall in said  
Village on November 9, 2020 at 7:00 p.m.**

## **RESOLUTION NO. 102020**

### **Municipal Consent-TDI Champlain Hudson Power Express**

The meeting was called to order by Mayor Mark R. Evans

There were

PRESENT: Mark R. Evans, Mayor  
Donald Daoust, Trustee  
Stephen Hanse, Trustee  
Katlyn Irwin, Trustee  
Rebecca Vermilyea, Trustee

ABSENT:

**WHEREAS**, CHPE LLC and its wholly-owned subsidiary CHPE Properties, Inc., their successors and assigns (hereinafter "CHPE"), is developing the Champlain Hudson Power Express Project (the "Project"), an approximately 1,000 megawatt underground and underwater high voltage, direct current electric transmission facility extending from the United States' border with Canada to Queens, New York; and

**WHEREAS**, the New York State Public Service Commission (the "PSC") has ruled that the Project will supply clean, renewable hydroelectricity to New York State and has issued a Certificate of Environmental Compatibility and Public Need authorizing the construction and operation of the Project (including any amendments thereto, the "Certificate"); and



**WHEREAS**, CHPE has discussed the Project with the Village of Coxsackie (the “Municipality”), as a portion of the Project will be located within the Municipality and will occupy certain privately and/or publicly-owned land; and

**WHEREAS**, the Project will provide tax (or payment in lieu of tax) revenue to the Village of Coxsackie, County of Greene and the Coxsackie-Athens School District during the course of its expected 40-60 year operating life; and

**WHEREAS**, prior to construction within the Municipality, CHPE has requested the Village to consider approving a Road Use and Crossing Agreement with the Municipality that will include, at a minimum, construction responsibilities and plans, restoration and repair of damage, dispute resolution, bonding, insurance and indemnification provisions; and

**WHEREAS**, once the Project commences operation, no services of any kind will be required from the Municipality.

**NOW, THEREFORE, BE IT RESOLVED,**

1. That the Coxsackie Village Board (the “Board”) hereby grants its consent to CHPE, in accordance with section 11(3) of the New York State Transportation Corporations Law, to lay down, construct and maintain its wires, conductors, conduits and other fixtures in and under the streets, avenues, and all other publicly-owned places in the Municipality, with the exception of any parkland, in accordance with the provisions of the Certificate.

2. That the Board authorizes the Mayor to execute a Road Use and Crossing Agreement substantially in the form annexed hereto.

3. That the Village Mayor is hereby authorized to take all appropriate measures to implement the intent of this Resolution and the Village Clerk is hereby directed to forward a certified copy hereof to CHPE at the Pieter Schuyler Building, 600 Broadway, Albany, NY 12207.

4. That the Board approves the inclusion of a copy of this Resolution as a part of any filing made by CHPE with any governmental bodies.

**BE IT FURTHER RESOLVED**, that this resolution shall take place immediately.

**Roll Call Vote**

Mayor Mark R. Evans	YES
Trustee Donald Daoust	YES
Trustee Stephen Hanse	YES
Trustee Katlyn Irwin	YES
Trustee Rebecca Vermilyea	YES

I, the undersigned Clerk of the Village of Coxsackie do hereby certify that the above is a resolution duly adopted by the Village Board of Trustees on November 9, 2020.

**SEAL**

A handwritten signature in black ink, appearing to read "Nikki Berezna", written over a horizontal line.

Nikki Berezna, Clerk

## **TOWN BOARD RESOLUTION**

### **TOWN OF COXSACKIE**

WHEREAS, CHPE LLC and its wholly-owned subsidiary CHPE Properties, Inc., their successors and assigns (hereinafter "CHPE"), is developing the Champlain Hudson Power Express Project (the "Project"), an approximately 1,000 megawatt underground and underwater high voltage, direct current electric transmission facility extending from the United States' border with Canada to Queens, New York; and

WHEREAS, the New York State Public Service Commission (the "PSC") has ruled that the Project will supply clean, renewable hydroelectricity to New York State and has issued a Certificate of Environmental Compatibility and Public Need authorizing the construction and operation of the Project (including any amendments thereto, the "Certificate"); and

WHEREAS, CHPE has discussed the Project with the Town of Cossackie (the "Municipality"), as a portion of the Project will be located within the Municipality and will occupy certain privately and/or publicly owned land; and

WHEREAS, the Project will provide significant economic and environmental benefits to New York State and the Municipality in the form of lower electric rates, a reduction in greenhouse gas emissions and increased jobs, including local jobs during the Project's construction; and

WHEREAS, the Project will provide significant tax (or payment in lieu of tax) revenue to the Town of Cossackie, County of Greene, and the Cossackie-Athens School District during the course of its expected 40-60 year operating life; and

WHEREAS, prior to construction within the Municipality, CHPE will require a Road Use and Crossing Agreement with the Municipality that will include, at a minimum, construction responsibilities and plans, restoration and repair of damage, dispute resolution, bonding, insurance and indemnification provisions; and

WHEREAS, once the Project commences operation, it is not expected to require any services from the Municipality.

**NOW, THEREFORE, BE IT RESOLVED,**

1. That the Coxsackie Town Board (the “Board”) is fully familiar with and supportive of the Project, including the use and occupancy of privately and/or publicly owned land in the Municipality.

2. That the Board hereby grants its consent to CHPE, in accordance with section 11(3) of the New York State Transportation Corporations Law, to lay down, construct and maintain its wires, conductors, conduits and other fixtures in and under the streets, avenues, public parks and all other publicly-owned places in the Municipality in accordance with the provisions of the Certificate.

3. That the Board commits the Municipality to the taking of such further actions, if and when reasonably requested by CHPE and consistent with applicable law, as may facilitate the successful achievement of the Project, including, without limitation, executing a Road Use and Crossing Agreement substantially in the form annexed hereto.

4. That the Town Supervisor is hereby authorized and directed to take all appropriate measures to implement the intent of this Resolution and the Town Clerk is hereby directed to forward a certified copy hereof to CHPE at the Pieter Schuyler Building, 600 Broadway, Albany, NY 12207.

5. That the Board approves the inclusion of a copy of this Resolution as a part of any filing made by CHPE with any governmental bodies when and as required or requested by the same and the use of this Resolution in public statements made by CHPE regarding host community support for the Project.

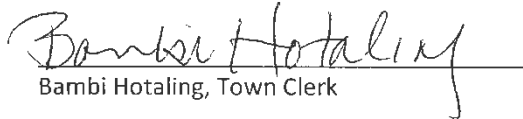
6. That this Resolution shall take effect immediately.

The question of the adoption of the foregoing Resolution was duly put to vote on a roll call, which resulted as follows: Thomas Burke offered the motion which was seconded by Linda Wilkinson and duly carried.

Ayes: 5 – Hanse, Burke, Kennedy, Veeder, Wilkinson

The foregoing Resolution was thereupon declared duly adopted at the regular monthly meeting of the Town Board of the Town of Coxsackie on December 8, 2020.

Dated: December 9, 2020

  
Bambi Hotaling, Town Clerk

## RESOLUTION

WHEREAS, CHPEI is developing the Champlain Hudson Power Express Project (the “Project”), a 1,000 MW underground and underwater high voltage, direct current (“HVDC”) electric transmission facility extending from the United States’ border with Canada to Queens, New York; and

WHEREAS, the Project will supply clean, renewable hydroelectricity to New York State; and

WHEREAS, the State and Federally-approved Project route within the Village of Catskill originally included approximately 0.65 miles located on right-of-way property owned by CSX (the “Rail ROW”) (the “Original Catskill Routing”);

WHEREAS, Champlain Hudson Power Express, Inc. (“CHPEI”) has discussed the project extensively with the Village of Catskill (“Catskill Host Community”), as the Project will be located within this community; and

WHEREAS, the Original Catskill Routing led CHPEI to develop an alternative routing (the “New Catskill Routing”) along approximately 0.24 miles along Allen Street, 0.01 miles on Village Land adjacent to Catskill Creek, 0.02 miles at the West Main Street crossing and 0.01 miles at the Willow Lane crossing, all properties of the Village of Catskill.

WHEREAS, the New Catskill Routing is proposed with a view towards decreasing environmental, and community impacts and increasing constructability; and

WHEREAS, the Project will provide significant economic and environmental benefits to New York State in the form of lower electric rates, by reducing greenhouse gas emissions and providing for jobs, including local jobs during the Project’s construction; and

WHEREAS, in recognition that CHPEI will generate tax revenue to Greene County, the Town and Village of Catskill and the Catskill Central School District once the project commences operation; and

WHEREAS, once the project commences operation it will not require ongoing services of the Village of Catskill departments or local schools; and

WHEREAS, CHPEI desires that the Village of Catskill endorse the Project and the New Catskill Routing, with the possibility of additional minor changes, within the Village of Catskill; and

WHEREAS, CHPEI believes that the Village of Catskill endorsement is an essential prerequisite to obtaining all final Project permits and approvals;

**NOW, THEREFORE, BE IT RESOLVED,**

1. That the Village Board of the Village of Catskill is fully familiar with and supportive of the Project, including the scope of the work to be performed by CHPEI within the Village of Catskill in furtherance of the Project.
2. That, the Village Clerk is hereby directed to forward a certified copy of this approved resolution to Transmission Developers Inc. at The Pieter Schuyler Building, 600 Broadway, Albany, NY 12207 for inclusion with CHPEI's application for amendment to its New York State Certificate of Environmental Compatibility and Public Need and any required applications for amendments to the Project's Federal Permits.
3. That the Board of Trustees of the Village of Catskill hereby grants its consent to CHPEI in accordance with section 11 of New York's Transportation Corporations Law to lay down, construct and maintain its wires, conductors, conduits and other

fixtures in and under the streets, avenues, public parks and places in the Village of Catskill in accordance with the requirements of CHPEI's Article VII Certificate, as amended and in effect from time to time.

4. This Resolution shall take effect immediately.

The question of the adoption of the foregoing resolution was duly put to vote on a roll call, which resulted as follows:

	Aye	Nay
President: Vincent Seeley	✓	
Trustees: Stanley Dushane	✓	
Joseph Kozloski	✓	
Peter Grasse	✓	
Greg Smith	✓	

The foregoing resolution was thereupon declared duly adopted.

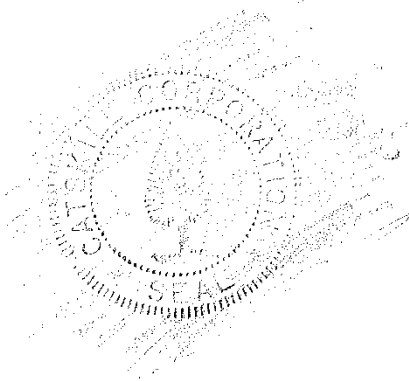


I, , Betsy Cothren, Village Clerk of the Village of Catskill, NY, **DO HEREBY CERTIFY** that the preceding Resolution was duly adopted by the Village Board of the Village of Catskill at a regular meeting of the Board duly called and held on the 25<sup>th</sup> day of July, 2018; that said Resolution was entered in the minutes of said meeting; that I have compared the foregoing copy with the original thereof now on file in my office; and that the same is a true and correct transcript of said Resolution and of the whole thereof.

**I FURTHER CERTIFY** that all members of said Board had due notice of said meeting.

**IN WITNESS WHEREOF**, I have hereunto set my hand and affixed the seal of the Village of Catskill, this 26<sup>th</sup> day of July, 2018.

**DATED:** July 26, 2018  
Catskill, New York



A handwritten signature in cursive script, appearing to read "Betsy Cothren", is written over a horizontal line.

**Village Clerk of the Village of Catskill  
Greene County, New York**

Catskill Town Board Monthly Meeting  
Catskill Town Hall  
April 6, 2021 6:30 pm

Resolution # 27-2021

CHAMPLAIN HUDSON POWER EXPRESS PROJECT

Councilman Vosburgh presented the following for consideration and adoption,

WHEREAS, CHPE LLC and its wholly-owned subsidiary CHPE Properties, Inc., their successors and assigns (hereinafter "CHPE"), is developing the Champlain Hudson Power Express Project (the "Project"), an up to 1,250 megawatt underground and underwater high voltage, direct current electric transmission facility extending from the United States' border with Canada to Queens, New York; and

WHEREAS, the New York State Public Service Commission (the "PSC") has ruled that the Project will supply clean, renewable hydroelectricity to New York State and has issued a Certificate of Environmental Compatibility and Public Need authorizing the construction and operation of the Project (including any amendments thereto, the "Certificate"); and

WHEREAS, CHPE has discussed the Project with the Town of Catskill (the "Municipality"), as a portion of the Project will be located within the Municipality and will occupy certain privately and/or publicly owned land; and

WHEREAS, the Project will provide significant economic and environmental benefits to New York State and the Municipality in the form of lower electric rates, a reduction in greenhouse gas emissions and increased jobs, including local jobs during the Project's construction; and

WHEREAS, the Project will provide significant tax (or payment in lieu of tax) revenue to the Town of Catskill, County of Greene and the Catskill Central School District during the course of its expected 40-60 year operating life; and

WHEREAS, prior to construction within the Municipality, CHPE will require a Road Use and Crossing Agreement with the Municipality that will include, at a minimum, construction

responsibilities and plans, restoration and repair of damage, dispute resolution, bonding, insurance and indemnification provisions; and

WHEREAS, once the Project commences operation, it is not expected to require any services from the Municipality.

NOW, THEREFORE, BE IT RESOLVED,

1. That the Catskill Town Board (the "Board") is fully familiar with and supportive of the Project, including the use and occupancy of publicly owned land in the Municipality.

2. That the Board hereby grants its consent to CHPE, in accordance with section 11(3) of the New York State Transportation Corporations Law, to lay down, construct and maintain its wires, conductors, conduits and other fixtures in and under the streets, avenues, public parks and all other publicly owned places in the Municipality in accordance with the provisions of the Certificate.

3. That the Board commits the Municipality to the taking of such further actions, if and when reasonably requested by CHPE and consistent with applicable law, as may facilitate the successful achievement of the Project, including, without limitation, executing a Road Use and Crossing Agreement substantially in the form annexed hereto.

4. That the Town Supervisor is hereby authorized and directed to take all appropriate measures to implement the intent of this Resolution and the Town Clerk is hereby directed to forward a certified copy hereof to CHPE at the Pieter Schuyler Building, 600 Broadway, Albany, NY 12207.

5. That the Board approves the inclusion of a copy of this Resolution as a part of any filing made by CHPE with any governmental bodies when and as required or requested by the same and the use of this Resolution in public statements made by CHPE regarding host community support for the Project.

6. That this Resolution shall take effect immediately.

Councilman Giordiano seconded this motion.

Ayes 4,

Nays 1,

Absent 0

Motion carried

2

The question of the adoption of the foregoing Resolution was duly put to vote on a roll call, which resulted as follows:

	Aye	Nay
Dale Finch (Supervisor)	x	
Patrick McCulloch	x	
Paul Vosburgh	x	
Dawn Scannapieco		x
Jared Giordiano	x	

## MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding (the "MOU") effective as of January 31, 2018 by and among Champlain Hudson Power Express, Inc. ("CHPEI"), the Town of Clarkstown, the Town of Haverstraw, the Village of Haverstraw, the Village of West Haverstraw, and the Town of Stony Point (the "Rockland Host Communities") in Rockland County, New York State (each a "Party", and collectively the "Parties")

### WITNESSETH THAT

WHEREAS, CHPEI is developing the Champlain Hudson Power Express Project (the "Project"), a 1,000 MW underground and underwater high voltage, direct current ("HVDC") electric transmission facility extending from the United States' border with Canada to Queens, New York;

WHEREAS, CHPEI is in receipt of all federal and state siting approvals necessary in order to authorize the construction and operation of the Project, namely, a Presidential Permit issued by the U.S. Department of Energy, a permit issued by the U.S. Army Corps of Engineers, and a Certificate of Environmental Compatibility and Public Need issued by the New York State Public Service Commission (the "Article VII Certificate");

WHEREAS, the Project route within Rockland County, as approved by the Article VII Certificate, includes approximately 5.5 miles located on right-of-way property owned by CSX Transportation, Inc. (the "Rail ROW") and approximately 0.5 miles on U.S. Route 9W in the Town of Clarkstown (the "Original Rockland Routing");

WHEREAS, feedback from the local community with regard to the Original Rockland Routing has led CHPEI to develop an alternative routing (the "New Rockland Routing") that will increase the Project route mileage along U.S. Route 9W to a total of approximately 7.1 miles, with an additional 1.1 miles on other

incidental parcels of property and Park Road in Stony Point as such alternative routing is shown in the attached Exhibit "A";

WHEREAS, the New Rockland Routing eliminates reliance on the Rail ROW, with a view towards decreasing environmental, historical, and community impacts and increasing constructability;

WHEREAS, the New Rockland Routing extends along U.S. Route 9W northwards from the Town of Clarkstown through the Villages of West Haverstraw and Haverstraw and the Town of Stony Point;

WHEREAS, making the New Rockland Routing part of the Project design will entail seeking and obtaining an amendment to the Article VII Certificate, and, potentially, amendments to the Project's federal siting approvals (the "Federal Permits");

WHEREAS, CHPEI, the Rockland Host Communities, and engineers and consultants advising or employed by the Rockland Host Communities have reviewed the New Rockland Routing substantially in the form that CHPEI intends to submit to the New York State Public Service Commission (the "PSC") as part of its application for a modification of the Article VII Certificate (the "PSC Application") and, potentially, to the U.S. Department of Energy and the U.S. Army Corps of Engineers as part of applications for amendments to the Federal Permits;

WHEREAS, CHPEI anticipates applying to the Rockland County Industrial Development Agency (the "Rockland IDA") for the financial certainty afforded qualifying projects pursuant to Title 1 of Article 18-A of the New York State General Municipal Law, and, in particular, for a Payment In Lieu of Taxes Agreement, which will ensure that a mutually-agreed to and predictable stream of annual revenue is paid by CHPEI to the Rockland Host Communities and the relevant school districts (the "IDA Application");

WHEREAS, CHPEI believes that endorsement of the Project and the New Rockland Routing by the legislative bodies of the Rockland Host Communities is an essential prerequisite to filing the PSC Application, the IDA Application, and applications for amendments to the Federal Permits;

WHEREAS, CHPEI intends to file the PSC Application in early 2018 and the IDA Application sometime thereafter with on-the-record support from the Rockland Host Communities as provided for herein;

WHEREAS, CHPEI acknowledges that the New Rockland Routing will entail installing the Project cables in local roads and in a state highway that serves as a primary transportation artery extending through a particularly dense and diverse urban and suburban landscape, and such installation will cause temporary disruptions and inconveniences to citizens and businesses;

WHEREAS, recognizing the distinct character of these disruptions and inconveniences, CHPEI has developed a program of community benefits, including \$9 million in streetscape improvements (the "Streetscape Funding") and a Haverstraw Bay Community Benefit Fund in the amount of \$22 million to support capital projects within the Rockland Host Communities (the "Fund");

WHEREAS, specific details regarding the Fund, the Streetscape Funding, and the real property taxes (collectively, the "Benefits Package") to be paid by CHPEI to the Rockland Host Communities and the relevant school districts have been assembled and are set forth in a written proposal, which is attached hereto as Exhibit "B";

WHEREAS, CHPEI is prepared to publicly release the details of the Benefits Package and include it in the PSC Application, with a recommendation that it be incorporated into the terms and conditions of the revised Article VII Certificate;

WHEREAS, the Rockland Host Communities are prepared to publicly announce their support for the Project (including for the New Rockland Routing); and

WHEREAS, the legislative bodies of the Rockland Host Communities have approved the terms of this MOU and have authorized and directed their chief executive officers to subscribe on their behalfs to this MOU;

NOW, THEREFORE, in consideration of the foregoing, the terms stated below, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties agree as follows:



## 1. PUBLIC ANNOUNCEMENT

As soon as possible following execution of this MOU, the Parties will agree upon a joint public statement regarding execution of the MOU. This statement will include expressions of support for the Project (including for the New Rockland Routing) from the Rockland Host Communities and will announce CHPEI's offer of the Benefits Package. The Parties believe that time is of the essence with respect to release of this statement, and they intend to begin work on the text as soon as practicable after this MOU has been signed by all of the Parties.

## 2. FOLLOW-UP ACTIVITIES

The Parties will cooperate in good faith with respect to implementation of the Benefits Package and preparation and filing of the PSC Application and the IDA Application. Furthermore, in the event that CHPEI determines to file any applications for amendments to the Federal Permits in connection with the New Rockland Routing, the Rockland Host Communities will indicate their on-the-record support for any such applications in a timely manner.

## 3. CONDITION PRECEDENT

The Parties understand and agree that implementation of the Benefits Package is contingent upon CHPEI undertaking the multi-year Project construction phase, after securing all necessary permits and approvals, including, without limitation, a revised Article VII Certificate approving the New Rockland Routing; obtaining full debt and equity funding for all of the costs of Project construction; and advancing to commercial operations on a timeline that substantially conforms to the anticipated development schedule, which currently calls for construction to commence by 2019. Furthermore, the Parties understand and agree that 50% of the Fund will be made available at the time of the completion of the Project's construction funding (the "First Fund Installment") and the remaining 50% will be made available at the time of initiation of Project commercial operations (the "Second Fund Installment"). The Streetscape Funding will be disbursed during the Project construction period pursuant to agreed-upon protocols, but in no event will any disbursement occur earlier than the date upon which the First Fund Installment is made available. For the purposes of this MOU, "completion of the Project's construction funding" will be deemed to have occurred as of the date upon which

funds sufficient to satisfy all anticipated costs of Project construction have been made available to CHPEI through the securing of equity and debt investments in CHPEI for that purpose and “initiation of Project commercial operations” will be deemed to have occurred as of the date upon which testing and commissioning of the Project is completed, the New York Independent System Operator has been advised of the energizing of the Project, and the first transmission of supply pursuant to a commercial arrangement with a customer or customers has taken place.

#### 4. HANDLING OF AMOUNTS DEPOSITED IN AND EFFECT OF SUSPENSION OF PROJECT DEVELOPMENT ON THE FUND

The Rockland County Host Communities will have discretion regarding the disbursement of their allocable portions of the Fund and the Streetscape Funding, consistent with applicable law and the Benefits Package itself. Neither the First Fund Installment nor the Second Fund Installment shall be refundable. Similarly, disbursed Streetscape Funding shall not be refundable.

#### 5. CONSTRUCTION PERIOD PROTOCOLS

In the preparation and execution of its Project construction program in the Rockland Host Communities, CHPEI will take into account local conditions and appropriately mitigate disruptions and inconveniences to the greatest possible extent.

#### 6. CONSENT TO USE AND OCCUPANCY

To the extent that any of the Rockland Host Communities are the actual owners of any lands, rights-of-way, or other property interests upon which the New Rockland Routing is located, such municipal body hereby consents to the use and occupancy of such lands by CHPEI and the Project.

#### 7. FURTHER ASSURANCES

The Parties agree that they will, at any time and/or from time to time and upon request, do, execute, acknowledge and deliver, or will cause to be done, executed, acknowledged and delivered, all such further acts, instruments, documents, forms,

certificates, and assurances as may reasonably be required for the accomplishment of the purposes of the Parties as set forth in this MOU.

## GENERAL PROVISIONS

### A. ASSIGNMENT

No Party may assign this MOU without the prior written consent of the other Party, which consent shall not unreasonably be withheld, delayed, or conditioned.

### B. GOVERNING LAW AND FORUM

This MOU shall be governed by and construed in accordance with the laws of the State of New York, without regard to the conflict of laws principles thereof, and the Parties irrevocably consent to the exclusive jurisdiction of the courts of the State of New York.

### D. AMENDMENTS

No change or modification of this MOU shall be valid unless it is in writing and signed by each and every Party hereto.

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### E. NO PARTNERSHIP OR AGENCY RELATIONSHIP

Notwithstanding any other provision contained herein, this MOU shall not constitute, create, or imply any partnership, joint venture, agency, or fiduciary relationship between the Parties.

### F. COSTS

Each Party shall bear its own costs and expenses in connection with all matters relating to this MOU, including, without limitation, the costs and expenses of its legal and other advisors and internal costs and expenses.

### G. LIMITATION OF LIABILITY

Under no circumstances shall a Party or any of their respective officers, directors, members, partners, shareholders, employees, agents, or affiliates be liable for: consequential, incidental, or indirect damages; lost profits or opportunities; increased cost of capital; loss of income, revenue, or use; or other business interruption costs, losses, or damages, regardless of whether the same: arise out of

statute or operation of law; sound in tort, contract, or otherwise; or relate to or are the result of any performance, mis-performance, or non-performance of any activity contemplated by this MOU.

IN WITNESS WHEREOF, the Parties have executed this MOU by affixing the signatures of the undersigned duly authorized representatives as of the date appearing in the spaces indicated.

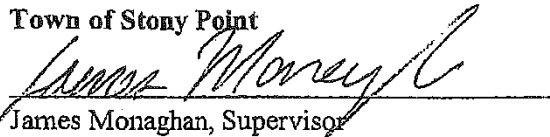
**Champlain Hudson Power Express, Inc.**



Donald Jessome, Chief Executive Officer

Date: 1/31/18

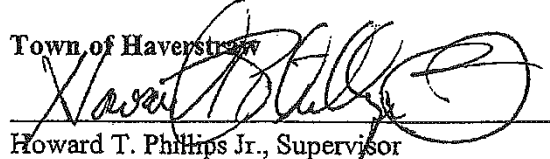
**Town of Stony Point**



James Monaghan, Supervisor

Date: 1/24/18

**Town of Haverstraw**



Howard T. Phillips Jr., Supervisor

Date: 1/24/18

**Town of Clarkstown**



George Hoehmann, Supervisor

Date: 1/29/18

**Village of Haverstraw**



Michael F. Kohut, Mayor

Date: January 2018

**Village of West Haverstraw**



Robert R. D'Amelio, Mayor

Date: January 2018

EXHIBIT A  
NEW ROCKLAND ROUTING MAP



**EXHIBIT B**

**ROCKLAND HOST COMMUNITIES BENEFITS PACKAGE**

## EXHIBIT B

### Rockland Host Communities' Benefits Package from Champlain Hudson Power Express, Inc.

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#### INTRODUCTON

CHPEI is the developer of the Champlain Hudson Power Express, a 333-mile, 1,000 MW HVDC underwater and underground transmission line bringing clean, low-cost energy from the U.S.-Canada border to New York City.

This innovative buried Project will provide renewable hydro and wind power to the New York metropolitan area while providing significant environmental and economic benefits to all New Yorkers. The Project will include substantial tax payments, create thousands of new jobs, and drive down energy costs for all New Yorkers, while protecting ratepayers from cost overruns. This privately financed, new energy infrastructure will be operational for decades and provide a critical building block for New York's clean energy future.

In Rockland County, CHPEI proposes to exit the Hudson River in the town of Stony Point and continue along a newly proposed route at essentially the same exit point as the Article VII Certificate's permitted route. Once upland, the cables will be installed via horizontal directional drilling ("HDD") and trenching for approximately 3,400 feet under and along the southeastern portion of the Tilcon quarry and travel 1/3 of a mile down Park Road to U.S. Route 9W. Once on U.S. Route 9W, the Project route will continue south along the road through the Towns of Stony Point and Haverstraw, and through the Villages of Haverstraw and West Haverstraw until connecting with the PSC-approved route in the Town of Clarkstown.

The installation of the Project's cables will be similar to the installation of other municipal services (water, sewer or communication lines) in streets and roads, creating a localized inconvenience to the main thoroughfare through the county during construction.

As part of the Project's installation:

- CHPEI will strive to minimize the inconvenience to businesses and residents due to construction.
- CHPEI will leave the reconstructed U.S. Route 9W in better shape than it found it.
- Once installed and operational, CHPEI will pay annual property taxes without the need for municipal services support.

During the first 40 operating years of the Project, Rockland County Host Communities and schools should expect to receive approximately \$254 million of total benefits, including approximately \$223 million in real property taxes, \$9 million in streetscape improvements and \$22 million in disbursements from the Haverstraw Bay Community Benefit Fund as a direct result of the Project.

#### Haverstraw Bay Community Benefit Fund

In recognition of the localized inconvenience to a main county thoroughfare during construction, CHPEI will establish a Haverstraw Bay Community Benefit Fund in the amount of \$22 million to support capital projects within the Rockland Host Communities (the Towns of Stony Point, Haverstraw and Clarkstown, and the



Villages of Haverstraw and West Haverstraw). It is proposed that each municipality will share in the fund on a pro-rated basis related to miles along public rights of way, municipal property rights and other factors. See Table 1.1 for the anticipated allocation of the Fund by community.

The following outlines the general terms of the Haverstraw Bay Community Benefit Fund:

1. 50% of the Fund will be available at the Project's financial closing and the remaining 50% of the Fund will be available upon the commencement of commercial operation.
2. Monies from the Fund will be used to support new capital projects only.
3. Projects eligible for funding will be owned/operated by governmental bodies or non-profit organizations.
4. Each Rockland Host Community will establish protocols for identifying, reviewing, choosing and monitoring funded projects.
5. Payments made to the Rockland Host Communities are non-refundable.

### **Streetscape Improvements**

As part of the construction of the Project, CHPEI will provide an estimated \$9 million for road improvements and beautification projects (Streetscape Funding) along the Route 9W corridor comprising the Project route in the Town of Stony Point and the Villages of Haverstraw and West Haverstraw. Eligible streetscape improvements include, but are not limited to, new curbing, new sidewalks, new street lighting, benches and plantings. The intent of the Streetscape Funding is to mitigate impacts from the temporary construction of the CHPE to the residential neighborhoods and businesses districts along the Route 9W corridor. Following the transmission line construction, TDI will be responsible for curb to curb repaving and the repair of any construction related damage to curbs or sidewalks. In turn, Streetscape funds must be utilized to improve the 9W corridor for the affected users. From the \$9 million Streetscape Funding, CHPEI will allocate the fund as follows: \$2,914,286 to the Town of Stony Point, \$2,228,572 to the Village of West Haverstraw and \$3,857,142 to the Village of Haverstraw to be used for eligible streetscape improvements. See Table 1.1 for the direct allocation of the Streetscape Funding by community. Specific improvements will be determined by the Rockland Host Communities in consultation with businesses, residents and other stakeholders in the 9W corridor.

For the purposes of this agreement, the Route 9W corridor is defined as the Route 9W roadway, sidewalks and immediately adjacent properties, or on roadways or streets intersecting with Route 9W extending no further than 800 feet to the east or west of Route 9W's centerline. A map depicting the geographic area where Streetscape Funding shall be used is attached.

Implementation of eligible streetscape improvements will be done in coordination with CHPEI so as not to interfere with construction of the CHPE.

**Table 1.1 Fund and Streetscape Improvements for Municipalities**

<b>MUNICIPALITY</b>	<b>FUND</b>	<b>STREETSCAPE FUNDING</b>	<b>TOTAL</b>
TOWN OF STONY POINT	\$5,300,000	\$2,914,286	\$8,214,286
TOWN OF HAVERSTRAW	\$6,800,000	\$0	\$6,800,000
VILLAGE OF WEST HAVERSTRAW	\$2,500,000	\$2,228,572	\$4,728,572
VILLAGE OF HAVERSTRAW	\$3,500,000	\$3,857,142	\$7,357,142
TOWN OF CLARKSTOWN	<u>\$3,900,000</u>	<u>\$0</u>	<u>\$3,900,000</u>
<b>TOTALS</b>	<b>\$22,000,000</b>	<b>\$9,000,000</b>	<b>\$31,000,000</b>

**Estimated Taxes**

CHPEI's engineers and financial team have determined the portion of the Project (in miles and in capital cost) located in each taxing authority. Along with our counsel, Barclay Damon, we have also gathered current tax rate information from each taxing authority. The total tax amounts discussed below are the product of a) the total capital cost of the project located in each taxing authority multiplied by b) the relevant tax rate.

Based on CHPEI's initial analysis, the Project is expected to generate approximately \$4,110,000<sup>1</sup> of property tax revenue in Rockland Host Communities in the first year of operations.

CHPEI expects the total tax revenue to increase moderately year over year. For discussion purposes, we have assumed 1.5% growth per annum, which results in a total of approximately \$223 million over the first 40 years of operations.

**Table 1.2 Estimated Taxes**

<b>TAXING AUTHORITY</b>	<b>ESTIMATED TAXES YEAR 1 OPERATIONS<sup>1</sup></b>
ROCKLAND COUNTY	\$ 195,000
TOWN OF STONY POINT	\$ 250,000
TOWN OF HAVERSTRAW	\$ 615,000
VILLAGE OF WEST HAVERSTRAW	\$ 95,000
VILLAGE OF HAVERSTRAW	\$ 255,000
TOWN OF CLARKSTOWN	\$ 160,000
NORTH ROCKLAND CENTRAL SCHOOL	\$2,040,000
CLARKSTOWN CENTRAL SCHOOL	<u>\$ 500,000</u>
<b>TOTAL</b>	<b>\$4,110,000</b>

<sup>1</sup> Based on initial analysis of November 2017 and includes county, town, village and school estimated taxes.

**STONY POINT TOWN BOARD MEETING – January 23, 2018**

The Town Board of the Town of Stony Point convened in Regular Session on Tuesday, January 23, 2018 at 7:00pm at the Stony Point Community Center (Rho Building), 5 Clubhouse Lane, Stony Point, NY. Supervisor Monaghan called the meeting to order and led the group in the Pledge of Allegiance.

Town Clerk Joan Skinner called the following roll:

PRESENT: Tom Basile                      Councilman  
               Karl Javenes                      Councilman  
               James White                            Councilman  
               Michael Puccio                        Councilman  
               James Monaghan                      Supervisor

**PUBLIC INPUT**

- Kevin Maher-130 Central Highway spoke about the location of the proposed Skate Park being in a flood zone and made suggestions about 2 areas at Veterans Memorial Park that would not be in a flood zone and may be a better option.
- George Potonavic- 597 Old Gate Hill Road asked if the current version of the Local Law for the Solar Fields was on the Stony Point Town website.
  - Also spoke about the Anchorage Proposal and how river communities are concerned about the barges coming through the Hudson.
  - Also spoke about the Memorandum of Understanding for CHPEI. Stated that he was disappointed in the lack of transparency with the town board regarding this matter. Spoke about how he felt that the community should have been notified of this decision.

**PURCHASE ORDER REQUEST**

A motion was made by Councilman White, seconded by Councilman Javenes and **carried** by a voice vote of all board members present, to approve the following purchase orders:

Highway Department:			
PO#3067	McDonald & McDonald		\$1,253.40
PO#3068	Ruscon Truck Service		\$3,097.72
Sewer Dept:			
PO#3029	Brentwood Industries, Inc.		\$18,274.24

**AUDIT OF BILLS** – A motion was made by Councilman White, seconded by Councilman Basile and **unanimously carried** by a voice vote of those board members present to approve the following bills as presented for payment.

**Contractual General – January 23, 2018**

<u>FUND</u>	<u>CLAIM #</u>	<u>FUND TOTAL</u>
General	80-111	\$ 244,193.05
Highway	31-37	\$ 50,142.06
Sewer	15-22	\$ 41,082.83
<u>Special Districts</u>		
Enterprise	12-21	\$ 20,420.67
Street Lighting	1-1	\$ 25,324.42

**MINUTES** – A motion was made by Supervisor Monaghan, seconded by Councilman Javenes and **carried** by a voice vote, with Councilman White abstaining, to approve the minutes of January 9, 2018 Town Board Meeting and the minutes of the January 9, 2018 Re-Organization Meeting.

## **SUPERVISOR'S REPORT**

Supervisor Monaghan spoke regarding:

- Reminded everyone of the Polar Plunge to be held on 2-4-2018 sponsored by the Stony Point Seals. This is the 19<sup>th</sup> year for this event.
- Stony Point PAL will be having a fundraiser for the Skatepark on February 9<sup>th</sup> at North Rockland High School at 7PM. The Stony Point Police along with North Rockland teachers will be playing basketball against the Harlem Wizards.
- Read the following:

### **The MOU for the Champlain Hudson Power Express:**

When the Champlain Hudson Line was proposed several years ago, it had a fully permitted route that went right through our battlefield and through our Waldron Cemetery. It involved potential eminent domain, potential reduction in how our waterfront could be used and there was very little benefits for the Community. Due to our residents concerns, and our community standing alongside me to fight for our rights and benefits, TDI, CHPE has come back to our community and the other communities in Rockland with a route that is a direct response to those concerns. It is no longer near our Historic Battlefield or going through our Waldron Cemetery. There is no eminent domain involved and it will not affect our waterfront.

The new proposed route goes down 9W, buried four feet underground alongside all of the other utilities. The company has agreed to hire local union labor and to do the construction during off hours and in the evenings when necessary. The line will be buried underground for decades and doesn't require any maintenance. TDI will pay for paving the entire length of 9w from curb to curb. For years, politicians have talked about improving our Liberty drive 9W corridor. I have fought for streetscape funding and have secured funding (2.9million dollars) to improve our liberty drive corridor. Finally, we have the opportunity to enhance our downtown as other towns have done.

Champlain Hudson Power Express will pay an estimated \$250,000 a year in property taxes to Stony Point and more importantly an estimated \$2 million a year to our North Rockland School District that can help lower the taxes of every property owner in Stony Point.

The Town of Stony Point will also receive \$5.3 million dollars in community benefits to support capital projects that the Town board will determine where the funds may be needed. This is a total of over \$8 million dollars plus millions in dollars over the life of the project in taxes. This is serious money that we have not seen in years. For us to say no to this project, that will pay the Town of Stony Point over \$8 million dollars in community benefits and millions of dollars in taxes, over its life, is a disservice to our seniors, our children and our residents.

## **DEPARTMENTAL REPORTS** - None

## **CORRESPONDENCE** - None

## **PUBLIC HEARING – SEWER EXTENSION – 15 BENDER CT. (15.01-6-10)**

A motion was made by Supervisor Monaghan, seconded by Councilman Basile and **unanimously carried** by a voice vote of all board members present, to approve the sewer extension for 15 Bender Court (15.01-6-10).

### RESOLUTION NO. 4 OF 2018

RESOLUTION AND ORDER OF TOWN BOARD APPROVING PETITION  
FOR SANITARY SEWER DISTRICT #2

At a meeting of the Town Board of the Town of Stony Point, held at Rho Building, 5 Clubhouse Lane, in the Town of Stony Point, Rockland County, New York, on the 23<sup>rd</sup> day of January, 2018.

PRESENT: COUNCILMAN THOMAS BASILE  
COUNCILMAN KARL JAVENES  
COUNCILMAN WHITE  
COUNCILMAN MICHAEL PUCCIO  
SUPERVISOR MONOGHAN

ABSENT: NONE

WHEREAS, a written Petition dated **December 12, 2017** signed and acknowledged by **Adrienne M. Serra**, has been presented to and filed with the Town Board of the Town of Stony Point requesting the Extension of a sanitary sewer and laterals in a proposed Extension of District #2 to be known as the Extension of Sanitary Sewer District #2 as more particularly described in said Petition, and

WHEREAS, a certified copy of the order of this Board calling a hearing hereon, which order is dated **December 12, 2017** was duly and regularly published in the Rockland County Times and on the official sign board of the Town on **January 4, 2018** and certified copies thereof were posted in five public places within the proposed Extension of Sanitary Sewer District #2 on **January 3, 2018**, and

WHEREAS, a Public Hearing having taken place at Rho Building, 5 Clubhouse Lane in the Town of Stony Point, Rockland County, New York on **January 9, 2018**, at 7:00 PM the petitioners having appeared in support of said application and proof having been presented concerning the same, and no objection or protest having been made to the proposed Extension.

WHEREAS, the Town Board has given due deliberation to the hearing and the testimony and allegations presented and has determined to grant the prayer of said petition, and

WHEREAS, the map and plan aforesaid has been approved by the State Department of Health, and copies thereof filed with said Department, and with the Town Clerk, pursuant to Section 192 of the Town Law.

Now on motion of Supervisor Monaghan, seconded by Councilman Basile all members present voting therefor, it is

FOUND, ORDERED AND DETERMINED that said petition dated , for the creation of the Extension of Sanitary Sewer District #2 in the Town of Stony Point, Rockland County, New York, is signed, approved and acknowledged, as required by law, and is otherwise sufficient and complies with the provision of Section 191 of the Town Law, constituting Chapter 62 of the Consolidated Laws of the State of New York, and such other sections of said chapter as are applicable thereto; and that there is annexed to said petition a map and plans showing the boundaries of the proposed Extension of Sanitary Sewer District #2 and a general plan of the proposed district, and it is

FOUND, ORDERED AND DETERMINED by the Town Board of the Town of Stony Point that it is in the public interest to grant the whole relief sought by said petition, and that all of the property, property owners and interested persons within said proposed Extension of District #2 are benefited thereby, and that all property, or property owners benefited are included therein, and that no property or property owners or interested persons benefited thereby have been excluded therefrom, and it is

ORDERED that the petition for the creation of the extension of Sanitary Sewer District #2 be established in said Town of Stony Point, as described in said petition, may and plan, to be known as the Extension of Sanitary Sewer District #2 and to include the property known as 15.01-6-10.

**SOLAR FIELDS DECLARE NEGATIVE DECLARATION**

A motion was made by Supervisor Monaghan, seconded by Councilman Basile and **unanimously carried** by a voice vote of all board members present, to approve the Negative Declaration

**RESOLUTION 2018/5**

**RESOLUTION OF THE TOWN BOARD FOR THE TOWN OF STONY POINT, NEW YORK ADOPTING A NEGATIVE DECLARATION CONCERNING A LOCAL LAW REGULATING LARGE-SCALE SOLAR GENERATION FACILITIES LAW PURSUANT TO THE STATE ENVIRONMENTAL QUALITY REVIEW ACT**

**WHEREAS**, the Town Board for the Town of Stony Point ("Town Board") seeks to adopt a proposed Local Law No. 1 of 2018 to amend Chapter 215, Article XIII of the Town of Stony Point Town Code entitled "Large-Scale Solar Generation Facilities Law" ("Local Law") of the Town of Stony Point to regulate large-scale solar generation facilities; and

**WHEREAS**, the proposed Local Law is an amendment to a use in the Town Zoning Code affecting more than twenty-five (25) acres, and was thereby determined to be a Type I action; and

**WHEREAS**, the Town Board is the sole agency involved in the consideration of the proposed Local Law and thus declared itself Lead Agency pursuant to New York State Environmental Quality Review Act (SEQRA), and the governing regulations promulgated thereunder for the required environmental review of this action to determine whether the proposed Local Law will have a significant adverse environmental impact; and

**WHEREAS**, the Town Board had prepared and has evaluated a Full Environmental Assessment Form (FEAF), Parts 1, 2, and 3, concerning the proposed Local Law; and

**WHEREAS**, the Town Board has considered the Full Environmental Assessment Form (FEAF), Parts 1, 2, and 3, which evaluates the potential impacts of the proposed Local Law; and

**WHEREAS**, the Town Board hereby finds that the proposed Local Law will not have a significant environmental impact.

**NOW, THEREFORE, BE IT RESOLVED** that

**Section 1.** The above "WHEREAS" clauses shall be incorporated by reference herein.

**Section 2.** The Town Board hereby adopts the FEAF attached hereto.

**Section 3.** The Town Board hereby adopts the negative declaration attached to this resolution and incorporated herein finding that the adoption of the proposed Local Law will not have a significant adverse environmental impacts and that no Environmental Impact Statement will be prepared.

**Section 4.** The Town Board hereby authorizes the Supervisor of the Town to sign a Negative Declaration Determination of Non-Significance with respect to the project; and hereby authorizes the Town Clerk to forward a copy of said Negative Declaration Determination of Non-Significance to the New York State Department of Environmental Conservation and other interested agencies.

**Section 5.** This Resolution shall be effective immediately.

**LOCAL LAW NO. 1 OF 2018**

A motion was made by Supervisor Monaghan, seconded by Councilman White and **unanimously carried** by a voice vote of all board members present, to adopt the local law as submitted.

**RESOLUTION 2018/6**

**RESOLUTION BY THE TOWN BOARD OF THE TOWN OF STONY POINT  
ADOPTING A LOCAL LAW TO AMEND THE CODE OF THE TOWN OF STONY  
POINT CHAPTER 215, ARTICLE XIII TO REGULATE LARGE-SCALE SOLAR  
GENERATION FACILITIES**

**LOCAL LAW NO. 1 of 2018**

**WHEREAS**, a resolution was duly adopted by the Town Board of the Town of Stony Point for a public hearing to be held by said Board on August 8, 2017, at 7:00 P.M. at the Stony Point Community Center (Rho Building) to hear all interested parties on a proposed Local Law entitled "Large-Scale Solar Generation Facilities Law" of the Town of Stony Point; and

**WHEREAS**, notice of said public hearing was duly advertised in the Rockland County Times, the official newspaper of said Town, on July 11, 2017, and copies of said proposed Local Law were made available to the public at the Town Clerk's Office; and

**WHEREAS**, said public hearing was duly held on August 8, 2017, at 7:00 P.M. at the Stony Point Community Center (Rho Building) and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said proposed amended Local Law, or any part thereof; and

**WHEREAS**, the proposed Local Law was referred to the Town Planning Board, the Town Engineer, and the Rockland County Department of Planning as required by the Town Code and the New York State General Municipal Law; and

**WHEREAS**, the comments received from said agencies were considered by the Town Board; and

**WHEREAS**, said public hearing was continued on September 12, 2017, at 7:00 P.M., on September 26, 2017, at 7:00 P.M., at the Stony Point Community Center (Rho Building) and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said proposed Local Law, or any part thereof, and

**WHEREAS**, said public hearing was closed for the purpose of soliciting public comment but remained opened for the purpose of the solicitation of written comments through October 10, 2017, and thereafter extended until November 14, 2017 for the purpose of soliciting written comments; and

**WHEREAS**, the Town Board desires to amend Chapter 215, Article XIII to incorporate Section 215-92.4 of the Town of Stony Point Town Code entitled Large-Scale Solar Generation Facilities Law of the Town of Stony Point; and

**WHEREAS**, pursuant to part 617 of the implementing regulations pertaining to Article 8 of the State Environmental Quality Review Act it has been determined by the Town Board that adoption of said proposed Local Law constitutes a Type I action; and

**WHEREAS**, the Town Board is the only involved agency for this Type I action and has adopted a Full Environmental Assessment Form and a negative declaration finding that the proposed Local Law will not have any potential significant adverse environmental impacts; and

**WHEREAS**, the Town Board of the Town of Stony Point finds that it is in the best interest of the Town and further the health, safety, and welfare of the community, and that the proposed local law is in accordance with the County's comprehensive plans to adopt said proposed Local Law.

**NOW, THEREFORE, BE IT RESOLVED that**

- Section 1. The above "WHEREAS" clauses shall be incorporated by reference herein.
- Section 2. The Town Board hereby closes the public hearing for all purposes.

Section 3. The Town Board hereby adopts said proposed Local Law as Local Law No. 1 of 2018 entitled "Large-Scale Solar Generation Facilities Law," a copy of which is attached hereto and made a part hereof, and the Town Clerk is hereby is directed to enter said Local Law in the minutes of this meeting and in the Local Law Book of the Town of Stony Point, and to give due notice of its adoption of said Local Law to the Secretary of State of New York.

Section 4. This Resolution shall be effective immediately.

**TOWN OF STONY POINT**  
**LOCAL LAW NO. 1 OF 2018**

**TO AMEND THE CODE OF THE TOWN OF STONY POINT CHAPTER 215,  
ARTICLE XIII TO REGULATE SOLAR GENERATION FACILITIES.**

BE IT ENACTED by the Town Board of the Town of Stony Point as follows:

**Section 1. Title.**

This local law shall be known as the "Large-Scale Solar Generation Facilities Law."

**Section 2. Legislative Intent.**

This Local Law amends Chapter of the Town of Stony Point Code to provide modification to the Town's Zoning Code to add the Regulation of Large-Scale Solar Generation Facilities.

This Local Law is adopted to advance and protect the public health, safety, and welfare of the Town of Stony Point and is to accommodate and allow the use of Large-Scale Solar Generation Facilities and equipment so far as conditions may permit.

**Section 3. Effect.**

The Code of the Town of Stony Point, Chapter 215 is hereby amended to incorporate the following regulations as Section 215-92.4 (Large-Scale Solar Generation Facilities) and is to read as follows;

**I. Definitions.**

**BUILDING INTEGRATED PHOTOVOLTAIC SYSTEM**

A combination of photovoltaic building components integrated into any building envelope system, such as vertical facades including glass and other façade materials semitransparent skylight systems, roofing materials, and shading over windows.

**GLARE:**

A continuous source of excitement, relative to diffused lighting. This is not a direct reflection of the sun, but rather a reflection of the bright sky around the sun. Glare is significantly less intense than glint which is a direct reflection of the sun from a solar panel.

**LARGE-SCALE SOLAR GENERATION FACILITY**

A solar array that is directly installed in the ground, is not attached or affixed to any existing structure, is not roof-mounted, and is used for the primary



purpose of producing electricity for off-site sale or consumption, with a capacity of 25 kW or more.

#### QUALIFIED SOLAR INSTALLER

A person who has skills and knowledge related to the construction and operation of solar electrical equipment and installations and has received safety training on the hazards involved. Persons who are on New York State Energy Research and Development Authority's (NYSERDA) list of eligible photovoltaic installers or who are certified as solar installers by the North American Board of Certified Energy Practitioners (NABCEP), shall be deemed to be qualified solar installers for the purposes of this definition. Persons who are not on NYSEDA's list of eligible installers or NABCEP's list of certified installers may be deemed to be qualified solar installers if the Town determines such persons have had adequate training to determine the degree and extent of the hazard and the necessary personal protective equipment and job planning to perform the installation safely. Such training shall include the proper use of special precautionary techniques and personal protective equipment, as well as the skills and techniques necessary to distinguish exposed energized parts from other parts of electrical equipment and to determine the nominal voltage of exposed live parts.

#### ROOF-MOUNTED SOLAR ENERGY SYSTEM

A solar panel system located on the roof of any legally permitted building or structure for the purpose of producing electricity for on-site or off-site consumption.

#### SMALL-SCALE SOLAR GENERATION FACILITY

Solar generation systems, which serve the building to which they are attached, and do not provide energy for any other user, with a capacity of 25 kW or less.

#### SOLAR ACCESS

Space open to the sun and substantially clear of overhangs or shade, including the orientation of streets and lots to the sun so as to permit the use of a solar generation facility on a lot.

#### SOLAR GENERATION FACILITIES

Solar panels, collectors, controls, energy storage devices, heat pumps, heat exchangers, and other materials, hardware or equipment necessary to the process by which solar radiation is collected and converted into another form of energy, stored, protected from unnecessary dissipation and distributed. Solar generation facilities include solar thermal, photovoltaic and concentrated solar.

#### SOLAR PANEL

A device used for the collection and direct conversion of solar energy into electricity.

#### SOLAR STORAGE BATTERY

A device that stores solar energy and makes it available in an electrical form.

## II. Applicability.

A. The requirements of this Chapter shall apply to all large-scale solar generation facilities developed, modified or deployed after the effective date of this Local Law.

B. All solar generation facilities for which a valid permit has been properly issued shall be designed, developed, erected, and deployed in accordance with all applicable codes, regulations and standards. Any connection to a public utility grid must meet all applicable Town, State, Federal and public utility laws, rules, and regulations.

C. To the extent practicable, and in accordance with Town Code, the accommodation of solar generation facilities and equipment and the protection of access to sunlight for such equipment shall be encouraged in the application of the various review and approval provisions of the Town Code.

### III. Permitting.

A. No large-scale solar generation facility shall be installed or operated in the Town except in compliance with this Chapter.

B. Applications for the installation of large scale solar generation facilities shall submitted to and reviewed by the Planning Board and must include, in addition to any supplemental information that the Planning Board requests, the following:

1. If the property of the proposed solar generation facility is to be leased, legal consent between all parties, specifying the use of the land for the duration of the project, including easement and other agreements, shall be submitted;

2. A site plan showing the proposed layout of the solar generation facility signed by a professional engineer or registered architect shall be required and shall include an indication of which trees are proposed, if any, for clearing;

3. A narrative summary of the proposed equipment to be used including, but not limited to, the number of panels, the number of solar arrays, significant system components, mounting systems, safety equipment, storage technologies, transformers, and inverters that are to be installed;

4. A property maintenance plan describing repair and maintenance and property upkeep; and

5. A Decommissioning Plan shall be submitted as part of the application to ensure the proper removal of large-scale solar energy installations. Compliance with this Plan shall be a condition of the issuance of a special use permit under this Chapter. The Decommissioning Plan must specify that after the large-scale solar energy installation can no longer be used, it shall be removed by the applicant or any subsequent owner. The Plan shall demonstrate how the removal of all infrastructure and the remediation of soil and vegetation shall be conducted to return the parcel to its original state, prior to construction. The Plan shall also include an expected timeline for execution. A cost estimate detailing the projected

cost of executing the decommissioning plan shall be prepared by a licensed professional engineer. Cost estimations shall take into account inflation. Removal of large-scale solar energy installations must be completed in accordance with the Decommissioning Plan. If the large-scale solar energy installation is not decommissioned after being considered abandoned, the Town may remove the system, restore the property and impose a lien on the property to cover the costs of such removal and restoration to the Town. Large-scale solar generation facility installations are considered abandoned after 180 days without electrical energy generation and must be removed from the property.

C. Large scale solar generation facilities are permitted as a principal use through issuance of a special use permit within R-1, RR, SR-R, and APRP Zoning Districts, subject to the following conditions, in addition to § 215-79, set forth in this Chapter, including site plan approval:

1. Building permits are required for the development of all solar generation facilities;
2. Height and Setbacks. Large scale solar generation facilities are subject to special bulk requirements found in § 215-15 and § 215-16 of the Town Code. The maximum height of the solar collector and any mounts shall not exceed [20] feet when oriented at maximum tilt. When calculating the maximum height of a solar collector, the Planning Board must incorporate other factors such as slope, elevation, and grade of the site. Large scale solar generation facilities must be setback from any street 100 feet and from other lot lines by at least 50 feet.
  - a. For any large scale solar generation facility to be sited on a parcel that is located in, or is adjacent to, any residential zoning district, a twenty (20) foot buffer shall be provided in addition to the setback requirements.
3. Lot size. A solar generation facility shall be located on lots with a minimum lot size of 20 acres, and a minimum separation between large scale generation facilities of 1,000 feet;
4. Lot Coverage. All site structures including the panels when oriented to zero tilt (pointing straight up) shall not cover more than 75% of the horizontal ground area of the lot.
5. All solar arrays shall be designed to avoid glare and reflection onto adjacent properties and adjacent roadways and shall not interfere with traffic or create a safety hazard;
6. The solar panels shall be located in a manner to reasonably minimize view blockage for surrounding properties;
7. The solar panels shall be screened, which will harmonize with the character of the property and surrounding area, through the use of architectural features, earth berms, landscaping, or other screening capable of providing year-round screening, and if not already provided, any such screening shall be installed

along all sides in such a way as to not obstruct solar access. A visual analysis shall be provided during the approval process using line-of-sight profiles to the proposed solar generation facility location;

8. Fencing-seven (7) feet in height and signage shall be placed no closer than 75 feet from any public roadway around the utility meter on all large-scale solar generation facilities. Waterproof signage shall be placed immediately adjacent and/or in close proximity to the electric meter that clearly shows the location of the DC disconnect switch. Notification, with a location map, will be sent to the applicable fire district;
9. Access roads for solar generation facilities shall be subject to the driveway specifications in § 215-38 of the Town Code.
10. Tree maintenance and removal. Any tree clearing shall be justified with emphasis on development of previously cleared areas and any proposed tree clearing shall not exceed an area of more than 50% of the subject property's size. Clearing shall be minimized and limited to then are necessary for site access and the installation and operation of solar panels.
11. Ground-mounted solar array installations require delineation and avoidance of freshwater wetland areas, in accordance with § 215-72 of the Zoning Law. Areas containing streams shall be delineated and avoided in accordance with § 215-71.1 of the Zoning Law. Any installations shall indicate proposed construction areas prior to construction and be designed so as to avoid any potential impacts to environmentally sensitive areas.
12. Stormwater analysis and control shall be provided consistent with NYSDEC requirements. A full Stormwater Pollution Prevention Plan meeting the requirements of the NYSDEC may be required as determined by the Town Engineer. Ground level plantings must be added throughout the facility in order to mitigate stormwater runoff or erosion that may arise from rain sheeting off solar panels.

D. Solar generation facilities and equipment shall be permitted only if they are determined by the Town Engineer not to present any unreasonable safety risks, including, but not limited to, the following:

1. Weight load;
2. Wind resistance; and
3. Ingress and egress in the event of fire or other emergency.

E. Installations in designated historic districts shall require a certificate of appropriateness from the Architectural Review Board.

F. The Planning Board may, in its discretion, waive the requirements of this Chapter for a large scale solar generation facility that it finds is harmonious with land uses in the area where it is proposed to be built and where, because of its size or other considerations, the Planning Board finds that it does not need to be subjected to the special use permit and site plan regulations imposed by this Chapter. This waiver may be a partial waiver and the Planning Board may impose any individual conditions found in this Chapter.

G. The Planning Board may impose additional conditions on its approval of any special use permit under this Chapter in order to enforce the standards of the Town of Stony Point Code and the standards referred to in this Chapter or in accordance with the State Environmental Quality Review Act (SEQRA).

**IV. Safety.**

A. All solar generation facility installations must be performed by a qualified solar installer.

B. Prior to operation, electrical connections must be inspected by the Town Code Enforcement Officer and by an appropriate electrical inspection person or agency, as determined by the Town.

C. Any connection to the public utility grid must be inspected by the appropriate public utility, and a certificate of inspection must be provided to the Town.

D. Solar generation facilities shall be maintained in good working order.

E. All solar generation facilities must meet New York Uniform Fire Prevention and Building Code Standards.

F. If solar storage technologies are included as part of the solar generation facility, the storage technology must be placed in a secure container or enclosure meeting the requirements of the New York State Building Code when in use, and when no longer in use shall be disposed of in accordance with any and all applicable laws, codes, rules, and/or regulations.

**V. Enforcement.**

Any violation of this Chapter shall be subject to the same civil and criminal penalties provided for in the zoning regulations of the Town of Stony Point.

Section 215 of the Town Code of the Town of Stony Point is hereby amended to reflect the following changes to the Table of General Use Requirements, as set forth below, regarding Large Scale Solar Generation Facilities:

Table of General Use Requirements, (APRP District): Add #9 in Column D to read: "9. Large Scale Solar Generation Facility";

Table of General Use Requirements, (SR-R District): Add #6 in Column D to read: "6. Large Scale Solar Generation Facility";

Table of General Use Requirements, (RR District): Add #13 in Column D to read: "13. Large Scale Solar Generation Facility";

Table of General Use Requirements, (District): Add #5 in Column D to read: "5. Large Scale Solar Generation Facility";

Section 215 of the Town Code of the Town of Stony Point is hereby amended to reflect the following changes to the Table of Bulk Requirements, as set forth below, regarding Large Scale Solar Generation Facilities:

Table of Bulk Requirements Part II: Add in Column 1 through Column 11 to read:

1	2	3	4	5	6	7	8	9	10	11
P	20 acres	None	50/50	50/50	50/50	50/50	100	20	75%	None

**Section 4. State Environmental Quality Review Act.**

Pursuant to 6 NYCRR 617, this Local Law is classified as a Type I Action that will not have a significant adverse effect on the environment and, therefore, no other determination or procedure pursuant to the State Environmental Quality Review Act ("SEQRA") is required.

**Section 5. Severability.**

If any portion this Local Law, or the application thereof to any person, entity, or circumstance, shall be determined by any court or tribunal of competent jurisdiction to be invalid or unenforceable, such determination shall be confined in its operation to the invalid part hereof, or in its application to such person, entity, or circumstance as is directly involved in the controversy in which such determination shall have been rendered, and the remainder of this Local Law shall not be impaired thereby and such determination shall not be deemed or construed to apply to other persons, entities, or circumstances.

**Section 6. Effective Date.**

This Local Law shall take effect immediately upon filing with the Secretary of State in accordance with Chapter 27 of the Municipal Home Rule Law.

**HIRE SECRETARIAL ASSISTANT FOR POLICE DEPARTMENT**

A motion was made by Supervisor Monaghan, seconded by Councilman White and **unanimously carried** by a voice vote of all board members present, to hire Christine Vigliotti, Secretarial Assistant I (Information Processing) for the Police Department at the rate of \$28.41 per hour, for a 35 hour work week.

**POLICE FIRING RANGE AGREEMENT**

A motion was made by Supervisor Monaghan, seconded by Councilman Basile and **unanimously carried** by a voice vote of those board members present to authorize the Supervisor to execute the agreement with the Town of Ramapo for use of the Police Firing Range for 2018.

**ANCHORAGE PROPOSAL**

A motion was made by Supervisor Monaghan, seconded by Councilman Basile and **unanimously carried** by a voice vote of all board members present, to approve the following resolution:

**RESOLUTION 2018/7**

**RESOLUTION BY THE TOWN BOARD OF THE TOWN OF STONY POINT  
IN SUPPORT OF IMMEDIATE STATE AGENCY RULE-MAKING FOR TANKER  
AVOIDANCE ZONES**

**WHEREAS**, in 2016 the U.S. Coast Guard proposed establishing new anchorage grounds along the Hudson River between Tarrytown and Kingston; and

**WHEREAS**, Governor Cuomo signed A.6825a/S.5197b into law and positioned New York State to continue to fulfill its responsibility to the Hudson River and its communities from the many potential dangers presented by oil-carrying vessels on the Hudson River and the proposed additional barge anchorage grounds; and

**WHEREAS**, the federal government and New York State share concurrent jurisdiction over the Hudson River, and as long as action by the state is not inconsistent with existing federal regulation and does not unreasonably burden interstate commerce,

New York has significant authority to regulate navigable waters like the Hudson when the state's interest warrants special precautionary measures; and

**WHEREAS**, it remains a top priority of the Town of Stony Point to prevent any new anchorage grounds in the Hudson River from being sited at locations where they pose a clear and direct threat to the environment, quality of life, and regional economic development goals of the Hudson Valley; and

**WHEREAS**, the Town of Stony Point is home to the historic Stony Point Battlefield, beautiful Harriman and Bear Mountain State Parks, Riverfront Town Parks as well as many beautiful marinas, the integrity of which would be threatened by the establishment of new barge anchorage grounds; and

**WHEREAS**, the Town of Stony Point has documented its concerns about the anchoring of petroleum-carrying tankers, including disrupting the economic vitality of the waterfront, endangering drinking water supplies, damaging fish habitat and detracting from scenic beauty and quality of life along the river (see Stony Point Town Board Resolution No. 16 of 2016 and Resolution No. 16 of 2017); and

**WHEREAS**, the USCG recently conducted two Ports and Waterways Safety Assessment (PAWSA) workshops for the stretch of the Hudson River between the Gov Mario M. Cuomo (Tappan Zee) Bridge and the Port of Albany, and a recommendation to establish new anchorage grounds was discussed and could be part of the USCG's PAWSA report; and

**WHEREAS**, New York State has secured important victories that have been essential to public health, the environment and the economy of the state, including the administration's support for the Environmental Protection Fund, the ban on hydraulic fracturing, increasing funding for the state's Oil Spill Response Fund, and issuance of water quality permit decisions relating to energy development and transport have been among the many accomplishments; and

**WHEREAS**, the new law gives the Department of Environmental Conservation the ability to establish areas of the Hudson River where it shall be unlawful for petroleum-bearing vessels to enter, move or anchor; now, therefore be it

**RESOLVED** that the Town Board of the Town of Stony Point requests that DEC Commissioner Seggos immediately advance a rulemaking process to establish Tanker Avoidance Zones for petroleum-bearing vessels, implementing the strongest possible regulations allowed under the law; and be it further

**RESOLVED** that Town Clerk of the Town of Stony Point, New York be hereby authorized and directed to send a copy of this resolution to the Hon. Andrew M. Cuomo, Governor of the State of New York, the Hon. Basil Seggos, Commissioner of the Department of Environmental Conservation, the Hon. Senator William J. Larkin, the Hon. Assemblyman James Skoufis, and to such other persons as the Town Clerk, in her discretion, may deem proper in order to effectuate the purpose of this resolution.

#### **COMMISSION FEE WAIVER/PATRIOT HILLS FUNDRAISER**

A motion was made by Supervisor Monaghan, seconded by Councilman Basile and **unanimously carried** by a voice vote of all board members present, to waive the commission fee for a fundraiser being held at Patriot Hills on Sunday, February 11<sup>th</sup>.

#### **REQUEST FOR 30 DAY WAIT PERIOD FOR LIQUOR LICENSE**

A motion was made by Supervisor Monaghan, seconded by Councilman Basile and **unanimously carried** by a voice vote of all board members present, to approve the 30 day wait period for a liquor license for Knuckles, Inc.

#### **EXTEND CONTRACT SENIOR BUS TRANSPORTATION 2018**

According to the specifications of the contract with West Point Tours for Senior Bus Transportation for the term of February 1, 2016 through February 1, 2017, the Town reserves the right to extend the contract for a one year period as presented to the town on January 9, 2018. Therefore, a motion was made by Supervisor Monaghan, seconded by Councilman Basile and **unanimously carried** by a voice vote of those board members present to extend the contract with West Point Tours with a slight price increase from 2017. Special Counsel will draw up the necessary papers.

**MOU CHAMPLAIN HUDSON POWER EXPRESS**

A motion was made by Supervisor Monaghan, seconded by Councilman White and **unanimously carried by a voice vote of all board members present, with Councilman Basile voting no** to approve the Memorandum of Understanding for the Champlain Hudson Power Express as submitted.

**MEMORANDUM OF UNDERSTANDING**

This Memorandum of Understanding (the "MOU") effective as of January \_\_, 2017 by and among Champlain Hudson Power Express, Inc. ("CHPEI"), the Town of Clarkstown, the Town of Haverstraw, the Village of Haverstraw, the Village of West Haverstraw, and the Town of Stony Point (the "Rockland Host Communities") in Rockland County, New York State (each a "Party", and collectively the "Parties")

**WITNESSETH THAT**

WHEREAS, CHPEI is developing the Champlain Hudson Power Express Project (the "Project"), a 1,000 MW underground and underwater high voltage, direct current ("HVDC") electric transmission facility extending from the United States' border with Canada to Queens, New York;

WHEREAS, CHPEI is in receipt of all federal and state siting approvals necessary in order to authorize the construction and operation of the Project, namely, a Presidential Permit issued by the U.S. Department of Energy, a permit issued by the U.S. Army Corps of Engineers, and a Certificate of Environmental Compatibility and Public Need issued by the New York State Public Service Commission (the "Article VII Certificate");

WHEREAS, the Project route within Rockland County, as approved by the Article VII Certificate, includes approximately 5.5 miles located on right-of-way property owned by CSX Transportation, Inc. (the "Rail ROW") and approximately 0.5 miles on U.S. Route 9W in the Town of Clarkstown (the "Original Rockland Routing");

WHEREAS, feedback from the local community with regard to the Original Rockland Routing has led CHPEI to develop an alternative routing (the "New Rockland Routing") that will increase the Project route mileage along U.S. Route 9W to a total of approximately 7.1 miles, with an additional 1.1 miles on other incidental parcels of property and Park Road in Stony Point as such alternative routing is shown in the attached Exhibit "A";

WHEREAS, the New Rockland Routing eliminates reliance on the Rail ROW, with a view towards decreasing environmental, historical, and community impacts and increasing constructability;

WHEREAS, the New Rockland Routing extends along U.S. Route 9W northwards from the Town of Clarkstown through the Villages of West Haverstraw and Haverstraw and the Town of Stony Point;

WHEREAS, making the New Rockland Routing part of the Project design will entail seeking and obtaining an amendment to the Article VII Certificate, and, potentially, amendments to the Project's federal siting approvals (the "Federal Permits");

WHEREAS, CHPEI, the Rockland Host Communities, and engineers and consultants advising or employed by the Rockland Host Communities have reviewed the New Rockland Routing substantially in the form that CHPEI intends to submit to the New York State Public Service Commission (the "PSC") as part of its application for a modification of the Article VII Certificate (the "PSC Application") and, potentially, to the U.S. Department of Energy and the U.S. Army Corps of Engineers as part of applications for amendments to the Federal Permits;

WHEREAS, CHPEI anticipates: the Rockland County Industrial Development Agency (the "Rockland IDA") for the financial certainty afforded qualifying projects pursuant to Title 1 of Article 18-A of the New York State General Municipal Law, and, in particular, for a Payment In Lieu of Taxes Agreement, which will ensure that a mutually-agreed to and predictable stream of annual revenue is paid by CHPEI to the Rockland Host Communities and the relevant school districts (the "IDA Application");

WHEREAS, CHPEI believes that endorsement of the Project and the New Rockland Routing by the legislative bodies of the Rockland Host Communities is an



essential prerequisite to filing the PSC Application, the IDA Application, and applications for amendments to the Federal Permits;

WHEREAS, CHPEI intends to file the PSC Application in early 2018 and the IDA Application sometime thereafter with on-the-record support from the Rockland Host Communities as provided for herein;

WHEREAS, CHPEI acknowledges that the New Rockland Routing will entail installing the Project cables in local roads and in a state highway that serves as a primary transportation artery extending through a particularly dense and diverse urban and suburban landscape, and such installation will cause temporary disruptions and inconveniences to citizens and businesses;

WHEREAS, recognizing the distinct character of these disruptions and inconveniences, CHPEI has developed a program of community benefits, including \$9 million in streetscape improvements (the "Streetscape Funding") and a Haverstraw Bay Community Benefit Fund in the amount of \$22 million to support capital projects within the Rockland Host Communities (the "Fund");

WHEREAS, specific details regarding the Fund, the Streetscape Funding, and the real property taxes (collectively, the "Benefits Package") to be paid by CHPEI to the Rockland Host Communities and the relevant school districts have been assembled and are set forth in a written proposal, which is attached hereto as Exhibit "B";

WHEREAS, CHPEI is prepared to publicly release the details of the Benefits Package and include it in the PSC Application, with a recommendation that it be incorporated into the terms and conditions of the revised Article VII Certificate;

WHEREAS, the Rockland Host Communities are prepared to publicly announce their support for the Project (including for the New Rockland Routing); and

WHEREAS, the legislative bodies of the Rockland Host Communities have approved the terms of this MOU and have authorized and directed their chief executive officers to subscribe on their behalfs to this MOU;

NOW, THEREFORE, in consideration of the foregoing, the terms stated below, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties agree as follows:

1. PUBLIC ANNOUNCEMENT

As soon as possible following execution of this MOU, the Parties will agree upon a joint public statement regarding execution of the MOU. This statement will include expressions of support for the Project (including for the New Rockland Routing) from the Rockland Host Communities and will announce CHPEI's offer of the Benefits Package. The Parties believe that time is of the essence with respect to release of this statement, and they intend to begin work on the text as soon as practicable after this MOU has been signed by all of the Parties.

2. FOLLOW-UP ACTIVITIES

The Parties will cooperate in good faith with respect to implementation of the Benefits Package and preparation and filing of the PSC Application and the IDA Application. Furthermore, in the event that CHPEI determines to file any applications for amendments to the Federal Permits in connection with the New Rockland Routing, the Rockland Host Communities will indicate their on-the-record support for any such applications in a timely manner.

3. CONDITION PRECEDENT

The Parties understand and agree that implementation of the Benefits Package is contingent upon CHPEI undertaking the multi-year Project construction phase, after securing all necessary permits and approvals, including, without limitation, a revised Article VII Certificate approving the New Rockland Routing; obtaining full debt and equity funding for all of the costs of Project construction; and advancing to commercial operations on a timeline that substantia to the anticipated development schedule, which currently calls for construction to commence by 2019. Furthermore, the Parties understand and agree that 50% of the Fund will be made available at the time of the completion of the Project's construction funding (the "First Fund Installment") and the remaining 50% will be made available at the time of initiation of Project commercial operations (the "Second Fund Installment"). The Streetscape Funding will be disbursed during the Project construction period pursuant to agreed-upon protocols, but in no event will any disbursement occur earlier than the date upon which the First Fund Installment is made available. For the purposes of this MOU, "completion of the

Project's construction funding" will be deemed to have occurred as of the date upon which funds sufficient to satisfy all anticipated costs of Project construction have been made available to CHPEI through the securing of equity and debt investments in CHPEI for that purpose and "initiation of Project commercial operations" will be deemed to have occurred as of the date upon which testing and commissioning of the Project is completed, the New York Independent System Operator has been advised of the energizing of the Project, and the first transmission of supply pursuant to a commercial arrangement with a customer or customers has taken place.

#### 4. HANDLING OF AMOUNTS DEPOSITED IN AND EFFECT OF SUSPENSION OF PROJECT DEVELOPMENT ON THE FUND

The Rockland County Host Communities will have discretion regarding the disbursement of their allocable portions of the Fund and the Streetscape Funding, consistent with applicable law and the Benefits Package itself. Neither the First Fund Installment nor the Second Fund Installment shall be refundable. Similarly, disbursed Streetscape Funding shall not be refundable.

#### 5. CONSTRUCTION PERIOD PROTOCOLS

In the preparation and execution of its Project construction program in the Rockland Host Communities, CHPEI will take into account local conditions and appropriately mitigate disruptions and inconveniences to the greatest possible extent.

#### 6. CONSENT TO USE AND OCCUPANCY

To the extent that any of the Rockland Host Communities are the actual owners of any lands, rights-of-way, or other property interests upon which the New Rockland Routing is located, such municipal body hereby consents to the use and occupancy of such lands by CHPEI and the Project.

#### 7. FURTHER ASSURANCES

The Parties agree that they will, at any time and/or from time to time and upon request, do, execute, acknowledge and deliver, or will cause to be done, executed, acknowledged and delivered, all such further acts, instruments, documents, forms, certificates, and assurances as may reasonably be required for the accomplishment of the purposes of the Parties as set forth in this MOU.

#### GENERAL PROVISIONS

##### A. ASSIGNMENT

No Party may assign this MOU without the prior written consent of the other Party, which consent shall not unreasonably be withheld, delayed, or conditioned.

##### B. GOVERNING LAW AND FORUM

This MOU shall be governed by and construed in accordance with the laws of the State of New York, without regard to the conflict of laws principles thereof, and the Parties irrevocably consent to the exclusive jurisdiction of the courts of the State of New York.

##### D. AMENDMENTS

No change or modification of this MOU shall be valid unless it is in writing and signed by each and every Party hereto.

##### E. NO PARTNERSHIP OR AGENCY RELATIONSHIP

Notwithstanding any other provision contained herein, this MOU shall not constitute, create, or imply any partnership, joint venture, agency, or fiduciary relationship between the Parties.

##### F. COSTS

Each Party shall bear its own costs and expenses in connection with all matters relating to this MOU, including, without limitation, the costs and expenses of its legal and other advisors and internal costs and expenses.

##### G. LIMITATION OF LIABILITY

Under no circumstances shall a Party or any of their respective officers, directors, members, partners, shareholders, employees, or affiliates be liable for: consequential, incidental, or indirect damages; lost profits or opportunities; increased cost of capital; loss of income, revenue, or use; or other business interruption costs, losses, or damages, regardless of whether the same: arise out of statute or operation of law; sound in tort, contract, or otherwise; or relate to or are the result of any performance, mis-performance, or non-performance of any activity contemplated by this MOU.

IN WITNESS WHEREOF, the Parties have executed this MOU by affixing the signatures of the undersigned duly authorized representatives as of the date appearing in the spaces indicated.

**Champlain Hudson Power Express, Inc.**

**EXECUTIVE SESSION**

At 7:30 pm a motion was made by Supervisor Monaghan, seconded by Councilman Basile and **unanimously carried** by a voice vote of those board members present to adjourn into executive session to discuss personnel matters regarding Parks & Recreation. No further votes will be taken.

**ADJOURN**

The January 23, 2018 Stony Point Town Board meeting adjourned at 7:45pm and no additional votes were taken.

Respectfully submitted

Joan Skinner, Town Clerk

**RESOLUTION AUTHORIZING EXECUTION OF MEMORANDUM OF UNDERSTANDING WITH CHAMPLAIN HUDSON POWER EXPRESS, INC.**

**WHEREAS**, Champlain Hudson Power Express, Inc. ("CHPEI") is developing the Champlain Hudson Power Express Project (the "Project"), a 1,000 MW underground and underwater high voltage, direct current

("HVDC") electric transmission facility extending from the United States' border with Canada to Queens, New York; and

**WHEREAS**, CHPEI has represented that is in receipt of all federal and state siting approvals necessary in order to authorize the construction and operation of the Project, subject to amendments made necessary by recent changes to the project route within Rockland County (the "New Rockland Routing") intended to decrease environmental, historical, and community impacts and increase constructability, namely, a Presidential Permit issued by the U.S. Department of Energy, a permit issued by the U.S. Army Corps of Engineers, and a Certificate of Environmental Compatibility and Public Need issued by the New York State Public Service Commission (the "Article VII Certificate"); and

**WHEREAS**, the New Rockland Routing, as approved by the Article VII Certificate, includes approximately 7.1 miles on U.S. Route 9W in Rockland County, of which approximately .9 mile lies within the Village of West Haverstraw; and

**WHEREAS**, CHPEI anticipates applying to the Rockland County Industrial Development Agency (the "Rockland IDA") for the financial certainty afforded qualifying projects pursuant to Title 1 of Article 18-A of the New York State General Municipal Law, and, in particular, for a Payment In Lieu of Taxes Agreement, which will ensure that a mutually-agreed to and predictable stream of annual revenue is paid by CHPEI to the Rockland communities impacted by the project (the "Rockland Host Communities") and the relevant school districts; and

**WHEREAS**, CHPEI believes that endorsement of the Project and the New Rockland Routing by the legislative bodies of the Rockland Host Communities is an essential prerequisite to filing the PSC Application, the IDA Application, and applications for amendments to the Federal Permits; and

**WHEREAS**, CHPEI acknowledges that the New Rockland Routing will entail installing the Project cables in local roads and in a state highway that serves as a primary transportation artery extending through a particularly dense and diverse urban and suburban landscape, and such installation will cause temporary disruptions and inconveniences to citizens and businesses; and

**WHEREAS**, recognizing the distinct character of these disruptions and inconveniences, CHPEI has developed a program of community benefits, including \$9 million in streetscape improvements (the "Streetscape Funding") and a Haverstraw Bay Community Benefit Fund in

the amount of \$22 million to support capital projects within the Rockland Host Communities (the "Fund"); and

**WHEREAS**, specific details regarding the Fund, the Streetscape Funding, and the real property taxes (collectively, the "Benefits Package") to be paid by CHPEI to the Rockland Host Communities and the relevant school districts have been assembled and are set forth in a written Memorandum of Understanding between and amongst the parties; and

**WHEREAS**, CHPEI is prepared to publicly release the details of the Benefits Package which includes benefits to the Village of West Haverstraw totaling \$4,728,572, and estimated annual tax revenues of approximately \$95,000; and

**WHEREAS**, the Village Board has reviewed the material terms of the MOU, and, subject to final review and approval by the Village Attorney with respect to form and legality, supports its execution,

**NOW, THEREFORE**, in consideration of the foregoing, the Village Board hereby expresses its support for the Project, and approves MOU, subject to final review by the Village Attorney as to form and legality, and authorizes the Mayor to execute same on behalf of the Village, and to take such other and further steps, and to execute such other documents, as may be required to effectuate the terms of the parties' agreement.

Ayes: Mayor D'Amelio, Trustee Nardi, Trustee Lagrow, Trustee Lopez, Trustee Kirschkel  
Noes: None

VILLAGE OF WEST HAVERSTRAW  
STATE OF NEW YORK  
COUNTY OF ROCKLAND

I, CATHERINE B. KOPF, DEPUTY CLERK OF SAID VILLAGE OF WEST HAVERSTRAW, COUNTY OF ROCKLAND, HEREBY CERTIFY THAT I HAVE COMPARED THE FOREGOING COPY OF THIS RESOLUTION – VILLAGE BOARD MINUTES – January 3, 2018 – WITH THE ORIGINAL NOW ON FILE IN SAID OFFICE, AND FIND THE SAME TO BE A TRUE AND CORRECT TRANSCRIPT THEREFROM AND OF THE WHOLE OF SUCH ORIGINAL.

IN TESTIMONY WHEREOF, I HAVE SUBSCRIBED  
MY NAME AND AFFIXED THE SEAL OF  
SAID VILLAGE OF WEST HAVERSTRAW,  
THIS 4<sup>th</sup> day of April 2018.



DEPUTY VILLAGE CLERK

Incorporated  
*Village Of Haverstraw*

**DEPUTY MAYOR**  
EMILY DOMINGUEZ

**MAYOR**  
MICHAEL F. KOHUT

**CLERK/TREASURER**  
JUDITH R. CURCIO

**TRUSTEES**  
RAFAEL BUENO  
THOMAS WATSON, JR.  
JOEL I. A. SANTANA

Municipal Building  
40 New Main Street  
Haverstraw, New York 10927  
Tele: (845) 429-0300 Fax: (845) 429-0353

**VILLAGE ATTORNEY**  
J. NELSON HOOD, JR.

**RESOLUTION # 3 – 2018**

Introduced by: Rafael Bueno  
Seconded by: Emily Dominguez

**NOW THEREFORE BE IT RESOLVED:**

That the Board of Trustees of the Village of Haverstraw has approved, and authorized the Mayor to sign, the following Memorandum of Understanding by and among Champlain Hudson Power Express, Inc. (CHPEI), the Town of Clarkstown, the Town of Haverstraw, the Village of West Haverstraw, the Town of Stony Point, and the Village of Haverstraw in Rockland County, New York:

Memorandum of Understanding

WHEREAS, CHPEI is developing the Champlain Hudson Power Express Project (the "Project"), a 1,000 MW underground and underwater high voltage, direct current ("HVDC") electric transmission facility extending from the United States' border with Canada to Queens, New York;

WHEREAS, CHPEI is in receipt of all federal and state siting approvals necessary in order to authorize the construction and operation of the Project, namely, a Presidential Permit issued by the U.S. Department of Energy, a permit issued by the U.S. Army Corps of Engineers, and a Certificate of Environmental Compatibility and Public Need issued by the New York State Public Service Commission (the "Article VII Certificate");

WHEREAS, the Project route within Rockland County, as approved by the Article VII Certificate, includes approximately 5.5 miles located on right-of-way property owned by CSX Transportation, Inc. (the "Rail ROW") and approximately 0.5 miles on U.S. Route 9W in the Town of Clarkstown (the "Original Rockland Routing");

WHEREAS, feedback from the local community with regard to the Original Rockland Routing has led CHPEI to develop an alternative routing (the "New Rockland Routing") that will increase the Project route mileage along U.S. Route 9W to a total of approximately 7.1

miles, with an additional 1.1 miles on other incidental parcels of property and Park Road in Stony Point as such alternative routing is shown in the attached Exhibit "A";

WHEREAS, the New Rockland Routing eliminates reliance on the Rail ROW, with a view towards decreasing environmental, historical, and community impacts and increasing constructability;

WHEREAS, the New Rockland Routing extends along U.S. Route 9W northwards from the Town of Clarkstown through the Villages of West Haverstraw and Haverstraw and the Town of Stony Point;

WHEREAS, making the New Rockland Routing part of the Project design will entail seeking and obtaining an amendment to the Article VII Certificate, and, potentially, amendments to the Project's federal siting approvals (the "Federal Permits");

WHEREAS, CHPEI, the Rockland Host Communities, and engineers and consultants advising or employed by the Rockland Host Communities have reviewed the New Rockland Routing substantially in the form that CHPEI intends to submit to the New York State Public Service Commission (the "PSC") as part of its application for a modification of the Article VII Certificate (the "PSC Application") and, potentially, to the U.S. Department of Energy and the U.S. Army Corps of Engineers as part of applications for amendments to the Federal Permits;

WHEREAS, CHPEI anticipates applying to the Rockland County Industrial Development Agency (the "Rockland IDA") for the financial certainty afforded qualifying projects pursuant to Title 1 of Article 18-A of the New York State General Municipal Law, and, in particular, for a Payment In Lieu of Taxes Agreement, which will ensure that a mutually-agreed to and predictable stream of annual revenue is paid by CHPEI to the Rockland Host Communities and the relevant school districts (the "IDA Application");

WHEREAS, CHPEI believes that endorsement of the Project and the New Rockland Routing by the legislative bodies of the Rockland Host Communities is an essential prerequisite to filing the PSC Application, the IDA Application, and applications for amendments to the Federal Permits;

WHEREAS, CHPEI intends to file the PSC Application in early 2018 and the IDA Application sometime thereafter with on-the-record support from the Rockland Host Communities as provided for herein;

WHEREAS, CHPEI acknowledges that the New Rockland Routing will entail installing the Project cables in local roads and in a state highway that serves as a primary transportation artery extending through a particularly dense and diverse urban and suburban landscape, and such installation will cause temporary disruptions and inconveniences to citizens and businesses;

WHEREAS, recognizing the distinct character of these disruptions and inconveniences, CHPEI has developed a program of community benefits, including \$9 million in streetscape improvements (the "Streetscape Funding") and a Haverstraw Bay Community Benefit Fund in the amount of \$22 million to support capital projects within the Rockland Host Communities (the "Fund");

WHEREAS, specific details regarding the Fund, the Streetscape Funding, and the real property taxes (collectively, the "Benefits Package") to be paid by CHPEI to the Rockland Host Communities and the relevant school districts have been assembled and are set forth in a written proposal, which is attached hereto as Exhibit "B";

WHEREAS, CHPEI is prepared to publicly release the details of the Benefits Package and include it in the PSC Application, with a recommendation that it be incorporated into the terms and conditions of the revised Article VII Certificate;

WHEREAS, the Rockland Host Communities are prepared to publicly announce their support for the Project (including for the New Rockland Routing); and

WHEREAS, the legislative bodies of the Rockland Host Communities have approved the terms of this MOU and have authorized and directed their chief executive officers to subscribe on their behalfs to this MOU;

NOW, THEREFORE, in consideration of the foregoing, the terms stated below, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties agree as follows:

1. PUBLIC ANNOUNCEMENT

As soon as possible following execution of this MOU, the Parties will agree upon a joint public statement regarding execution of the MOU. This statement will include expressions of support for the Project (including for the New Rockland Routing) from the Rockland Host Communities and will announce CHPEI's offer of the Benefits Package. The Parties believe that time is of the essence with respect to release of this statement, and they intend to begin work on the text as soon as practicable after this MOU has been signed by all of the Parties.



## 2. FOLLOW-UP ACTIVITIES

The Parties will cooperate in good faith with respect to implementation of the Benefits Package and preparation and filing of the PSC Application and the IDA Application.

Furthermore, in the event that CHPEI determines to file any applications for amendments to the Federal Permits in connection with the New Rockland Routing, the Rockland Host Communities will indicate their on-the-record support for any such applications in a timely manner.

## 3. CONDITION PRECEDENT

The Parties understand and agree that implementation of the Benefits Package is contingent upon CHPEI undertaking the multi-year Project construction phase, after securing all necessary permits and approvals, including, without limitation, a revised Article VII Certificate approving the New Rockland Routing; obtaining full debt and equity funding for all of the costs of Project construction; and advancing to commercial operations on a timeline that substantially conforms to the anticipated development schedule, which currently calls for construction to commence by 2019. Furthermore, the Parties understand and agree that 50% of the Fund will be made available at the time of the completion of the Project's construction funding (the "First Fund Installment") and the remaining 50% will be made available at the time of initiation of Project commercial operations (the "Second Fund Installment"). The Streetscape Funding will be disbursed during the Project construction period pursuant to agreed-upon protocols, but in no event will any disbursement occur earlier than the date upon which the First Fund Installment is made available. For the purposes of this MOU, "completion of the Project's construction funding" will be deemed to have occurred as of the date upon which funds sufficient to satisfy all anticipated costs of Project construction have been made available to CHPEI through the securing of equity and debt investments in CHPEI for that purpose and "initiation of Project commercial operations" will be deemed to have occurred as of the date upon which testing and commissioning of the Project is completed, the New York Independent System Operator has been advised of the energizing of the Project, and the first transmission of supply pursuant to a commercial arrangement with a customer or customers has taken place.

## 4. HANDLING OF AMOUNTS DEPOSITED IN AND EFFECT OF SUSPENSION OF PROJECT DEVELOPMENT ON THE FUND

The Rockland County Host Communities will have discretion regarding the disbursement of their allocable portions of the Fund and the Streetscape Funding, consistent with applicable

law and the Benefits Package itself. Neither the First Fund Installment nor the Second Fund Installment shall be refundable. Similarly, disbursed Streetscape Funding shall not be refundable.

#### 5. CONSTRUCTION PERIOD PROTOCOLS

In the preparation and execution of its Project construction program in the Rockland Host Communities, CHPEI will take into account local conditions and appropriately mitigate disruptions and inconveniences to the greatest possible extent.

#### 6. CONSENT TO USE AND OCCUPANCY

To the extent that any of the Rockland Host Communities are the actual owners of any lands, rights-of-way, or other property interests upon which the New Rockland Routing is located, such municipal body hereby consents to the use and occupancy of such lands by CHPEI and the Project.

#### 7. FURTHER ASSURANCES

The Parties agree that they will, at any time and/or from time to time and upon request, do, execute, acknowledge and deliver, or will cause to be done, executed, acknowledged and delivered, all such further acts, instruments, documents, forms, certificates, and assurances as may reasonably be required for the accomplishment of the purposes of the Parties as set forth in this MOU.

### GENERAL PROVISIONS

#### A. ASSIGNMENT

No Party may assign this MOU without the prior written consent of the other Party, which consent shall not unreasonably be withheld, delayed, or conditioned.

#### B. GOVERNING LAW AND FORUM

This MOU shall be governed by and construed in accordance with the laws of the State of New York, without regard to the conflict of laws principles thereof, and the Parties irrevocably consent to the exclusive jurisdiction of the courts of the State of New York.

#### D. AMENDMENTS

No change or modification of this MOU shall be valid unless it is in writing and signed by each and every Party hereto.

E. NO PARTNERSHIP OR AGENCY RELATIONSHIP

Notwithstanding any other provision contained herein, this MOU shall not constitute, create, or imply any partnership, joint venture, agency, or fiduciary relationship between the Parties.

F. COSTS

Each Party shall bear its own costs and expenses in connection with all matters relating to this MOU, including, without limitation, the costs and expenses of its legal and other advisors and internal costs and expenses.

G. LIMITATION OF LIABILITY


Under no circumstances shall a Party or any of their respective officers, directors, members, partners, shareholders, employees, agents, or affiliates be liable for: consequential, incidental, or indirect damages; lost profits or opportunities; increased cost of capital; loss of income, revenue, or use; or other business interruption costs, losses, or damages, regardless of whether the same: arise out of statute or operation of law; sound in tort, contract, or otherwise; or relate to or are the result of any performance, mis-performance, or non-performance of any activity contemplated by this MOU.

- End MOU -

Motion Passes: All

I, Judith R. Curcio, Clerk/Treasurer of the Village of Haverstraw, New York, do hereby certify that the above resolution was adopted at a Regular Meeting of the Board of Trustees held on January 2, 2018 and is on file and that said resolution has not been altered, amended or revoked and is in full force and effect.

Dated: April 4, 2018  
Haverstraw, New York

  
Judith R. Curcio

Seal of Municipality

24. MEMORANDUM OF UNDERSTANDING WITH CHAMPLAIN HUDSON  
POWER EXPRESS, INC.

RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW  
DOES HEREBY AUTHORIZE THE SUPERVISOR TO ENTER INTO A  
MEMORANDUM OF UNDERSTANDING WITH CHAMPLAIN HUDSON POWER  
EXPRESS, INC. IN REGARD TO THE PROPOSED ELECTRIC TRANSMISSION  
FACILITY ALONG ROUTE 9W.

HAVERSTRAW TOWN BOARD  
JANUARY 22, 2018

STATE OF NEW YORK }  
ROCKLAND COUNTY } ss:  
TOWN OF HAVERSTRAW }

I, Raquel Ventura, Clerk of said Town of Haverstraw, County of Rockland, hereby certify that I have compared the foregoing resolution of the Town Board, January 22, 2018, with the original now on file in said office, and find the same to be a true and correct transcript therefrom and of the whole of such original.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the seal of said Town of Haverstraw, this 5<sup>th</sup> day of April 2018

Raquel Ventura.....Town Clerk

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**TOWN OF CLARKSTOWN  
OFFICE OF THE TOWN ATTORNEY  
INTEROFFICE MEMORANDUM**

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**TO:** Justin Sweet, Town Clerk

**FROM:** Office of the Town Attorney/kh

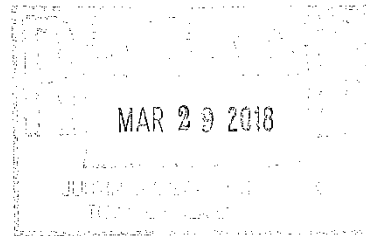
**SUBJECT: Memorandum of Understanding by and among Town of Clarkstown, Town of Haverstraw, Village of Haverstraw, Village of West Haverstraw, Town of Stony Point and Champlain Hudson Power Express, Inc. (CHPEI) Regarding the Champlain Hudson Power Express Project**

**DATE:** March 28, 2018

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Enclosed is a copy of the Town Board Resolution, adopted January 30, 2018, regarding the above, together with a copy of the fully executed Memorandum of Understanding, for filing in your Office.

Thank you.



Enclosures

RESOLUTION AUTHORIZING THE SUPERVISOR TO SIGN A MEMORANDUM  
OF UNDERSTANDING REGARDING THE CHAMPLAIN HUDSON  
POWER EXPRESS PROJECT

WHEREAS, Champlain Hudson Power Express, Inc. (CHPEI) is developing the Champlain Hudson Power Express Project, a 1,000 MW underground and underwater high voltage, direct current electric transmission facility extending from the United States' border with Canada to Queens, New York; and

WHEREAS, CHPEI is in receipt of all federal and state siting approvals necessary in order to authorize the construction and operation of the Project from the U.S. Department of Energy, the U.S. Army Corps of Engineers, and the New York State Public Service Commission; and

WHEREAS, the Project will connect with the PSC-approved route in the Town of Clarkstown; and

WHEREAS, Rockland County Host Communities should expect to receive benefits in real property taxes and disbursements from the Haverstraw Bay Community Benefit Fund as a direct result of the Project; and

WHEREAS, the Haverstraw Bay Community Benefit Fund is being established by CHPEI in recognition of the localized inconvenience to Host Communities during construction and will support capital projects in each municipality on a pro-rated basis related to miles along public rights of way, municipal property rights and other factors;

NOW, THEREFORE, be it

RESOLVED, that the Town Board authorizes the Supervisor to sign a Memorandum of Understanding with Champlain Hudson Power Express, Inc., the Town of Haverstraw, the Village of Haverstraw, the Village of West Haverstraw, and the Town of Stony Point in order to share in the Haverstraw Bay Community Benefit Fund.

Dated: January 30, 2018

TB 01-30-18 TA RES CHPEI-kh

*Adapted*



**WASHINGTON COUNTY  
BOARD OF SUPERVISORS**

County Municipal Center  
383 Upper Broadway, Bldg. B.  
Fort Edward, New York 12828

Tel. (518) 746-2210

Fax (518) 746-2219

\*Service by fax not accepted  
Supervisors@co.washington.ny.us

**CLERK OF THE BOARD**  
Debra R. Prehoda

**ARGYLE**  
Robert A. Henke, Chairman

**PUTNAM**  
John R. LaPointe, Vice Chair

**CAMBRIDGE**  
Cassie Fadler

**DRESDEN**  
Paul D. Ferguson

**EASTON**  
Daniel B. Shaw

**FORT ANN**  
Richard F. Moore

**FORT EDWARD**  
Terry L. Middleton

**GRANVILLE**  
Matthew Hicks

**GREENWICH**  
Sara S. Idleman

**HAMPTON**  
David K. O'Brien

**HARTFORD**  
Dana E. Haff

**HEBRON**  
Brian R. Campbell

**JACKSON**  
Jay B. Skelle

**KINGSBURY**  
Dana Hogan

**SALEM**  
Evera Sue Clary

**WHITE CREEK**  
Robert E. Shay

**WHITEHALL**  
John W. Rozell

**M E M O**

**TO:** Rick Chase  
Transmission Developers

**FROM:** Debra Prehoda, Clerk  
Board of Supervisors

**DATE:** March 19, 2018

**RE:** Res. No. 77

Please find enclosed a certified copy of the above mentioned  
resolution adopted by the Board of Supervisors.

enc.

Resolution No. 77 March 16, 2018  
By Supervisors Shaw, Campbell, Shay, Idleman, Haff, O'Brien, Skellie, Hogan

TITLE: To Endorse Concept of the Champlain Hudson Power Express Power Line

WHEREAS, representatives from the Champlain Hudson Power Express project presented the concept and route to the Finance Committee, and

WHEREAS, the project would route two cables down Lake Champlain until they exited the lake in Putnam, then through Washington County to Fort Edward and into Saratoga County, and

WHEREAS, the initial route will be changed somewhat due to discovery of obstructions and other issues, and

WHEREAS, these route changes will require further amended permitting from State and Federal authorities; now therefore be it

RESOLVED, that the Washington County Board of Supervisors hereby endorses the concept of the Champlain Hudson Power Express project; and be it further

RESOLVED, that approval of this project by the Board is contingent upon further permitting by the relevant authorities as well as any local input as may be required.

BUDGET IMPACT STATEMENT: None for this resolution.



STATE OF NEW YORK )  
County of Washington) ss.:

This is to certify that I, the undersigned, Clerk of the Board of Supervisors of the County of Washington have compared the foregoing copy of resolution with the original resolution now on file in the office and which was passed by the Board of Supervisors of said County on the 16th day of March, 2018, a majority of all the members elected to the Board voting in favor thereof, and that the same is a correct and true transcript of such original resolution and of the whole thereof.

In Witness Whereof, I have hereunto set my hand and the official seal of the Board of Supervisors, this 16th day of March, 2018.

*Debra R Prekoda*

\_\_\_\_\_  
Clerk of the Board of Supervisors

## Attachment 12.1

### CHPE BMPs



APPENDIX G

Applicant-Proposed Impact Avoidance  
and Minimization Measures



## Appendix G

### Applicant-Proposed Impact Avoidance and Minimization Measures

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The Applicant-proposed impact avoidance and minimization measures applicable to the proposed CHPE Project that were incorporated into the Environmental Impact Statement (EIS) analysis for the project are presented in this appendix. These include selected best management practices (BMPs) that were proposed by the Applicant for use during construction and operation to protect environmental, agricultural, cultural, and other potentially sensitive resources along the proposed CHPE Project route. These BMPs have been incorporated into the Certificate of Environmental Compatibility and Public Need issued by the New York State Public Service Commission (NYSPSC) to the Applicant and will be incorporated into the final Environmental Management and Construction Plan (EM&CP) for the proposed CHPE Project. The complete listing of BMPs proposed by the Applicant, dated February 10, 2012, is an attachment to the Certificate (CHPEI 2012q), and is available on page 356 in the full version of the Certificate that can be found at the CHPE EIS Web site Document Library at the following link: [http://www.chpexpresseis.org/docs/NYSPSC\\_Order.pdf](http://www.chpexpresseis.org/docs/NYSPSC_Order.pdf). The organization of the following subsections is intended to parallel the organization of the resource area impacts analyses provided in **Chapter 5** of the EIS.

#### G.1 Land Use

The Applicant-proposed impact avoidance and minimization measures, including BMPs, which are applicable to land use, are as follows:

- A qualified Agricultural Inspector would be engaged during each phase of the proposed CHPE Project, including development, construction, initial restoration, post-construction monitoring, and follow-up restoration. The fundamental duty of the Agricultural Inspector is to ensure that all aspects of the proposed CHPE Project that affect farmland either fully meet (comply with) or exceed the standards of New York State Department of Agriculture and Markets including the recommendations in the Pipeline Right-of-Way Construction Project guidance document, and proposed CHPE Project transmission system-specific permit conditions or orders of certification, relevant to agricultural resources.
- The Applicant would reconfirm land use categories within 600 feet of the proposed CHPE Project, as appropriate, with special interest given to areas with sensitive land uses, including schools, health care facilities, churches, scenic areas and parks, and residences. Residential landowners with property adjacent to the proposed CHPE Project would be identified, including contact information, and contacted to discuss the proposed CHPE Project, construction schedule, and any potential concerns. Additional inquiry for other sensitive land uses would include notification of construction activities, consultation regarding special events, and consultation regarding special concerns and schedules.
- Restoration of all areas disturbed by construction activity would occur promptly. The final stage of construction would consist of restoring the construction corridor and work areas to their original condition and character as much as possible, compatible with the operation and maintenance of the proposed CHPE Project.

## G.2 Transportation and Traffic

The Applicant-proposed impact avoidance and minimization measures, including BMPs, that are applicable to transportation resources, are as follows:

- Work activities in Lake Champlain would be coordinated with the U.S. Coast Guard (USCG) so that work areas are marked properly to ensure safety, and so that current information about the location of work zones can be broadcast to recreational users. A “Local Notice to Mariners” would be distributed electronically by the USCG to alert local commercial and recreational boating communities of any construction-related limitations in Lake Champlain. The notice would allow all potentially affected vessels time to relocate temporarily to prevent being blocked during the construction period. When possible, construction activities would be timed to avoid disruption of seasonal recreational events occurring in Lake Champlain.
- In Lake Champlain, cable installation would be coordinated with ferry operators to avoid effects on ferry schedules and operations. It is anticipated that additional coordination with the cable-guided Ticonderoga ferry would be necessary during cable installation activities to facilitate laying the high-voltage direct current (HVDC) cables beneath the existing ferry cables on the lake bottom.
- Construction vessel movements and material transport would be coordinated with the New York State Canal Corporation to avoid or minimize impacts on commercial and recreational users of the canal system and seasonal events occurring in the canal.
- In instances where environmental or engineering circumstances suggest that the cables should be laid within or across the navigational channel, coordination would be conducted with the U.S. Army Corps of Engineers (USACE), USCG, and other agencies as necessary to minimize the impact on normal navigation activities and ensure cables are installed at the proper depth.
- When possible, construction activities would be timed to avoid disruption of seasonal events occurring on Lake Champlain.
- If necessary, the transmission line would be buried below the authorized depth of federally maintained navigation channels as required by the USACE. Depth of burial would be verified on a periodic basis so as not to become a hazard to navigation or marine resources. The Applicant would conduct pre- and post-transmission line installation bathymetric monitoring of the route. Monitoring plans would be developed in consultation with New York State Department of Public Service (NYSDPS), New York State Department of Environmental Conservation (NYSDEC), and New York State Department of State.
- All transitions from upland to aquatic configurations would be accomplished by horizontal directional drilling (HDD) and would be at a depth sufficient so as not to interfere with any current or future water-dependent uses.
- The Applicant would provide timely information to adjacent property owners or tenants regarding the planned construction activities and schedule, and would coordinate with New York State Department of Transportation (NYSDOT), officials in counties traversed by the route, and local municipalities and police departments, as applicable, to develop and implement traffic-control measures that ensure safe and adequate traffic operations along roadways used by construction vehicles. Restoration of roadways would be designed in consultation with the appropriate jurisdictional agency. Any restoration on NYSDOT highway rights-of-way (ROWs) would be in strict compliance with the specifications of a NYSDOT highway work permit.

- Permits for oversized or overweight construction or other vehicles that exceed the legal dimensions and weights for vehicles on state highways would be obtained from NYSDOT.
- All work would be performed in accordance with applicable NYSDOT highway regulations and design standards, including the following:
  - 17 New York State Codes, Rules, and Regulations (NYCRR) §131 of the Highway Law describing *Accommodation of Utilities within State Highway ROW* and the applicable design standards of the American Association of State Highway Transportation Officials (AASHTO)
  - Guidance in the NYSDOT 2007 *Requirements for the Design and Construction of Underground Utility Installations within the State Highway Right-of-Way*
  - NYSDOT 17 NYCRR §131, the *Manual of Uniform Traffic Control Devices* (MUTCD) issued by NYSDOT in 2008, and the Federal version by the U.S. Department of Transportation (USDOT) in 2009
  - NYSDOT *Highway Design Manual*
  - NYSDOT *Policy and Standards for Entrances to State Highways*
  - NYSDOT 2007 *Requirements for the Design and Construction of Underground Utility Installations with the State Highway ROW*
  - NYSDOT 1995 *Accommodation Plan*
  - NYSDOT 2008 *Standard Specifications*.
- A Maintenance and Protection of Traffic (MPT) Plan would be completed in consultation with all affected agencies prior to the start of construction.
- Detailed traffic control plans would be provided for HDD installation areas in urban and residential areas and at road crossings.
- Signage and public notice would be posted no later than 24 hours prior to the initiation of construction.
- Traffic flow would be provided in at least one lane of the road at all times or a detour would be provided.
- Transmission line construction material delivery activities, equipment storage, and the timing of construction activities would be coordinated with the railroads so as not to affect current operations.
- Cables would be installed in accordance with railroad-specific engineering standards using the prescribed minimum separation distances from track to trench to minimize impacts on the integrity of the track system.
- In areas where HVDC cables cross existing infrastructure such as roads and utility lines, cables would be installed via HDD methodology to avoid disturbance of the existing systems.
- In the Hudson River, the project would be outside of the existing designated navigation channels. The installation of cables via water jetting technology would be closely coordinated with the USCG and adjacent terminals.
- In the Hudson, Harlem, and East rivers, a “Local Notice to Mariners” would be distributed electronically by the USCG to alert local commercial and recreational boating communities of any construction-related limitations.

- When the proposed CHPE Project must extend into designated safety and security areas along the project route, the appropriate state and Federal agencies would be contacted as required by existing regulations.
- An anchor snag manual would be developed to address a potential situation where a ship's anchor snags the proposed CHPE cables. Mitigation measures to avoid impacts on the river bottoms would include use of midline buoys to prevent anchor chain sweep. The anchor snag manual would include a navigation risk assessment that incorporates a river bottom assessment of the entire cable route within the Hudson, Harlem, and East rivers.
- Following completion of cable installation, the Applicant is required to prepare and submit as-built design drawings that show the locations of the cables. These drawings would indicate areas where the cables are laid in deep waters without cover and areas where the cables are laid on the bottom but covered. Cable installation would be recorded and monitored in real-time by the cable-laying vessel's navigation, lay control, and burial control computer systems, which would be used to produce the as-built report.

### G.3 Water Resources and Quality

The Applicant-proposed impact avoidance and minimization measures, including BMPs, that are applicable to water resources with respect to avoidance of water quality impacts, are as follows:

- At least one Environmental Inspector would be employed full-time during construction and restoration. Additional Environmental Inspectors may be utilized as required to meet environmental inspection requirements set out in the EM&CP and any relevant permit conditions. The lead Environmental Inspector would be responsible for determining when additional inspectors are needed to meet inspection requirements.
- At least one Aquatic Inspector would be employed full time per spread for all underwater installation procedures for the transmission system. They would be on site at the start-up of each field operation and during environmentally sensitive phases of installation. If in-water installation operations are to occur continuously (24 hours a day) a minimum of two Aquatic inspectors would be employed. At least one inspector must be on duty during underwater installation operations.
- The proposed CHPE Project would be required to obtain coverage under the State Pollutant Discharge Elimination System (SPDES) Storm Water General permit. This coverage would require a site-specific Storm Water Pollution Prevention Plan (SWPPP) for storm water discharges. Detailed maps depicting contours, slopes, drainage patterns, and locations of erosion-control structures would be included in the EM&CP, which would serve as the SWPPP. New York State Standards and Specifications for Erosion and Sediment Control specify BMPs for addressing erosion and sediment control. Storm water management features and strategies (e.g., French drains, inlet protection, dewatering, and site stabilization) would be implemented where and when necessary.
- From the U.S./Canada border to Crown Point, New York (mileposts [MPs] 0 to 73), a jet plow would be used to install the cables in the Lake Champlain lakebed. From Crown Point to Dresden (MPs 73 to 101), a shear plow would be used to install the cables to reduce sediment disturbance and resulting water quality impacts.
- The Environmental Inspector(s) would perform inspections of all erosion and sediment controls in accordance with the SPDES Storm Water General Permit. The Environmental Inspector would also establish a protocol with the construction contractor for the identification and repair of all

erosion- and sediment-control measures deemed to be in need of repair or reinstallation. The Environmental Inspector is also responsible for record-keeping required by the EM&CP and the SPDES Storm Water General Permit.

- Effective erosion-control measures would be installed on the downslope of all disturbed areas and maintain them in fully functional condition. These erosion-control measures are to be installed before commencing any other activities involving soil disturbance.
- Upon completion of construction activities, initial restoration activities, including soil stabilization and temporary seeding of disturbed areas, would be conducted and would result in vegetation cover similar to the preconstruction habitat, although vegetation in the transmission line ROW would be managed within and adjacent to the cables to preclude reforestation.
- Vegetation buffers adjacent to sensitive areas such as wetlands and streams would be maintained to the greatest extent practicable. To prevent soil erosion along streams, vegetation (e.g., ground cover, shrubs, and tree stumps) would be left in place along a minimum 25-foot- (8-meter-) wide zone on each bank until the crossing point. Existing vegetation buffers would be maintained at stream crossings. Inspection and maintenance frequencies and requirements for permanent storm water management features would be identified in the EM&CP.
- A (clamshell) bucket dredge would be used at mechanical dredging sites to minimize suspension of fine-grained unconsolidated (silty) sediments.

#### G.4 Aquatic Habitats and Species

The Applicant-proposed impact avoidance and minimization measures, including BMPs, that are applicable to aquatic resources and habitats, are as follows:

- In Lake Champlain, all in-water work would be conducted within applicable time windows agreed to by NYSDEC, New York Natural Heritage Program (NYNHP), and U.S. Fish and Wildlife Service (USFWS), (if applicable) for the protection of aquatic resources along the transmission line route. From U.S./Canada border to Crown Point, New York (MPs 0 to 73), in-water construction would only occur from May 1 to August 31. From Crown Point to Dresden (MPs 73 to 101), in-water construction would only occur from September 1 to December 31.
- HDD would be used where the lines enter and exit waterbodies to avoid or minimize effects on shoreline and shallow water habitats.
- A sheet pile cofferdam, installed using a vibratory hammer, would be placed at the HDD exit point in the waterbody prior to excavation of the exit point pit. The cofferdam would remain in place and functional during all phases of the dredging operations and would be removed upon completion of dredging activities.
- Weighted silt curtains suspended on floats would be positioned to enclose the work site before commencing any mechanical dredging. The curtain would remain in place and functional during all phases of the dredging operations and remain in place for 2 hours after dredging termination.
- Blasting would occur between July 1 and November 30. Measures to startle fish or keep fish away immediately prior to underwater blasting activities, such as use of sparkler guns or bubble curtains, would be used as conditions dictate.
- An Environmental Inspector or Aquatic Inspector would have the authority to modify or suspend construction if any aquatic resources are impacted in any way by construction activities.



- During nighttime construction activities, vessels would be outfitted with identification lights and working decks would be illuminated for safety. Lights would not be directed into surrounding waters, thereby reducing the potential for effects on benthic communities and fish.
- Construction equipment and materials, fuels, and other related items would not be stored within wetlands or within 100 feet (30 meters) of any stream or wetland system.
- Construction equipment would not be refueled within wetlands or within 100 feet (30 meters) of any stream or wetland system.
- Along the railroad ROWs, construction equipment crossings would be installed across all waterbodies to gain continuous access for construction operations where reasonable alternative access is not available.
- HDD would be used to install the transmission lines under streams in as many locations as possible to minimize impacts on aquatic resources. In those instances where the HDD method is used to install the cables to cross a waterbody there would be no time of year restrictions because the method does not require a disturbance to the bed or bank of the stream.
- If a dry crossing (flume or pump method) is proposed for any NYSDEC-designated coldwater stream, the Applicant would adhere to the proposed timing restrictions of October 1 through May 31.
- During construction, vegetated buffers at all waterbody crossings would be maintained. Where the vegetation exists along the railroad ROWs, a minimum 15-foot (5-meter) buffer would be maintained with existing trees and shrubs except for that portion of the bank that has been cleared for the construction path.
- A Frac-out Contingency Plan would be developed and implemented that would allow for timely cleanup of any bentonite leaks that could occur and ensure minimal impacts on the environment.
- The Applicant would adhere to all current regulations regarding proper ballast water management to minimize introduction of additional aquatic invasive species.

## G.5 Aquatic Protected and Sensitive Species

The Applicant-proposed impact avoidance and minimization measures, including BMPs, that are applicable to aquatic threatened and endangered species and their occupied habitats, are as follows:

- The Applicant would continue to work closely with Federal and state agencies to establish measures prior to construction commencement to avoid or minimize impacts on aquatic threatened and endangered species along the proposed CHPE Project route.
- HDD would be used where the cables enter and exit waterbodies to avoid or minimize effects on shoreline and shallow water habitats.
- A closed environmental (clamshell) bucket dredge would be used to minimize sediment suspension at mechanical dredging sites (i.e., exit pits for water-to-land HDD transitions) for fine-grained (silty) sediments.
- A sheet pile cofferdam, installed using a vibratory hammer, would be positioned to enclose the work site for exit pits for water-to-land HDD transitions before commencing mechanical dredging. The cofferdam would remain in place and functional during all phases of the dredging operations and would be removed upon completion of dredging activities.

- The Environmental Inspector would have the authority to modify or suspend construction if any aquatic threatened and endangered species would be impacted in any way by construction activities.
- Most designated trout streams are anticipated to be crossed using the HDD method thereby avoiding disturbance of these streams.
- In the event that the Applicant unexpectedly encounters any rare, threatened, or endangered species during the preconstruction, construction, or operation and maintenance phases of the proposed CHPE Project, the following measures would be implemented:
  - The Applicant would temporarily halt construction activities, excepting any activity required for immediate stabilization of the area, to avoid or minimize the impacts on the species or habitat.
  - The Environmental Inspector would identify the area of the sighting or encounter and record GPS locations of the likely habitat boundary or the sighting location of any aquatic threatened and endangered species.
  - Any unanticipated sightings of threatened and endangered species or observation of rare, threatened, and endangered plants would be reported as soon as possible to NYSDPS staff, NYSDEC, USFWS, or NMFS (as appropriate). Reporting of all takes of listed species of sturgeon should be directed to [incidental.take@noaa.gov](mailto:incidental.take@noaa.gov) and the NMFS Protected Resources Division (PRD) should be contacted (Bill Barnhill, [william.barnhill@noaa.gov](mailto:william.barnhill@noaa.gov); 978-282-8460). The Applicant would consult with applicable resource agencies for measures to avoid or minimize impacts on aquatic threatened and endangered species and their occupied habitat. Construction activities in the area would resume once protective measures, developed in consultation with NYSDPS Staff, NYSDEC, or USFWS, are implemented.
- If new aquatic threatened and endangered species occupied habitats are identified, the EM&CP would be updated to show the new occupied habitats, and consultation with appropriate Federal or state agencies would commence.
- All in-water work would be conducted within applicable time windows (see **Table 2-2** in the EIS) as agreed to by the NYSDEC, NYSDOS, NYSDPS, and NMFS Habitat Conservation Division, including location-specific dredging windows in the Hudson River estuary for the protection of aquatic threatened and endangered species. As a conservation measure, the Applicant worked with the NYSDEC to establish periods when sensitive species would be using different segments of the Hudson River. The Applicant has proposed construction windows to avoid impacts on spawning migrations, spawning activity, and larval stages of ESA-listed fish species (see Table 2-2 in Appendix Q of the EIS). NYSDOS has conditionally concurred with these construction windows as part of its CMP consistency certification for the proposed CHPE Project. Restricting construction activities to timing windows protects ESA-listed fish species from construction activities during spawning migrations, which are the most vital and sensitive portions of their lifecycle.
- Reduced in-water pressure and jetting speeds (e.g., less than 4 knots) would be used to reduce turbidity when crossing sensitive areas such as Significant Coastal Fish and Wildlife Habitats (SCFWHs), which contain important breeding habitat for protected and sensitive species (see Attachment 1 of Appendix Q in the EIS). The most appropriate speeds would be coordinated with the construction contractor, who would consider existing sediment conditions, cable weight, and multiple other factors to arrive at an installation speed that allows for a reduction in impacts and safe and efficient cable installation. Reductions in TSS would be calculated after the installation specifications have been set as part of the construction design phase. Proposed areas

where construction modifications could occur would be identified in Plan and Profile drawings included in the EM&CP.

- Commencement of in-river work south of the Haverstraw Bay SCFWH would occur between high and ebb tides to avoid or minimize impacts of re-suspended sediments on Haverstraw Bay, which contains important habitat for protected and sensitive species.
- Any sightings of sturgeon would be reported to the NYNHP, USFWS, and NMFS as soon as possible. Reporting of all takes of listed species of sturgeon should be directed to NMFS PRD. A Standard Operating Procedures Manual would be prepared to outline the monitoring and reporting methods to be implemented during proposed CHPE Project construction. This manual would be coordinated with and reviewed by NMFS PRD.
- All personnel associated with the proposed CHPE Project would be advised of the potential presence of aquatic threatened and endangered species and the need to avoid collisions. All construction personnel would also be updated on the locations of any new aquatic threatened and endangered species or occupied habitats that are identified. These areas would be reported to the applicable resource agencies.
- All vessel crewmembers and contractors would participate in a fisheries training for aquatic protected species presence and emergency procedures in the unlikely event an animal is struck by a vessel. The emergency procedure would be provided as part of the EM&CP. Both the training program and applicable parts of the EM&CP would be coordinated with and reviewed by NMFS PRD.
- All construction personnel would be responsible for observing water-related activities for the presence of these species.
- All construction personnel would be advised that there are civil and criminal penalties for harming, harassing, or killing aquatic species that are protected under the Endangered Species Act.
- All vessels associated with the construction of the proposed CHPE Project would operate at “no wake/idle” speeds (i.e., less than 4 knots) at all times while in the construction area and while in water depths where the draft of the vessel provides less than a 4-foot (1.2-meter) clearance from the bottom. In areas with substantial objects recorded in side-scan sonar and magnetometer surveys, the speed would be reduced to less than 1 knot. All vessels would preferentially follow deepwater routes (e.g., marked channels) whenever possible.
- Blasting would occur between July 1 and November 30. Measures to startle fish or keep fish away immediately prior to underwater blasting activities, such as use of sparkler guns or bubble curtains, would be used as conditions dictate.
- Any collision with or injury to a protected species would be required to be reported immediately to the NMFS Protected Resources Division.
- The Applicant would train and educate transmission system contractors and subcontractors to identify aquatic invasive species and site-specific prescriptions for preventing or controlling their transport throughout or off of the proposed CHPE Project site.
  - Require that vessels, equipment, and materials be inspected for, and cleaned of, any visible vegetation, algae, organisms, and debris before bringing them to the proposed CHPE Project area and before leaving the waterbody for another.

- Train transmission system contractors and subcontractors on the various cleaning or decontamination methods to be used on a site-by-site basis for the proposed CHPE Project.

## G.6 Terrestrial Habitats and Species

The Applicant-proposed impact avoidance and minimization measures, including BMPs, that are applicable to terrestrial species and habitats, are as follows:

- The transmission cable centerline, construction corridor edges, access roads, extra workspace boundaries, and marshaling yards would be surveyed and marked with stakes and colored flagging to avoid out-of-corridor impacts.
- Areas designated as “no vehicular access” would be clearly marked in the field with a silt fence or construction fence to avoid inadvertent intrusion by construction equipment.
- Clearing needed in wooded areas to facilitate surveying would be minimized to the extent possible.
- The EM&CP plan and profile drawings would be provided to the NYSDEC, NYNHP, and NYSDPS Staff for review of significant natural community mapping prior to the start of construction.
- Significant natural communities are identified during preconstruction surveys within or adjacent to the construction corridor would be clearly flagged in the field prior to the start of construction activities. Access through or impact on any significant natural communities would be avoided or minimized, to the extent practicable. If access through a significant natural community is unavoidable, the Applicant would develop additional measures, in consultation with appropriate agencies as applicable, to avoid and minimize any potential impacts.
- All flags and staking would be checked by the Environmental Inspector or Facility Construction Inspector before construction to ensure proper alignment.
- During construction activities, measures would be implemented to prevent or control the transport of invasive plant species; including development and implementation of an Invasive Species Management Plan approved by applicable state agencies.
- During construction, the objective of vegetation clearing is to remove the vegetation from the work area that is necessary for safe and proper installation of the cables. Vegetation-clearing methods would be selected to avoid and minimize impacts on rare, threatened, and endangered plants and sensitive areas (e.g., forested areas). This would be accomplished through site-specific prescriptions for clearing and disposal of woody vegetation and selective retention of vegetative buffer zones.
- The temporary construction workspace would be kept to the minimum that would allow for spoil storage, staging, assembly of materials, construction vehicle passage, and all other activities required to install the cables safely.
- During clearing operations, crews, in coordination with the Environmental Inspector, would scout the terrain ahead for unexpected conditions, check construction corridor and transmission line ROW boundaries, and review property-specific conditions or restrictions. One of the following methods would be used for vegetation clearing, to minimize impacts:

- *Hand Cutting* – This method employs a hand-held chain saw. It is selective, but is slower and more expensive than motorized mechanical devices. Residential areas, buffer zones, wetlands, and highway screens are areas where hand cutting is typically prescribed.
- *Mechanical Clearing Machine* – This term usually refers to a machine known as the Hydro-axe or Kershaw mower. This machine can cut trees up to 10 inches (25.4 centimeters) in diameter at the rate of several acres a day, depending on stem density and terrain. It is essentially nonselective and designed for clearing construction corridors and ROWs composed of young, undesirable species in a relatively uniform stand.
- *Mowing* – This technique is primarily used in areas of herbaceous vegetation. Terrain must be relatively flat with no gullies or rocks.
- *Mechanical Whole-tree Felling Equipment* – This method allows controlled felling and loading of whole trees while minimizing damage to adjacent trees. Trees would be felled into the construction corridor to avoid damage outside the corridor.
- Any vegetation removal within a road ROW would be conducted pursuant to a highway work permit issued by NYSDOT. Within the Adirondack Park, any vegetation removal in a road ROW would be conducted in accordance with the Adirondack Park State Land Master Plan and NYSDOT Guidelines for the Adirondack Park to maintain a park-like atmosphere that complements the total Adirondack environment.
- The Asian longhorned beetle (*Anoplophora glabripennis*) and the emerald ash borer (*Agrilus planipennis*) are two insects that the NYSDEC has identified as a potential problem to native trees and vegetation. If these insects are identified during construction, they would be reported to the NYSDEC regional forester. In addition, prior to construction, the contractors would be trained to identify invasive insect species and the projectwide protocol for reporting to the NYSDEC regional forester. Unmerchantable timber would be provided as firewood to interested parties pursuant to the substantive requirements of NYSDEC's firewood restrictions to protect forests from invasive species, found in six NYCRR §192.5.

## G.7 Terrestrial Protected and Sensitive Species

The Applicant-proposed impact avoidance and minimization measures, including BMPs, that are applicable to terrestrial threatened and endangered species and their habitats, are as follows:

- All known threatened and endangered species, occupied habitats, and locations where rare, threatened, and endangered plants have been observed would be identified on the EM&CP maps and in the field where protected plants have been observed based on available data. The construction drawings would be provided to the NYSDEC, NYNHP, NYSDPS, and USFWS for review of mapped occupied habitat areas and locations where rare, threatened, and endangered plants have been observed.
- Locations of threatened and endangered species or their habitat and rare, threatened, and endangered plants would be treated as confidential. All documents or plans containing specific location information would be marked as such. Appropriate training would be provided to employees and contractors regarding the confidential nature of this information.
- Construction personnel would be trained to identify known and potential threatened and endangered species; rare, threatened, and endangered plants; and significant natural communities that could be encountered, when possible, and the identification and protection measures that are included in the construction plan.

- The Environmental Inspector would be responsible for ensuring that prescribed protection measures are appropriately used during construction.
- The Applicant would avoid construction within or immediately adjacent to occupied Karner blue butterfly and frosted elfin habitats during the adult flight periods (approximately May to August) to avoid or minimize potential mortality of adults that might be nectaring or traveling between habitat areas. Because adult flight periods vary from year to year, the Applicant would contact NYSDEC prior to starting construction within any identified habitat areas to confirm that adults have not emerged.
- Prior to construction, a qualified biologist would conduct surveys for the presence of Karner blue and frosted elfin butterflies, in accordance with the USFWS and NYSDEC guidance document *Karner blue butterfly (Lycaeides melissa samuelis) Survey Protocols Within the State of New York*. These protocols include guidance on the following:
  - Prior to construction, the boundaries of all wild blue lupine (*Lupinus perennis*) patches within or immediately adjacent to construction workspaces or access routes would be clearly flagged in the field, and the Applicant would conduct a walk-through to discuss and review measures to avoid impacts.
  - Disturbance or access through all flagged lupine patches would be prohibited.
  - Contractors and construction crews would be trained on the locations and identification of the host plant, wild blue lupine, and for the Karner blue butterfly and frosted elfin butterfly. Construction personnel would be trained and instructed to avoid trampling or destruction of wild blue lupine plants.
  - If any previously unknown (i.e., unflagged) areas containing wild blue lupine are encountered during preconstruction environmental inspection, construction, or restoration, the Environmental Inspector would delineate the boundary of the habitat with flagging in the field, and would collect global positioning system (GPS) data mapping its location.
  - The Applicant would notify NYSDPS, NYSDEC, and USFWS as soon as possible (within 48 hours) if any previously unidentified habitats containing wild blue lupine are discovered during preconstruction environmental inspection, construction, or restoration. If additional protective measures are necessary to protect the Karner blue butterfly, frosted elfin butterfly, or occupied habitat (i.e., grasses and nectar within approximately 650 feet [200 meters] of lupine patches within or immediately adjacent to construction workspaces and access routes) for these species, the Applicant would temporarily cease any vegetation clearing, construction, ground-disturbing, or vegetation management activities in the area, excepting any activities that could be necessary for immediate stabilization of the work site, until protective measures can be implemented. Work would only resume once NYSDEC and USFWS have been notified and recommended protective measures to avoid or minimize impacts on threatened and endangered species and occupied habitat have been implemented.
- During operation of the transmission line, any vegetation management, emergency repairs, or other operational maintenance activities required within Karner blue butterfly and frosted elfin lupine habitats would be implemented in accordance with ongoing consultations between the Applicant and USFWS and NYSDEC, and the results of those consultations will be included in the EM&CP. At a minimum, the EM&CP would include the following measures to avoid and minimize impacts on Karner blue butterfly and its habitat.

- No herbicides or pesticides would be used within occupied Karner blue butterfly and frosted elfin nectar habitat, except as approved by the USFWS and NYSDEC. To minimize the impact of herbicides on Karner blue butterfly and its food plants, applications would be limited to spot application with hand-operated equipment, using personnel certified or experienced in pesticide applications and trained to identify the butterfly and lupine.
- For emergency repairs in areas where the cable was installed by HDD under Karner blue butterfly habitat, the cable would be pulled from the entry or exit locations and repaired to avoid impacts on the butterfly and its habitat. In areas where the cables are installed in trenches adjacent to nectar patches, repair crews would employ the same protocols adhered to during installation to avoid impacts (e.g., training of personnel to identify and flag habitat boundaries to be avoided).
- During the preconstruction survey, the contractors would identify large live or dead trees with peeling bark, including large specimens of shagbark hickory (*Carya ovata*), with the potential to serve as maternity or roost trees and these would be marked. Potential roost trees identified within the construction limits would be avoided where possible during construction activities. Tree removal would occur between October and March.
- In the event that the Applicant unexpectedly encounters any rare, threatened, or endangered species during the preconstruction, construction, or operation and maintenance phases of the proposed CHPE Project, the following measures would be implemented:
  - Areas of threatened and endangered species occupied habitat and locations of rare, threatened, and endangered plants along the terrestrial portions of the proposed CHPE Project route would be flagged in the field.
  - The Environmental Inspector would identify the area of the sighting or encounter; flag the boundaries of the newly identified occupied habitat or locations where the threatened or endangered species or rare, threatened, or endangered plant were observed; and record GPS locations of the likely habitat boundary or the sighting.
  - Any unanticipated sightings of threatened or endangered species or observations of rare, threatened, or endangered plants would be reported as soon as possible to NYSDPS, NYSDEC, or USFWS. The Applicant would consult with applicable resource agencies for measures to avoid or minimize impacts on plants or animals.
  - If threatened or endangered species or threatened or endangered plants are discovered during construction activities, the Applicant would temporarily halt construction activities in the vicinity of the discovery, excepting any activity required for immediate stabilization of the area, to avoid or minimize the impacts on the species or habitat. Construction activities in the area would resume once protective measures, developed in consultation with NYSDPS, NYSDEC, and USFWS, are implemented.
  - If new threatened or endangered species and occupied habitat are identified or threatened or endangered plants are observed and verified, construction plans would be updated to show the new threatened or endangered species, occupied habitat, or threatened or endangered plant species. These newly occupied areas would also be flagged in the field.
  - Construction personnel would be updated on the locations of any new threatened and endangered species or occupied habitats or locations of threatened or endangered plants that are identified. These areas would be reported to the applicable resource agencies.

- The Applicant has developed the following measures to avoid impacts on the state-listed bald eagle, which is also protected under the Bald and Golden Eagle Protection Act (BGPA) and their habitat:
  - Prior to construction, the Applicant would identify all bald eagle nest locations within 0.5 miles (0.8 kilometers [km]) of construction, based on data provided by the NYNHP.
  - If any blasting activities are necessary within 0.5 miles (0.8 km) of active bald eagle nests, the Applicant would contact USFWS and NYSDEC for guidance to avoid or minimize the potential for noise-related disturbance.
  - If construction would occur within 660 feet (201 meters) of an active nest during the nest-building or breeding season (December to August) per USFWS guidelines, the Applicant would contact USFWS and NYSDEC for guidance to avoid and minimize the potential for noise-related disturbance.
  - Environmental training for contractors and construction crews would include training on the identification of bald eagles and location of nests. Construction personnel would be instructed to report any sightings of potential eagle nests that were not previously identified by the NYNHP.
  - If any previously unidentified eagle nests are discovered, the Applicant would report findings to the NYNHP as soon as possible, and consult with the NYSDEC and USFWS for guidance to avoid or minimize the potential for disturbance, if required.
- On a project-wide basis, the Applicant would perform the following measures to prevent or control the transport of invasive plant species:
  - Prior to construction, training would be conducted to educate transmission system contractors and subcontractors on identifying invasive plant species and the site-specific protocol for preventing or controlling their transport throughout or off of the proposed CHPE Project site. These protocols include the various cleaning or decontamination methods to be used for the proposed CHPE Project. In addition, the contractors would be instructed to stay within access paths and work areas that are designated on the EM&CP plan and profile drawings to minimize ground disturbance.
  - Sediment- and erosion-control devices would be installed across the construction corridor on slopes leading into wetlands and along the edge of the corridor to prevent spoil from migrating into these areas. This would also help to prevent the dispersion of seeds from invasive plant species into uninfested wetlands during construction.
  - Vehicles, equipment, and materials (including swamp mats) would be inspected for, and cleaned of, any visible soils, vegetation, and debris before bringing them to the proposed CHPE Project area or moving them to the next wetland along the construction corridor as specified under NYSDEC's General Permit for Routine ROW Maintenance Activities, DEC No. 0-0000-01147/00001.
  - The restored corridor would be seeded with an invasive species-free seed mix immediately after final regrading to quickly create vegetative cover over the disturbed corridor and help to prevent establishment of invasive species which typically colonize disturbed sites.
  - Revegetation of disturbed areas would use seed and other plant materials that have been checked and certified as noxious-weed-free.



## G.8 Wetlands

The Applicant-proposed impact avoidance and minimization measures, including BMPs, that are applicable to wetlands, are as follows:

- Prior to construction, the Applicant would obtain permits from the USACE under Section 404 of the Clean Water Act and Section 10 of the Rivers and Harbors Act. Mitigation measures and BMPs for impacts on wetlands, if required, would be determined during the permit application process in consultation with the USACE. The proposed CHPE Project would be constructed, operated, and maintained in accordance with Federal and state permits. The Applicant would also adhere to stipulations in the Certificate of Environmental Compatibility and Public Need, which is administered by the NYSPSC.
- All wetlands occurring within the project area would be delineated and flagged prior to initiation of construction activities to ensure resource protection. Wetland and stream adjacent areas would be clearly marked in the field to avoid inadvertent disturbance of wetlands and streams by construction equipment. During construction activities, spoil would be stored within the construction corridor immediately adjacent to the trench or within designated extra work areas. To the extent possible, the Applicant would avoid storing spoil within wetlands; however, due to the space constraints along the roadway and railroad ROWs, it is anticipated that some spoil storage in wetland areas could occur. In these areas, soil excavated from the wetland would be temporarily stockpiled on construction matting or geo-textile fabric to be used to backfill the trench. Any excess spoil would be removed from the ROWs and disposed of off site in accordance with Federal and state laws and regulations.
- Sediment- and erosion-control devices would be installed across the construction corridor on any slopes leading into wetlands and along the edge of the corridor, as necessary, to prevent spoil from flowing off the corridor into a wetland. Locations of sediment- and erosion-control devices would be identified on the EM&CP plan and profile drawings.
- Erosion- and sediment-laden storm water runoff from disturbed areas or spoil piles in immediately adjacent uplands have the potential to affect water quality in wetlands. Therefore, temporary and permanent erosion and sediment controls would be installed prior to construction activities to avoid increases in erosion and sedimentation into waterbodies from land disturbance. Construction storm water would be managed in accordance with the SWPPP for the proposed CHPE Project to prevent increased storm water runoff volume and velocity and prevent introduction of sediments and pollutants. An SWPPP would be prepared prior to construction as part of permitting and compliance under the SPDES.
- The Applicant would segregate topsoil in wetlands, except when standing water or saturated soils are present, to prevent the mixing of topsoil with subsoil. To expedite revegetation of wetlands, the top 1 foot (0.3 meters) of surface soil would be stripped from over the trench, retained, and later replaced. This would facilitate wetland revegetation by maintaining physical and chemical characteristics of the surface soil and preserving the native seed bank. The exception to this requirement includes areas with standing water or saturated soils, areas where no topsoil layer is evident, or areas where the topsoil layer exceeds the depth of the trench.
- The HDD method would be employed to construct landfalls from the proposed transmission cables. This would be expected to avoid impacts on freshwater tidal wetlands. In addition, the HDD method would exit the water at a depth sufficient to avoid impacts on the intertidal and foreshore areas.

- In wetland areas where trenching would occur, trench plugs or other methods to prevent draining of wetlands down into the trench would be employed. In areas where wetland topsoil would be disturbed, the organic surface layer would be backfilled over the subsoil backfill to reestablish an adequate soil profile for wetland restoration objectives.
- If any construction equipment would operate within saturated wetlands that would be likely to be affected by soil compaction or rutting based on conditions at the time of construction, the Applicant would use equipment mats or low-ground-pressure tracked vehicles to minimize impacts on wetland soils. If dewatering is required within the excavated trench, water would be discharged to a well-vegetated upland area, a properly constructed dewatering structure, or a filter bag. Original surface hydrology in disturbed wetland areas would be reestablished by backfilling the trench and grading the surface to original contours, as needed.
- To minimize impacts from accidental leaks and spills, a Spill Prevention, Control, and Countermeasure (SPCC) Plan or its equivalent filed as part of the EM&CP and implemented during construction would be developed that would contain BMPs to limit potential water quality impacts. Construction crews would have sufficient supplies of absorbent and barrier materials on site to contain and clean up hazardous materials in the event of a spill. To reduce the likelihood of a spill entering wetland habitat, the Applicant would avoid storing hazardous materials, chemicals or lubricating oils, refueling vehicles and equipment, or parking vehicles overnight within 100 feet (30 meters) of the edge of a wetland, unless no reasonable alternative was available. If no alternative is available, the Applicant's Environmental Inspector would ensure that appropriate protection measures for spill prevention and controls would be implemented.
- Following construction, the Applicant would conduct final grading to restore original contours, as needed, and would seed disturbed areas with a temporary seed mixture to stabilize soils and establish vegetation cover. Emergent wetland vegetation would be expected to reestablish quickly following construction, and woody species would return more slowly. Forested wetlands, where not maintained, would be expected to go through several stages of successional vegetation before returning to the pre-construction vegetation cover type. To assist in the recovery of woody species, the Applicant would avoid removing roots and stumps in cleared areas outside of the cable trench, unless required for safety, to allow resprouting of woody species.
- During the initial restoration phase, all construction debris would be removed from the construction corridor. Segregated topsoil would be replaced, and wetland contours and drainage patterns would be restored to approximate original conditions by matching adjacent undisturbed areas. Restoring the grade, drainage patterns, and topsoil would promote the reestablishment of native hydrophytic vegetation (i.e., plant life that thrives in wet conditions). Restoration of wetlands would be completed within 24 hours after backfilling is completed. Restoration of the wetland would include final grading, seeding with an appropriate seed mix, fertilizing, and mulching. High organic soils (as determined by NYSDEC, NYSDPS, or the Environmental Inspector) would be graded back to original contours and left unmulched and unseeded to facilitate the germination of native seeds and sprouting of rhizomes from the seed bank.
- The Applicant would establish and implement a program to monitor the success of restoration upon completion of construction and restoration activities. The success of wetland revegetation would be monitored and recorded annually for the first 2 years (or as required by permit) after construction, or longer, until wetland revegetation is successful. Wetland revegetation would be considered successful when the vegetative cover is at least 80 percent of the type, density, and distribution of the vegetation in adjacent wetland areas that were not disturbed by construction. If revegetation is not successful at the end of 2 years, the Applicant would develop and implement (in consultation with a professional wetland ecologist) a plan to actively revegetate the wetland with native wetland herbaceous plant species.

In addition, during construction activities within and adjacent to wetlands, protection measures would include the following:

- Minimize amount of work within and across wetlands.
- Schedule work to be conducted in wetlands to start and finish in the dry season or when the ground is frozen, to the extent practicable.
- Limit construction vehicles and equipment to established access roads and construction workspaces depicted on EM&CP plan and profile drawings.
- Limit construction equipment within wetlands primarily to what is needed to dig the trench, install the cables, backfill, and restore the construction corridor. All other construction equipment would use access roads in upland areas to the extent practicable.
- Minimize disturbance and compaction in wetlands with saturated soils or standing water, either by using wide-tracked or balloon-tired equipment operating from timber corduroy or timber mats. Imported rock, stumps, brush, or offsite soil as temporary or permanent fill would be prohibited. Following construction, all materials used to stabilize the corridor would be removed.
- Construction equipment would not be washed in wetlands or within 100 feet (30 meters) of any wetland unless specified to minimize the spread of invasive species. Runoff resulting from washing operation would not be permitted to enter any wetlands directly.
- Spoil and excavated materials would be stored outside of wetlands and wetland adjacent areas. All stockpiled material would be stored at a sufficient distance to prevent sedimentation into any stream, wetland, wetland adjacent area, or other waterbody. If no storage area is available, spoil would be adequately protected and erosion- and sediment-control measures would be installed to prevent materials from entering adjacent areas. All excess material would be disposed of in approved upland locations.
- Any temporary access routes or parking areas adjacent to wetlands and waterbodies would be graded to direct runoff away from water resources. If needed, erosion-control measures would be installed adjacent to wetlands and other water resource areas.
- Unless work activities would resume within 14 days, disturbed soils would be stabilized as soon as possible and no more than 7 days upon temporary or permanent completion of ground-disturbing activities. If soil stabilization measures are not possible within 7 days due to snow cover, frozen ground, or other weather conditions, soils would be stabilized as soon as practicable.
- The construction corridor would be inspected periodically during and after construction until final restoration has been completed. Erosion-control or restoration features would be repaired as needed in a timely manner until permanent revegetation has become successful.
- Should it become necessary to remove water from the trench, it would be pumped to a stable, vegetated upland area (where practical) and filtered through a filter bag or siltation barrier.
- Clearing of existing vegetation in or near wetlands would be limited to material necessary to allow completion of construction activities and reasonable access for long-term maintenance.
- Brush and trees would be cut at ground level leaving the root systems intact.
- Tree stumps would only be removed directly over the trench and where necessary for safe access along the corridor.

- If high soil moisture content or standing water exist in a wetland prior to construction, the use of heavy equipment would be limited to prevent rutting and soil profile mixing.
- Trees would be felled by hand and cut to lay flat on the ground and left in place unless doing so would prevent safe access to the site.

## G.9 Geology and Soils

Erosion- and sediment-control measures would be developed and implemented both during and following site development to contain soil and runoff on site, and would reduce potential for adverse impacts associated with erosion, sedimentation, and transport of sediments in runoff. The following BMPs have been identified in the Applicant's EM&CP:

- *Straw Bales and Silt Fencing.* Straw bales and silt fences are used separately or together to reduce the velocity of sediment-laden runoff and affect deposition of the transported sediment load.
- *Stabilized Construction Entrances.* Stabilized construction entrances would be installed and maintained at all points where construction access roads intersect with paved surfaces, such as roads, sidewalks, or parking areas, to reduce the tracking of sediment onto roadways.
- *Water Management Devices.* The following devices would be used along terrestrial portions of the proposed CHPE Project route as necessary to reduce the velocity of storm flows and to divert storm flows away from offsite properties and environmentally sensitive areas:
  - Water Diversion Devices.
  - Waterbars
  - Drivable Berms
  - Swales and Earthen Berms
  - Side Ditches
  - Stone Check Dams
  - French Drains
  - Temporary Culverts.
- *Sediment Retention Ponds and Filtration Devices.* Catchment basins would be used where needed to intercept sediment-laden runoff and reduce the amount of sediment leaving disturbed areas. Catchment basins would be constructed in accordance with the standards in the *New York State Standards and Specifications for Erosion and Sediment Control*.
- *Concrete Washout.* After placement of concrete, wash water used to clean the concrete truck would be directed to a concrete washout structure at designated areas only. These concrete washout area(s) would be a minimum of 100 feet (30 meters) from all wetlands, waterbodies, and drainage structures.
- *Fugitive Dust Emissions.* Dust control would be used on construction roads, construction entrances, and other disturbed areas subject to surface dust movement and dust blowing. These areas would be sprinkled with water during extended dry periods to minimize dust generation. Typically only plain water would be used for dust suppression; chemical dust suppressants would only be used in situations where plain water dust suppression is not effective and where no sensitive resources (e.g., wetlands, streams, potable water supplies, organic farms) are present.
- *Clearing, Excavation, and Grading.* In general, the construction corridor would be cleared to provide safe operation of construction equipment.

- *Site Stabilization.* Non-structural controls would also be used during project construction. Mulch would be used to provide initial erosion control while seeding is established or to prevent erosion on soils with low infiltration rates.
- *Inspection and Record Keeping.* Inspections would include all disturbed areas that have not undergone final stabilization, storm water discharges from the site, material storage areas, and site entrances and exits.

In addition to erosion- and sediment-control measures, construction BMPs would be implemented to minimize soil erosion including the following:

- Non-agricultural and non-urban/residential areas
  - Grading
  - Lime Application
  - Fertilizing
  - Aerating
  - Seeding and Planting.
- *Restoration – Urban/Residential.* Construction in urban or residential areas could require a variety of restoration activities. Aboveground and underground structures (e.g., those related to water and gas services), street pavements, curbs, sidewalks, and other features could require repair or replacement as a result of construction. Curbs, sidewalks, and streets damaged by construction would be restored to pre-existing conditions. Except where replacement would inhibit or impair the safe operation of the transmission line, shade trees and ornamental shrubs disturbed or damaged by construction would be repaired or replaced, following construction.
- *Restoration – Railway Ballast.* Upon completion of the installation of the underground transmission line in the railroad ROW, the surface of the ROW disturbed by construction activities would be graded to match the original topographic contours and to be compatible with surrounding drainage patterns. Stone ballast or mulch would be used to stabilize the disturbed soil areas in the ROW.

All blasting activity would be performed by licensed professionals according to strict guidelines designed to control energy release. Charges would be kept to the minimum required to break up the rock. Where appropriate, mats composed of heavy steel mesh or other comparable material or trench spoil would be used to prevent the scattering of rock and debris. These activities would adhere strictly to all industry standards applying to control of blasting and blast vibration limits.

## G.10 Cultural Resources

The Applicant-proposed impact avoidance and minimization measures, including BMPs, that are applicable to the prevention of impacts on historic and cultural resources, are as discussed in the following paragraphs.

Measures would be implemented to mitigate the proposed CHPE Project’s potential adverse effects on known terrestrial and underwater archaeological sites found to extend into the Area of Potential Effects (APE). These measures include minor rerouting to avoid the sites and Phase III data recoveries of terrestrial and underwater archaeological sites that are listed or eligible for listing in the National Register of Historic Places and cannot be avoided by ground-disturbing activities.

The development of a programmatic agreement (PA) is underway and additional formal surveys and evaluations must be taken before it can fully be determined in detail what cultural resources require

mitigation under Section 106 of the National Historic Preservation Act. Measures identified at this time are presented in the following paragraphs.

***Proposed CHPE Project Cultural Resources Management Plan.*** To manage potential impacts on cultural resources from the proposed CHPE Project, a Cultural Resources Management Plan in consultation with certain stakeholders would be developed. This plan would identify historic properties within the APE and outline the processes for resolving adverse effects on historic properties within the APE and determining the appropriate treatment, avoidance, or mitigation of any effects of the proposed CHPE Project on these resources. Treatment and avoidance measures would include the results of consultation between the Applicant and the New York State Historic Preservation Office (SHPO) regarding reasonable buffers between underwater sites and the cable-laying barge that would be used in Lake Champlain. In addition, cultural and heritage resource impact measures would be included in the EM&CP and facility management plans.

***Unanticipated Discoveries.*** The potential exists for the unanticipated discovery of additional cultural resources and human remains during construction and operational activities. As a result, the Applicant would develop an Inadvertent Discovery Plan that details crewmember responsibilities for reporting in the event of a discovery during underwater and underground cable installation. The plan would also include procedures to be implemented in the event of an unanticipated find. If human remains are discovered, the Applicant would stop work within 50 feet (15 meters) of the discovery. The Applicant would then contact the county coroner and a professional archaeologist (i.e., an archaeologist that meets the Secretary of the Interior's Professional Qualifications Standards in archaeology and history) to determine the significance of the discovery. If appropriate, the Applicant would also adhere to Native American Graves Protection and Repatriation Act (NAGPRA) and its implementing regulations (43 Code of Federal Regulations [CFR] §19). Depending on the recommendations of the coroner and archaeologist, the Applicant would consult with the appropriate county in New York State to establish additional measures. Potential measures for unanticipated discoveries would include avoidance, documentation, excavation, and curation.

Treatment and disposition of an inadvertent discovery of human remains would be managed in a manner consistent with NAGPRA; the Advisory Council on Historic Preservation (ACHP) Policy Statement Regarding Treatment of Burial Sites, Human Remains, and Funerary Objects; and the New York SHPO's Human Remains Discovery Protocol. If human remains are encountered in the course of ground-disturbing activities, the Applicant would implement the following actions in coordination with the New York SHPO, Native American tribes, and other Consulting Parties, as applicable:

- Any human remains discovered would be treated with dignity and respect.
- Work in the general area would stop immediately; the area would be physically secured; and a barrier prohibiting vehicles, equipment, and unauthorized persons from accessing the discovery site would be installed. The site would be protected from damage and disturbance to the maximum extent practicable.
- Human remains and associated artifacts would be left *in situ* and not disturbed. No human remains or materials associated with the remains would be collected or removed until appropriate consultation has taken place.
- The Applicant would contact local law enforcement, the county coroner's office, the New York SHPO, and Native American tribes, as appropriate. Local law enforcement officials and the county coroner's office would examine the remains to determine if they are forensic.
- If the remains are determined to be Native American, they would be left *in situ* and protected from disturbance until a plan for their protection or removal is developed. The Applicant would

notify the New York SHPO and appropriate Native American tribes within 24 hours (during normal business hours) or as soon as possible after the discovery has been determined to be forensic. The Applicant would consult with the New York SHPO and Native American tribes to develop a plan of action, the guidance provided in the NAGPRA, the ACHP's 2007 Policy Statement Regarding Treatment of Burial Sites, Human Remains, and Funerary Objects, and the New York SHPO's Human Remains Discovery Protocol. Avoiding further disturbance of the remains would be the preferred option.

- If the human remains are determined to be non-Native American, the remains would be left *in situ* and protected from disturbance until a plan for their avoidance or removal were developed. The Applicant would consult with the New York SHPO and other appropriate parties to determine a plan of action.
- Work in the affected area would resume only after the completion of the necessary consultation and treatment was completed.

## G.11 Visual Resources

The Applicant-proposed impact avoidance and minimization measures, including BMPs, that are applicable to visual resources, are as follows:

- Existing vegetation buffers would be maintained to the extent possible at selected road and stream crossings and other potentially visually sensitive locations, especially at HDD sites, residential areas, or near historic sites.
- When existing vegetative buffers in visually sensitive areas cannot be avoided, the areas would be restored following construction, except where replacement would inhibit or impair the safe operation of the cables.
- Good housekeeping practices and removal of temporary storm water and erosion controls such as silt fence, straw bales, and mulch; construction debris; or blast rock during the various stages of construction would limit the visual impact.

## G.12 Infrastructure

The Applicant-proposed impact avoidance and minimization measures, including BMPs, that are applicable to infrastructure, are as follows:

- The Applicant would engineer, construct, and install the proposed CHPE Project so as to make it fully compatible with the continued operation and maintenance of collocated infrastructure (e.g., aboveground, below ground, and submerged electric, gas, telecommunications, water, wastewater, sewer, and steam infrastructure and appurtenant facilities and associated equipment), and affected railroads and railways; and highways, roads, streets, or avenues.
- Existing utility infrastructure owners would be contacted prior to the beginning of any preconstruction activities and throughout the proposed CHPE Project design process, and protection measures and specifications for existing utility facilities would be negotiated with the utility owners.
- The design of utility crossings would follow industry standards and infrastructure agreements based on owner consultations. Many of the crossing types would include the use of a protective sleeve around the transmission cables to ensure minimum separation at the crossing point. The sleeve would extend a minimum of approximately 15 feet (5 meters) from each side of the utility

intersection. The installed length of protective coverings would be between 60 and 75 feet (20 and 21 meters) in length to ensure this requirement is met.

### ***Water Supply Systems***

- Consultations with the water supply infrastructure owners and operators would be conducted to get specific information on each intake (e.g., specific location, water depth, intake size, dimensions and slot size of intake screening, flow rates, and average withdrawal rates).
- Based on this information, determine the potential impact on water supply intakes due to the mobilization of sediment, including contaminated sediment.
- If adverse impacts would be possible, develop strategies to avoid or minimize the magnitude of the estimated potential impacts. Such strategies include incorporating minor route adjustments, providing intake screens, sediment filters or barriers in the vicinity of the intake, or using alternate construction methods (e.g., non-burial installation).
- If it is determined that contaminated sediments might not be able to be avoided using alternative transmission cable installation methods or minor route adjustments, the Applicant would perform water quality modeling to assess the potential adverse impacts on water supply systems from installing the transmission cables within contaminated sediments.
- In the event that aquatic transmission cable installation would result in the exceedance of Maximum Contaminant Levels (MCLs) and the NYSDPS Staff determined that the continued use of techniques to reduce impacts would be unable to avoid exceedance of MCLs; aquatic transmission cable installation would be suspended; and the Applicant would consult with NYSDPS Staff, New York State Department of Health (NYSDOH), and NYSDEC regarding alternative cable installation techniques such non-burial methods, shear plow, or additional route modification and propose such changes to the approved EM&CP.

### ***Communications***

- A minimum separation between the proposed CHPE Project's aquatic cables and the existing telecommunications cable would be provided by installing a protective sleeve on the proposed CHPE cable at each utility crossing. The protective sleeve would extend for approximately 50 to 80 feet (15 to 24 meters) on each side of the crossing point.
- In some areas of the Hudson River Segment, existing telecommunication cables are buried less than 3 feet deep. At these locations, the Applicant would propose to use protective sleeves on the aquatic transmission cables along with burial until touching the existing cables, increase the burial depth of the existing cables by water jetting at the crossing point prior to installing the submarine cables, or cut and re-splice the telecommunications cables after installing the submarine cables. The details of these crossings would be coordinated with the owners of the existing facilities.

### ***Solid Waste Management***

- Some conventional dredging could be used for HDD water-to-land transitions. The construction contractor would be required to develop a detailed Dredge Plan and obtain the necessary dredge and disposal approvals in accordance with Federal and state regulations. The Dredge Plan would follow the guidance of the U.S. Environmental Protection Agency (USEPA)/USACE *Ecological Evaluation for Dredged Material Proposed for Ocean Disposal in the Marine Environment* and the Regional Implementation Manual New York/New Jersey Harbor *Guidance for Performing*



*Tests on Dredged Material Proposed for Ocean Disposal.* Sediment testing results would determine the resulting waste's suitability for ocean or upland disposal. Dredged waste sediment from the Hudson River would not be returned to the river. Instead, it would be disposed of either in an upland or ocean waste disposal site in accordance with Federal and state regulations.

### G.13 Recreation

The Applicant-proposed impact avoidance and minimization measures, including BMPs, that are applicable to recreation, are as follows:

- Access to boat launch areas and piers would be maintained, as feasible, but could be restricted during construction for safety reasons.
- Existing vegetation buffers between parks and the railroad ROWs would be maintained near recreational areas, as appropriate, especially at HDD drilling sites.
- Following construction, impacted areas within the CHPE Project route construction area would be seeded and allowed to revegetate naturally. When vegetative buffers in recreational areas cannot be maintained, the areas would be restored following construction, except where replacement would inhibit or impair the safe operation of the cables.

### G.14 Public Health and Safety

The Applicant-proposed impact avoidance and minimization measures, including BMPs, that are applicable to public health and safety, are as follows:

- One Safety Inspector would work full time on the proposed CHPE Project and would be present for any higher risk procedures. The Safety Inspector would assist in the establishment and implementation of regulatory compliance and incident-prevention activities regarding the safety and health of employees, contractor and subcontractor personnel, and the public.
- Follow all guidelines established in project Health and Safety Plans and the Emergency Contingency Plan to ensure construction activities are conducted in a safe manner.
- Follow all guidelines established in the Aquatic Safety and Communication Plan when conducting project activities in waterways to ensure activities are conducted in a safe manner.
- Follow all guidelines detailed in the project Emergency Repair and Response Plan (ERRP) to be developed for the project when conducting emergency repair and maintenance activities.

### G.15 Hazardous Materials and Wastes

The Applicant-proposed impact avoidance and minimization measures, including BMPs, that are applicable to the management of hazardous materials and waste, are as follows:

- Visual, olfactory, and photoionization detector soil screenings and assessments are to be performed by a qualified environmental professional.
- Conduct waste characterization sampling of contaminated soil stockpiles prior to disposal.
- Use liners, covers, and other soil erosion and sediment controls to minimize the potential spread of contaminated soils.

- Transport and dispose of contaminated soils in accordance with applicable regulations and standards, fugitive dust monitoring, and dust-control measures.
- Provide health and safety training for all personnel who might be exposed to hazardous substances or health hazards on site.

## G.16 Air Quality

The Applicant-proposed impact avoidance and minimization measures, including BMPs, that are applicable to avoidance of impacts on air quality, are as follows:

- Keep all construction equipment in good running condition to minimize emissions from internal combustion engines and ensure that emissions and odors are kept to a minimum.
- To the degree practical, minimize equipment idling for long periods of time.
- Apply water or non-toxic soil stabilizers to all unpaved access roads, parking areas, and staging areas with sufficient frequency to control dust and maintain an effective level of soil moisture or cohesion while avoiding excessive water application.
- Clean accumulated dirt, as necessary, from roads along the construction corridor or from construction vehicles.
- Implement dust-control measures, as necessary, to limit dust releases from trucks (such as covering loads, wetting dry soil and maintaining a certain depth of freeboard).
- Seed or plant exposed areas as soon as practicable after construction, or as called for by permit, at the converter station and substation to reduce the potential for wind blown erosion.
- Keep all construction equipment in good running condition to minimize emissions from internal combustion engines and ensure that odor impacts are kept to a minimum.
- Exposed stockpiles of soil and other excavated materials would be contained within perimeter silt fencing, watered, treated with soil binders, or covered as necessary.
- To the degree practical, minimize equipment idling for longer than necessary periods of time.
- Develop a monitoring plan that includes an inventory of equipment containing SF<sub>6</sub>, include design elements to reduce energy consumption and thermal cycling of switchgear which helps reduce leakage, identify and repair leaking equipment in a timely fashion, train employees on the climate change effects of SF<sub>6</sub>, and account for the respective make-up quantities.
- Use low-emission construction equipment, minimize vehicle idling, and carpool to further reduce greenhouse gas (GHG) emissions.

## G.17 Noise

The Applicant-proposed impact avoidance and minimization measures, including BMPs, that are applicable to noise, are as follows:

- Measures to apply at residential areas and other noise-sensitive locations include public outreach, appropriate work hour and operation restrictions, temporary sound barriers, employment of equipment fitted with sound deadening materials, selection of low noise equipment and procedures, and other noise-reduction work methods or devices as determined appropriate for the locale and task. Construction and maintenance equipment would be equipped with appropriate

sound-muffling devices (i.e. Original Equipment Manufacturer [OEM] or better), and should be maintained in good operating condition at all times.

- Should blasting be required at any location where non-blasting methods of excavation are impossible or blasting causes less impact, then noise and vibration effects on nearby land uses and structures would be managed with a blasting plan for each site prior to any blasting activities. The plan should include the blasting methods, surveys of existing structures and other built facilities, and distance calculations to estimate the area of effect of the blasting.
- Locating equipment yards and marshalling areas away from noise-sensitive receptors as practical.
- Installing improved mufflers on heavy construction equipment when used in close proximity to noise-sensitive areas.
- Utilizing low-noise technologies (e.g., vibratory pile drivers) as appropriate.
- Limiting construction of high noise level activities (e.g., wood chipping, pile driving, rock drilling, blasting, excavation, and loading) to non-overnight hours as much as possible when construction is conducted in close proximity to noise-sensitive receptors.
- In cases where a noise source would be in a fixed position for an extended period of time (such as for an HDD operation), install temporary sound barriers such as wooden sound barriers to reduce noise levels or, in extreme cases, offer temporary lodging for residents adversely affected.

## G.18 Socioeconomics

No measures would be necessary for socioeconomic resources.

## G.19 Environmental Justice

No measures would be required for environmental justice because any human health or environmental effects related to minority or low-income populations would be negligible and not considered disproportionately high or adverse.

## Attachment 15.1

### CHPE Public Consultation and Maritime Meetings

**CHPE**  
**PUBLIC CONSULTATION AND MARITIME MEETINGS**

A Presidential Permit issued by the USDOE is necessary to construct, operate, maintain, and connect electric transmission facilities at the United States international border with Canada. Before a Presidential Permit is issued, the action must be found to be consistent with public interest and supported by an evaluation of environmental impacts, as part of the NEPA process, as well as by confirmation that electric reliability will be maintained. Transmission Developers engaged in the required regulatory outreach process for CHPE’s USDOE Presidential Permit, holding meetings in conjunction with the USDOE and the NYPSC, between 2010-2013. A list of those meetings is found in this attachment.



**US Army Corps  
of Engineers®**

Beginning in 2009, and due to the submerged nature of portions of the CHPE project’s route, Transmission Developers held a series of public meetings with the US Army Corps of Engineers, US Coast Guard, other federal regulatory agencies and representatives of the maritime community. These meetings were initiated by Transmission Developers to solicit input and to engage in a constructive dialogue regarding navigation safety measures. They resulted in the filing of CHPE’s Navigational Risk Assessment and USACE-issued permits, which confirmed that CHPE can be constructed and operated with no impact to navigation. A list of communications and meetings with the maritime community are found in this attachment.

**PRESIDENTIAL PERMIT / NEPA MEETINGS**

<b>Date</b>	<b>Purpose of Meeting</b>	<b>Location</b>
March 9, 2010	Public Meeting (TDI)	Albany, NY
April 13, 2010	Public Meeting (TDI)	Plattsburgh, NY
April 20, 2010	Public Meeting (TDI)	Kingston, NY
May 4, 2010	Public Meeting (TDI)	Scotia, NY
May 5, 2010	Public Meeting (TDI)	Yonkers, NY
July 8, 2010	NEPA Public Scoping (US DOE)	Bridgeport, CT
July 9, 2010	NEPA Public Scoping (US DOE)	New York City, NY
July 12, 2010	NEPA Public Scoping (US DOE)	Yonkers, NY
July 13, 2010	NEPA Public Scoping (US DOE)	Kingston, NY
July 14, 2010	NEPA Public Scoping (US DOE)	Albany, NY
July 15, 2010	NEPA Public Scoping (US DOE)	Glens Falls, NY
July 16, 2010	NEPA Public Scoping (US DOE)	Plattsburgh, NY
October 25, 2010	Statement Hearing (NY PSC)	Yonkers, NY
October 28, 2010	Statement Hearing (NY PSC)	Kingston, NY
November 3, 2010	Statement Hearing (NY PSC)	Schenectady, NY
November 4, 2010	Statement Hearing (NY PSC)	Whitehall, NY
November 9, 2010	Statement Hearing (NY PSC)	Plattsburgh, NY
December 2, 2010	Site Visit (NY PSC)	Albany to Yonkers, NY
April 3, 2012	Public Hearing (NY PSC)	Whitehall, NY
April 4, 2012	Public Hearing (NY PSC)	Catskill, NY
April 5, 2012	Public Hearing (NY PSC)	Ravena, NY
April 10, 2012	Public Hearing (NY PSC)	Schenectady, NY
April 12, 2012	Public Hearing (NY PSC)	Haverstraw, NY
April 24, 2012	Public Hearing (NY PSC)	Astoria, NY
June 11, 2012	Westchester County Legislature Energy and Environment Committee	Westchester County, NY
July 18, 2012	Evidentiary Hearing (NY PSC)	Albany, NY
July 19, 2012	Evidentiary Hearing (NY PSC)	Albany, NY
July 20, 2012	Evidentiary Hearing (NY PSC)	Albany, NY
February 2, 2013	Public Meeting (TDI)	Stony Point, NY
June 18, 2013	Public Meeting (TDI)	Stony Point, NY
November 18, 2013	Public Hearing on DEIS (US DOE)	Queens and Stony Point, NY
November 19, 2013	Public Hearing on DEIS (US DOE)	Albany, NY
November 20, 2013	Public Hearing on DEIS (US DOE)	Plattsburgh, NY

## MARITIME COMMUNITY MEETINGS AND COMMUNICATIONS

Date	Purpose of Meeting/Communication
August 4, 2009	Meeting with US ACOE and US CG
March 16, 2011	Meeting with Energy Subcommittee of the Harbor Operations, Safety and Navigation Committee of the Port of New York and New Jersey
April 10, 2012	Meeting with US ACOE and US CG
May 2, 2012	Meeting with Energy Subcommittee
June 20, 2012	Meeting with Intertek and US CG New England
June 20, 2012	Meeting with Intertek and US CG Staten Island
June 22, 2012	Meeting with Intertek and US ACOE
June 22, 2012	Meeting with Intertek and Port of Albany
June 26, 2012	Meeting with Intertek and US ACOE
January 23, 2013	Meeting with Intertek and US ACOE
March 18, 2013	Meeting with Intertek, US ACOE and US DOE
July 11, 2013	Meeting with US ACOE & US CG
August 5, 14, 2013	Response to comments from US ACOE and US CG
March 20, 2014	Meeting with US ACOE
April 22, 2014	Meeting with US ACOE
April 11, 2014	Response to US CG comments
May 9, 2014	Response to comments from maritime entities regarding DEIS/US ACOE Public Notice
May 12, 2014	Meeting with US CG
May 19, 2014	Meeting with US ACOE
June 3, 2014	Meeting with US CG and Energy Subcommittee
June 19, 2014	Outline of Navigational Risk Assessment provided to USCG and Energy Subcommittee
July 1 & 28, 2014	Written response to inquiries by Energy Subcommittee
September 2, 2014	Meeting with US ACOE and US CG
April 9, 2015	Meeting with US CG
June 17, 2015	Meeting with Harbor Operations, Safety and Navigation Committee of the Port of New York and New Jersey
July 25, 2015	Meeting with US ACOE, US CG, and Energy Subcommittee
January 27, 2016	Stakeholder Meeting in NYC
January 28, 2016	Stakeholder Meeting in Albany, NY
March 3, 2016	Draft for comment version of NRA sent to US ACOE and US CG
March 23, 2016	Stakeholder Meeting in Albany, NY
March 24, 2016	Stakeholder Meeting in NYC

## Attachment 15.2

### CHPE Rockland County Meetings and MOU





# Champlain Hudson Power Express

## Report on Rockland County Route Modifications and Outreach

July 2019

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*Note: Appendix includes select outreach materials, project updates, and press.*

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## **I. Overview of Champlain Hudson Power Express (“CHPE”) Public Outreach throughout Rockland County, NY**

### **Overview**

Beginning in July of 2017, TDI committed to an extensive public outreach campaign in Rockland County, NY to discuss the possibility of route modifications in five municipalities, the Towns of Stony Point, Haverstraw and Clarkstown and the Villages of West Haverstraw and Haverstraw, that would be affected by the change. The intention of this outreach was to garner the level of community support for a change in route that would move the project away from the Stony Point Battlefield, off of the CSX railroad tracks and largely into the ROW on Route 9W. TDI did not want to pursue both design and permit modifications or begin work with DOT and other state agencies without first ensuring that the proposed new route was acceptable to and preferred by the elected officials, residents and business of those communities impacted by both the permitted route and the proposed route change. The first step in the outreach campaign involved the hiring of a Jen Laird-White as Director of Community relations who, with the support of existing TDI staff, handled the campaign.

Since July 26, 2017, TDI has met with over five hundred residents and public officials in Rockland County. A complete list of meetings is attached in the Appendix. Meetings included much time spent with elected officials, meetings with organizations ranging from Chambers of Commerce, Rotary’s, Civic Associations, School Boards, Environmental Organizations, Senior Housing, Medical Facilities along the proposed terrestrial route and many one on one meetings with residents, condominium complexes and business owners along the route. TDI regularly updated its website to reflect these meetings and made sure that any requests for meetings were followed up on immediately. The cell phone for the Director of Community Relations was easily accessible, published in all advertising and TDI dedicated many hours to visiting businesses, apartment complexes and residents who live on or adjacent to the proposed new route. A local intern, Jake Cataldo was hired to assist Ms. Laird-White and ensure that community concerns and interests were being fully addressed.

TDI advertised the proposed route change discussions in local papers, made liberal use of Facebook and received coverage in a number of local papers. (See appendix)

On January 31, 2018, all five municipalities affected by the proposed route modifications signed a Memorandum of Understanding indicating their support for the route modifications. This MOU itemized the changes to the route along with a negotiated community benefits package for each municipality. The MOU is attached in the Appendix. Once it was clear that the municipalities preferred the modified route and the MOU was signed, three public forums were scheduled. The public forums were completed on March 28th.

Each public forum was geared toward imparting as much information to the public as possible about the proposed route change including possible routing, possible construction planning and other key elements for future design and construction. Each meeting featured four stations staffed by key members of the TDI development team. There was an engineering station, staffed by either two or three engineers, a legal/permitting/environmental station, staffed by members of our legal, project management and outreach teams, there was a sign in station that included take away materials, press coverage, and contact information for the team. The final station was an in-depth video that explained the project, proposed route changes, construction process and community benefits. There were many maps, books, diagrams and other materials posted liberally around the room and staff available to answer questions about the displays.

The forums began at six thirty pm and finished at eight thirty. Spanish translation was provided at the meeting that was held in a community with a large Spanish speaking population. Spanish language materials were also provided. We asked those attending to sign in and some obliged. We also captured email addresses whenever possible so that we could update residents on the status of the project. To date we have provided bi-monthly updates to those who asked to be kept informed.

## Public Forums

*Clarkstown, NY (25 attendees)*  
*ARC of Rockland*  
*Monday, March 5, 2018*  
*6:30-8:30*

This was the first public forum in Rockland County. Held at a local center for the disabled the event was attended largely by community members who live on the route in Congers, NY. There were questions about EMF's, the benefit program for Rockland County, and a general interest in understanding the project better. There were representatives from the Clarkstown government present. There was also a reporter present who wrote an article for the Westchester Business Journal (appendix)

*Haverstraw, NY (50+ attendees)*  
*Haverstraw Center*  
*Tuesday, March 6, 2018*  
*6:30-8:30*  
*Spanish Translator Present*

This was the largest of the forums, held in the gymnasium of the local community center. Many public officials attended. Social media was used to notify the public of the meeting, municipal website and there was an excellent turn out. Attendees again seemed most interested in simply understanding the proposal better. Questions were raised about construction timelines, how to mitigate potential business loss and residential inconvenience, community benefits and how the line works.

*Stony Point, NY (25 attendees)*  
*Jacob Farley Elementary School*  
*March 28, 2018 (rescheduled due to snow from March 7, 2018)*  
*6:30-8:30*

The final meeting for this phase of community outreach was scheduled to begin at 6:30 pm but TDI agreed to open the doors at 5:30 for any parents attending a parent/teacher event at the local high school. The final forum was, again, an excellent mix of curious local residents and business owners along with some environmental activists who expressed concerns about the need for the line, whether all environmental and habitat concerns would be addressed, questions related to permit modifications, and dissatisfaction with the possibility of hydro and/or TDI's parent company, Blackstone. Generally the public and public officials asked thoughtful and thorough questions, engaged with our engineers and attorneys and were largely interested in construction, timeline and the technology, itself. This rescheduled meeting was advertised on the local radio station (Hudson River Radio), flyers were posted in public buildings and hand delivered to residents and businesses along the route in Stony Point and TDI used municipal websites, school district websites and social media to further inform residents.

## Supplemental Outreach Methods

**CHAMPLAIN HUDSON POWER EXPRESS**

**YOU HAD QUESTIONS. WE HAVE THE ANSWERS.**

**Will the line travel through Waldron Cemetery or the Stony Point Battlefield?**  
NO.

**Will the line generate significant tax revenue?**  
YES.

**Will our schools see benefits?**  
DEFINITELY.

**Will construction impact waterfront development?**  
NO.

**Will local labor be used to construct the line?**  
YES.

**Do you plan to upgrade 9W?**  
YES.

**JOIN US FOR AN INFORMATIONAL MEETING.**  
The Champlain Hudson Power Express—a fully buried, minimally invasive clean energy transmission line—is hosting informational meetings for residents of northern Rockland County. Please join us as we unveil our improved underground route through the towns of Stony Point, Haverstraw, and Clarkstown and the villages of Haverstraw and West Haverstraw. This is your opportunity to hear directly from the project's developers, ask questions, and learn about the potential benefits for Rockland County, including upgrades to roads and recreation areas, and significant new tax revenue.

**March 5th**  
6:30 pm-8:30 pm at The Arc Rockland 25 Hemlock Dr., Congers, NY

**March 6th**  
6:30 pm-8:30 pm at The Haverstraw Center 50 West Broad Street, Haverstraw, NY (Spanish Translation Available)

**March 7th**  
6:30 pm-8:30 pm at James Farley Elementary 140 Rt. 210, Stony Point, NY

**Transmission Developers Inc.**  
A Blackstone Portfolio Company

- 
- TDI interfaced with many organizations during outreach and enlisted their email lists and social media accounts to spread information.
  - TDI used flyers extensively along proposed modified route to inform the public of the proposed route change, offer contact information for TDI representatives, inform the public of upcoming meetings and also let them know if any meeting schedules had changed.
  - TDI had paid advertising in the paper of record, The Journal News along with the Rockland County Times. (see appendix for ads) Paid advertising was used to announce the route change and to announce the public forums.
  - TDI used social media extensively to update residents.
  - TDI's route change, signing of the MOU and subsequent meetings were the focus of three front page stories in the Journal News along with accompanying videos on its website. All of these topics were also covered in the smaller but locally important Rockland County Times. There were also articles in Nyack News and Views, the Westchester Business Journal and the small newspaper Our Town.
  - TDI's website was updated regularly with both information and photographs of meetings. Any updates were posted along with news articles. The TDI Question and Answer page was updated to reflect questions specific to the Rockland County proposed modifications and added to as new questions were raised by the public.

## II. Meeting Schedule / Outreach Timeline

Date	Key Attendee(s)
July 27, 2017	The Hon. Michael Kohut / Mayor / Haverstraw
August 1, 2017	The Hon. Howard Phillips / Supervisor / Haverstraw
August 2, 2017	The Hon. James Monaghan / Supervisor / Stony Point
August 2, 2017	The Hon. Emily Dominguez / Deputy Mayor / Haverstraw
August 2, 2017	The Hon. Toney Earl / Chair / Rockland County Legislature
August 3, 2017	Jan Degenshein / Rockland County Business Association
August 3, 2017	Cliff Weathers / Riverkeeper
August 3, 2017	The Hon. Harriet Cornell / Rockland County Legislature / Environmental Committee
August 3, 2017	The Hon. Edwin Day / Rockland County Executive
August 4, 2017	The Hon. George Hoehmann / Supervisor / Clarkstown
August 7, 2017	Susan Spear / U.S. Senator Kirsten Gillibrand / Hudson Valley Rep
August 7, 2017	Al Samuels / Rockland County Business Association
August 7, 2017	Susan Filgueras / SPACE / Local Resident of Stony Point
August 8, 2017	Senator William Larkin / 29th State Senator District
August 8, 2017	Assemblyman Ken Zebrowski / 96th Assembly District
August 9, 2017	Assemblyman Ken Zebrowski / 96th Assembly District
August 9, 2017	Robin Rosenberg/ North Rockland Chamber of Commerce / Gamer Arts Center
August 9, 2017	Assemblyman James Skoufis / Assemblyman / 99th Assembly District
August 9, 2017	Peggy Kurz / Sierra Club
August 10, 2017	The Hon. George Hoehmann / Supervisor / Clarkstown
August 10, 2017	Chuck Maze / Rockland County YMCA, Steven Porath / Rockland County IDA
August 11, 2017	Senator David Carulicci / 38th Senate District
August 11, 2017	The Hon. Robert D'Amelio / Mayor / West Haverstraw
August 14, 2017	Lucy Redzeposki / Rockland Econ. Development / Tourism CM Pravda: North Rockland Econ. Development
August 15, 2017	Tom Ossa / North Rockland Chamber
August 15, 2017	The Hon. Robert D'Amelio / Mayor / West Haverstraw
August 15, 2017	Jared Rodriguez / North Rockland Chamber / Gamer Arts Board
August 17, 2017	Barry Brooks / Sons of the American Revolution / Stony Point
August 18, 2017	Paul Adler / Rand Commercial Paul Gallay / Riverkeeper
August 22, 2017	Susan Wilmink / Keep Rockland Beautiful, Marilyn Elie / Activists Indian Point
August 23, 2017	North Rockland Public officials team meeting
August 24, 2017	Doug Scheutz Arlene Miller / Rockland County Planning
August 29, 2017	Susan Spear / Senator Gillibrand, Carmine Marchiondo, Director / ARC Rockland
August 30, 2017	Ken Zebrowski / James Skoufis / Assemblymen
September 6, 2017	The Hon. Howard Phillips / Supervisor / Haverstraw
September 6, 2017	The Hon. Michael Kohut / Mayor / Haverstraw
September 6, 2017	The Hon. Ken Zebrowski / Assemblyman
September 8, 2017	Tom Ossa / North Rockland Chamber of Commerce
September 13, 2017	The Hon. Michael Kohut / Mayor / Haverstraw & the Hon. Emily Dominguez / Deputy Mayor / Haverstraw
September 15, 2017	Peggy Kurz / Sierra Club
September 18, 2017	Dylan Skrilloff / Rockland County Times
September 18, 2017	The Hon. Robert D'Amelio / Mayor / West Haverstraw
September 19, 2017	Stony Point Ambulance Corps
September 20, 2017	West Haverstraw Executive Session
September 21, 2017	Alex Guarinio / Chief of Staff / Haverstraw, NY
September 21, 2017	Johnnie Malloy / Nyack Hospital
September 25, 2017	Haverstraw Elected Officials / TDI Engineering Team
September 26, 2017	The Hon. Michael Kohut / Mayor / Haverstraw & the Hon. Robert D' Amelio / Mayor / West Haverstraw
October 2, 2017	Riverkeeper
October 3, 2017	North Rockland School Board
October 6, 2017	Joe Allen / Stony Point Resident / People to People representative
October 6, 2017	Congresswoman Nita Lowey / 17th Congressional district, NY
October 10, 2017	ARC of Rockland / YMCA of Rockland
October 10, 2017	The Hon. Lon Hofstein / Legislature / Rockland County
October 11, 2017	Michael D'Onofrio / Journal News
October 11, 2017	Joe Allen / Stony Point Resident / People to People representative
October 12, 2017	Rockland County Joint Chamber of Commerce

Date	Key Attendee(s)
October 13, 2017	Thomas Zugibe / Rockland District Attorney / Rockland
October 14, 2017	Dedication of Sheriffs Boat / North Rockland
October 14, 2017	Assemblyman Skoufis / Assemblyman Zebrowski of NYS
October 17, 2017	Joe Simoes / Clarkstown Planning Department
October 17, 2017	Tom Brizzolara / Kate Wysockowski / Orange and Rockland
October 18, 2017	The Hon. Michael Kohut / Mayor / Haverstraw & the Hon. Robert D' Amelio / Mayor / West Haverstraw
October 19, 2017	Kristine Koval / North Rockland Chamber / Events Chair
October 19, 2017	Assemblywoman Ellen Jaffee / 97th Assembly District, NY
October 20, 2017	Peggy Kurz / Sierra Club
October 24, 2017	SPACE (Stony Point Action Committee for the Environment)
October 24, 2017	Dina Njeiman / North Rockland Rotary and Haverstraw Place
October 24, 2017	The Hon. Emily Dominguez / Deputy Mayor / Haverstraw, NY
October 25, 2017	Ileana Eckert / North Rockland School Superintendent
October 26, 2017	James Hall / Palisades Interstate Park Commission / Executive Director
October 27, 2017	The Hon. Andy Stewart / Supervisor / Orangetown
November 1, 2017	Spoon River Real Estate / Staff meeting
November 1, 2017	Haverstraw Place Seniors
November 1, 2017	County Clerk Paul Piperato
November 2, 2017	Susan Spear / Senator Gillibrand
November 2, 2017	Haverstraw Democratic Committee Festival
November 3, 2017	Rockland Economic Development Council
November 3, 2017	The Hon. Michael Kohut / Mayor / Haverstraw
November 4, 2017	Garner Arts Board of Directors
November 6, 2017	David Stanton / Suez / President / North America
November 6, 2017	Susan Spear / Senator Gillibrand
November 7, 2017	Joseph Koval / North Rockland Chamber President
November 8, 2017	The Hon. Howard Phillips / Supervisor / Haverstraw
November 8, 2017	The Hon. Kenneth Zebrowski / Assemblyman
November 9, 2017	The Hon. James Monaghan / Stony Point
November 9, 2017	The Hon. Micheal Kohut / Mayor / Haverstraw & the Hon. Robert D' Amelio / West Haverstraw
November 13, 2017	County Executive Edwin Day / Rockland
November 14, 2017	Howard Hellman / Allbright Electric
November 14, 2017	Bill Madden / Suez Water
November 15, 2017	Jawonio Event
November 21, 2017	North Rockland Seniors
November 21, 2017	The Hon. Tom Basile / Councilman / Stony Point
December 1, 2017	North Rockland Chamber of Commerce / General Meeting
December 4, 2017	The Hon. George Hoehmann / Supervisor / Clarkstown
December 5, 2017	James Hall / Palisades Interstate Park Commission
December 6, 2017	Stony Point Seniors (Wednesday Group)
December 8, 2017	The Hon. James Monaghan / Supervisor / Stony Point
December 11, 2017	The Hon. James Monaghan / Supervisor / Stony Point & the Stony Point Seniors
December 12, 2017	Stony Point Seniors
December 13, 2017	The Hon. Michael Kohut / Mayor / Haverstraw & the Hon. George Hoehmann / Supervisor / Clarkstown
December 15, 2017	Rockland BOCES / Mentor Lounge
December 19, 2017	The Hon. Peter Bradley / Councilman / Clarkstown
January 1, 2018	The Hon. Michael Kohut / Mayor / Haverstraw & the Hon. Robert D' Amelio / Mayor / West Haverstraw
January 4, 2018	The Hon. Howard Phillips / Supvr. / Haverstraw & the Hon. George Hoehmann / Supvr. / Clarkstown
January 8, 2018	Assemblyman James Skoufis / District, NYS
January 9, 2018	Stony Point Board Meeting, Clarkstown Board Meeting
January 10, 2018	Rochel Goldblatt / Journal News
January 16, 2018	The Hon. George Hoehmann / Supervisor / Clarkstown
January 18, 2018	Rockland Business Association
January 22, 2018	Mountain Shadows Condominium / General Meeting
January 23, 2018	The Hon. Michael Kohut / Mayor / Haverstraw
January 23, 2018	Town Stony Point Board Meeting
January 24, 2018	North Rockland Chamber of Commerce at Lynch's restaurant of Stony Point
January 29, 2018	Thom Kleiner / Former Orangetown Supervisor / Westchester workforce housing
January 30, 2018	Dylan Skrilloff / Rockland County Times
January 30, 2018	Clarkstown Town Board Meeting

Date	Key Attendee(s)
February 1, 2018	West Haverstraw Seniors
February 1, 2018	St. Thomas Aquinas
February 1, 2018	Assemblywoman Ellen Jaffee
February 5, 2018	The Hon. Karl Javanese / Councilman / Stony Point
February 6, 2018	Daniel Ortega / Operating Engineers & the Hon. Robert D' Amelio / Mayor / West Haverstraw
February 8, 2018	James Lima / Planner
February 12, 2018	James Hall / Palisades Interstate Park Commission
February 12, 2018	Robin Rosenberg / North Rockland Chamber of Commerce
February 27, 2018	Rockland County Legislature / Environmental Committee
March 8, 2018	Congers Civic Association
March 12, 2018	The Hon. Edwin Day / County Executive of Rockland County
March 12, 2018	Dina Njeman Haverstraw Place
March 13, 2018	Helen Hayes Rehab Center Board Mtg.
March 14, 2018	Helen Hayes Rehab Center CEO / Dir. of Operations
March 20, 2018	North Rockland Lions Club
March 30, 2018	Wilson Elser / Senator Andrea Stewart Cousins

*\*\* Includes meetings through March 31, 2018 only. Additional meetings have occurred providing periodic updates to stakeholders subsequent to this date.*



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### III. Memorandum of Understanding

This Memorandum of Understanding (the "MOU") effective as of January 31, 2018 by and among Champlain Hudson Power Express, Inc. ("CHPEI"), the Town of Clarkstown, the Town of Haverstraw, the Village of Haverstraw, the Village of West Haverstraw, and the Town of Stony Point (the "Rockland Host Communities") in Rockland County, New York State (each a "Party", and collectively the "Parties")

#### WITNESSETH THAT

WHEREAS, CHPEI is developing the Champlain Hudson Power Express Project (the "Project"), a 1,000 MW underground and underwater high voltage, direct current ("HVDC") electric transmission facility extending from the United States' border with Canada to Queens, New York;

WHEREAS, CHPEI is in receipt of all federal and state siting approvals necessary in order to authorize the construction and operation of the Project, namely, a Presidential Permit issued by the U.S. Department of Energy, a permit issued by the U.S. Army Corps of Engineers, and a Certificate of Environmental Compatibility and Public Need issued by the New York State Public Service Commission (the "Article VII Certificate");

WHEREAS, the Project route within Rockland County, as approved by the Article VII Certificate, includes approximately 5.5 miles located on right-of-way property owned by CSX Transportation, Inc. (the "Rail ROW") and approximately 0.5 miles on U.S. Route 9W in the Town of Clarkstown (the "Original Rockland Routing");

WHEREAS, feedback from the local community with regard to the Original Rockland Routing has led CHPEI to develop an alternative routing (the "New Rockland Routing") that will increase the Project route mileage along U.S. Route 9W to a total of approximately 7.1 miles, with an additional 1.1 miles on other incidental parcels of property and Park Road in Stony Point as such alternative routing is shown in the attached Exhibit "A";

WHEREAS, the New Rockland Routing eliminates reliance on the Rail ROW, with a view towards decreasing environmental, historical, and community impacts and increasing constructability;

WHEREAS, the New Rockland Routing extends along U.S. Route 9W northwards from the Town of Clarkstown through the Villages of West Haverstraw and Haverstraw and the Town of Stony Point;

WHEREAS, making the New Rockland Routing part of the Project design will entail seeking and obtaining an amendment to the Article VII Certificate, and, potentially, amendments to the Project's federal siting approvals (the "Federal Permits?");

WHEREAS, CHPEI, the Rockland Host Communities, and engineers and consultants advising or employed by the Rockland Host Communities have reviewed the New Rockland Routing substantially in the form that CHPEI intends to submit to the New York State Public Service Commission (the "PSC") as part of its application for a modification of the Article VII Certificate (the "PSC Application") and, potentially, to the U.S. Department of Energy and the U.S. Army Corps of Engineers as part of applications for amendments to the Federal Permits;

WHEREAS, CHPEI anticipates applying to the Rockland County Industrial Development Agency (the "Rockland IDA") for the financial certainty afforded qualifying projects pursuant to Title 1 of Article 18-A of the New York State General Municipal Law, and, in particular, for a Payment In Lieu of Taxes Agreement, which will ensure that a mutually-agreed to and predictable stream of annual revenue is paid by CHPEI to the Rockland Host Communities and the relevant school districts (the "IDA Application");

WHEREAS, CHPEI believes that endorsement of the Project and the New Rockland Routing by the legislative bodies of the Rockland Host Communities is an essential prerequisite to filing the PSC Application, the IDA Application, and applications for amendments to the Federal Permits;

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WHEREAS, CHPEI intends to file the PSC Application in early 2018 and the IDA Application sometime thereafter with on-the-record support from the Rockland Host Communities as provided for herein;

WHEREAS, CHPEI acknowledges that the New Rockland Routing will entail installing the Project cables in local roads and in a state highway that serves as a primary transportation artery extending through a particularly dense and diverse urban and suburban landscape, and such installation will cause temporary disruptions and inconveniences to citizens and businesses;

WHEREAS, recognizing the distinct character of these disruptions and inconveniences, CHPEI has developed a program of community benefits, including \$9 million in streetscape improvements (the "streetscape Funding") and a Haverstraw Bay Community Benefit Fund in the amount of \$22 million to support capital projects within the Rockland Host Communities (the "Fund");

WHEREAS, specific details regarding the Fund, the Streetscape Funding, and the real property taxes (collectively, the "Benefits Package") to be paid by CHPEI to the Rockland Host Communities and the relevant school districts have been assembled and are set forth in a written proposal, which is attached hereto as Exhibit "B";

WHEREAS, CHPEI is prepared to publicly release the details of the Benefits Package and include it in the PSC Application, with a recommendation that it be incorporated into the terms and conditions of the revised Article VII Certificate;

WHEREAS, the Rockland Host Communities are prepared to publicly announce their support for the Project (including for the New Rockland Routing); and

WHEREAS, the legislative bodies of the Rockland Host Communities have approved the terms of this MOU and have authorized and directed their chief executive officers to subscribe on their behalfs to this MOU;

NOW, THEREFORE, in consideration of the foregoing, the terms stated below, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties agree as follows:

#### 1. PUBLIC ANNOUNCEMENT

As soon as possible following execution of this MOU, the Parties will agree upon a joint public statement regarding execution of the MOU. This statement will include expressions of support for the Project (including for the New Rockland Routing) from the Rockland Host Communities and will announce CHPEI's offer of the Benefits Package. The Parties believe that time is of the essence with respect to release of this statement, and they intend to begin work on the text as soon as practicable after this MOU has been signed by all of the Parties.

#### 2. FOLLOW-UP ACTIVITIES

The Parties will cooperate in good faith with respect to implementation of the Benefits Package and preparation and filing of the PSC Application and the IDA Application. Furthermore, in the event that CHPEI determines to file any applications for amendments to the Federal Permits in connection with the New Rockland Routing, the Rockland Host Communities will indicate their on-the-record support for any such applications in a timely manner.

#### 3. CONDITION PRECEDENT

The Parties understand and agree that implementation of the Benefits Package is contingent upon CHPEI undertaking the multi-year Project construction phase, after securing all necessary permits and approvals, including, without limitation, a revised Article VII Certificate approving the New Rockland Routing; obtaining full debt and equity funding for all of the costs of Project construction; and advancing to commercial operations on a timeline that substantially conforms to the anticipated development schedule, which currently calls for construction to commence by 2019. Furthermore, the Parties understand and agree that 50% of the Fund will be

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made available at the time of the completion of the Project's construction funding (the "First Fund Installment") and the remaining 50% will be made available at the time of initiation of Project commercial operations (the "Second Fund Installment"). The Streetscape Funding will be disbursed during the Project construction period pursuant to agreed-upon protocols, but in no event will any disbursement occur earlier than the date upon which the First Fund Installment is made available. For the purposes of this MOU, "completion of the Project's construction funding" will be deemed to have occurred as of the date upon which funds sufficient to satisfy all anticipated costs of Project construction have been made available to CHPEI through the securing of equity and debt investments in CHPEI for that purpose and "initiation of Project commercial operations" will be deemed to have occurred as of the date upon which testing and commissioning of the Project is completed, the New York Independent System Operator has been advised of the energizing of the Project, and the first transmission of supply pursuant to a commercial arrangement with a customer or customers has taken place.

#### 4. HANDLING OF AMOUNTS DEPOSITED IN AND EFFECT OF SUSPENSION OF PROJECT DEVELOPMENT ON THE FUND

The Rockland County Host Communities will have discretion regarding the disbursement of their allocable portions of the Fund and the Streetscape Funding, consistent with applicable law and the Benefits Package itself. Neither the First Fund Installment nor the Second Fund Installment shall be refundable. Similarly, disbursed Streetscape Funding shall not be refundable.

#### 5. CONSTRUCTION PERIOD PROTOCOLS

In the preparation and execution of its Project construction program in the Rockland Host Communities, CHPEI will take into account local conditions and appropriately mitigate disruptions and inconveniences to the greatest possible extent.

#### 6. CONSENT TO USE AND OCCUPANCY

To the extent that any of the Rockland Host Communities are the actual owners of any lands, rights-of-way, or other property interests upon which the New Rockland Routing is located, such municipal body hereby consents to the use and occupancy of such lands by CHPEI and the Project.

#### 7. FURTHER ASSURANCES

The Parties agree that they will, at any time and/or from time to time and upon request, do, execute, acknowledge and deliver, or will cause to be done, executed, acknowledged and delivered, all such further acts, instruments, documents, forms, certificates, and assurances as may reasonably be required for the accomplishment of the purposes of the Parties as set forth in this MOU.

#### GENERAL PROVISIONS

##### A. ASSIGNMENT

No Party may assign this MOU without the prior written consent of the other Party, which consent shall not unreasonably be withheld, delayed, or conditioned.

##### B. GOVERNING LAW AND FORUM

This MOU shall be governed by and construed in accordance with the laws of the State of New York, without regard to the conflict of laws principles thereof, and the Parties irrevocably consent to the exclusive jurisdiction of the courts of the State of New York.

##### D. AMENDMENTS

No change or modification of this MOU shall be valid unless it is in writing and signed by each and every Party hereto.

##### E. NO PARTNERSHIP OR AGENCY RELATIONSHIP

Notwithstanding any other provision contained herein, this MOU shall not constitute, create, or imply any partnership, joint venture, agency, or fiduciary relationship between the Parties.

**F. COSTS**

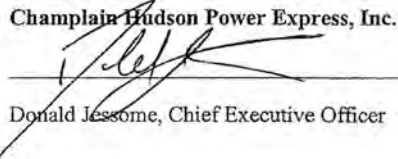
Each Party shall bear its own costs and expenses in connection with all matters relating to this MOU, including, without limitation, the costs and expenses of its legal and other advisors and internal costs and expenses.

**G. LIMITATION OF LIABILITY**

Under no circumstances shall aParty or any of their respective officers, directors, members, parhrers, shareholders, employees, agents, or affiliates be liable for: consequential, incidental, or indirect damages; lost profits or opportunities; increased cost of capital; loss of income, revenue, or use; or other business interruption costs, losses, or damages, regardless of whether the same: arise out of statute or operation of law; sound in tort, contract, or otherwise; or relate to or are the result of any,performance, mis-perfonnance, or non-perfonnance of any activity contemplated by this MOU.

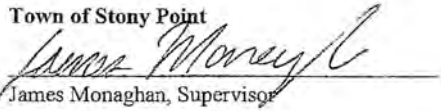
IN WITNESS WHEREOF, the Parties have executed this MOU by affixing the signatures of the undersigned duly authorized representatives as of the date appearing in the spaces indicated.

**Champlain Hudson Power Express, Inc.**

  
Donald Jessome, Chief Executive Officer

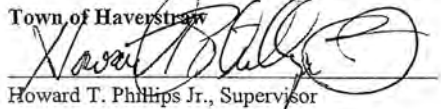
Date: 1/31/18

**Town of Stony Point**

  
James Monaghan, Supervisor

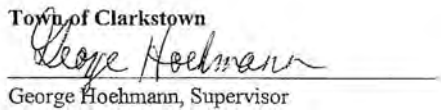
Date: 1/24/18

**Town of Haverstraw**

  
Howard T. Phillips Jr., Supervisor

Date: 1/24/18

**Town of Clarkstown**

  
George Hoehmann, Supervisor

Date: 1/29/18

**Village of Haverstraw**

  
Michael F. Kohut, Mayor

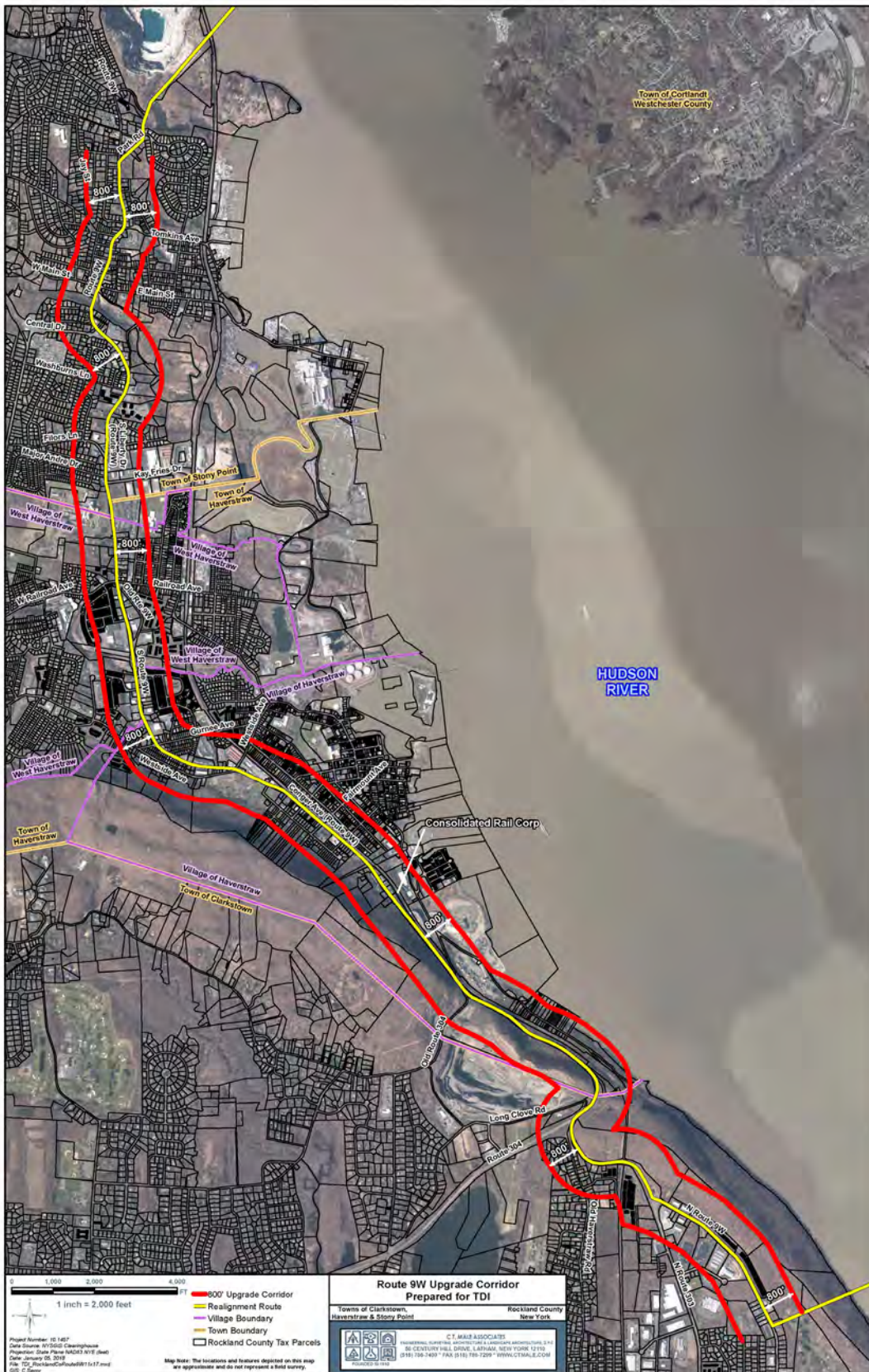
Date: January 2018

**Village of West Haverstraw**

  
Robert R. D'Amelio, Mayor

Date: January 2018

# MOU Exhibit A: New Rockland Routing Map



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## MOU Exhibit B: Rockland Host Communities Benefit Package

### INTRODUCTON

CHPEI is the developer of the Champlain Hudson Power Express, a 333-mile, 1,000 MW HVDC underwater and underground transmission line bringing clean, low-cost energy from the U.S.-Canada border to New York City.

This innovative buried Project will provide renewable hydro and wind power to the New York metropolitan area while providing significant environmental and economic benefits to all New Yorkers. The Project will include substantial tax payments, create thousands of new jobs, and drive down energy costs for all New Yorkers, while protecting ratepayers from cost overruns. This privately financed, new energy infrastructure will be operational for decades and provide a critical building block for New York's clean energy future.

In Rockland County, CHPEI proposes to exit the Hudson River in the town of Stony Point and continue along a newly proposed route at essentially the same exit point as the Article VII Certificate's permitted route. Once upland, the cables will be installed via horizontal directional drilling ("HDD") and trenching for approximately 3,400 feet under and along the southeastern portion of the Tilcon quarry and travel 1/3 of a mile down Park Road to U.S. Route 9W. Once on U.S. Route 9W, the Project route will continue south along the road through the Towns of Stony Point and Haverstraw, and through the Villages of Haverstraw and West Haverstraw until connecting with the PSC-approved route in the Town of Clarkstown.

The installation of the Project's cables will be similar to the installation of other municipal services (water, sewer or communication lines) in streets and roads, creating a localized inconvenience to the main thoroughfare through the county during construction.

As part of the Project's installation:

- CHPEI will strive to minimize the inconvenience to businesses and residents due to construction.
- CHPEI will leave the reconstructed U.S. Route 9W in better shape than it found it.
- Once installed and operational, CHPEI will pay annual property taxes without the need for municipal services support.

During the first 40 operating years of the Project, Rockland County Host Communities and schools should expect to receive approximately \$254 million of total benefits, including approximately \$223 million in real property taxes, \$9 million in streetscape improvements and \$22 million in disbursements from the Haverstraw Bay Community Benefit Fund as a direct result of the Project.

### Haverstraw Bay Community Benefit Fund

In recognition of the localized inconvenience to a main county thoroughfare during construction, CHPEI will establish a Haverstraw Bay Community Benefit Fund in the amount of \$22 million to support capital projects within the Rockland Host Communities (the Towns of Stony Point, Haverstraw and Clarkstown, and the

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Villages of Haverstraw and West Haverstraw). It is proposed that each municipality will share in the fund on a pro-rated basis related to miles along public rights of way, municipal property rights and other factors. See Table 1.1 for the anticipated allocation of the Fund by community.

The following outlines the general terms of the Haverstraw Bay Community Benefit Fund:

1. 50% of the Fund will be available at the Project's financial closing and the remaining 50% of the Fund will be available upon the commencement of commercial operation.
2. Monies from the Fund will be used to support new capital projects only.
3. Projects eligible for funding will be owned/operated by governmental bodies or non-profit organizations.
4. Each Rockland Host Community will establish protocols for identifying, reviewing, choosing and monitoring funded projects.
5. Payments made to the Rockland Host Communities are non-refundable.

### **Streetscape Improvements**

As part of the construction of the Project, CHPEI will provide an estimated \$9 million for road improvements and beautification projects (Streetscape Funding) along the Route 9W corridor comprising the Project route in the Town of Stony Point and the Villages of Haverstraw and West Haverstraw. Eligible streetscape improvements include, but are not limited to, new curbing, new sidewalks, new street lighting, benches and plantings. The intent of the Streetscape Funding is to mitigate impacts from the temporary construction of the CHPE to the residential neighborhoods and businesses districts along the Route 9W corridor. Following the transmission line construction, TDI will be responsible for curb to curb repaving and the repair of any construction related damage to curbs or sidewalks. In turn, Streetscape funds must be utilized to improve the 9W corridor for the affected users. From the \$9 million Streetscape Funding, CHPEI will allocate the fund as follows: \$2,914,286 to the Town of Stony Point, \$2,228,572 to the Village of West Haverstraw and \$3,857,142 to the Village of Haverstraw to be used for eligible streetscape improvements. See Table 1.1 for the direct allocation of the Streetscape Funding by community. Specific improvements will be determined by the Rockland Host Communities in consultation with businesses, residents and other stakeholders in the 9W corridor.

For the purposes of this agreement, the Route 9W corridor is defined as the Route 9W roadway, sidewalks and immediately adjacent properties, or on roadways or streets intersecting with Route 9W extending no further than 800 feet to the east or west of Route 9W's centerline. A map depicting the geographic area where Streetscape Funding shall be used is attached.

Implementation of eligible streetscape improvements will be done in coordination with CHPEI so as not to interfere with construction of the CHPE.

**Table 1.1 Fund and Streetscape Improvements for Municipalities**

<b>MUNICIPALITY</b>	<b>FUND</b>	<b>STREETSCAPE FUNDING</b>	<b>TOTAL</b>
TOWN OF STONY POINT	\$5,300,000	\$2,914,286	\$8,214,286
TOWN OF HAVERSTRAW	\$6,800,000	\$0	\$6,800,000
VILLAGE OF WEST HAVERSTRAW	\$2,500,000	\$2,228,572	\$4,728,572
VILLAGE OF HAVERSTRAW	\$3,500,000	\$3,857,142	\$7,357,142
TOWN OF CLARKSTOWN	<u>\$3,900,000</u>	<u>\$0</u>	<u>\$3,900,000</u>
<b>TOTALS</b>	<b>\$22,000,000</b>	<b>\$9,000,000</b>	<b>\$31,000,000</b>

**Estimated Taxes**

CHPEI’s engineers and financial team have determined the portion of the Project (in miles and in capital cost) located in each taxing authority. Along with our counsel, Barclay Damon, we have also gathered current tax rate information from each taxing authority. The total tax amounts discussed below are the product of a) the total capital cost of the project located in each taxing authority multiplied by b) the relevant tax rate.

Based on CHPEI’s initial analysis, the Project is expected to generate approximately \$4,110,000<sup>1</sup> of property tax revenue in Rockland Host Communities in the first year of operations.

CHPEI expects the total tax revenue to increase moderately year over year. For discussion purposes, we have assumed 1.5% growth per annum, which results in a total of approximately \$223 million over the first 40 years of operations.

**Table 1.2 Estimated Taxes**

<b>TAXING AUTHORITY</b>	<b>ESTIMATED TAXES YEAR 1 OPERATIONS<sup>1</sup></b>
ROCKLAND COUNTY	\$ 195,000
TOWN OF STONY POINT	\$ 250,000
TOWN OF HAVERSTRAW	\$ 615,000
VILLAGE OF WEST HAVERSTRAW	\$ 95,000
VILLAGE OF HAVERSTRAW	\$ 255,000
TOWN OF CLARKSTOWN	\$ 160,000
NORTH ROCKLAND CENTRAL SCHOOL	\$2,040,000
CLARKSTOWN CENTRAL SCHOOL	<u>\$ 500,000</u>
<b>TOTAL</b>	<b>\$4,110,000</b>

<sup>1</sup> Based on initial analysis of November 2017 and includes county, town, village and school estimated taxes.



# IV. Appendix

## Outreach Materials

CHAMPLAIN HUDSON POWER EXPRESS

# Health and Safety Facts

**The Champlain Hudson Power Express (CHPE) is a proposed High Voltage Direct Current (HVDC) underground and under-water electric transmission line that will bring 1,000 megawatts (MW) of clean, cost-competitive energy from the Canadian border to a converter station that is proposed to be built in Queens, New York. The project is designed to bring this power to the New York metro area and will be placed in waterways and buried along railroad and road rights-of-way to minimize impacts to local communities and the environment.**

HVDC technology has been used all over the world for more than 60 years and has proven to be safe and reliable. This fact sheet provides answers to some of the most common questions about this technology and why it is safe for people, animals, fish and aquatic life.

**What is High Voltage Direct Current (HVDC) technology?**

HVDC electric transmission is a safe and highly efficient technology used to transmit electricity over long distances. When developed as a buried cable system, HVDC operates more efficiently than traditional Alternating Current (AC) transmission. Direct current is an electric current that flows in one direction only, such as can be found in batteries. Alternating current flows in both directions. Advances in DC technology have recently made underground and underwater HVDC systems more common in the U.S. To connect to the New York electrical grid, DC power must be converted to AC power at a converter station.

**Is it safe to put HVDC cables in water or in public rights-of-way?**

Yes, it is absolutely safe and actually quite common. HVDC cables are buried or installed in water bodies all over the world, including in the San Francisco Bay, Long Island Sound, the Atlantic Ocean and along roads and parkways. The cables that would be used in the Champlain Hudson Power Express will be equipped with state-of-the-art fault detection equipment that can sense problems and shut the cable off instantly should the need arise. Moreover, the thermal impacts of the cable in the water and on land are insignificant to terrestrial or aquatic life.



**Transmission Developers Inc.**  
Blackstone | Fortitude Company

To set up a meeting, learn more or share your thoughts about CHPE, please contact Jennifer Laird-White at [Jennifer.White@transmission-developers.com](mailto:Jennifer.White@transmission-developers.com). Or, call her at (914) 282-3068.

CHAMPLAIN HUDSON POWER EXPRESS

## Health and Safety Facts

**Will the cables give off electromagnetic fields (EMFs)?**

Electric and magnetic fields are present everywhere in our environment. AC and DC electricity both produce electric and magnetic fields, but the electric and magnetic fields produced by DC lines are different than those produced by AC lines. DC produces static fields that do not vary over time as they do in AC. DC electric fields are created by the voltage of electrical equipment, and magnetic fields are created when electric current flows through a wire. The fields are strongest near their origin and decrease rapidly as you move away from the source.

There will be no external electric field associated with the Champlain Hudson Power Express. The submarine and terrestrial cables that will be used have a metallic sheath that will serve to block the electric field so that outside of the cables the field strength will effectively be zero.

The magnetic field around the cables will be similar to the earth's magnetic field. Burying the cables over land or under water will reduce the magnetic field strength at the earth's surface. In addition, by installing the cables close together, the counter-directional current of each cable will further reduce the field strength. The generated magnetic field at the ground surface is more than three orders of magnitude below the limit values defined by the ICHIRP (International Commission on Non-Ionizing Radiation Protection) for human exposure.\*

The Public Service Commission (PSC) approved the Champlain Hudson Power Express in 2013. In its approval, the PSC noted that "modern DC cables are designed with sheathing to substantially reduce or eliminate direct electric fields" and that the expected magnetic field levels of the facility will be "comparable to the expected magnetic field of a household appliance and considerably less than the earth's magnetic field."

**Will the cable harm fish?**

No, it will not. In addition to extremely low or non-existent electric, magnetic and thermal emissions, the cable will be buried, or submerged in deep areas of Lake Champlain and the Hudson River, further minimizing any effect on fish or aquatic life.

**What is the cable made of? Does it contain hazardous substances that could leak into the lake or soil?**

The cable is completely solid. There are no liquids, gels or oils that could leak. The cable is made up of a protective coating, metal armoring, a crosslinked polyethylene insulator (the same substance used in cutting boards found in your kitchen), and copper wire.



**Transmission Developers Inc.**  
Blackstone | Fortitude Company

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\*The ICHIRP Guidelines are formally recognized by the World Health Organization.

CHAMPLAIN HUDSON POWER EXPRESS

# Rockland County: We Heard You

**Project Benefits**

**Taxes:** \$180 million for Rockland County over 40 years. This includes about \$2.5 million a year for the North Rockland School District.

**Jobs During Construction:** 1,500 direct full-time jobs and 1,100 secondary jobs in New York.

**Lower Electricity Bills:** \$12.8 billion in lower costs statewide during the first 30 years of operation.

**Statewide Benefits:** \$28.4 billion in economic benefits and less greenhouse gas in the air.

**What is the Champlain Hudson Power Express (CHPE)?**

CHPE is a buried transmission line that will bring 1,000 megawatts (MW) of clean, renewable power to the New York metro area.

**Why is CHPE on land in Rockland County?**

CHPE's approved federal and state siting permits require the cables to exit the Hudson River near Stony Point and re-enter the river in Clarkstown to bypass the environmentally sensitive Haverstraw Bay Significant Coastal Fish and Wildlife Habitat.

**We Heard You**

North Rockland County communities and residents expressed concerns about the project's permitted route's potential impact on recreation fields, properties and Stony Point's historic battlefield and Revolutionary War Cemetery.

In response to this feedback, Transmission Developers Inc. (TDI), the project's developer, has proposed an alternate route that installs the buried cables under Park Road to Route 9W and then continues under 9W. The proposed route:

- Exits the river in the vicinity of the Tilcon quarry in Stony Point
- Travels underground to Route 9W
- Continues beneath Route 9W to Clarkstown
- Re-enters the Hudson River in Clarkstown


TDI has been meeting with local leaders, businesses, residents, environmental advocates and others to gather input to this proposal.

**Next Steps**

TDI is undertaking a broad public outreach program, which will include informational events, to ensure everyone's voice can be heard in regard to the proposed route change. TDI must also obtain approvals from state and federal regulatory agencies for this modified route. In order to advance the engineering design of this new route, TDI will conduct an underground utilities survey program along roadways this fall.

**For More Information**

To set up a meeting, learn more or share your thoughts about CHPE, please contact Jennifer Laird-White at [Jennifer.White@transmission-developers.com](mailto:Jennifer.White@transmission-developers.com) or call her at (914) 282-3068. Be sure to visit our website, <http://chpepress.com/rockland.php>, to learn more about the project and to view answers to frequently asked questions.



**Transmission Developers Inc.**  
Blackstone | Fortitude Company

To set up a meeting, learn more or share your thoughts about CHPE, please contact Jennifer Laird-White at [Jennifer.White@transmission-developers.com](mailto:Jennifer.White@transmission-developers.com). Or, call her at (914) 282-3068.

PROYECTO DE TRANSMISIÓN DE ENERGÍA ELÉCTRICA CHAMPLAIN-HUDSON

# Condado de Rockland: su opinión es importante

**Beneficios del proyecto**

**Impuestos:** \$180 millones para el condado de Rockland durante 40 años. Esto incluye alrededor de \$2.5 millones por año para el Distrito Escolar de North Rockland.

**Empleos durante la construcción:** 1,500 empleos directos de tiempo completo y 1,100 empleos secundarios en Nueva York.

**Cuentas de electricidad más bajas:** costos más bajos de \$12,800 millones en todo el estado durante los primeros 30 años de funcionamiento.

**Beneficios a nivel estatal:** beneficios económicos de \$28,400 millones y menos gases de efecto invernadero en el aire.

**¿Qué es el Proyecto de Transmisión de Energía Eléctrica Champlain-Hudson (CHPE)?**

El Proyecto de Transmisión de Energía Eléctrica Champlain-Hudson (CHPE) es un cable de transmisión bajo tierra que llevará 1,000 megavatios (MW) de energía limpia y renovable al área metropolitana de Nueva York.

**¿Por qué se hará el Proyecto CHPE sobre tierra en el condado de Rockland?**

Los permisos federales y estatales de emplazamiento aprobados del Proyecto CHPE requieren que los cables salgan del río Hudson cerca de Stony Point y vuelvan a ingresar al río en Clarkstown para evitar el importante hábitat costero de vida silvestre y acuática de la bahía Haverstraw, que constituye un área sensible desde el punto de vista ambiental.

**Su opinión es importante**

Las comunidades y los residentes del condado de North Rockland expresaron su preocupación por el posible impacto de la ruta permitida del proyecto en los campos de recreación, las propiedades y el campo de batalla histórico de Stony Point, y el Cementerio de Guerra Revolucionaria.

En respuesta a estos comentarios, Transmission Developers Inc. (TDI), el desarrollador del proyecto, ha propuesto una ruta alternativa por la que se instalan los cables bajo tierra debajo de Park Road hacia Route 9W y luego continúa debajo de Route 9W. La ruta propuesta tiene las siguientes características:

- Sale del río en las inmediaciones de la cantera Tilcon en Stony Point.
- Tiene un recorrido bajo tierra hacia Route 9W
- Continúa por debajo de Route 9W hacia Clarkstown
- Vuelve a ingresar al río Hudson en Clarkstown

Las reuniones que TDI ha mantenido con líderes locales, empresas, residentes, defensores del medio ambiente y otros tienen como propósito obtener una opinión sobre esta propuesta.

**Próximos pasos**

TDI está llevando a cabo un programa de difusión pública de gran alcance, que incluirá eventos informativos, para garantizar que se tengan en cuenta todas las perspectivas con respecto al cambio de ruta propuesta. TDI también debe obtener las aprobaciones de los organismos reguladores estatales y federales para la modificación de esta ruta. Con el fin de avanzar en el diseño de ingeniería de esta nueva ruta, TDI llevará a cabo un programa de reconocimiento de servicios públicos subterráneos a lo largo de las carreteras este otoño.

**Para más información**

Para programar una reunión, obtener más información o compartir sus opiniones sobre el Proyecto CHPE, comuníquese con Jennifer Laird-White por correo electrónico escribiendo a [Jennifer.White@transmission-developers.com](mailto:Jennifer.White@transmission-developers.com) o por teléfono llamando al (914) 282-3068. Visite nuestra página web, <http://chpepress.com/rockland.php>, para obtener más información sobre el proyecto y para consultar las respuestas a las preguntas frecuentes.



**Transmission Developers Inc.**  
Blackstone | Fortitude Company

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# Project Updates

**3/26/2018** - Last night, TDI held its final public informational meeting in Stony Point where Jen and the project's developers unveiled the transmission line's improved underground route through northern Rockland County and answered many of your questions.

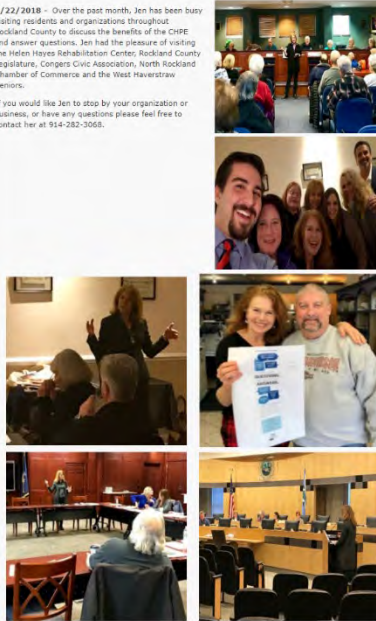
Thank you to all those who attended TDI's public meetings, asked questions, and took time to learn more about the Champlain Hudson Power Express.



TDI hosts its final public informational meeting in Stony Point.

**3/22/2018** - Over the past month, Jen has been busy visiting residents and organizations throughout Rockland County to discuss the benefits of the CHPE and answer questions. Jen had the pleasure of visiting the Helen Hayes Rehabilitation Center, Rockland County Legislature, Congers Civic Association, North Rockland Chamber of Commerce and the West Haverstraw Seniors.

If you would like Jen to stop by your organization or business, or have any questions please feel free to contact her at 914-282-3068.



**9/18/2018** - Jen had a great time updating Village of Haverstraw Mayor Kohut, Village of West Haverstraw Mayor D'Amelio, the wonderful Katie Welsh and Supervisor George Hoehman on the CHPE's progress.

We would also like to extend a huge thank you to Mary Minerick for inviting us to Rockland Community College's senior gathering! What a fantastic group and excellent questions.



Mayor Kohut, Jen, Mayor D'Amelio and Katie Welsh discuss CHPE progress.

Mary Minerick and Jen at the Rockland Community College's senior gathering



Jen and Supervisor George Hoehman

**11/2/2018** - Jen attended a celebration for the North Rockland Chamber of Commerce with Mayor Robert D'Amelio of West Haverstraw, Brian Hecht from Governor Cuomo's office and world-class high school runner and honoree Katelyn Tushy.



**3/27/2018** - Last week, Jen had a great meeting with the North Rockland Lions Club where she answered their questions about the CHPE and its benefits, and discussed the line's improved route.

Jen would be happy to meet with your organization or business! Please feel free to contact her at 914-282-3068.



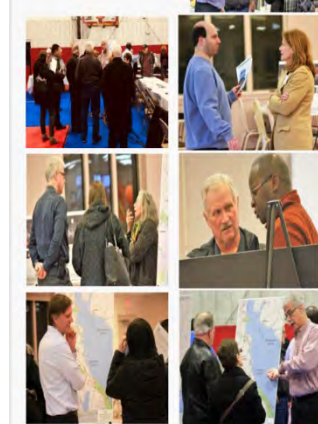
Jen meets with the North Rockland Lions Club at Lynch's Restaurant in Stony Point

**3/8/2018** - TDI, Inc. engineers Bob Harrison and Kunia Kafi visited engineering and science students at North Rockland High School to discuss the Champlain Hudson Power Express.



**3/21/2018** - TDI recently held informational meetings in Congers and Haverstraw where Jen and the project's developers unveiled the transmission line's improved underground route through northern Rockland County. Both meetings were excellent opportunities to share your thoughts about the project and answer many of your questions.

The Stony Point informational meeting was postponed due to inclement weather, but has been rescheduled for **Wednesday, March 28** at James Parley Elementary, 140 Rt. 120, Stony Point from 6:30-8:30 p.m.



Jen and TDI's developers meet with Rockland County residents at the Congers and Haverstraw public meetings.

**3/5/2018** - Last week, Jen attended a residents meeting at Walnut Hill to talk about the many benefits of the CHPE. Jen and Robert D'Amelio, Mayor of West Haverstraw, also discussed the memorandum of understanding that was recently signed which includes \$22 million for new capital projects and \$9 million for new road improvements along the Route 9W corridor.

Next week, TDI will be holding three informational meetings to answer your questions about the CHPE. Project developers will also unveil the transmission line's improved underground route through northern Rockland County:

- Monday, March 5: The Arc Rockland, 25 Hemlock Drive, Congers, 6:20-8:30 p.m.
- Tuesday, March 6: The Haverstraw Center, 50 W. Broad Street, Haverstraw, 6:30-8:30 p.m. (Spanish Translation Available)
- Wednesday, March 7: James Parley Elementary, 140 Rt. 120, Stony Point, 6:30-8:30 p.m.



Jen Laird-White and Robert D'Amelio, Mayor of West Haverstraw, meet with residents of Walnut Hill.

**2/1/2018** - Jen has had a very exciting and busy start to the New Year. Over the past month, Jen has been working with elected officials from towns of Stony Point, Haverstraw and Clarkstown, and the villages of West Haverstraw and Haverstraw to draft a memorandum of understanding (MOU) with Transmission Developers Inc. (TDI). The agreement recognizes the unique relationship between the five North Rockland County communities and the Champlain Hudson Power Express (CHPE). The MOU includes \$22 million for new capital projects, an estimated \$9 million for new road improvements along the Route 9W corridor.

Jen continues to meet with members of the Rockland County community to discuss the many benefits of the CHPE. Last week, she held a condo meeting in Clarkstown with Supervisor Hoehmann and Town Councilman Peter Bradley. If you're interested in meeting with Jen and learning more about the MOU, please contact her at (914)282-3068.



Signing the MOU with Mayor Kohut from the Village of Haverstraw and Mayor D'Amelio from the Village of West Haverstraw.



Supervisor James Hoehmann of Stony Point and Supervisor Howard Phillips of Haverstraw signing the MOU.



Condo meeting in Clarkstown with Supervisor Hoehmann and Town Councilman Peter Bradley.

## Project Updates (Cont'd.)

**11/20/2017** - Over the past week, Jen Laird White has met with numerous residents and businesses as this year's survey work nears its end. The survey team continues to make great progress and have finished up surveying Tilton.

Please don't hesitate to contact Jen if you have any questions or if you would like her to visit your organization or business. Feel free to contact her at (914) 282-3068.



Meeting with staff at the Rose Memorial Library in Stony Point.



Jen meeting with Phil Laquidara of Shell Ann Printing.



Jen meeting with Howard Hellman of All Bright Electric.

**11/27/2017** - Last week was a quiet one due to the Thanksgiving Holiday but Jen did have an excellent meeting with the North Rockland Meals on Wheels folks. Great questions. And we had answers. Make sure to check out our Q&A page to see the kinds of questions that your neighbors are asking.

This week, Jen will be spending time with some curious police officers and North Rockland Chamber members. She will also be celebrating at the Rockland YMCA's annual fundraising dinner. If you're interested in meeting with Jen, please give us a call (914)282-3068.



Jen meeting with the North Rockland Meals on Wheels.

**12/12/2017** - Jen had a wonderful meeting with the Stony Point Senior Citizens. They seemed to enjoy learning more about the Champlain Hudson Power Express.



**12/18/2017** - Last week, Jen met with a great group of Rockland BOCES students who had discovered the Champlain Hudson Power Express on their own and had done a project about it that they wanted to share. Great project and we see some future engineers here.



Jen and Haverstraw Mayor Mike Kohut talking about where to host public forums, and spending a little time with Santa



**11/06/2017** - Survey work is now halfway complete as the crew continues to collect data in Haverstraw. Over the past week, Director of Community Relations Jen Laird White, has been holding meetings with North Rockland County residents. As a result, new questions and answers have been added to the Rockland County Q&A section here.

This week, Jen also met with the Mayors of West Haverstraw and Haverstraw, Mayor Robert D'Amelio and Mayor Michael Kohut to ensure that the CHPE surveying project runs smoothly. They also discussed project details and community benefits.

If you would like Jen to stop by your organization or business, or have any questions, please feel free to contact her at (914) 282-3068.



Meeting with the Mayors of West Haverstraw and Haverstraw

**10/30/2017** - The pre-construction survey work which began on Monday, October 16th continues. The crew is keeping traffic moving while collecting necessary data and, other than a day of rain delay, the work is on schedule. The team has left Stony Point and moved into West Haverstraw. Check the calendar [here](#) for an updated schedule.

TDI Director of Community Relations Jen White spent last week meeting with North Rockland County residents, businesses and advocates. This included:

- Walking door to door to along Park Road and meeting with residents.
- Attending a productive and thorough meeting with representatives from the Stony Point Action Committee for the Environment (S.P.A.C.E.).

This week, Jen will stop by the Spoon River real estate office for a group meeting, visit seniors at Haverstraw Place and continue walking door-to-door in the business districts along 9W.

She is also getting ready to meet with the North Rockland Chamber, the Rotary and Lions clubs. Residents from North Rockland are offering to host informational gatherings in their homes. This is an excellent way to help make sure people are informed. If you would like her to visit you and your neighbors, please call Jen at (914) 282-3068.



Meeting with Spoon River real estate office



Meeting at Haverstraw Place

**11/13/2017** - Jen Laird White, our Director of Community Relations continues to have good meetings with residents and organizations. Let us know if you would like Jen to stop by your organization or your business.

People seem to really like the transmission line slice Jen carries in her bag.

It is interesting to imagine that a pair of these lines, which are small enough to fit in a ten-year-old's hand, can carry half of Indian Point's power or enough to power ten percent of NY City.



Jen Laird White held a constructive meeting with North Rockland residents Kristine D'Anthony Koval and Joseph Koval



Comprised of two five-inch buried transmission lines, the CHPE will deliver clean energy without the need for unsightly overhead lines.

**10/24/2017** - TDI and its contractor, Chazen Companies, have completed the first week of survey work along Route 9W. Weather conditions have been favorable and work has progressed on schedule. Over the next week, surveying will continue along 9W and move from the town of Stony Point to the town of Haverstraw and West Haverstraw.





### North Rockland mayors: We proudly said 'yes' to the Champlain Hudson Power Express

Robert D'Amelio and Michael Kohut Published 12:40 p.m. ET March 21, 2018



CONNECT TWITTER LINKEDIN COMMENT EMAIL PRINT

Re "CHPE would zap New York," March 13 Community View.

As the mayors of Haverstraw and West Haverstraw, two municipalities directly impacted by the Champlain Hudson Power Express, we'd like to talk about the benefits this completely buried clean energy project provides North Rockland communities and the number of jobs the project will create.

Having worked diligently on this issue we can definitely state the projects benefits clearly outweigh the cost of temporary construction along approximately 8 miles of roads in North Rockland communities.

#### Clear benefits

Some of these benefits are outlined in Memorandums of Understanding signed by the project's developer and the towns of Stony Point, Haverstraw and Clarkstown, and villages of West Haverstraw and Haverstraw.

#### FOOD & WATER WATCH: Cuomo's energy goals fall flat

#### NY ENERGY CZAR: Cuomo leads in clean power

These binding agreements specifically contain \$31 million to fund capital improvements in our communities, and include:

- \$22 million for new capital projects selected by the municipalities.
- Approximately \$9 million for new road improvements along the Route 9W corridor.

As we consider these very real benefits, it is important to note North Rockland has struggled for many years with a staggering tax debt, left over from mistakes of long-gone local politicians.

Today, our school district starts its budget year with an \$11 million deficit before one teacher is paid or one book is purchased. Unlike Pearl River, North Rockland has no full-day kindergarten, our taxes have remained stagnant for years and we struggle to get ahead with few new ratables and our inherited tax burden.



Village of Haverstraw Mayor Michael Kohut. (Photo: JOURNAL NEWS FILE PHOTO)

The good news is that beyond the benefits outlined in the Memorandums of Understanding, the Champlain Hudson Power Express will pay an estimated \$223 million to the various Rockland County taxing jurisdictions in taxes over the first 40 years of operation. This includes approximately \$2 million a year for our school district. Needed funds that will make life easier for our profoundly overburdened taxpayers

In our minds, the cost-benefit analysis is an easy one.



Route 9W and Gurnee Ave. in West Haverstraw photographed on Wednesday, January 31, 2018. This is the proposed route of Champlain Hudson Power Express power line. (Photo: John Moore/The Journal News)

While there is a cost to our communities in terms of temporary construction along 9W, the long-term benefits outweigh these temporary inconveniences. The project will increase our tax revenue for decades, upgrade our streets, fund important capital projects with only a short-term disruption due to construction.

#### Job creation

One cannot dismiss the number of jobs this project will generate; the Champlain Hudson Power Express will create "1,500 direct full-time jobs, 1,100 secondary jobs during construction and 800 additional long-term jobs."

In our opinion this is a lot of jobs — even if the bulk of the jobs are created during construction.

The project's developer has committed to using union labor and plans to hire locally whenever possible. And, the workers not from our immediate area will contribute to the Rockland economy by staying here, eating here, and shopping here.



Village of West Haverstraw Mayor Robert D'Amelio. (Photo: JOURNAL NEWS FILE PHOTO)

This fully permitted line has already been approved for passage through North Rockland. The discussion over the past few months has focused on the ways the line's route can be improved. After outcry from North Rockland residents, the company developing the Champlain Hudson Power Express listened to our residents' input and agreed to propose a new route that addresses these concerns. This proposed new route no longer passes through the Stony Point Battlefield or near the Waldron Cemetery. Instead of traveling through dense residential and recreation areas along the railroad tracks, the new route will be underground alongside all of our other utilities. Every elected official in the host communities looked at all of the facts, diligently advocated for their constituents and worked with the company developing the project. In the end we determined this project and its proposed new route does, indeed, benefit our communities.

And, that is why we proudly said "yes" to the Champlain Hudson Power Express.

Robert D'Amelio is mayor of the Village of West Haverstraw and Michael Kohut is mayor of the Village of Haverstraw.

CONNECT TWITTER LINKEDIN COMMENT EMAIL PRINT

# ROCKLAND COUNTY TIMES

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## TOWN AND VILLAGE OFFICIALS RELEASE STATEMENTS OF HIGH PRAISE FOR CHPE AGREEMENT

By [readers](#) on February 1, 2018 • 0 Comments



A memorandum of understanding sealed between local municipalities and Transmission Developers, Inc.

Last week, five Rockland localities signed off on a memorandum of understanding with Transmission Developers Inc. (TDI), developer of the Champlain Hudson Power Express (CHPE), a completely buried, high voltage direct current transmission line proposed to extend from the Canadian border to New York City.

As previously reported, the agreement includes \$22 million in funds for capital projects in the towns of Stony Point, Haverstraw and Clarkstown, and villages of West Haverstraw and Haverstraw and \$9 million for road improvements along the 9W corridor. An alternate route has been proposed for the transmission line, traveling primarily under Route 9W, for approximately 7.1 miles, and 1.1 miles under Park Road in Stony Point.

TDI says when the transmission line becomes operational the company will pay an estimated \$223 million to Rockland County in taxes over the first 40 years of the project.

On Wednesday officials who negotiated the deal and other community leaders released statements giving the agreement and TDI high praise.

"This is an incredible opportunity for us. This project will give us substantial much-needed long-term tax revenue," said Stony Point Supervisor James Monaghan. "Not only have we worked hard to establish a new route, but we have negotiated a substantial benefit package to offset disruption for our residents and businesses."

"Getting a tax rateable of this magnitude is a truly positive development. It just doesn't get much better than this," said West Haverstraw Mayor Robert D'Amelio. "This project will upgrade our streets, add no children to our school district and will not impact traffic once construction is complete. We are also thankful TDI acknowledges construction will temporarily impact our busy business corridor and is compensating us for that inconvenience. We will work hard to ensure construction goes smoothly."

"I am proud we were able to negotiate important revenue for our residents and businesses to offset any construction inconveniences. I am also grateful TDI was willing to listen to our concerns," said Haverstraw Supervisor Howard Phillips. "Our commitment, first and foremost, is to those we represent. The route change, coupled with these community benefits, transformed the CHPE into a project we fully support."

"TDI has proven itself to be a true community partner with its plans to build a substantial new tax rateable here in North Rockland County," remarked Village of Haverstraw Mayor Michael Kohut. "They listened to the community's concerns, made adjustments and have treated North Rockland fairly with this project benefits package which will allow us to make improvements to our community that will benefit each and every resident."

"Opportunities like this do not come along very often. This agreement will benefit our community for years to come," said Clarkstown Supervisor George Hoehmann. "We are grateful our five municipalities and TDI worked together for this mutually agreeable outcome."

"I have worked closely with all parties involved including the towns of Haverstraw and Stony Point to ensure that our local municipalities are compensated appropriately during this process. As this project progresses I will continue to fight for the people of North Rockland every step of the way," said New York State Senator William Larkin.

"The Champlain Hudson Power Express is coming to Rockland County. And, this time it's coming with community benefits to revitalize our business district. The benefits package announced today will help make the kinds of positive changes that we have wanted for years but have never really been able to afford," remarked president of the North Rockland Chamber of Commerce Joseph Koval.

"As a result of candid discussions with the host communities' elected leaders and stakeholders, TDI now proposes to adjust the route in North Rockland and install the cables mostly under Route 9W with a view towards decreasing environmental, historical and community impacts," said TDI Chief Executive Officer Don Jessome. "The agreement incorporates constructive and thoughtful input we received concerning the project's original route which was approved by state and federal agencies. It also compensates communities for temporary disruption along local roads and the state highway that serves as a primary transportation artery."

When public discussions opened in 2012 the project was met with resistance in Rockland County, especially Stony Point where the proposed route traversed Stony Point Battlefield and other sensitive areas.

Critics also lamented the apparent pre-selection of the project, financed by the Blackstone investment firm, favoring hydroelectric energy from Canada over New York industry. Patches of dissent remained in the wake of last week's announcement. Stony Point Councilman Tom Bastie was outspoken in his belief that Rockland could have made a better deal with TDI.

Construction on CHPE is slated to begin in 2019 and the project will be operational in 2022, TDI said.

Edited from TDI press release



FOR IMMEDIATE RELEASE  
January 31, 2018

CONTACT: John Lacey  
[lacey@mower.com](mailto:lacey@mower.com)  
(315) 413-4294

### TOWNS OF STONY POINT, HAVERSTRAW AND CLARKSTOWN, AND VILLAGES OF WEST HAVERSTRAW AND HAVERSTRAW SIGN PROJECT BENEFIT AGREEMENT WITH TRANSMISSION DEVELOPERS INC.

#### Agreement Recognizes Unique Relationship Between Five North Rockland County Communities and the Champlain Hudson Power Express

ROCKLAND COUNTY, N.Y. -- Elected officials from five North Rockland County communities have signed a memorandum of understanding with Transmission Developers Inc. (TDI). TDI is the developer of the Champlain Hudson Power Express (CHPE), a completely buried, high voltage direct current transmission line proposed to extend from the Canadian border to New York City. The agreement details alternate project routing through Rockland County and includes \$31 million to fund capital improvements in the host community towns of Stony Point, Haverstraw and Clarkstown, and villages of West Haverstraw and Haverstraw.

Based on input from community members and leaders, the alternate route travels primarily under Route 9W, for approximately 7.1 miles, and 1.1 miles under Park Road in Stony Point.

Recognizing the unique status of the communities impacted by this improved route, the memorandum of understanding includes \$22 million for new capital projects selected by the municipalities and an estimated \$9 million for new road improvements along the Route 9W corridor. Project benefit funds will flow to the agreement's signatories during construction. Once the project is operational, TDI will also pay an estimated \$223 million to Rockland County in taxes over the first 40 years of the project.

"As a result of candid discussions with the host communities' elected leaders and stakeholders, TDI now proposes to adjust the route in North Rockland and install the cables mostly under Route 9W with a view towards decreasing environmental, historical and community impacts," said TDI Chief Executive Officer Don Jessome. "The agreement incorporates constructive and thoughtful input we received concerning the project's original route which was approved by state and federal agencies. It also compensates communities for temporary disruption along local roads and the state highway that serves as a primary transportation artery."

"This is an incredible opportunity for us. This project will give us substantial much-needed long-term tax revenue," said Stony Point Supervisor James Monaghan. "Not only have we worked hard to establish a new route, but we have negotiated a substantial benefit package to offset disruption for our residents and businesses."

"Getting a tax rateable of this magnitude is a truly positive development. It just doesn't get much better than this," said West Haverstraw Mayor Robert D'Amelio. "This project will upgrade our streets, add no children to our school district and will not impact traffic once construction is complete. We are also thankful TDI acknowledges construction will temporarily impact our busy business corridor and is compensating us for that inconvenience. We will work hard to ensure construction goes smoothly."

"I am proud we were able to negotiate important revenue for our residents and businesses to offset any construction inconveniences. I am also grateful TDI was willing to listen to our concerns," said Haverstraw Supervisor Howard Phillips. "Our commitment, first and foremost, is to those we represent. The route change, coupled with these community benefits, transformed the CHPE into a project we fully support."

"TDI has proven itself to be a true community partner with its plans to build a substantial new tax rateable here in North Rockland County," remarked Village of Haverstraw Mayor Michael Kohut. "They listened to the community's concerns, made adjustments and have treated North Rockland fairly with this project benefits package which will allow us to make improvements to our community that will benefit each and every resident."

"Opportunities like this do not come along very often. This agreement will benefit our community for years to come," said Clarkstown Supervisor George Hoehmann. "We are grateful our five municipalities and TDI worked together for this mutually agreeable outcome."

"I have worked closely with all parties involved including the Towns of Haverstraw and Stony Point to ensure that our local municipalities are compensated appropriately during this process. As this project progresses I will continue to fight for the people of North Rockland every step of the way," said New York State Senator William Larkin.

"The Champlain Hudson Power Express is coming to Rockland County. And, this time it's coming with community benefits to revitalize our business district. The benefits package announced today will help make the kinds of positive changes that we have wanted for years but have never really been able to afford," remarked President of the North Rockland Chamber of Commerce Joseph Koval. "TDI heard our concerns, they modified the route to address those concerns and now, through the addition of a community benefit program, have added a tremendous opportunity to upgrade our very busy business corridor. I thank our elected officials for working for us. I thank TDI for taking our concerns seriously and for understanding that we must all work together to ensure construction does not hurt our businesses. I also thank TDI for providing both funds and long-term tax dollars that we all know are desperately needed. We look forward to working with TDI to ensure a positive outcome and to ensure open communication with our communities continues during planning and construction."

"As longtime business owners on 9W, we truly feel that the Champlain Hudson Power Express is a great project for our town and the North Rockland Community," said Real Estate Brokers Patsy and Fred Duncan. "We are excited at the idea of revitalizing the neighborhood that our office calls home. This investment will not only help our local businesses but by listening to our concerns and changing the route, the company is also helping preserve and honor our history. It's a win, win, win. A win for our communities, a win for TDI, Inc. and a real win for renewable energy. God Bless."

The project's permits require the route to come ashore in North Rockland to avoid sensitive sturgeon habitat. The Route 9W alternative will be submitted to state and federal permitting agencies for approval.

Construction is slated to begin in 2019 and the project will be operational in 2022.



## Transmission Developers Inc. has new route, outreach for hydropower line

by Ryan Ceffenbaugh March 9, 2019 9:09 a.m. [SHARE](#) [TWEET](#) [SHARE](#) [EMAIL](#) [PRINT](#)

Standing in front of a poster tracing the route of a proposed 333-mile long transmission line that would stretch from Canada to Queens, a representative of Transmission Developers Inc. assured two Rockland County residents that the line would not affect their property.

In the other corner of the Rockland ARC cafeteria in Congers, a TDI engineer explained the process by which the transmission line's high voltage cables would be placed along waterways or, as is the case for much of Rockland, buried underground.



TDI spokeswoman Jennifer Laird-White, a former mayor of Nyack, holds a cross-section of the actual cable. Photo by Ryan Ceffenbaugh

Transmission Developers Inc. was in town for the first of a series of community outreach events that cover changes to the route of its \$2.2 billion cross-border transmission line called the Champlain Hudson Power Express. The line would connect New York with about 1,000 megawatts of excess hydropower from the Canadian utility Hydro Quebec.

For TDI, the meetings represent just the latest step in a process that extends back a decade, when the plans for the line were first formulated. TDI is an affiliated company of Blackstone Group LP, one of the country's largest private equity firms.

The project has already received approvals from the New York Public Service Commission and a federal presidential permit required for cross-border transmission. But construction has been held up while certain parts of the line are reworked. Any changes have to be approved by state and federal agencies.

In Rockland County, TDI spokeswoman Jennifer Laird-White, a former mayor of Nyack, said the company decided to reroute to meet community concerns.

The majority of the Champlain Hudson line's two, 5-inch diameter cables will run underwater along Lake Champlain, the Hudson River and the East and Harlem rivers until reaching a substation in Queens. But the underwater route does divert onto land along the way. Those portions of the line, about 137 miles total, will be buried beneath existing rights of way.

One of the underground sections is in Rockland. In 2013, Transmission Developers Inc. agreed to route the transmission line over land starting in north Rockland to avoid Haverstraw Bay, a sensitive river habitat.

Under the first reroute, negotiated with environmental groups Riverkeeper and Scenic Hudson, the line emerged from the Hudson near Stony Point Park and then re-entered the river near Rockland Lake.

The agreement between TDI and the two environmental groups also had the company agree to provide \$117 million over 35 years for habitat restoration and other enhancement projects in the Hudson, East and Harlem rivers and Lake Champlain.

While the line may avoid sensitive areas of the Hudson, it went through a few areas that caught the attention of Rockland residents. A major source of community concern came from the line's proximity to Waldron Cemetery, a historic graveyard for Revolutionary War soldiers.

The transmission line's new path swings a little farther inland, following Route 9W for about 7 miles between the towns of Stony Point and Clarkstown before entering the river again near Rockland Lake.

The informational meeting on March 5 focused mostly on explaining the new route. Laird-White said the company wants to "inform the community as fully as possible about the particulars of the proposed new route" before applying to the Public Service Commission for modifications to its permit.

The route change comes with financial benefits for the municipalities involved. In January, the towns of Stony Point, Haverstraw and Clarkstown, along with the villages of West Haverstraw and Haverstraw, signed a memorandum of understanding with the company.

The agreement has each municipality sign off on the new route and provides the municipalities with \$31 million from TDI for capital improvements. Of that money, \$22 million will go to new capital projects and \$9 million to road improvements along the Route 9W corridor.

Stony Point Town Supervisor James Monaghan said in a statement following approval of the memorandum that the project "will give us substantial much-needed long-term tax revenue."

That revenue, as estimated by the company, is \$150 million through Rockland County over the project's first 30 years. TDI also projects the transmission line will create 800 long-term jobs over that same time frame and 2,600 construction jobs. TDI estimates the hydropower it brings south will save New York ratepayers \$355 million per year.

The line could serve as part of the solution for replacing the power lost by the closing of the Indian Point Energy Center. When the Buchanan nuclear plant shuts down, most likely by 2021, it will result in the loss of 2,000 megawatts, about a quarter of the electricity for New York City and Westchester County.

At 1,000 megawatts, the Champlain Hudson Express could make up for about half that gap. Gov. Andrew M. Cuomo seemed to refer to the project, though not by name, as a replacement to Indian Point when he announced the legal settlement that assured the plant's closing in 2017.

In a press release from his office announcing Indian Point's closing, it stated that "several generation resources are also fully permitted and readily available to come online by 2021 ... including clean, reliable hydropower able to replace up to 1,000 megawatts of power." TDI displays that quote prominently in a promotional fact sheet about the project.

At a New York Legislature special hearing in February 2017 on Indian Point's closing, former Public Service Commission Chair Audrey Zibelman was less direct. She said the line was only "supplemental to the activities we're already doing" to help replace Indian Point's power. She said the state's focus is on boosting renewables, energy efficiency and improving transmission capabilities.

A report backed by Riverkeeper and the Natural Resources Defense Council published in 2017 said Indian Point's power could be replaced by a combination of the Champlain Hudson line and boosting renewables and energy efficiency.

The Champlain Hudson line lists supporters in environmental groups such as Riverkeeper, Scenic Hudson and the New York League of Conservation Voters. But not all environmental groups favor the idea of major hydro imports, arguing the imported energy could undermine local renewable generation efforts. The Sierra Club and Alliance for Clean Energy New York have publicly expressed such concerns.

TDI's idea for importing power from Canada also has won it few friends among New York power producers. The industry group Independent Power Producers of New York opposed its approval during the state Public Service Commission review process. As did the New York Affordable Reliable Electricity Alliance, an energy advocacy group that includes consumers, producers and distributors of electricity.

After the project received state approval in 2013, New York AREA chairman Arthur J. Kremer said that it would "send billions of dollars to Canada for a product that we can make less expensively and more reliably in New York."

Transmission Developers Inc. says the line is a merchant product, meaning the company must fund its construction and find its own customers for the electricity without help from ratepayers.

The company hopes to start construction in 2019 and have the line transmitting energy by 2022.

# The Journal News

TUESDAY, FEBRUARY 6, 2018 | LOHUD.COM

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Route 9W bridge near Main St. in Stony Point photographed on Wednesday. This is the proposed route of Champlain Hudson Power Express power line.

JOHN MEORE/THE JOURNAL NEWS

## \$31M incentive boosts power line

### Champlain Hudson project to run under Route 9W

**Rochel Leah Goldblatt**  
Rockland/Westchester Journal News  
USA TODAY NETWORK

A handful of Rockland towns and villages signed an agreement that would place an electrical power line under a major roadway while giving the municipalities about \$31 million toward community and road improvements and generate another \$4 million annually in estimated school and municipal taxes.

Clarkstown signed the memorandum of understanding with Champlain Hud-

### Public sessions

|| March 5, 6, 7

|| Public information sessions so residents can learn about the project and benefit packages

|| Who: Elected officials and representatives from TDI and CHPE, including spokespeople, engineers and attorneys

|| Where: Locations to be announced in Clarkstown, Haverstraw and Stony Point. Haverstraw will include the town and villages and have a Spanish translator.

### By the numbers

#### Stony Point:

- || Community Fund: \$5.3 million
- || Streetscape Fund: \$2,914,286
- || Estimated annual tax: \$250,000

#### Haverstraw:

- || Community Fund: \$6.8 million
- || Streetscape Fund: \$0
- || Estimated annual tax: \$615,000

#### Village of Haverstraw:

- || Community Fund: \$3.5 million
- || Streetscape Fund: \$3,857,142
- || Estimated annual tax: \$255,000

#### Village of West Haverstraw:

- || Community Fund: \$2.5 million
- || Streetscape Fund: \$2,228,572
- || Estimated annual tax: \$95,000

#### Clarkstown:

- || Community Fund: \$3.9 million
- || Streetscape Fund: \$0
- || Estimated annual tax: \$160,000

#### School District Taxes

- || North Rockland School District: \$2,040,000
- || Clarkstown School District: \$500,000

**Rockland County annual tax:**  
\$195,000

Source: Champlain Hudson Power Express

See **POWER LINES**, Page 7A

Perocco out of college to work on one of former Gov. Mario Cuomo's political campaigns, he testified.

"He (Perocco) was the closest thing to a brother I ever had," Howe testified. "He asked for help and I did what I could to help her."

Prosecutors say Howe eventually

tary and testified Monday that he travelled with him to all 50 states. Four years ago Howe worked with Perocco on Andrew Cuomo's re-election campaign.

He detailed the crucial role both Cuomos played in Perocco's life as well. After Perocco's father died when he was younger, Howe testified, "Mario's was

cause of an \$800,000 mortgage he took out on a new home in South Salem.

In their opening statements, defense lawyers attacked Howe's credibility, suggesting he made up the bribery claims to help limit the punishment he faces for his own misconduct. He testified Monday that he faces up to 130

project was pinned to Perocco — who Howe expected to be a top figure in the anticipated Cuomo administration — during a fishing trip off Montauk that Kelly paid for.

## Power lines

Continued from Page 1A

son Power Express on Tuesday, after Stony Point, Haverstraw, the village of Haverstraw and the village of West Haverstraw signed earlier in the week.

The power line will leave the Hudson River in Stony Point, run under Route 9W and reenter the river in Clarkstown in order to preserve a fish spawning area in Haverstraw Bay.

"The company needs to know the municipalities will agree to cooperate," village of Haverstraw Mayor Michael Kohut said. "By outlining the terms of the deal and the project and getting the municipalities to sign off on that, it gives them assurances that they can move forward with the project."

A controversial route that already has federal and state licenses had the transmission line running along railroad tracks and going through a historical battlefield and cemetery in Stony Point. Transmission Developers Inc., the developer of the power line, agreed to look into alternate routes after substantial community outcry.

Transmission Developers, known as TDI, is financed by the Blackstone Group, a private equity firm.

Under the agreement, TDI agreed to a \$22 million unrestricted community benefit fund for new capital projects. The funds will be distributed in two equal parts throughout the phases of the project.

"Amounts for each municipality considered factors like the length our project travels through each town and village as well as the expressed needs and priorities of these communities," TDI spokeswoman Jen Laird White said.

TDI also agreed to an additional \$9 million for road improvements and beautification (streetscaping) along Route 9W.

Officials from West Haverstraw, Haverstraw village and Stony Point said they would work together to come up with a plan for streetscaping along Route 9W so it is uniform throughout the different municipalities.

Other benefits to the municipalities outlined in the agreement include an estimated \$223 million in taxes over the first 40 years of the project, repaving of Route 9W and assurances from TDI that it will mitigate disruptions to traffic and quality of life as much as possible during construction and use local union labor for the project.

### Traffic and Taxes

Elected officials from all five municipalities said their biggest concerns were the traffic impact to their communities during construction, but said the taxes they will receive would be a significant boon in the long run.

Clarkstown requested daytime construction, according to town Supervisor George Hoehmann, but the other four municipalities are looking for off-peak construction so it doesn't interfere with local businesses.

Stony Point Supervisor Jim Monaghan requested that TDI conduct a traffic study and utilities survey in order to determine the least disruptive times and ways to install the transmission line, especially because Route 9W, or Liberty Drive in Stony Point, is heavily commercial.

Haverstraw Supervisor Howard Phillips said an additional concern was that anyone doing construction or roadwork in the future would have to be cognizant of the electrical line running alongside



Barry Brooks, left, and Susan Filgueras talk about the placement of the Champlain Hudson Power Express transmission lines. JOHN MEORE/THE JOURNAL NEWS

the utility lines so they don't damage or disrupt it.

But the construction is a temporary issue, whereas the taxes generated by the line are a long-term benefit.

The project will generate about \$4 million in tax revenue in the first year, according to the agreement, with a total of \$223 million over the next 40 years, accounting for a moderate annual increase.

"Once this project is completed, we're going to be collecting taxes for the next 40 years and very little maintenance has to be done," Monaghan said.

The North Rockland school district alone is set to get about \$2 million from the deal. The district is still feeling the fallout from a \$275 million settlement with the Mirant Corp. A 2006 decision by a state judge ordered the district to pay \$11.5 million annually through 2037.

"The North Rockland community needs tax rateables," North Rockland Chamber of Commerce President Joe Koval said. "I feel that the funds that the towns, villages and school district will receive as part of this project is a step in a good direction."

### Brief history of the project

The power line is a 333-mile underground and underwater high voltage direct current electric transmission line stretching from the Canadian border to Queens that will deliver 1,000 megawatts of hydroelectric power, about half of what is generated by the Indian Point nuclear plant, which is set to close in 2021.

The original route for which the power line was designated and federally licensed in 2012 went along the CSX railroad line in Stony Point and through the historic Stony Point Battlefield and part of the Revolutionary War era Waldron Cemetery.

Residents along this route, especially from Stony Point, strongly opposed this route.

"My company decided there was so much upset, they heard the community and came up with an alternate route," said White, who is the former mayor of Nyack. "It's a much better project."

The new route has the relatively small copper power line buried several feet under Route 9W, near other municipal services like water, sewage and communications lines. It is expected to be in service by 2022.

The \$2.2 billion project is set to create more than 2,600 full-time and secondary jobs during construction and 800 additional long-term jobs throughout the first 30 years of operation, according to the CHPE website.

It will also deliver \$26.6 billion in economic benefits to the state, including about \$1.6 billion in tax revenue for local municipalities within the first 30

years of operation, according to the website.

White, who was formerly Nyack mayor, said she has met with hundreds of stakeholders and elected officials since TDI hired her last year, including residents, business owners, seniors, students, environmental leaders and individuals and groups that have expressed concern about the project.

Public information sessions will be held in the beginning of March in Clarkstown, Haverstraw and Stony Point. Locations are not known at this time.

### Transparency and leverage

Stony Point Deputy Mayor Tom Basile was the only board member to oppose the agreement.

"I fear that with this agreement, our municipalities now have little leverage to continue negotiations with CHPE to increase the aid package or even oppose any future changes to the route of the power line," Basile said in a statement. "I believed a host fee that would pay an annual benefit over and above taxes would have been a much better deal for our towns." He noted the substantial financial gain this project will bring to the companies involved.

Basile said he was pleased that the progress was being made to modify the route of the power line, something he has fought for, but he "continue(d) to be concerned that this project has been handled without full transparency throughout the process."

Stony Point Action Committee for the Environment (SPACE) board member Susan Filgueras, who works for an energy company that sells natural gas to industrial customers, has opposed the project since its inception, and said a lack of transparency has plagued the project from the very beginning.

"The entire project has been done almost behind a closed door," she said.

She said she supports the elected officials signing the agreement because they were "between a rock and a hard

place" but "they fought for their towns."

She said she also remains concerned about the lack of sustained economic growth for Rockland.

Monaghan said that ideally he would like to see a power plant built in the county, and would be pleased with local clean energy options, especially since the infrastructure is already in place.

Phillips also mentioned existing infrastructure: "We would definitely love to see energy produced here, especially since Haverstraw still has two very old power plants."

Several officials also said they would have preferred for the line to stay in the Hudson River, but because that was not an option they were willing to find the best alternative available.

### Fighting for community benefits

All of the elected officials who signed the agreement said they were pleased with the benefits they were able to negotiate, especially since TDI already had the permits and licenses to install the line on a less than ideal route but chose to work with the community instead.

"They could have forced it and they didn't," West Haverstraw Mayor Robert D'Amelio said.

Instead officials said TDI was very responsive to questions from themselves and the public.

"TDI has explained the process and the technology to the point that we realize there should be no other issues of environmental concerns or health concerns posed by this project," Kohut said.

Hoehmann said the original community benefits plan was smaller and he and the other officials held out for more financial incentives, assurances that would protect their communities and in-depth information about the project, including safety concerns.

Phillips said the community benefit fund would likely go toward parks and recreation in Haverstraw, including developing a recreation facility on 25 acres the town recently acquired from Helen Hayes Hospital.

Hoehmann said the money for capital projects has been earmarked to purchase the Rockland Country Day School in Congers.

D'Amelio said the money from the community benefit fund would be put towards bolstering village infrastructure.

In Stony Point, infrastructure is also high on the list, but enhancing the senior center is another priority, Monaghan said.

"There are so many projects here that need money that we haven't had the money to do," Monaghan said. "It's serious money that we have not seen for years. I think it's a considerable benefit to the Town of Stony Point."

Twitter: @ReporterRax

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THURSDAY, NOVEMBER 16—WEDNESDAY, NOVEMBER 22, 2017 **ROCKLAND COUNTY TIMES** www.rocklandtimes.com 11



**CHAMPLAIN HUDSON POWER EXPRESS**

**WE HEARD YOU**  
ROCKLAND COUNTY

raised questions about its permitted route between Stony Point and Clarkstown. These questions involved the line's potential impact on homes, recreation fields, and the historic battlefield and Revolutionary War Cemetery in Stony Point.

Well, we heard your questions, and want to show how we're putting your ideas into action. We are preparing an improved route that will travel underground for seven miles along 9W and result in many benefits to Rockland County, including roadway improvements and significant new local tax revenue.

**To learn more about the benefits of this innovative project, visit [chpexpress.com/rockland.php](http://chpexpress.com/rockland.php), or email [Jennifer.White@transmissiondevelopers.com](mailto:Jennifer.White@transmissiondevelopers.com)**



**Transmission Developers Inc.**  
A Blackstone Portfolio Company

**NOW SEE HOW WE PUT YOUR IDEAS INTO ACTION.**

Comprised of two five-inch buried transmission lines, the Champlain Hudson Power Express is poised to deliver clean energy without the need for unsightly overhead lines.

When we first introduced the project, residents of North Rockland County

**The Journal News**  
WEDNESDAY, FEBRUARY 23, 2018 # 1 CHUD.COM PART OF THE USA TODAY NETWORK

## Power line company sets up sessions

Rachel Leah Goldblatt  
Rockland/Essexpress Journal News  
USA TODAY NETWORK

The public will get an opportunity to learn more about a controversial power line that five municipalities recently agreed to in exchange for substantial community benefits.

Transmission Developers, the company developing the Champlain Hudson Power Express route, announced Monday the times and places for the informational sessions.

Listening to questions and interests raised by the Rockland County community has always been a priority for TDI, company spokeswoman Jen Leah White said in a statement. "We continue to listen to the community's input and look forward to facilitating informational meetings that will give residents the chance to be heard and to learn more about the improved route, itself a direct result of community input."

The underground route, which at first drew the public's ire for going through a historic battlefield and graveyard in Stony Point, was reconfigured to follow Route 9W in the town as it exits the Hudson River and then re-enters the river in Clarkstown.

The 333-mile power line will bring energy from Canada into the metropolitan New York City area and

See POWER LINE, Page 4A

### Power line

Continued from Page 1A.

provide about 1,000 megawatts of power, about half the energy supplied by the Indian Point nuclear plant, which is set to shut down in 2020.

The meetings will "unveil the fully buried, minimalist innovative clean energy transmission line's improved underground route," according to the company. "The informational meetings seek to engage Rockland County residents in an open conversation about the CHPE and its improved underground route. Attendees will have the opportunity to hear directly from the project's developers and are encouraged to ask questions."

The towns of Stony Point, Havertown and Clarkstown, as well as the villages of Havertown and West Havertown signed a memorandum of understanding

The agreement came with \$31 million of incentives for the towns and villages, to go toward capital projects and Route 9W improvements as well as an estimated \$4 million in tax abatements.

If you go:

Monday at the Arc of Rockland, 25 Hinchey Drive, Congers

Tuesday at the Havertown Center, 50 W. Broad St., Havertown

March 7 at Jasper Parkey Elementary School, 150 Route 29S, Stony Point

All sessions will run from 6:30 to 8:30 p.m.

The meeting in Havertown will have Spanish translation available.

More information can be found on the Champlain Hudson Power Express website or by calling 914-282-3069.

Twitter: @ReporterRac

## Attachment 15.3

### CHPE Letters of Support



**North Country**  
Chamber of Commerce

April 26, 2021

To Whom It May Concern:

The Power of Region

Home of:

Adirondack Coast

Visitors Bureau

North American Center

of Excellence for

Transportation

Equipment (NAMTrans)

North Country

Service Corporation

North Country

Industrial Council

Quebec - New York

Corridor Coalition

SCORE

Serving:

Clinton

Essex

Franklin

Warren

Hamilton

Akwesasne

Southern Quebec

The North Country Chamber of Commerce is the largest business and economic development organization in northern New York, linking more than 4,200 employers across five counties. Our key strategic commitment on behalf of the entire state is the maximization of the economic partnership between New York and Quebec. And of greater strategic importance than ever is the abundance of clean, renewable hydro power in Quebec available to help meet New York's need to transition to just such power.

For this reason, the North Country Chamber has been a strong and enthusiastic supporter of the Champlain Hudson Power Express project since its inception. A collaboration between Hydro-Quebec and Transmission Developers, CHPE is ready to supply hydro power to the New York City area through a creative and well-engineered approach that is highly sensitive environmentally. As an example of the impact of this project, it will on its own represent the replacement of half of the power generation of Indian Point, providing nearly 33% of the remaining renewable energy needed to meet the 70% CLCPA target.

If this pending project was to be considered alone, it would be an historic advance for our state's energy needs and future objectives. However, its importance is heightened further by its advance of the enormous potential for entirely new levels of energy collaboration between the growing energy needs of New York State and the remarkable clean energy assets and capacity of Quebec.

We encourage favorable consideration and adoption of the Champlain Hudson Power Express by all involved agencies and look forward to the start of construction and then the activation of this historic new clean power connection.

Onward and upward!

Sincerely,

Garry Douglas  
President and CEO

UNITED STATES CHAMBER OF COMMERCE

**ACCREDITED**

The Power of Region



Long Island Association, Inc.  
300 Broadhollow Road • Suite 110W  
Melville, NY 11747-4840

April 27, 2021

NYSERDA  
Large-Scale Renewables Team  
17 Columbia Circle  
Albany, NY 12203

Re: Champlain Hudson Power Express

To whom it may concern:

The Long Island Association (LIA) supports the selection of the Champlain Hudson Power Express (CHPE) project under NYSERDA's current Tier 4 RFP which would help New York State meet its target of 70% renewables by 2030 and spur new economic growth.

CHPE is a fully permitted and shovel-ready buried transmission infrastructure project that could create green construction jobs committed to union labor and serve as a new strategic interconnection that will support the integration and balancing of higher penetrations of offshore wind and solar power on Long Island. It could also deliver reliable baseload clean energy directly into the downstate region, replacing half of Indian Point's generation and providing nearly 33% of the remaining renewable energy needed to meet the 70% Climate Leadership and Community Protection Act target by 2030. Moreover, the project could also provide billions of dollars in wholesale power market savings over 25 years by displacing less efficient, more expensive and higher-emitting fossil-fuel generation.

If you wish to discuss this further, please do not hesitate to contact me at (631) 493-3002.

Sincerely,

A handwritten signature in black ink, appearing to read "Matt Cohen", is written over a light blue horizontal line.

Matt Cohen  
Vice President of Government Affairs  
Long Island Association

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---

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*Heather C. Briccetti, Esq.  
President & CEO*

April 28, 2021

**Submitted Via Email: [res@nyserda.ny.gov](mailto:res@nyserda.ny.gov)**

Ms. Doreen Harris  
President and CEO  
New York State Energy Research and Development Authority  
17 Columbia Circle Albany, NY 12203-5156

RE: Request for Proposals T4RFP21-1

Dear Doreen:

On behalf of The Business Council of New York State, Inc., (The Business Council) and our 2,300-plus members, and in support of our mission to create economic growth, good jobs and strong communities across New York, we would like to reiterate our support for the Champlain Hudson Power Express' (CHPE) participation in responses to NYSERDA's Request for Proposals T4RFP21-1.

The state is seeking to develop New York's Green Energy Transmission Superhighway and CHPE is the right solution at the right time. This transformational transmission line has the potential to supply up to 1,250 MW of clean power directly to New York City at a time when predictability and reliability are paramount.

Further, CHPE will help foster the development of offshore wind and solar resources and, with the potential addition of a new substation in the town of New Scotland, could provide an additional on-ramp for upstate renewable resources to deliver power into New York City. The construction of the New Scotland converter station will not only create jobs but will also send strong signals to the market that the requisite capacity will be available sufficient for new projects to be developed.

The Business Council has supported this project since the initial 2017 solicitation. Since then, especially when considering how the Climate Leadership and Community Protection Act (CLCPA) drastically changed New York's energy paradigm, the benefits of CHPE continue to become more pronounced. Under the CLCPA, speed to market is critical. CHPE is the only project that has cleared every significant permitting hurdle and is the most realistic pathway for clean power to be expeditiously delivered to New York City while at the same time helping to advance the State's climate goals.

As we have expressed before, CHPE brings significant opportunities to New York State:

**Substantial Job Creation**

CHPE is a \$3 billion infrastructure investment in New York State that will create at least 1,000 good paying construction jobs, and 1,100 secondary jobs. As New York attempts to restart its economy, these jobs will be created quickly, at a time when New York needs them the most.

**Economic Benefits For New York Businesses and Local Communities**

In addition to clean power, CHPE will create substantial economic benefits. From the beginning of construction through the first 30 years of operation, CHPE will deliver \$28.6 billion in economic

windfall to New York state including \$1.7 billion benefitting communities. From reduced wholesale electricity costs and lowered CO2 emissions to enhanced economic output, it is clear that the benefits associated with this project will not only benefit New York City and the region, but New York State for decades to come.

**Helping Meet Climate Change Goals**

The project will also help New York State meet its ambitious, nation-leading goals of deriving 70 percent of our energy generation from renewable sources by 2030, a fully decarbonized electric generation sector by 2040, and achieving net-zero emissions by 2050. These aggressive goals necessitate that projects be developed now, and CHPE is uniquely situated to help advance each of those directives. For example, if the energy produced by Indian Point were to be replaced by fossil fuel resources only, approximately 95 percent of downstate generation will be derived from sources contrary to the State's established climate goals. Fortunately, an alternative is available now: CHPE, and clean, renewable hydropower.

The Business Council is an advocate for job growth, economic development, and creating the kind of prosperity that benefits both business and local communities alike. We continue to support CHPE because we strongly believe this project will accomplish each of these important objectives.

Sincerely,



---

Heather C. Briccetti, Esq.  
President and CEO  
The Business Council of New York State

---

April 30, 2021

## New York State Energy Research and Development Authority:

The Queens Chamber of Commerce is dedicated to building a strong, prosperous and innovative Queens community. As the oldest and largest business association in Queens, our members include owners, employees and businesses of all sizes and sectors from throughout the borough.

I write to you expressing my support for the Champlain Hudson Power Express (CHPE) and its application for Tier 4 Renewable Energy Certificates through the NYS Energy Research and Development Authority. The CHPE is a buried transmission line project that will deliver enough renewable hydroelectricity from Quebec to power over 1,000,000 NYC homes, while reducing electricity costs and harmful emissions.

Buried and resilient, this transmission line will provide NYC with safer, more secure and reliable clean energy that is independent and less susceptible to local weather or other events effecting energy production. As an advocate for economic development in NYC, our organization is well aware of the costs and challenges of doing business in the city, especially to establish and construct energy production facilities. Because of this, we strongly support the concept of remote energy generation.

This project will not only improve local air quality, but also provide local clean energy construction jobs for organized labor members living in New York City and through the State. The CHPE will help New York City achieve the ambitious and important clean energy mandates as laid out in Local Law 97, along with the State's CLCPA legislation.

We are grateful that the State is actively pursuing solutions to NYC's emissions and pollutant issues and we think that CHPE would be an excellent addition to the NYC energy mix.

The Queens Chamber of Commerce supports the CHPE in its application for Tier 4 RECS, and I look forward to the transmission line delivering energy into NYC one day soon.

On behalf of the 1,300 members of the Queens Chamber of Commerce, representing over 125,000 Queens-based employees, we appreciate your consideration of this request.

Sincerely,

A handwritten signature in black ink that reads "Thomas J. Grech". The signature is written in a cursive style and is contained within a thin black rectangular border.

Thomas J. Grech  
President & Chief Executive Officer



May 3, 2021

NYSERDA  
Large-Scale Renewables Team  
17 Columbia Circle  
Albany, NY 12203

To whom it may concern:

It is critical to make strategic infrastructure investments to ensure for tomorrow's prosperity. This is necessary especially given the race we are in to quickly jumpstart our COVID-stricken economy and to meet New York State's ambitious targets of 70% renewables by 2030 and 100% carbon free power by 2040.

The Champlain Hudson Power Express (CHPE) project has truly unique value to New York State, and we strongly support the selection of this project under NYSERDA's current Tier 4 RFP.

This project is fully permitted and shovel ready and provides a buried HVDC transmission infrastructure with the following benefits:

- It will create an estimated 2,000 green jobs committed to union labor,
- It will deliver much needed reliable and dispatchable clean power directly into the downstate region replacing half of Indian Point's generation,
- It allows New York to exceed the 70% renewable target and for the State to reach the goal faster and ensure it is met in the case that there's unexpected delays or challenges with other programs,
- It provides billions of dollars in wholesale power market savings over 25 years by displacing less efficient, more expensive, and higher-emitting fossil-fuel generation,
- It will serve as a new strategic interconnection that will support the integration and balancing of higher penetrations of in-state renewables, such as offshore wind and solar.

We congratulate NYSERDA for its role in achieving New York State's ambitious goals to move to carbon free power and hope you will select this project.

Sincerely,



RBC/ah



Adirondack North Country Association  
67 Main Street, Suite 201  
Saranac Lake, NY 12983  
518.891.6200, [anca@adirondack.org](mailto:anca@adirondack.org)

*May 5<sup>th</sup> 2021*

NYSERDA  
Large-Scale Renewables Team  
17 Columbia Circle  
Albany, NY 12203

**Subject: T4RFP21-1**

To whom it may concern:

The Adirondack North Country Association (ANCA) is pleased to support the Champlain Hudson Power Express (CHPE) project submission to NYSERDA's T4RFP21-1 competitive solicitation. The CHPE project includes a sizable and long-running clean energy fund being developed in consultation with local stakeholders from communities along the proposed transmission line route. The anticipated benefits of the fund are in alignment with the provision of the CLCPA that requires the State to invest or direct resources in a manner designed to ensure that disadvantaged communities receive at least 35 percent, with the goal of 40 percent, of overall benefits of spending.

The clean energy fund is designed to provide benefit over the life of the contract by supporting workforce development and job training programs for New Yorkers located in environmental justice and disadvantaged communities in the State. Funds will be used to support skilled trades and clean energy industry jobs for households that have historically been disproportionately at risk from exposure to pollutants and other contaminants. The fund is designed to address elements related to public health, environmental hazards, and socioeconomic factors and to ensure a just transition and equitable access to opportunities.

Furthermore, funds will be used to support access to jobs training through ancillary services such as, childcare, transportation, GED training, and ESL programs. Additionally, funds will be made available to assist low- to moderate-income families transitioning to the clean energy economy by optimizing access to grant funding for building efficiency upgrades, clean heating and cooling, solar, electric vehicles and other technologies that reduce energy burdens while moving the State toward emissions reductions.

Sincerely,

Jerrod Bley  
Clean Energy Program Director  
67 Main Street, Suite 201  
Saranac Lake, NY 12983  
518.891.6200  
[jbley@adirondack.org](mailto:jbley@adirondack.org)



NYSERDA  
Large-Scale Renewables Team  
17 Columbia Circle  
Albany, NY 12203

May 6, 2021

To whom it may concern:

As the Director of the SPS Energy, Climate Justice and Sustainability Lab, I am writing in support of the Champlain Hudson Power Express (CHPE) submission to the NYSERDA Tier 4 RFP. This well-known, fully permitted and shovel-ready infrastructure project is a strategic investment in the clean energy and climate future of New York. In addition to its unique value to deliver unparalleled firming and flexible power directly into NYC to reduce fossil fuel powered electricity it also would be able to replace by 2025 half of Indian Point's carbon free reliable power. In the climate crisis every year counts and this project can deliver faster and with more reliable clean power than any other one currently on the drawing board.

In addition to its significant contribution to helping the State reach its clean energy targets of 70 X 30 and 100 X 40 under the nation leading Climate Leadership and Community Protection Act (CLPA) this buried bi-directional HVDC transmission line could provide system optimization services with the ability to flow offshore wind and other intermittent renewable energy produced in New York when local demand does not line up with production. Ostensibly instead of curtailing the local renewable power in New York it could be carried up to the Quebec market and Hydro-Quebec's vast reservoir system would act as a long-term battery. No other energy storage technology on the market can provide this level of service.

As we face the need to jumpstart our COVID stricken economy this infrastructure project would also provide significant economic benefits to New York by creating good paying union jobs, support job training programs in disadvantaged communities through a multi-million dollar green economy fund, increase local tax revenue, and allow for considerable wholesale power market savings over 25 years by displacing less efficient, more expensive, and higher-emitting fossil-fuel generation. In a recent independent study "Ready to Go" referenced in an April 27 White House Fact Sheet, the Champlain Hudson Power Express (CHPE) was one of 22 transmission line projects mentioned that are positioned to move from an advanced planning stage into construction, creating hundreds of thousands of jobs and potentially unlocking around 60,000 megawatts of new clean energy capacity in the U.S.

Sincerely,

*Carolyn Kissane*

Carolyn Kissane, PH.D.  
Clinical Professor and Academic Director  
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**CITIZENS  
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FOR THE ENVIRONMENT



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Empowering Communities, Advocating Solutions.

May 10, 2021

NYSERDA  
Large-Scale Renewables Team  
17 Columbia Circle  
Albany, NY 12203

Re: Letter of Support for Hydro-Quebec's proposal under the NYSERDA Tier 4 RFP

To Whom it May Concern,

Citizens Campaign for the Environment (CCE) is a 120,000 member, non-profit, non-partisan organization that empowers communities and advocates for solutions to protect public health and our environment in New York, Connecticut, and the nation. CCE strongly supports renewable energy mandates set forth in the Climate Leadership and Community Protection Act and works throughout New York to advance renewable energy projects and policies that will allow communities to transition away from fossil fuels. In addition to supporting in-state wind, solar, and energy storage projects, **CCE also supports transmitting Canadian hydropower to New York City via the Champlain Hudson Power Express.**

One major challenge for New York State in reaching our CLCPA goals is that there is a "tale of two grids". Upstate uses 88% zero-emission resources but only represents 1/3rd of the energy load, while downstate is 2/3rds of the load and 69% fossil fuels. NYC presents a unique challenge to achieving CLCPA goals and is almost entirely reliant on fossil fuels, with outdated local peaker plants polluting disadvantaged communities. Space limitations throughout the City limit any possibility of replacing fossil fuel plants with local, large-scale renewables such as those established in upstate NY and Long Island.

Offshore wind presents an amazing and substantive opportunity for NYC to transition away from fossil fuels, while providing local jobs and economic benefits to disadvantaged communities. Empire wind and Beacon wind alone will generate over 2,000 mw, or over 18% of NYC's power, and there will likely be several more offshore wind projects over the next ten years delivering power to NYC residents. **However, New York City cannot be entirely reliant on offshore wind, therefore, out-of-state hydropower will be a viable, reliable addition to NYC's renewable mix.**

After a ten-year review process, including input from local, state and federal stakeholders, the Champlain Hudson Power Express transmission line is ready to begin construction and will be able to transmit 1,000 – 1,250 mw of hydropower from Quebec to New York City by 2025. In keeping with guidelines of the CLCPA and NYSERDA White Paper, this project will use existing, excess energy from Canadian hydropower facilities to create net benefits for New York State. This project will be used to supplement all the great work being done by New York to advance offshore wind, solar, and energy storage, *not* supplant or curtail those in-state renewable energy sources.

The Champlain Hudson Power Express has undergone rigorous environmental review and should now be utilized to bolster New York's transition away from fossil fuels. Transmitting hydropower through the Champlain Hudson line could provide up to 20% of New York City's power thereby offsetting the need for fossil fuel plants and replacing power lost from closing Indian Point. Closing down NYC peaker plants is imperative to improving the health and safety of NYC residents, particularly those in frontline and environmental justice communities.

Transmission of additional renewable energy is needed to diversify the grid and fully transition to a carbon-free economy. This project would reduce carbon emissions equivalent to taking 28% of cars in NYC off the road while providing over 2,000 in-state jobs. To meet our CLCPA goals in the ambitious timelines set forth, we must utilize all available renewable technologies. **CCE supports Hydro-Quebec's proposal to transmit over 1,000 mw of hydropower to New York City.**

Sincerely,

A handwritten signature in cursive script, appearing to read "Adrienne Esposito".

Adrienne Esposito  
Executive Director



# International Brotherhood of Electrical Workers



**Michael D. Welsh**, International Vice President  
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New York

New Jersey

Pennsylvania

Delaware

May 11, 2021

NYSERDA  
17 Columbia Circle  
Albany, NY 12203

Dear NYSERDA Large Scale Renewable Team:

On behalf of the International Brotherhood of Electrical Workers (IBEW), we write in support of the proposal submitted by the Champlain Hudson Power Express to the RFP issued by the New York State Energy and Research Development Authority to build New York's Green Energy Transmission Superhighway. The CHPE, which is in possession of both its permits and widespread support throughout the State, is a project that can begin construction in 2021, getting the men and women of IBEW back to work before this year is out.

Nationally, the IBEW represents 775,000 active members and retirees who work in a wide range of fields, including utilities, construction, telecommunications, broadcasting, manufacturing, railroads, and government.

We have always led the way and have been supporters of this innovative clean energy CHPE project for years. It is clear New York needs energy infrastructure as the state transitions to a cleaner, greener economy and IBEW members stand ready to build that future. This project will supply New York City with enough renewable energy to power one million New York homes, accelerating the state's efforts to develop more wind and solar projects in New York while providing a steady, firm power source to back intermittent solar and wind projects.

The developers of the CHPE have long committed to using union labor to safely construct and install this 338-mile line that will connect up to 1,250 MW of clean power to New York City. In doing so, the project will create more than 1,400 good paying construction jobs, and 1,000 secondary jobs during its three-and-a-half-year construction period. This is work our members specialize in, and we are ready to perform the task at hand.

In addition to jobs, CHPE will deliver substantial economic benefits to the entire state. From the beginning of construction through the first 30 years of operation, CHPE will deliver \$28.6 billion in economic benefits to New York state -- including \$1.7 billion for communities along the route. These benefits come in the form of reduced wholesale electricity costs, lowered CO2 emissions, enhanced economic activity, and taxes paid to local governments.

The passage of the Climate and Community Protection Act in New York has codified into law some of the most aggressive carbon-reduction targets in the country and, if the state is to meet these goals, we need to act quickly. New York has committed to reducing greenhouse gas emissions by 40 percent by 2030, and 85 percent by 2050 -- while calling for renewable energy to make up 70 percent of the market share by 2030.

To meet these goals NYSERDA must select projects that are ready now, like the Champlain Hudson Power Express. This project, unlike other projects that will need to navigate the approval process, can start in a matter of months. 2030 will be here soon, there is no time left to waste.

The project will have substantial environmental benefits as well. Once in service, the carbon emissions reduction resulting from CHPE will be equivalent to removing approximately close to half of the cars from New York City streets and will reduce harmful emissions from five major groups of pollutants by 33 percent in its first year of service.

Reduced carbon emissions mean fewer harmful pollutants will be in the air in our neighborhoods and the large amount of power it will deliver will account for 20 percent of generation needed to meet New York state's 2030 renewable energy targets.

The men and women of the IBEW are proud to support CHPE. It is the right project for New York, and we are ready and eager to get to work.

Sincerely,

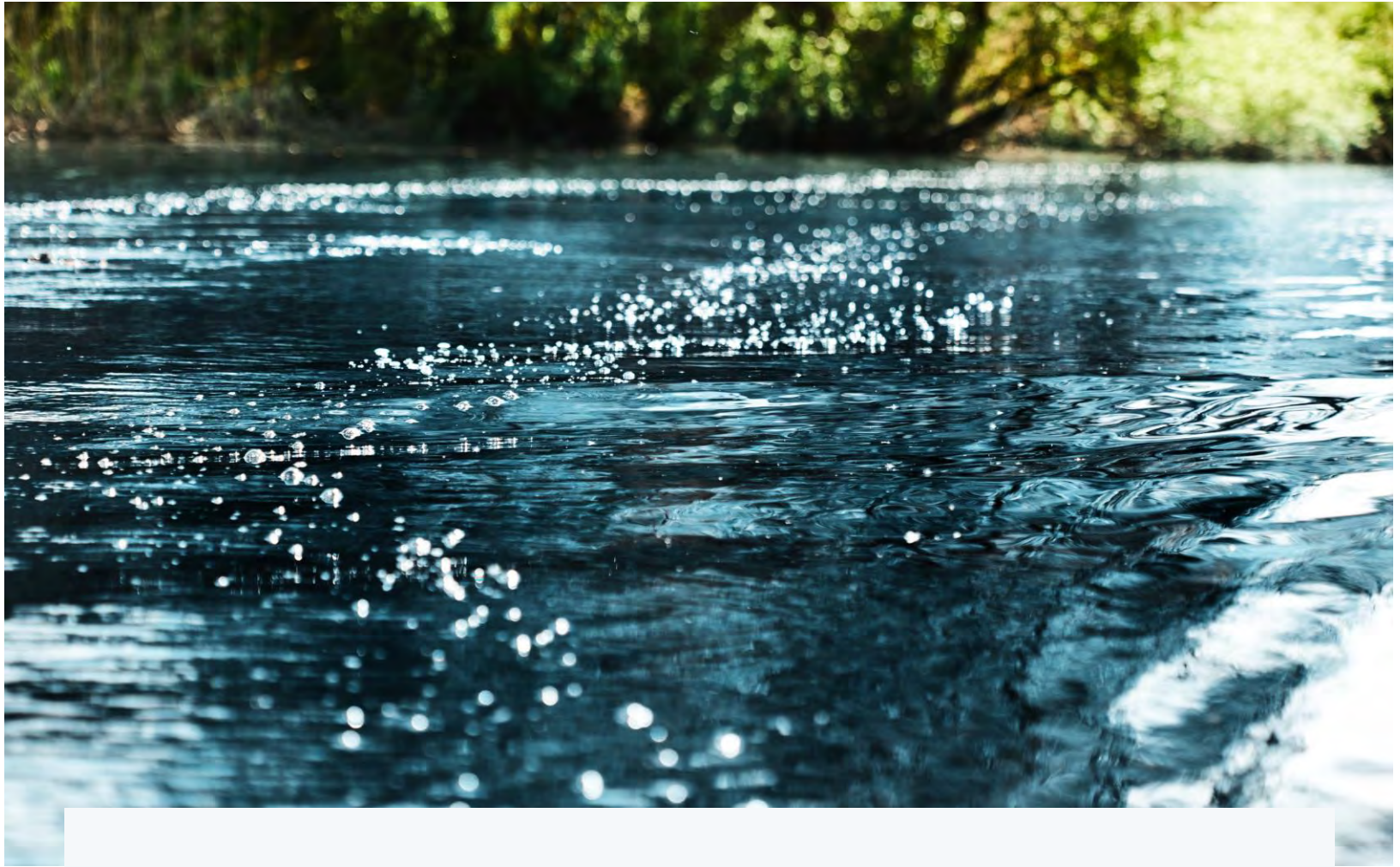


Michael D. Welsh  
International Vice President



## Attachment 16.1

### PA Consulting Economic Benefits Report



# CHAMPLAIN HUDSON POWER EXPRESS

ANALYSIS OF ECONOMIC, ENVIRONMENTAL,  
RESILENCY AND RELIABILITY BENEFITS TO THE  
STATE OF NEW YORK

May 10, 2021

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**Version: 1**

# Terms of Use

The methodology, analysis, and findings expressed in this report relate solely to the proposed Champlain Hudson Power Express project (“CHPE” or “Project”) and are current as of the date of the report. They were prepared by PA Consulting Group, Inc. (“PA”) at the request of Transmission Developers, Inc. (“TDI”). The use of this report for any other purpose or in any other context is prohibited, and PA is not responsible for any loss or damage to a third party from their use or reliance (direct or otherwise) on PA’s analysis and this report.

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# 1 EXECUTIVE SUMMARY

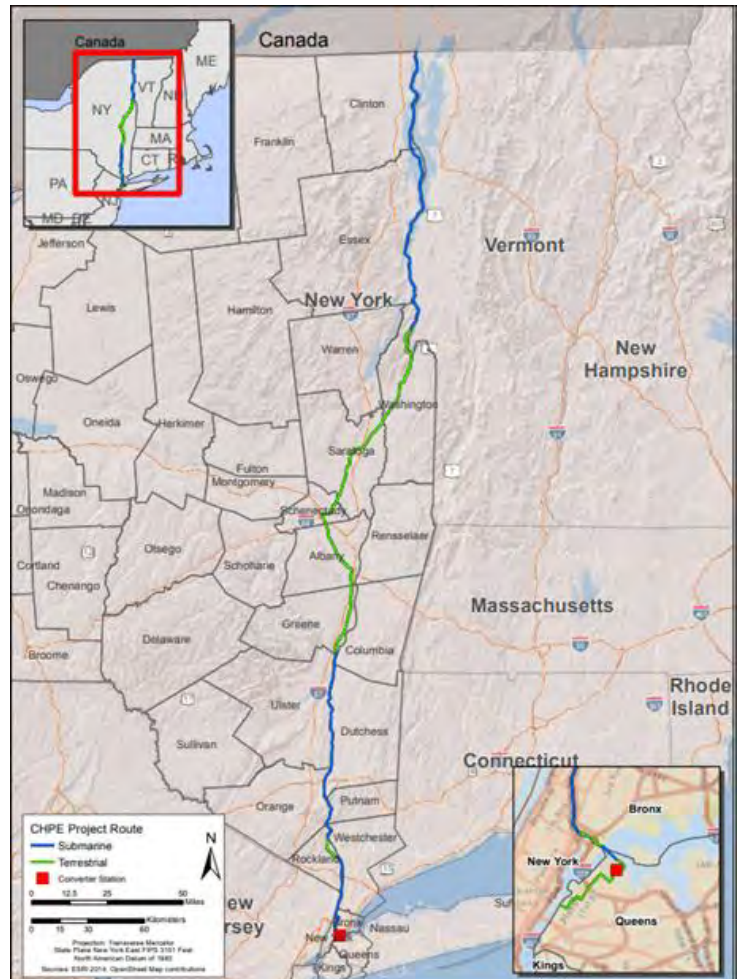
This report has been prepared by PA Consulting Group (“PA”) at the request of Transmission Developers, Inc. (“TDI”) to analyze the economic, environmental, resiliency and reliability benefits from the Champlain Hudson Power Express project (“CHPE” or the “Project”). CHPE is a proposed electric transmission line that will run from the Canadian border to Queens, New York, which is within Zone J of the New York Independent System Operator (“NYISO”) electricity system.

CHPE will run along underwater and underground routes with a planned commercial online date of December 2025 and an expected economic life of 60-80 years. See Figure 1 below for a map of CHPE’s proposed route. The transmission line will utilize high voltage direct current (“HVDC”) technology, capable of transmitting 1,250 megawatts (“MW”) of clean energy with an estimated capacity factor of 95% (equivalent to 10.4 TWh per year) and 1,250 MW of firm capacity sales.<sup>1</sup> The electricity shipped through CHPE will be sourced from a pool of 61 hydroelectric power plants located in Québec, with an installed capacity totaling over 36,500 MW, nearly three times greater than Zone J’s highest recorded electricity demand (approximately 11,500 MW).

Figure 1: CHPE Route

The underwater portions of CHPE, approximately 197 miles in length, will be submerged in Lake Champlain, the Hudson River, the East River, and the Harlem River. The overland (terrestrial) portions of the transmission line, approximately 142 miles in length, will be buried underground beneath existing rights-of-way. The Canadian portion of the transmission line will begin at the Hertel converter station in the Province of Québec, Canada, and transmit electricity as described above across the international border, through upstate New York and to Queens, New York, where CHPE will tie into TDI’s proposed CHPE Converter Station. The CHPE Converter Station will convert the electrical power from direct current (“DC”) to alternating current (“AC”) and then connect to the 345 kV Astoria Annex GIS Substation in Bronx County, New York that is owned by NYPA.

CHPE is construction-ready, having obtained a Certificate of Environmental Capability and Public Need from the New York State Public Service Commission (“NYPSC”), a Presidential Permit from the U.S. Department of Energy, and permits under Sections 10 and 404 of the Clean Water Act and Rivers and Harbors Act from the U.S. Army Corps of Engineers. CHPE currently holds NYISO Queue Positions 631 and 887 and is actively undergoing review by the NYISO. As a result of completing the Class Year processes in CY12, CY15, CY17 and CY19, PA understands that TDI is confident it has a robust interconnection point in Queens and that the associated upgrade costs are well understood. Once these upgrades are completed,



<sup>1</sup> Capacity factor for the CHPE HVDC transmission line is a measurement of the actual amount of electricity that is expected to flow over the line versus the potential amount of electricity that could flow over the line.



PA does not project congestion within Zone J to be significantly impacted due to CHPE's operations. On the contrary, PA expects that congestion across NYISO and into Zone J will be slightly reduced, assuming other conditions remain the same. In fact, as discussed in this report, CHPE is forecasted to increase the reliability of the New York electricity system by generating fast response and flexible clean energy delivered using proven HVDC technology that can safely and reliably meet the needs of the State of New York today and into the future.

With the passage of the Climate Leadership and Community Protection Act (CLCPA) in 2019, the state of New York formally recognized the ever-growing threat of climate change and committed the state to one of the most ambitious electric sector decarbonization targets in the U.S. By committing to a zero-carbon emission electric grid by 2040 New York has chosen a road seldom travelled, with none yet to reach the destination. And to reach its destination, New York will need every reliable clean energy megawatt hour that's available, and there are no more reliable, clean energy megawatts available to the state of New York than those provided by CHPE. (CHPE's 10.4 TWh of clean energy are sourced from a power supply pool of 176 TWh of annual generation.)

As outlined in this report, CHPE's 10.4 TWh of baseload, clean energy sourced from Québec hydroelectric power plants will help New York take a big step forward towards reaching its zero-carbon destination while simultaneously supporting the reliability and resiliency of the electric grid, providing economic and health benefits to New York's residents.

Notably, PA's analysis is not alone in its findings. There have been several reports recently that have either been directly authored or sponsored by NYISO, NYSERDA, and/or the New York Public Service Commission that all include ~1,000 MW of Québec-sourced hydroelectric generation interconnecting to New York City in their forecasts of New York's future power generation mix.<sup>2</sup> While the reports do not identify CHPE by name, CHPE is the only +1,000 MW HVDC transmission project between Québec and New York City that is active in the NYISO interconnection queue. This reinforces PA's analysis and its findings that CHPE is an integral part of New York's future power generation mix and uniquely positioned to make a difference in the fight against climate change and achieve the targets of the CLCPA.

The key findings of PA's analysis of CHPE are as follows:

#### **Economic Benefits:**

- CHPE is forecasted to decrease wholesale and capacity electricity costs for ratepayers across the State of New York by \$17.3 billion in the first 25 years of operation, with \$10.1 billion occurring in Zone J. This money will be available to spend in the New York economy, resulting in higher economic output for the state.
- CHPE will save low income households a total of \$2.5 billion over its first 25 years of operation, due to the lower wholesale electricity costs. This will reduce the electricity portion of the median energy burden by 2.5% for the 2.3 million New Yorkers living in Disadvantaged Communities.<sup>3</sup>
- CHPE will significantly reduce CO2 emissions attributable to the State of New York and New York City. Over the first 25 years of operations, CO2 emissions in New York will be reduced by 97 million metric tons and the total economic benefit of those CO2 reductions is estimated to be \$23.2 billion.<sup>4</sup>
- CHPE will create approximately 1,400 unique positions during construction.<sup>5</sup> CHPE will also support the creation of an average 40 direct, full-time jobs in the State of New York during the first 25 years of operations.

---

<sup>2</sup> For example, the Zero-Emissions Electric Grid in New York by 2040 report states 'NYC Tx is a 1,250 MW one-way line that connects Québec to NYC and it is assumed to transfer 10,000 GWh per year', and the 2019 CARIS report in its 70x30 scenario includes "an assumed generic incremental HVDC connection of 1,310 MW between Hydro-Québec and New York City is included in these cases and also counts as RE towards the 70% target".

<sup>3</sup> PA's calculation of the energy burden relief provided by CHPE excludes any potential costs associated with CHPE's Tier 4 RECs, since this cost was unknown at the time of PA's analysis.

<sup>4</sup> Based on the social cost of carbon value published by the New York Department of Environmental Conservation.

<sup>5</sup> Assumes CHPE's construction is from October 2021 through November 2025.

- CHPE will create \$1.6 billion in economic output in the State of New York from the line's construction, and an additional \$21.4 billion during its first 25 years of operations.
- CHPE will contribute \$1.4 billion in property taxes in the first 25 years of operation, funding towns and school districts across the State of New York.
- CHPE will generate \$49.5 billion in total economic benefits to the State of New York during its construction and first 25 years of operation.<sup>6</sup>

### Environmental & Health Benefits:

- CHPE's impact on CO2 emissions will contribute 6% to achieving the State of New York's economy-wide GHG reduction target by 2030.<sup>7</sup> CHPE will also contribute 28% to achieving New York City's GHG reduction target by 2030.<sup>8</sup>
- CHPE will decrease local air pollutants (NOx, SO2, NH3, PM2.5 and VOC) by an average of 775 tons per year in the State of New York, with nearly 400 tons occurring in New York City. These reductions are forecasted to result in an average of 4 lives saved annually and total health benefits valued at \$1.9 billion, primarily from avoided cases of heart attacks and premature deaths, over CHPE's first 25 years of operation.
- In its first full year of operation, 2026, CHPE is forecasted to decrease NOx emissions by 200 tons in Zone J, which is equivalent to the total NOx emissions from 15 of New York City's 16 peaker plants.<sup>9</sup> This will help improve the health and well-being of people living in Disadvantaged Communities, since most peaker plants in New York are located in or near Disadvantaged Communities.
- CHPE will decrease CO2 emissions attributed to the State of New York, specifically New York City, by an average of 3.9 million metric tons per year.<sup>10</sup> This is equivalent to removing 44% of the passenger vehicles from the streets of New York City<sup>11</sup>.

### Resiliency & Reliability Benefits:

- CHPE's 10.4 TWh of fully dispatchable, clean energy is sourced from a diversified pool of 61 hydroelectric power plants in Québec with a capacity of 36,500 MW and annual generation of 176 TWh.
- Québec's weather is distinct from New York's, and therefore CHPE's power supply is unlikely to be impacted by storm events affecting New York State. Moreover, since CHPE is comprised of 339 miles of buried cable, storm events are very unlikely to impact the line itself.
- PA estimates CHPE can help avoid offshore wind curtailment of 2.0 TWh to 5.4 TWh, with an associated value of \$224 million to \$588 million in 2040.
- Since CHPE will not be sourcing new renewable generation from upstate New York, like other competing Tier 4 projects, CHPE will not worsen the transmission congestion that already exists.

<sup>6</sup> Totals may not equal sum of individual values due to rounding.

<sup>7</sup> In Executive Order No. 24, Governor David Patterson established a statewide goal to reduce GHG emissions to 80% below 1990 levels by 2050. The full text of Executive Order No. 24 can be found here: <http://www.dec.ny.gov/energy/71394.html>. Additionally, the New York State Climate Action Council released an Interim Climate Action Plan in 2010 that established a mid-term benchmark goal to reduce GHG emissions to 40% below 1990 levels by 2030. The full text of the plan can be found here: [http://www.dec.ny.gov/docs/administration\\_pdf/irpart1.pdf](http://www.dec.ny.gov/docs/administration_pdf/irpart1.pdf)

<sup>8</sup> In addition to New York City's established goal to reduce GHG emissions to 80% below 2005 levels by 2050, Mayor Bill de Blasio established an interim goal to reduce GHG emissions to 40% below 2005 levels by 2030. Mayor de Blasio's announcement can be found here: <http://www1.nyc.gov/office-of-the-mayor/news/451-14/mayor-de-blasio-commits-80-percent-reduction-greenhouse-gas-emissions-2050-starting-with/#/0>

<sup>9</sup> NOx emissions are based on 2019 values.

<sup>10</sup> CO<sub>2</sub> emission reductions are calculated using a consumption-based standard (discussed in Section 3.1).

<sup>11</sup> Assumes 1.9 million standard vehicles in NYC per 2018 registrations (<https://dmv.ny.gov/statistic/2018reginforce-web.pdf>) and an average CO<sub>2</sub> emission of 4.6 metric tons/ year per the EPA (<https://www.epa.gov/greenvehicles/greenhouse-gas-emissions-typical-passenger-vehicle>)

The sum of the forecasted economic benefits from the 10.4 TWh per year of reliable, clean energy provided by CHPE are substantial, totaling \$49.5 billion during its construction and initial 25 years of operation, as illustrated in Table 1. This equates to average annual benefits of nearly \$1.7 billion per year.

These total forecasted benefits include the sum of the following unique benefits:

1. The direct economic output attributable to CHPE’s expenditures during its construction and operations;
2. The secondary economic output attributable CHPE’s expenditures during its construction, expenditures and property tax payments during operations, and wholesale electricity cost savings;
3. The property taxes that CHPE will pay to towns and school districts along the line’s route; and
4. The value of power sector CO2 emission reductions attributable to CHPE;
5. The value of health benefits from avoided premature deaths and heart attacks, due to power sector local air pollutant emission reductions from CHPE.

**Table 1: Benefits to the State of New York from CHPE (\$ millions)**

	Sum of Benefits (2021-2050)	Average Annual Benefits
<b>(1) Direct Economic Output</b>	<b>\$1,780</b>	<b>\$61</b>
<b>(2) Indirect/Induced Economic Output (inc. 2a)</b>	<b>\$21,231</b>	<b>\$732</b>
<b>(2a) Wholesale Electricity Cost Savings</b>	<b>\$17,311</b>	<b>\$597</b>
Energy Cost Savings	\$10,882	\$375
Capacity Cost Savings	\$6,429	\$222
<b>(3) Property Tax Payments</b>	<b>\$1,441</b>	<b>\$50</b>
<b>(4) Value of CO2 Emission Reductions</b>	<b>\$23,159</b>	<b>\$799</b>
<b><u>(5) Value of Local Air Pollutant Emission Reductions</u></b>	<b><u>\$1,925</u></b>	<b><u>\$66</u></b>
<b>Total Economic Benefits [Sum of (1) to (5)]</b>	<b>\$49,536</b>	<b>\$1,708</b>

## 2 ECONOMIC BENEFITS TO THE STATE OF NEW YORK

This section examines and quantifies the economic benefits (e.g., jobs created, compensation, increased economic output, and increased tax revenue) to the State of New York from CHPE's construction and operation. These economic benefits were calculated using IMPLAN, an Input-Output model, and categorized into (i) direct, and (ii) induced and indirect benefits.<sup>12</sup>

The key findings from this section of the report include the following:

### CHPE Will Reduce Wholesale Electricity Costs for New York Ratepayers

- CHPE is forecasted to decrease wholesale and capacity electricity costs for ratepayers across the State of New York by \$17.3 billion in the first 25 years of operation, with \$10.1 billion occurring in Zone J. This money will be available to spend in the New York economy, resulting in higher economic output for the state.

### CHPE Will Economically Benefit Disadvantaged Communities

- CHPE will save low income households a total of \$2.5 billion over its first 25 years of operation, due to the lower wholesale electricity costs. This will reduce the electricity portion of the median energy burden by 2.5% for the 2.3 million New Yorkers living in Disadvantaged Communities.<sup>13</sup>

### CHPE Will Create New Long-Term Jobs for New Yorkers

- CHPE will create an average of 485 direct full-time jobs during construction comprised of approximately 1,400 unique positions. CHPE will also support the creation of an average 40 direct, full-time jobs in the State of New York during the first 25 years of operations.

### CHPE Will Increase Economic Output

- CHPE will create \$1.6 billion in economic output in the State of New York from the line's construction, and an additional \$21.4 billion during its first 25 years of operations.

### CHPE Will Increase Local Tax Revenue

- CHPE will contribute \$1.4 billion in property taxes in the first 25 years of operation, funding towns and school districts across the State of New York.

## 2.1 Overview

CHPE is forecasted to provide economic benefits to New York ratepayers during both its construction and operating periods. These economic benefits are expected to be realized from three primary areas:

- **Construction of the Project** – equipment, materials, and labor employed, as well as taxes, permitting fees, and other activities paid for during construction.
- **Operation of the Project** – fixed and variable costs associated with the materials and labor needed for project operation following construction.
- **Wholesale electricity cost savings from CHPE** – CHPE's entry will result in lower wholesale energy and capacity prices, thereby resulting in wholesale electricity cost savings to New York ratepayers.

The model that PA used in its economic impacts analysis is called IMPLAN – Impact Analysis for Planning. IMPLAN has been in use for more than 30 years and was originally commercialized by the Agricultural Department at the University of Minnesota. IMPLAN is used to assess economic impacts related to a wide variety of capital projects by federal and state agencies and private industry, including the U.S. Department of Agriculture, U.S. Department of Interior, U.S. Army Corps of Engineers, and U.S. Coast Guard. In

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<sup>12</sup> As described in more detail in Appendix B, indirect benefits reflect supply chain impacts from CHPE's direct expenditures, whereas induced benefits reflect increased household income due to direct and indirect impacts.

<sup>13</sup> PA's calculation of the energy burden relief provided by CHPE excludes any potential costs associated with CHPE's Tier 4 RECs, since this cost was unknown at the time of PA's analysis.

addition to being used to assess the economic impacts of transmission lines and power plants, IMPLAN has also been used to assess impacts from baseball stadiums, forestry, factories, and other projects.

IMPLAN is an Input-Output model, explained in greater detail in Appendix B, which analyzes relationships among industries and how spending in industry A impacts industries B, C, D, etc. By analyzing and quantifying these inter-relationships and impacts, IMPLAN produces a forecast of economic benefits (both direct and indirect and induced) for regional economies for (i) jobs created; (ii) compensation; (iii) economic output growth, and (iv) local tax revenue.

### 2.1.1 Methodology

PA calculated the economic impacts to New York ratepayers resulting from (1) CHPE’s direct expenditures in New York (e.g., design, engineering, environmental services, and construction projected to be provided by firms in New York), (2) CHPE’s property taxes paid in New York and (3) lower wholesale costs from CHPE’s operations. CHPE’s direct and indirect expenditures in New York and outside New York, respectively, were calculated based on inputs provided by TDI related to the development, construction, and operation of CHPE.

PA’s analysis found that wholesale electricity prices would decrease as a result of CHPE’s operations, and that these decreases would lead to lower wholesale electricity costs for New York ratepayers. As a result, the energy burden on ratepayers is reduced so they would have more disposable income to spend in the economy, since they would be spending less of their household income on electricity. This results in higher economic output for New York’s economy and directly benefits members of disadvantaged communities by reducing their utility costs, resulting in a lower energy burden for them.

## 2.2 Findings

CHPE is forecasted to provide significant economic benefits to New York ratepayers. These benefits will come in the form of (a) job creation during construction and operation, which will result in more compensation, (b) increased disposable income stemming from reductions in electricity costs and compensation increases – creating (c) economic stimulus and more economic output within the state. In addition, CHPE’s property tax payments will lead to (d) increased local tax revenue throughout the state. The jobs and compensation are expected to be stimulated by CHPE’s expenditures within the State of New York during construction and operations years and the wholesale electricity cost savings to New York ratepayers from CHPE’s operations.

The cumulative benefits that CHPE is forecasted to provide to New York ratepayers during its construction period (through the end of 2025) and first 25 years of commercial operation (through the end of 2050) are summarized in Table 2.

**Table 2: CHPE Cumulative Economic Benefits in New York State**

Benefit	Construction Period (2021-2025)	Operation Period (2026-2050)
<b>New Direct Jobs (Annual Avg.)</b>	485	40
<b>New Secondary Jobs (Annual Avg.)</b>	3,186	3,219
<b>Increased Compensation</b>	\$0.6 billion	\$7.3 billion
<b>More Economic Output</b>	\$1.6 billion	\$21.4 billion

### 2.2.1 CHPE Will Reduce Wholesale Electricity Costs for New York Ratepayers

An additional benefit of the 10.4 TWh per year that CHPE is forecasted to deliver to the New York electric grid is that CHPE is forecasted to decrease wholesale electricity costs for residential, commercial, and industrial users of electricity. Wholesale electricity costs are primarily comprised of costs for energy and capacity. Energy costs are the payments made to power plants for the actual electricity they produce when

they are needed, which is effectively a variable production charge. Capacity costs are the payments made to power plants to ensure they are available to operate when needed, which is effectively a reservation charge paid to power plants. CHPE is forecasted to reduce both categories of costs for New York ratepayers.

In NYISO, power is sourced from lowest cost producer first, adding generated power from producers in order of increasing price until total system demand is met. The energy price paid to all power producers is equal and set by the production cost of the most expensive source so removing the highest priced source will reduce the energy price for all power producers. Since CHPE will source its electricity from Québec's pool of hydroelectric power plants, CHPE's production costs will be lower than almost all the existing power plants in the State of New York and Zone J. By providing low cost electricity, CHPE will operate ahead of (i.e., displace) the more expensive power plants that New York ratepayers would have otherwise relied on for their electricity needs. As a result, CHPE will decrease the wholesale electricity market's use of expensive natural gas and fuel oil-fired power plants, thus reducing energy prices and the energy component of wholesale electricity costs.

Similar to energy costs, CHPE is forecasted to lower capacity costs by increasing the amount of low-cost capacity available to New York ratepayers. More specifically, capacity costs in New York are calculated based on the ICAP auction, which purchases capacity on behalf of electricity users to meet the New York system's peak electricity demand. All else equal, the more low-cost capacity that is available in the auction, the lower the total cost of purchasing capacity. This is because low cost capacity will be purchased before higher cost capacity. As a result, New York ratepayers will pay less for capacity and realize the associated cost savings.

Overall, based on CHPE's forecasted impacts to New York's energy and capacity markets, PA's analysis forecasts CHPE to lower wholesale electricity costs (made up of energy and capacity) by \$17.3 billion in the State of New York over the first 25 years of operation, with \$10.1 billion of those savings accruing in Zone J. These cost savings are reflected in the economic benefits outlined in Section 2.2.3 and 2.2.4.

## **2.2.2 CHPE Will Economically Benefit Disadvantaged Communities**

As described in Section 2.2.1, construction of CHPE will lead to a reduction in wholesale electricity prices and both energy and capacity costs across multiple zones in NYISO, and as a result, will lead to a reduction in retail electricity rates. The reduction in retail rates will benefit all New York residents including residential, commercial, and industrial entities. However, since low-income and disadvantaged communities pay a higher share of their income on energy, the reduction in electricity costs will benefit these communities to a greater extent than others and will help alleviate their energy burden. Energy burden is defined as the "percentage of gross income that a household devotes towards energy bills"<sup>14</sup>.

In 2016, the State of New York set a target that New York residents should pay no more than 6% of their income on energy bills. An energy burden above 6% is considered high, and above 10% is considered a severe energy burden. Lower income households are disproportionately impacted – data shows that the energy burden for a low-income family in New York City is 9.3% which is almost triple that of a median income household.<sup>15</sup>

Multiple efforts are underway in New York to address the energy burden issue. In 2019, the NYC Mayor's Office of Sustainability and the Mayor's Office for Economic Opportunity published a joint report recommending solutions to alleviate energy burdens in NYC.<sup>16</sup> Increasing access to low-cost renewable

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<sup>14</sup> According to US Office of Energy Efficiency and Renewable Energy (<https://www.energy.gov/eere/spsc/low-income-community-energy-solutions#:~:text=Energy%20burden%20is%20defined%20as,income%20spent%20on%20energy%20costs>)

<sup>15</sup> Low income energy burden in NYC is found to be 9.3% compared to 2.9% in a median income home based on information from the US Census Bureau's American Housing Survey (AHS) according to a 2020 ACEEE report (located here: [https://www.aceee.org/sites/default/files/pdfs/aceee-01\\_energy\\_burden\\_-\\_new\\_york\\_city.pdf](https://www.aceee.org/sites/default/files/pdfs/aceee-01_energy_burden_-_new_york_city.pdf)). Discussion on effects of high energy burden are discussed in more detail in a 2016 ACEEE report (located here: <https://www.aceee.org/sites/default/files/publications/researchreports/u1602.pdf>).

<sup>16</sup> Understanding and Alleviating Energy Cost Burden in New York City, August 2019 (<https://www1.nyc.gov/assets/sustainability/downloads/pdf/publications/EnergyCost.pdf>)

energy is one of the main policy recommendations. The report acknowledged the additional challenge of increasing access to low-cost renewable energy (e.g., rooftop solar) for low-income households as these residents may not have direct control over their roof space. In 2020, Governor Cuomo announced a \$1 billion initiative to promote energy efficiency in New York, benefiting over 350,000 low-to-moderate income households, with the primary goal of reducing energy burden on low income households.

There are typically very few options for low income families to reduce their energy costs – they are more likely to live in older, inefficient homes and they use less efficient appliances which result in higher energy cost per square foot. Additionally, they often lack the money to perform upgrades, and are more impacted by fixed fees on utility bills. Residents in these communities often seek to reduce their energy costs by minimizing power usage, which can result in inadequate heating or cooling during severe weather conditions, leading to discomfort and health hazards. They also choose to forgo food or medicine to be able to keep their home's utilities running, which has negative physical and mental health impacts in low income households.

While there are programs to assist with paying power bills and subsidizing energy efficiency upgrades for those in disadvantaged communities, they usually lack the scale needed to address energy burden for all low-income households in New York. According to NY Public Service Commission, there are 2.3 million residents who live in disadvantaged communities.<sup>17</sup> Alternatively, a reduction in wholesale electricity costs can reduce the energy burden on all households, including low income and disadvantaged communities.

PA estimates that as a result of CHPE's operations, and the associated impact on lowering wholesale electricity costs, will save low income households on average \$40 per year, totalling \$2.5 billion over the first 25 years of CHPE's operation.<sup>18</sup> This will reduce the electricity portion of the median energy burden by 2.5% for the 2.3 million New Yorkers living in Disadvantaged Communities. The money saved on electricity bills by residents would be available to spend on other expenses such as food, medicine, education, etc. and will impact the broader New York economy, resulting in higher economic output.<sup>19</sup>

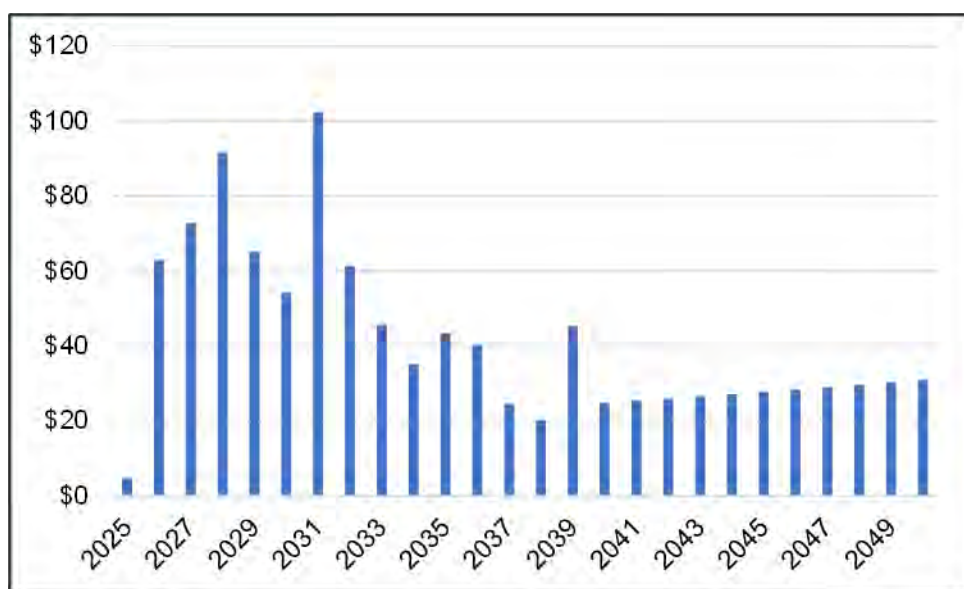
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<sup>17</sup> Understanding and Alleviating Energy Cost Burden in New York City, August 2019  
(<https://www1.nyc.gov/assets/sustainability/downloads/pdf/publications/EnergyCost.pdf>)

<sup>18</sup>This figure does not account for the cost of CHPE's Tier 4 REC contracts, since this value is unknown at the time of PA's analysis.

<sup>19</sup> This economic impact is captured in the values provided in Table 2.

**Figure 2: Average Annual Reduction Low-Income Ratepayer Electricity Costs (2025-2050)**



### 2.2.3 CHPE Will Create New Long-Term Jobs and Compensation for New Yorkers

CHPE is a 339-mile underground HVDC transmission line that extends from the Canadian border to New York City. The extent of this construction spans the state of New York and is expected to take 4 years, with operations beginning in December 2025. CHPE’s planning is at a very mature stage, with permits already received and the grid interconnection process advanced, so job creation from construction is expected to begin as soon as this year.

During the construction period of 2021-2025, CHPE will create an annual average of 485 direct, full-time jobs across the state.

CHPE will also contribute a total of \$426 million in compensation to New York State through the direct jobs required to build the line, such as design, engineering, construction and other skilled labor. CHPE’s construction is complex and will require a wide variety of tradespeople with job numbers in each field peaking in different parts of the installation. For example, transporting cables will occur earlier in the project than final grading, but neither of these is expected to continue across the full duration of construction. As a result of this variety of jobs, there are expected to be as many as 1,400 unique jobs during CHPE’s construction.

Other jobs are also developed as a result of the construction, including providing goods and services needed to support the line (indirect secondary jobs) as well as jobs created through the increased spending and sales from the line (induced secondary jobs). PA estimates CHPE will contribute \$197 million in other compensation for a total compensation contribution during construction of \$623 million.

Upon completion, CHPE will require workers for operation, maintenance, and other support functions to maintain operation of the line. In turn, CHPE is expected to create an average of 40 direct annual, full-time jobs within the state of New York during the first 25 years of operation. As a result of these direct jobs and from secondary jobs, once operational, CHPE is forecast to create \$7.6 billion in compensation in New York during its first 25 years in operation.

**Table 3: Annual Average Direct and Secondary Jobs Created from CHPE Operations (2026-2050)**

Location	Direct Jobs	Secondary Jobs
New York State	40	3,219



#### 2.2.4 CHPE Will Increase Economic Output In New York State

Based on the jobs created and compensation paid by those jobs, CHPE is forecasted to create approximately \$1.6 billion in total (direct and secondary) economic output to New York’s economy during its construction (2021-2025). Furthermore, during the first 25 years of operations (2026-2050), CHPE is forecasted to create approximately \$21.4 billion in total economic output. The increased economic output during the operations period is driven primarily by the \$17.3 billion in wholesale electricity cost savings, discussed in Section 2.2.1, as these savings increase disposable income that can be spent in the economy. Therefore, the economic output created during CHPE’s operations incorporates the benefits from these wholesale cost savings, and the net economic output from CHPE’s operations is \$4.1 billion.

#### 2.2.5 CHPE Will Increase Local Tax Revenue

CHPE will contribute significant local taxes to towns and school districts along its 339-mile route. CHPE, considered to be a significant asset for the purposes of property tax assessments, will be assessed based on its cost or value and the applicable mill rate for each town or school district. The \$1.4 billion of expected property tax payments over the first 25 years of operations will be paid directly local governments, contributing to economic development and public facility improvement.

**Table 4: CHPE Property Tax Payments (2026-2050)**

Average Property Tax Payments (\$millions)	Total Property Tax Payments (\$millions)
\$57.6	\$1,441

The taxes paid to local governments will be injected into these local economies by supporting town, school and county budgets and may go towards spending for upkeep of roads, salaries to teachers and advertising for tourism in the area. It’s also possible that the funding from these taxes could be used to pay down county debt incurred from previous capital projects or budget shortfalls.

An example of the impact these taxes could have on local economies can be seen with Washington County which is located on the border of Vermont in upstate New York and ranks in the bottom 25% of counties in New York for per capita income.<sup>20</sup> Like most counties in the U.S., Washington County’s budget was hard hit by shortfalls due to COVID-19, resulting in difficult budget cuts such as postponing replacement of the roof on a local school.<sup>21</sup> Washington County’s budget in 2021 requires \$35 million be raised through taxes. Should the budget be similar in CHPE’s first year of operation, CHPE could account for a measurable portion of the necessary taxes, allowing the county to reliably be able to plan for capital improvements like needed maintenance on school buildings without needing to incur new debt.

<sup>20</sup> From 2010 US Census data  
([https://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?pid=ACS\\_10\\_5YR\\_DP03&prodType=table](https://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?pid=ACS_10_5YR_DP03&prodType=table))

<sup>21</sup> Washington County 2021 Budget Message (<https://washingtoncountyny.gov/DocumentCenter/View/15990/2021-Budget-Message-Oct-28-20>)

### 3 ENVIRONMENTAL AND HEALTH BENEFITS TO THE STATE AND CITY OF NEW YORK

This section examines and quantifies the environmental and health benefits to the State of New York and New York City that result from CHPE's operations and the progress towards the State of New York and New York City's individual emission reduction targets. The emission reductions, in GHGs and local air pollutants, were calculated using the AURORA electricity market model, which simulated the operation of the NYISO electricity system and adjacent markets (e.g., Hydro-Québec, Ontario, New England, PJM) and the power plants and transmission lines within them. Health benefits from local air pollutant emission reductions were quantified using the EPA's CO-Benefits Risk Assessment Health Impacts Screening and Mapping Tool (COBRA).

The key findings from this section of the report include the following:

#### **CHPE Will Decrease CO<sub>2</sub> Emissions in the State of New York and New York City**

- CHPE will decrease CO<sub>2</sub> emissions attributed to the State of New York, specifically New York City, by an average of 3.9 million metric tons per year.<sup>22</sup> This is equivalent to removing 44% of the passenger vehicles from the streets of New York City.<sup>23</sup>

#### **CHPE Will Help the State of New York Meet Its 2050 GHG Reduction Target**

- CHPE's impact on CO<sub>2</sub> emissions will contribute 6% to achieving the State of New York's economy-wide GHG reduction target by 2030.<sup>24</sup> CHPE will also contribute 28% to achieving New York City's GHG reduction target by 2030.<sup>25</sup>

#### **CHPE Will Help Save Lives and Provide Significant Value in Health Benefits**

- CHPE will decrease local air pollutants (NO<sub>x</sub>, SO<sub>2</sub>, NH<sub>3</sub>, PM<sub>2.5</sub> and VOC) by an average of 775 tons per year in the State of New York, with nearly 400 tons occurring in New York City. These reductions are forecasted to result in an average of 4 lives saved annually and total health benefits valued at \$1.9 billion, primarily from avoided cases of heart attacks and premature deaths, over CHPE's first 25 years of operation.

#### **CHPE Improve the Health and Wellbeing of People Living in Disadvantage Communities**

- In its first full year of operation, 2026, CHPE is forecasted to decrease NO<sub>x</sub> emissions by 200 tons in Zone J, which is equivalent to the total NO<sub>x</sub> emissions from 15 of New York City's 16 peaker plants.<sup>26</sup> This will help improve the health and well-being of people living in Disadvantaged Communities, since most peaker plants in New York are located in or near Disadvantaged Communities.

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<sup>22</sup> CO<sub>2</sub> emission reductions are calculated using a consumption-based standard (discussed in Section 3.1).

<sup>23</sup> Assumes 1.9 million standard vehicles in NYC per 2018 registrations (<https://dmv.ny.gov/statistic/2018reginforce-web.pdf>) and an average CO<sub>2</sub> emission of 4.6 metric tons/ year per the EPA (<https://www.epa.gov/greenvehicles/greenhouse-gas-emissions-typical-passenger-vehicle>)

<sup>24</sup> In Executive Order No. 24, Governor David Patterson established a statewide goal to reduce GHG emissions to 80% below 1990 levels by 2050. The full text of Executive Order No. 24 can be found here: <http://www.dec.ny.gov/energy/71394.html>. Additionally, the New York State Climate Action Council released an Interim Climate Action Plan in 2010 that established a mid-term benchmark goal to reduce GHG emissions to 40% below 1990 levels by 2030. The full text of the plan can be found here: [http://www.dec.ny.gov/docs/administration\\_pdf/irpart1.pdf](http://www.dec.ny.gov/docs/administration_pdf/irpart1.pdf)

<sup>25</sup> In addition to New York City's established goal to reduce GHG emissions to 80% below 2005 levels by 2050, Mayor Bill de Blasio established an interim goal to reduce GHG emissions to 40% below 2005 levels by 2030. Mayor de Blasio's announcement can be found here: <http://www1.nyc.gov/office-of-the-mayor/news/451-14/mayor-de-blasio-commits-80-percent-reduction-greenhouse-gas-emissions-2050-starting-with/#/0>

<sup>26</sup> NO<sub>x</sub> emissions are based on 2019 values.

## 3.1 Overview

Access to electric power in the last 150 years has resulted in technologic innovation and has improved the efficiency of the modern world through electrification and automation of manual tasks. While power generation in New York has transitioned away from coal-fired power plants, the last coal power plant (Somerset) retired in March 2020, a large amount of New York's power generation still relies on burning natural gas. This results in GHGs (including indirect GHGs like NO<sub>x</sub> and SO<sub>2</sub>), and fine particulates (PM<sub>2.5</sub>), NH<sub>3</sub>, and VOCs being released into the regional and local air. While several types of gasses are classified as GHGs, the most common GHG emitted by the electric power sector is CO<sub>2</sub>, and this analysis focuses specifically on the CO<sub>2</sub> emission reductions associated with CHPE.

When CO<sub>2</sub> and other GHGs are released, they remain trapped in the atmosphere where they reflect radiation back to the surface. Similar to a greenhouse, this results in increased temperatures and as the production of CO<sub>2</sub> from humans has increased since the Industrial Revolution, these GHGs have been the main driver of global warming and climate change.

In addition to contributing to climate change, local air pollutants such as NO<sub>x</sub>, SO<sub>2</sub>, NH<sub>3</sub>, PM<sub>2.5</sub> and VOCs from industrial facilities like power plants negatively impact New York's residents by being linked to increases in respiratory diseases, heart attacks and even premature death.<sup>27</sup> The effects from chronic exposure to these pollutants burdens the health system and has a negative impact on the overall economy. Without significant reductions in GHGs and local air pollutants, these negative impacts are only expected to worsen over time.

### 3.1.1 CO<sub>2</sub>

Order No. 24, signed in 2009 by Governor Patterson, established a goal for the State of New York to reduce its GHG emissions from all sources to at least 80% below 1990 levels by 2050 (80 x 50).<sup>28</sup> Following this Order, the CLCPA was signed in 2019 by Governor Cuomo, directing the Department of Environmental Conservation to establish state-wide emissions limits which were then adopted via 6 NYCRR Part 496 (Statewide Greenhouse Gas Emissions Limits), becoming effective on December 30, 2020. Part 496 establishes goals for the State of New York to reduce its GHG emissions from all sources to at least 40% below 1990 levels by 2030 (40 x 30) and to at least 85% below 1990 levels by 2050 (85 x 50).

When accounting for GHG emissions from the New York power sector (to determine progress toward the 40 x 30 and 85 x 50 targets), the state currently uses a consumption-based accounting method. This method is used because New York imports and exports electricity from and to neighboring states and provinces, and the GHG emissions associated with producing the electricity that is consumed in New York are not necessarily emitted within the state.

In addition to the State of New York's 40 x 30 and 85 x 50 targets, New York City has adopted its own GHG reduction goal. In the first PlaNYC report issued in 2007, Mayor Michael Bloomberg's administration called for a reduction in GHG emissions of at least 30% below 2005 levels by 2030. However, in September 2014, Mayor Bill de Blasio issued a public commitment to reduce the city's GHG emissions to at least 80% below 2005 levels by 2050 with an interim target of 40% below 2005 levels by 2030, a commitment that has been upheld in the City's Roadmap to 80 x 50 plan.<sup>29</sup> Similar to NYSERDA, New York City uses a consumption-based approach to account for GHG emissions from the power sector in order to capture the GHG emissions associated with imported electricity.<sup>30</sup>

Therefore, because both the State of New York and New York City have individual GHG emission reduction targets, and because both use a consumption-based approach to account for GHG emissions from the power sector, CO<sub>2</sub> emission reductions and their associated benefits are presented in this analysis using a consumption-based standard. Additionally, using a consumption-based standard and assuming that all

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<sup>27</sup> Per the American Lung Association (<https://www.lung.org/clean-air/outdoors/what-makes-air-unhealthy/particle-pollution>)

<sup>28</sup> The full text of Order No. 24 can be found here: <http://www.dec.ny.gov/energy/71394.html>

<sup>29</sup> Source: The City of New York, New York City's Roadmap to 80 x 50, September 2016.

<sup>30</sup> Source: The City of New York, New York City's Roadmap to 80 x 50, September 2016.

energy delivered by CHPE directly into New York City is consumed within Zone J, all system-wide CO<sub>2</sub> emission reductions associated with CHPE's entry into the market are attributable to New York City.

### 3.1.2 Local Air Pollutants

As a result of power plant emissions reductions attributable to CHPE's operations, there are measurable health benefits from the cleaner air. Pollutants such as NO<sub>x</sub> and particulate matter smaller than 2.5 microns (PM<sub>2.5</sub>) have been directly linked to increases in respiratory health issues, heart attacks and premature death in exposed populations. The estimated local air pollutant emission impacts focused on five major pollutants, each having adverse environmental and/or health effects:

- Nitrogen Oxides (NO<sub>x</sub>) are highly reactive gases that can contribute to the development of respiratory diseases such as asthma.<sup>31</sup>
- Sulfur Dioxide (SO<sub>2</sub>) exposure leads to breathing difficulties and contributes to acid rain.<sup>32</sup>
- Ammonia (NH<sub>3</sub>) reacts with water in the body to produce ammonium hydroxide which can damage body cells.<sup>33</sup>
- Particulate Matter (PM<sub>2.5</sub>) are ultra-fine particles (less than 2.5 μm) that can travel deep into the respiratory tract and affect lung function.<sup>34</sup> Long-term exposure can lead to or worsen asthma and heart disease and can cause chronic bronchitis, and, in some cases, may cause lung cancer.
- Volatile Organic Compounds (VOCs) are a variety of chemicals that can cause eye and throat irritation, and may lead to liver, kidney, and central nervous system damage<sup>35</sup>.

PA estimated the health impacts the local air pollutant emission reductions using the EPA's COBRA model. COBRA provides estimations of how changes in air pollution particulate matter can result in various health effects, which are then translated to the economic results of these health outcomes. COBRA was first developed in 2002 and has been updated with increased functionality over several years. The model's technical peer review concluded that COBRA is a "valuable model that produces a screening tool that can contribute to policy analysis and public dialogue."

## 3.2 Methodology

PA determined the annual emission reductions attributable to CHPE by simulating the New York electric grid with and without CHPE. The analysis was performed using PA's proprietary electricity market model process, which simulates the operations of power plants and transmission lines within New York and adjacent power markets (e.g., PJM) using AURORA, and calculates the emissions of the individual power plants with and without CHPE. This modeling process is described in greater detail in Appendix B. The emission reductions attributable to CHPE were calculated using a consumption-based standard for CO<sub>2</sub> and a generation-based standard for local air pollutants, consistent with the accounting standard used by both the State of New York and New York City.

### 3.2.1 CO<sub>2</sub>

To quantify the value of the environmental benefit to the State of New York and New York City associated with the CO<sub>2</sub> emission reductions attributable to CHPE, PA assumed that the value of avoiding one metric ton of CO<sub>2</sub> emissions is equal to the New York DEC's Social Cost of Carbon calculation. The Social Cost of Carbon is a monetized estimate of the societal damages, (e.g., agricultural productivity, human health impacts, property damages caused by flooding, and changes to ecosystem services) attributable to increases in carbon-based emissions and associated climate change. It is the predominant tool for valuing the social, environmental, and human health costs associated with GHG emissions, as well as the benefits

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<sup>31</sup> Source: EPA, "Nitrogen Dioxide (NO<sub>x</sub>) Pollution", Basic Information about NO<sub>2</sub>

<sup>32</sup> Source: EPA, "Sulfur Dioxide (SO<sub>2</sub>) Pollution", Sulfur Dioxide Basics

<sup>33</sup> Source: NY Department of Health, Emergency Preparedness and Response, "The Facts about Ammonia",

<sup>34</sup> Source: NY Department of Health, Air Quality, "Fine Particles (PM<sub>2.5</sub>) Questions and Answers"

<sup>35</sup> Source: EPA. "Indoor Air Quality", Volatile Organic Compounds' Impacts on Indoor Air Quality

associated with reducing those emissions. The use of the Social Cost of Carbon calculation to assess projects based on monetarily quantified benefits from CO<sub>2</sub> emission reductions has been established within New York regulatory processes.<sup>36</sup>

This analysis focuses primarily on the CO<sub>2</sub> emission reductions associated with CHPE but when accounting for emissions of non-CO<sub>2</sub> GHGs from various economic sectors, which have different global warming impacts per amount of mass, a common metric is carbon dioxide equivalent (“CO<sub>2</sub>e”). This unit standardizes measurement of GHGs based on their estimated global warming impact. Therefore, when assessing the impact that CHPE would have on state-wide and New York City GHG emissions and progress towards specified targets, emissions are reported on a CO<sub>2</sub>e basis.

### 3.2.2 Local Air Pollutants

To estimate local air pollutant impacts, PA calculated the emission impacts from CHPE’s operations across five different pollutant categories: NO<sub>x</sub>, SO<sub>2</sub>, NH<sub>3</sub>, PM<sub>2.5</sub>, and VOC. COBRA evaluates how the changes in these pollutants affect ‘health endpoints’, selected health conditions affecting the population that have societal cost such as premature mortality, nonfatal heart attacks, and general hospital admissions.

The COBRA model functions in three stages: reading in emission changes and population by county, calculating the health effects which results from those emission changes, and outputting estimates of the dollar value implications of those adverse health effects. The model accepts changes in different county-level emissions categories, using a Source-Receptor matrix (S-R Matrix) to translate emission changes into spatial variation in ambient particulate matter. This matrix is constructed based on air quality models that simulate particle dispersion and reflects the relationships between the locations of pollution emitters and a single receptor in the center of each county. Based on the differences in particle concentrations that COBRA estimates from emission changes, the model estimates the changes in different health risks. For each health risk, COBRA employs a unique ‘health endpoint function’ that quantifies how much change in one adverse health effect can be expected due to a change in the concentration of pollution in the air.

Each health effect is also associated with a health impact economic valuation that considers the age of the population affected, the adverse health condition, and the discount rate selected in the model. These economic valuations assign ‘unit values’ to health conditions which reflect the cost of willingness-to-pay to avoid illness, treatment/effect mitigation of the health effect, or of lost wages. Further information about the COBRA model methodology is found in Appendix B.

## 3.3 Findings

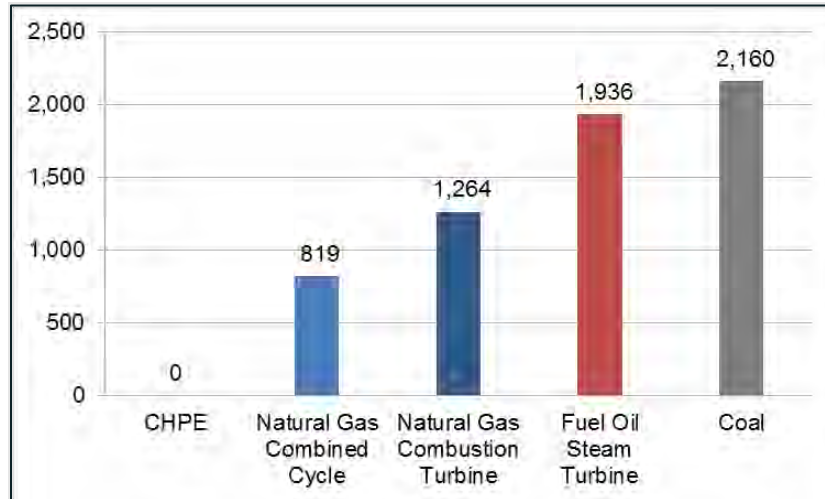
Since CHPE will source electricity from Québec hydroelectric power plants, which have lower production costs than power plants that emit CO<sub>2</sub> (e.g., fuel oil and natural gas), CHPE will operate ahead of (i.e., displace) these power plants.

See Figure 3 for a comparison of the CO<sub>2</sub> emissions associated with different fuels used to generate electricity. By displacing these CO<sub>2</sub>-emitting power plants, emissions from the power sector will decrease in New York. This includes lower emissions from power plants within New York City, across the State of New York, and in adjacent markets that export power into New York. As a result, CHPE will help the State of New York and New York City meet their respective GHG emission reduction targets and will positively impact the health of New York residents.

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<sup>36</sup> PA used the Social Cost of Carbon value calculated using a 2% social discount rate which is consistent with the NY Department of Environmental Conservation’s discount rate recommendation for decision making by state entities. PA used the SCC values published by the NY DEC in the October 2020 Value of Carbon Guidance documents (<https://www.dec.ny.gov/regulations/56552.html>). Note that on February 26, 2021, President Joe Biden signed an executive order reinstating the Obama administration’s SCC figures adjusted for inflation and called for a comprehensive update of the SCC by January 2022.

**Figure 3: CO<sub>2</sub> Emission Rate by Power Plant Fuel Type (pounds/MWh)<sup>37,38</sup>**



### 3.3.1 CHPE Will Help the State of New York and New York City Meet Their GHG Reduction Targets

The emission reductions attributable to CHPE’s operations are substantial. Average annual reductions of CO<sub>2</sub> are approximately 3.9 million metric tons across the state of New York using a consumption-based standard over the first 25 years of CHPE’s operation. Because all electricity delivered by CHPE is assumed to be consumed within Zone J, the average annual CO<sub>2</sub> emission reductions for Zone J are attributable to New York City.

With an average vehicle emitting 4.6 tons<sup>39</sup> of CO<sub>2</sub> per year, the reductions in CO<sub>2</sub> attributable to CHPE are equivalent to removing 44% of the passenger vehicles from New York City.<sup>40</sup>

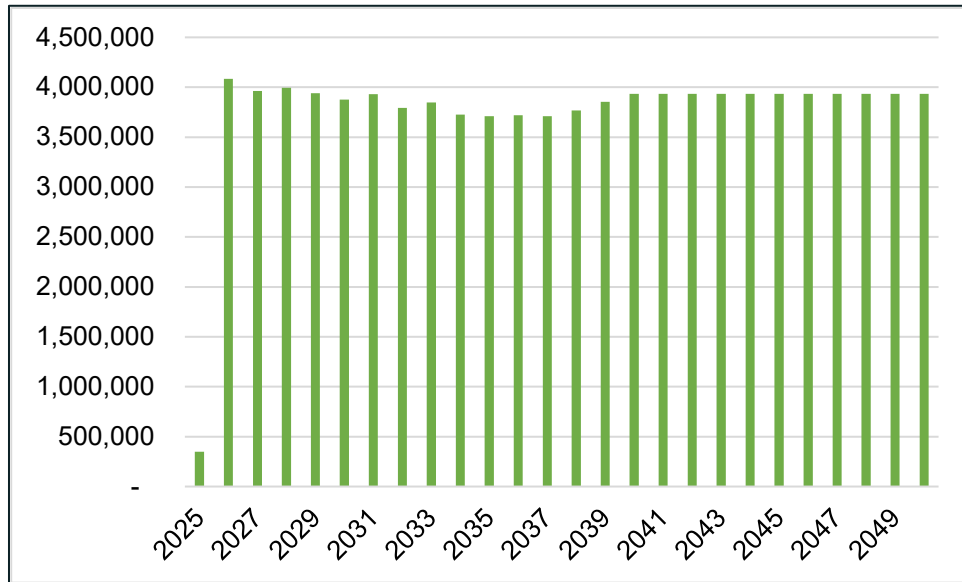
<sup>37</sup> CO<sub>2</sub> emissions data by fuel type was sourced from the U.S. Energy Information Administration. This analysis assumes a heat rate of 7,000 Btu/kilowatt-hour (“kWh”) for a natural gas combined cycle power plant, 10,800 Btu/kWh for a natural gas combustion turbine power plant, 12,000 Btu/kWh for an oil power plant, and 10,500 Btu/kWh for a coal power plant.

<sup>38</sup> Because the electricity delivered through CHPE will be sourced from Québec’s existing pool of hydro power plants, CHPE is not expected to create additional GHG emission through new storage impoundments. Additionally, the lifecycle emissions from these existing hydropower resources are negligible, and thus are not included in this analysis.

<sup>39</sup> An average CO<sub>2</sub> emission of 4.6 metric tons/year per the EPA (<https://www.epa.gov/greenvehicles/greenhouse-gas-emissions-typical-passenger-vehicle>).

<sup>40</sup> 1.9 million standard vehicles registered in NYC in 2018 (<https://dmv.ny.gov/statistic/2018reginforce-web.pdf>)

**Figure 4: Power Sector CO<sub>2</sub> Emission Reductions from CHPE Operations (Metric Tons)**



The emission reductions associated with CHPE will also contribute substantially towards GHG reduction targets under Order No. 24. Based on the NYSERDA New York State Greenhouse Gas Inventory report, baseline emissions in 1990 were 236 MMtCO<sub>2</sub>e<sup>41</sup> and as of 2016, according to the most recent inventory report,<sup>42</sup> economy-wide emissions had reduced to approximately 206 million metric tons of CO<sub>2</sub>e.

In order to meet its emission reduction targets, as shown in Table 5, the State of New York would need to reduce its economy-wide emissions to approximately 142 million metric tons of CO<sub>2</sub>e to reach 40% reduction by 2030 and would need to reduce economy-wide emissions to 35 million metric tons to reach 85% reduction by 2050.

**Table 5: New York Economy-Wide GHG Emission Targets**

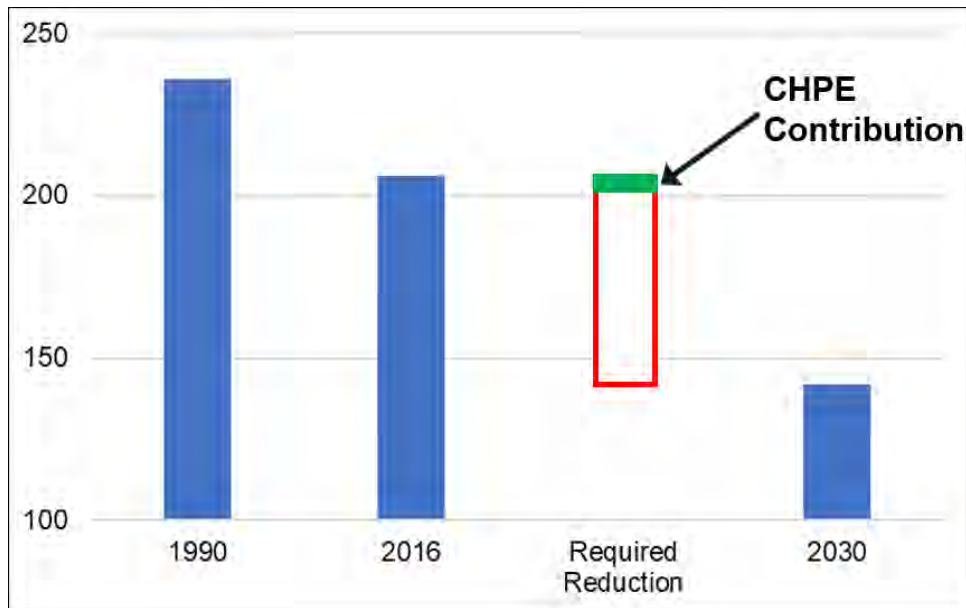
Year	New York GHG Limit (MMtCO <sub>2</sub> e)
2030	142
2050	35

This means that New York State would need to reduce its emissions from 2016 by a further 64 million metric tons in order to achieve emissions 40% below 1990 levels. CHPE’s operations result in emission reductions in both CO<sub>2</sub> and NO<sub>x</sub> emissions (both of which are counted in GHG inventory). In 2030, CHPE is forecasted to be responsible an emissions reduction of 4.0 million metric tons CO<sub>2</sub>e (from reduced CO<sub>2</sub> and NO<sub>x</sub>), under a consumption-based standard. This means that the CO<sub>2</sub>e emission reductions associated with CHPE represent approximately 6.3% of the remaining 64 million metric ton emission reduction required to meet the 2030 target, which is illustrated in Figure 5.

<sup>41</sup> In late 2020, the NY DEC proposed The Revised Regulatory Impact Statement Part 496 using different accounting to set the 1990 statewide baseline GHG emissions at 410 million metric tons of CO<sub>2</sub>e. An inventory hasn’t been completed to report the emissions using that same approach so values from the NYSERDA GHG Inventory report from 2016 is used for calculations within this report.

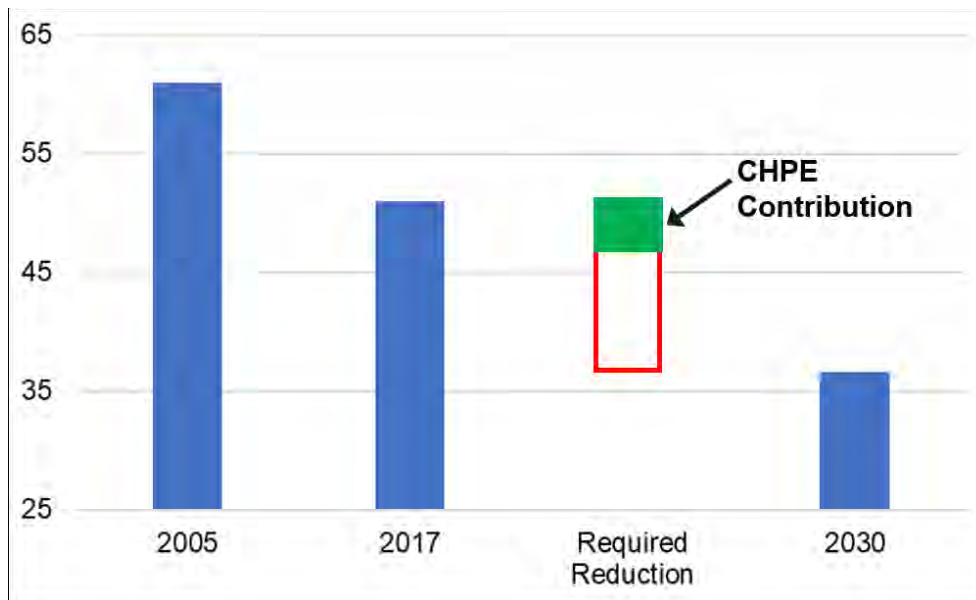
<sup>42</sup> Note that 2016 is the most recent year in which full-year GHG inventory data is available for the State of New York.

**Figure 5: New York Economy-Wide GHG Emission Levels and Targets (MMtCO<sub>2</sub>e)**



New York City also has its own GHG emissions reduction target, aiming to reduce emissions to at least 40% below 2005 levels by 2030 and 80% by 2050. According to the most recent New York City Greenhouse Gas Emissions inventory,<sup>43</sup> 2005 economy wide GHG emissions were approximately 61 million metric tons of CO<sub>2</sub>e and as of 2017 were approximately 51 million metric tons. To meet its emission reduction target in 2030, New York City needs to reduce its economy-wide emissions to 37 million metric tons. CHPE’s CO<sub>2</sub>e emission reductions in 2030 represent approximately 28% of the remaining 14 million metric ton emission reduction required to achieve New York City’s 2030 target.

**Figure 6: New York City Economy-Wide GHG Emission Levels and Targets (MMtCO<sub>2</sub>e)**



In addition to helping New York state and New York City to reach their 2030 goals, CHPE will also contribute to helping the region to reach its lofty 2050 GHG reduction targets. In 2050, CHPE will be responsible for 4.1 million metric tons of CO<sub>2</sub>e reduction. This is equal to 2% of the 171 million ton reduction New York state needs by 2050 and 11% of the 39 million ton reduction New York City needs to reach its 2050 target.

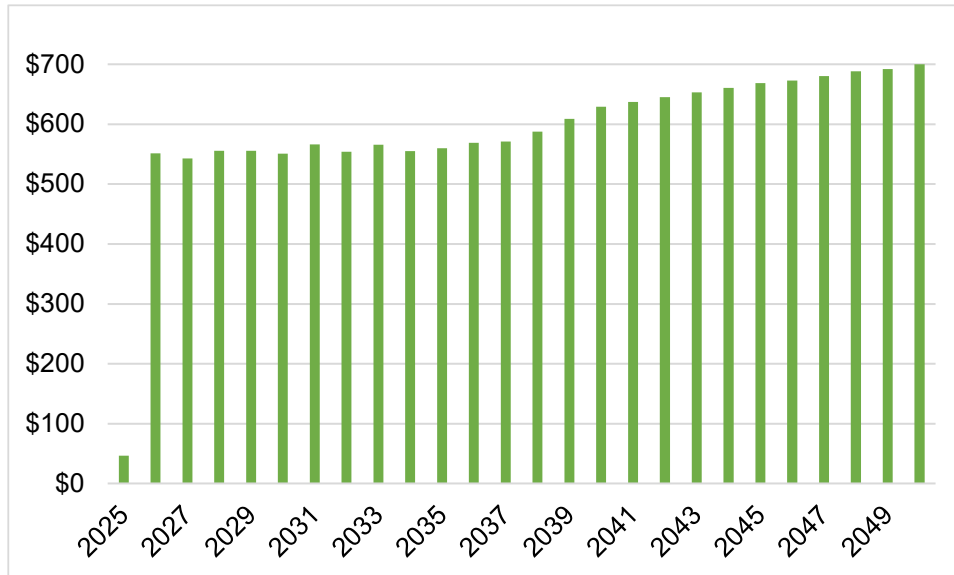
<sup>43</sup> Note that 2017 is the most recent year in which full-year GHG inventory data is available for New York City.



### 3.3.2 The Value of CO2 Emission Reductions CHPE Will Provide Is Significant

The CO2 emission reductions attributable to CHPE's operations will substantially benefit the State of New York and New York City. Applying the Social Cost of Carbon values published by the NY DEC to the 97 million metric tons of CO2 emission reductions attributable to CHPE results in a value of approximately \$23.2 billion during the first 25 years of operation.

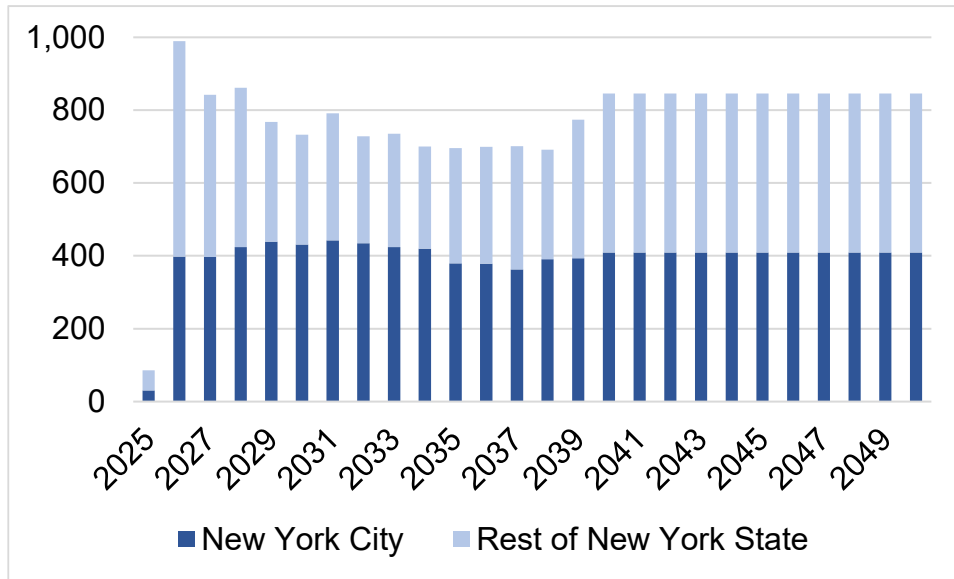
**Figure 7: Value of CO<sub>2</sub> Emission Reductions from CHPE Operations (\$ millions)**



### 3.3.3 CHPE Will Reduce Local Air Pollutant Emissions in the State of New York and New York City

Similar to CHPE's impact on lowering CO2 emissions in New York, the displacement of fossil-fueled power generation will also result in emission reductions in pollutants like NOx, SOx, PM2.5, NH3 and VOCs, all of which are harmful to human health. CHPE is estimated to decrease local air pollutant emissions from New York state power plants by an average of 775 tons per year through 2050, of which approximately 50% will occur in New York City.

**Figure 8: Air Pollutant Emission Reductions from CHPE (tons)**



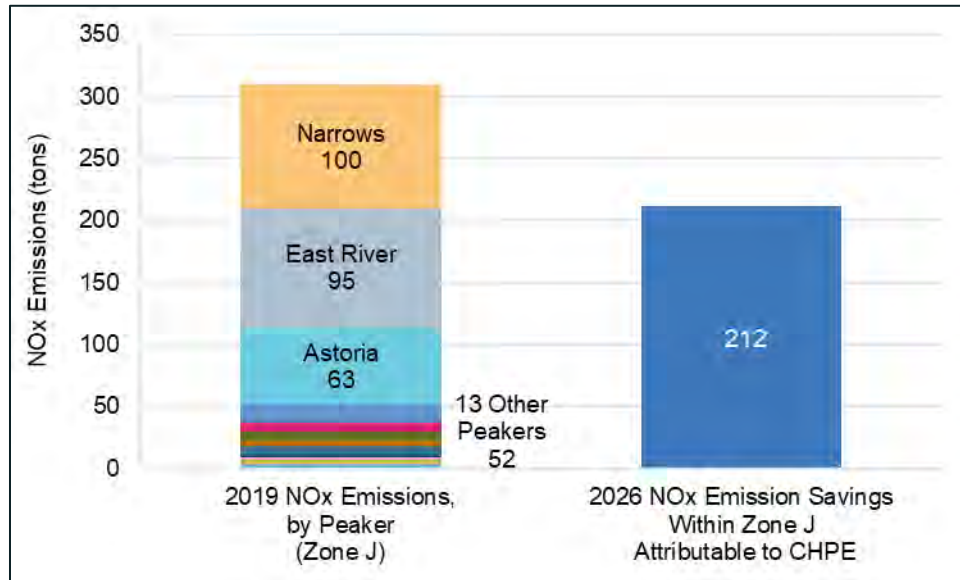
In CHPE’s first full year of operations, 2026, local air pollutant emissions from fossil-fueled power plants are expected to decrease by nearly 20% in New York State.

**Table 6: New York State Local Air Pollutant Emission Reductions from CHPE (2026)**

	NOx	SO2	NH3	PM2.5	VOCs	Total
<b>Emissions without CHPE (tons)</b>	3,100	108	1,245	942	293	5,688
<b>Emissions with CHPE (tons)</b>	2,602	82	1,011	765	238	4,698
<b>Emissions Delta (tons)</b>	-498	-26	-234	-177	-55	-990
<b>Emissions Delta (%)</b>	-16%	-24%	-19%	-19%	-19%	-18%

Furthermore, of the 498 tons of NOx emission reductions attributable to CHPE across New York State, PA forecasts a 212-ton reduction to occur specifically within Zone J. To put these reductions in perspective, this is equivalent to removing 15 of New York City’s 16 peaker plants from operation, based on 2019 emissions. This is shown in the figure below. Peaker plants in New York City are primarily located in or near Disadvantaged Communities and the benefits of decreasing their operation is discussed in Section 3.3.5.

**Figure 9: NOx Emissions: New York City Peaker Plants vs. CHPE Emission Reductions**



**3.3.4 The Lives Saved and Value of Local Air Pollutant Emission Reductions CHPE Will Provide Is Significant**

Based on the local air pollutant emission reductions described in the previous section, PA estimates that CHPE’s operations will result in up to 6 lives saved each year with an economic benefit of up to \$102.5 million per year across New York State, as shown in Table 7. These benefits primarily come from lower incidences of heart attacks and premature deaths. Through 2050, the cumulative economic benefit, using the mid-point of the high and low estimates, of improved health from lower air pollutant emissions in New York State is \$1.9 billion; with an average of 4 lives saved annually.

**Table 7: New York State Health Benefits from CHPE (2025-2050)**

	Average Annual Lives Saved	Average Annual Economic Benefit
<b>Low Estimate</b>	3	\$45.5 million
<b>High Estimate</b>	6	\$102.5 million

In New York City, PA estimates that CHPE’s operations will result in up to 4 lives saved each year with an economic benefit of up to \$61 million per year, as shown in Table 8. And through 2050, the cumulative economic benefit, using the mid-point of the high and low estimates, of improved health from lower air pollutant emissions is \$1.1 billion, with an average of 3 lives saved annually.

**Table 8: New York City Health Benefits from CHPE (2025-2050)**

	Average Annual Lives Saved	Average Annual Economic Benefit
<b>Low Estimate</b>	2	\$27.0 million
<b>High Estimate</b>	4	\$61.0 million

In New York City specifically, it’s expected that the majority of the pollutant reduction will come from peaker plants whose locations are concentrated in areas of Disadvantaged Communities. And through reductions peaker plant operations due to CHPE, the positive health effects from decreased local air pollutant emissions is expected to be concentrated in these Disadvantaged Communities.

### 3.3.5 CHPE Will Positively Impact Health in Disadvantaged Communities

Environmental injustice acknowledges that low income communities and communities of color are disproportionately affected by pollution and impacts of climate change. It is more common for these communities to be located near heavily polluting industrial facilities and people of color have a higher risk of dying from health problems caused by pollution.<sup>44</sup> Conversely, climate justice is the practice of taking actions to address the ethical issues inherent to environmental injustice. As steps are taken to achieve targets that will reduce the causes of climate change, setting paired targets to benefit these disadvantaged communities will direct resources to residents that may not otherwise be able to fight climate change.

A contributor to environmental injustice in New York are the peaker plants located in New York City. Peaker plants are used to meet energy demand on days when load is high and transmission lines into New York City cannot meet the need for more electricity. These facilities require a large footprint of land and can produce both undesirable noise and smells, so are often developed on lower value, industrial land, with many near large public housing developments where higher concentrations of low-income New Yorkers live. Moreover, the operations required to ramp gas-fired peaker plants up and down, to meet sudden changes in electricity demand, results in them producing acute levels of pollution such as NO<sub>x</sub>, SO<sub>2</sub>, NH<sub>3</sub>, VOCs and PM<sub>2.5</sub>. These pollutants have been shown to worsen rates of respiratory diseases like asthma in the population, increase risk of heart attacks<sup>45</sup> and increase the likelihood of contracting and experiencing complications from COVID-19.<sup>46</sup> According to the City of New York's PlaNYC report from 2011, PM<sub>2.5</sub> pollution in New York City causes more than 3,000 deaths, 2,000 hospital admissions for lung and heart conditions, and approximately 6,000 emergency department visits for asthma in children and adults yearly.<sup>47</sup>

Since peaker plants in New York are often located in or near Disadvantaged Communities (defined by NYSERDA as communities located within New York State Opportunity Zones<sup>48</sup>) this means the pollution from them has a disproportionate health impact on residents living in these communities. The establishment of Tier 4 REC program is designed to help meet the goals of the Climate Leadership and Community Protection Act (CLCPA). And one of the provisions in the CLCPA is that 40% of the program's benefits be directed to Disadvantaged Communities, whether through direct investment, creation of jobs or other incremental benefits such as reducing pollution from displaced thermal generation. By providing reliable, clean energy from hydroelectric power plants, CHPE will reduce the New York grid's reliance on its fossil-fueled peaker plants and thereby provide positive health impacts to Disadvantaged Communities.

See Figure 10 for a map showing that most peaker plants in New York City are within or adjacent to a Disadvantaged Community.

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<sup>44</sup> Per the American Lung Association (<https://www.lung.org/clean-air/outdoors/who-is-at-risk/disparities>)

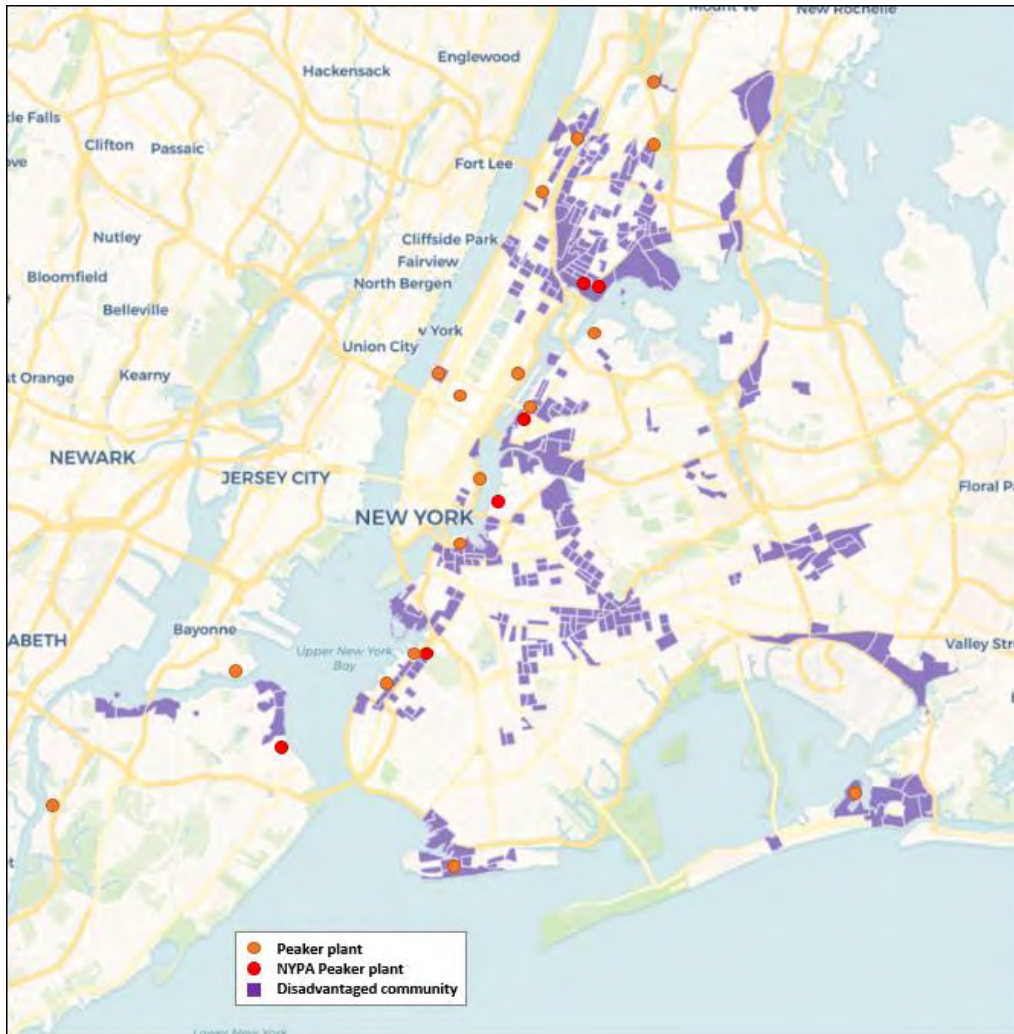
<sup>45</sup> Per the American Lung Association (<https://www.lung.org/clean-air/outdoors/what-makes-air-unhealthy/particle-pollution>)

<sup>46</sup> International Journal of Environmental Research and Public Health (<https://pubmed.ncbi.nlm.nih.gov/33322089/>)

<sup>47</sup> City of NY PlaNYC Report (<http://1w3f31pzvdm485dou3dppkcq.wpengine.netdna-cdn.com/wp-content/uploads/2019/04/PlaNYC-2011-Update.pdf>)

<sup>48</sup> <https://www.nyserra.ny.gov/ny/disadvantaged-communities>

**Figure 10: New York City Peaker Plant Locations and Disadvantaged Communities**



As shown in Table 9, approximately half of New York State’s reduction in NOx, SO2, NH3, PM2.5 and VOC will occur in New York City. And as previously discussed, these improvements in air quality are anticipated to contribute both health and economic value in the local areas where emissions are reduced. Therefore, by reducing the operations of peaker plants located in Disadvantaged Communities, CHPE will be supporting climate justice in New York by reducing pollution in these communities.

**Table 9: Cumulative Air Pollutant Emission Reductions From CHPE (2025-2050)**

Location	NOx	SO2	NH3	PM2.5	VOC	Total
New York State (tons)	10,207	419	4,757	3,597	1,118	20,097
New York City (tons)	5,247	173	2,425	1,833	570	10,247
% of Reduction in NYC	51%	41%	51%	51%	51%	51%

## 4 RESILIENCY AND RELIABILITY BENEFITS TO THE STATE OF NEW YORK

This section examines the benefits that CHPE provides to the resiliency and reliability of New York state's electric grid, with a focus on how CHPE can support resiliency and reliability in a zero-emission electric grid (as envisioned in 2040 under the CLCPA).

More specifically, CHPE directly and uniquely contributes to the reliability and resiliency of NY's future electric grid:

### **CHPE Will Improve the Reliability Of New York's Electric Grid.**

- CHPE's 10.4 TWh of fully dispatchable, clean energy is sourced from a diversified pool of 61 hydroelectric power plants in Québec with a capacity of 36,500 MW and annual generation of 176 TWh.

### **CHPE Will Improve the Resiliency of New York's Electric Grid.**

- Québec's weather is distinct from New York's, and therefore CHPE's power supply is unlikely to be impacted by storm events affecting New York State. Moreover, since CHPE is comprised of 339 miles of buried cable, storm events are very unlikely to impact the line itself.

### **CHPE Will Support the Integration of Offshore Wind.**

- PA estimates CHPE can help avoid offshore wind curtailment of 2.0 TWh to 5.4 TWh, with an associated value of \$224 million to \$588 million in 2040.

### **CHPE Will Not Impact Increase Transmission Congestion in Upstate New York.**

- Since CHPE will not be sourcing new renewable generation from upstate New York, like other competing Tier 4 projects, CHPE will not worsen the transmission congestion that already exists.

#### 4.1 Overview

One of the core principles of the CLCPA is to make New York communities more resilient to ever intensifying threats from global climate change. While electric reliability has an industry-defined metric (the Loss of Load Expectation, or LOLE) and is narrowly focused on avoiding power outages, resiliency is more formless and far-reaching. A common industry definition of resilience is the ability of a system or community to withstand, absorb and recover from potential hazards. In New York, climate change is exacerbating many of hazards; scientists expect rising sea levels, greater variability to temperature and precipitation, and an increased number and intensity of storms in the Atlantic like Super Storm Sandy.

Very recently, in other parts of the U.S., the growing threat of climate change to electric grid resiliency has been painfully felt. For example, in August 2020, very hot summer temperatures in California contributed to blackouts in the early evening as intermittent solar generation declined. The prior summer, massive wildfires were caused by the poor maintenance of aging, above-ground electric transmission infrastructure. Only a few months ago, in February, unprecedented cold winter temperatures drove record high electricity demand in Texas, knocked out over 30,000 MW of power generation, resulting in nearly four days of rolling blackouts with over \$100 billion in estimated economic damage.

As New York adds more intermittent renewable generation to meet the decarbonization targets of the CLCPA, maintaining the resiliency and reliability of the electric grid must be considered alongside CO<sub>2</sub> and local air pollutant emissions. And, as discussed in the rest of this section, CHPE uniquely provides New York State the opportunity to achieve the emission reductions required by the CLCPA while simultaneously improving the resiliency and reliability of New York's electric grid.

#### 4.2 CHPE's Québec Power Supply and Buried Transmission Lines, Decrease the Impact of Storm Events on The NYISO Grid

CHPE uniquely enables New York access to a diversified pool of hydro generation located across Québec. Notably, CHPE will not be supplied by one or a handful of power generators, but rather by system sales

from Hydro-Québec’s pool of 61 individual hydroelectric power plants with a nameplate capacity of 36,500 MW capable of producing over 175 TWh of clean energy.<sup>49</sup> CHPE’s 10.4 TWh of clean energy represents only 6% of Hydro-Québec’s clean energy pool.

By having access to a network of power generators capable of producing clean energy significantly in excess of CHPE’s needs, CHPE improves the resiliency of the NYISO grid by eliminating the negative impact of a single generator outage (because any individual power generator outage would not other impact energy flows over the line), and provides an unprecedented form of new, baseload clean energy with a 95% capacity factor.

**Figure 11: Map of Québec Hydrogeneration**



Furthermore, Québec is geographically very large and distinct from New York, nearly all of the large-scale, hydroelectric generators in the province are located well north of load centers near the U.S. border - averaging a distance of nearly 900 miles from New York City. It is to be expected, given this distance, that Québec experiences different weather patterns than New York, and, as a result, the probability of an extreme weather event impacting both Québec and New York simultaneously is quite low.

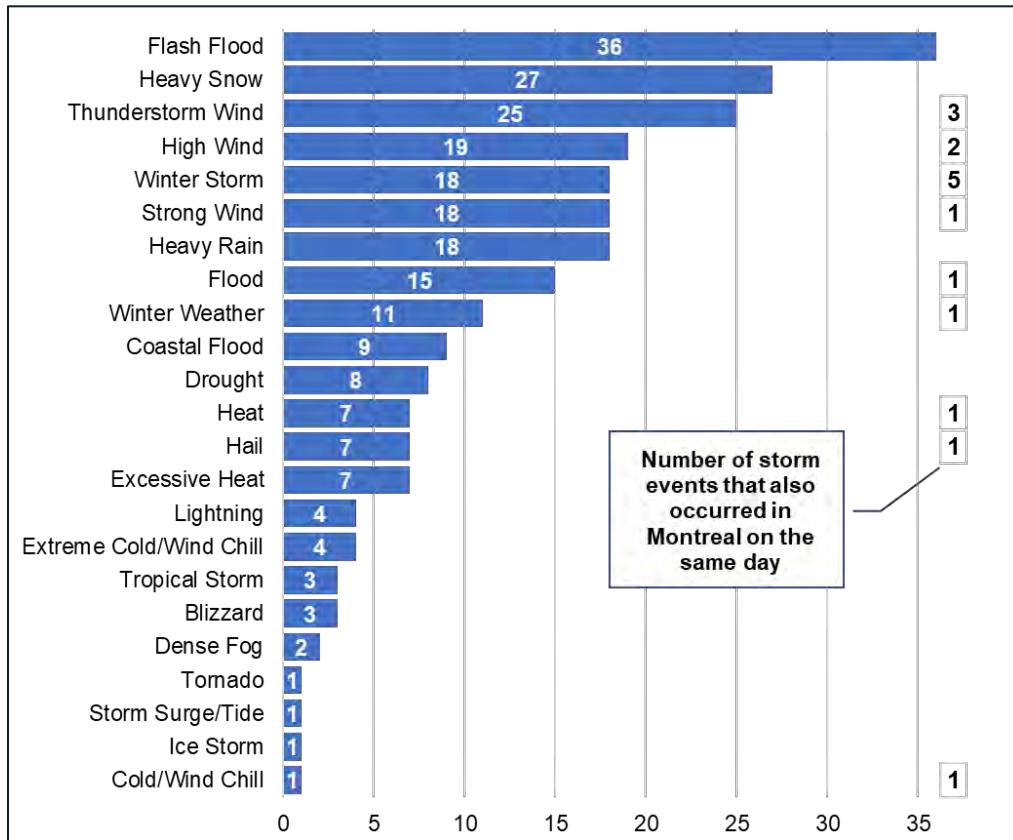
To analyze the correlation or lack thereof between Québec and New York, PA reviewed 30 years of NOAA-declared storm events for New York City and Montreal.<sup>50</sup> Since 1990, there have been 245 distinct daily storm events in New York City. The greatest number of events concern flash flooding or were otherwise associated with summer thunderstorms. There are also a significant number wind and winter storm events. However, and importantly, of the 245 distinct daily storm events in New York City there were only 16 instances where Montreal was also experiencing a storm event. In other words, the observed coincidence of

<sup>49</sup> Per Hydro-Québec (<https://www.hydroQuébec.com/generation/#:~:text=Hydro%2DQu%C3%A9bec's%20generating%20fleet%20comprises,dams%20and%2091%20control%20structures.>)

<sup>50</sup> As a proxy to allow for the use consistent data sets, PA used Clinton County, New York, which is approximately 30 miles from Montreal.

storm events in New York City and Montreal over the past 30 years is less than 10%. This lack of correlation between the two geographies and the connection CHPE enables between them increases the resiliency of New York's grid by minimizing the impact of an extreme weather event on New York's power supply.

**Figure 12: New York City NOAA-Declared Storm Events Since 1990**



In spanning the geographic distance to bring Hydro-Québec's generation to New York City, CHPE's 339-mile HVDC route to New York City is entirely underground, with 40% of the route subterranean and the rest submarine (via the Hudson and East Rivers or Lakes George and Champlain). This enables CHPE to avoid outage risks that are typical of overhead power lines. More specifically, overhead power lines are vulnerable to wind events (directly as well as indirectly, via branches or other debris), lightning strikes, and can accumulate snow and ice in winter. A New York City study in 2013 conducted by the Office of Long-Term Planning and Sustainability found that *"Con Edison's non-network system, primarily overhead in nature, had significantly higher outage frequency than did the company's [buried] network system."*<sup>51</sup>

In recognition of their increased resiliency attributes, ConEd and other electric utilities routinely identify key overhead segments of the transmission system for undergrounding, as part of their storm hardening efforts, particularly along key segments. For example, in the wake of Superstorm Sandy, PSEG in New Jersey undergrounded 20 miles of transmission lines. There are also power system benefits associated with underground power lines. For example, underground cables can provide reactive support during periods of peak demand, which according to ConEd, is due to the greater "capacitive reactance" associated with underground cables.

CHPE can also help avoid future overhead transmission buildout that would otherwise be needed to accommodate greater amounts of upstate New York wind and solar, which would otherwise need to be built in place of CHPE's 10.4 TWh of clean energy. For example, the 2019 CARIS report noted that renewable generation in its 70x30 modeling scenario was curtailed "due to local transmission bottlenecks", which would require a transmission buildout of overhead wires to alleviate. Similarly, the Utility Study (summarized in the Brattle Report) conducted to assess transmission needs identified numerous local transmission upgrades

<sup>51</sup> Source: [power lines study 2013.pdf \(nyc.gov\)](#)



needed to facilitate CLCPA compliance. Phase 1 upgrades to address transmission needs in the next decade are already underway and expected to cost \$6.8 billion with additional Phase 2 upgrades needed to support CLCPA compliance but not yet scoped.<sup>52</sup> Most of these upgrades would be accomplished with overhead transmission lines, which weakens the resiliency of the New York grid by increasing its exposure to storm events. CHPE's buried transmission lines are unimpacted by storm events and therefore strengthen the resiliency of New York's grid.

### 4.3 CHPE Can Support the Integration of Offshore Wind

As previously discussed, New York leads the U.S. in its decarbonization goals, with 100% clean energy required from the power sector by 2040. Therefore, in order to meet this goal, New York will need to bring on significant amounts of baseload clean energy (such as CHPE), intermittent on-shore wind and off-shore wind.

On the latter, due to the geography of New York state, off-shore wind interconnections are limited to Zones J and K. And although these two zones represent the majority of New York's electricity demand, load, their ability to absorb and manage the amounts of off-shore wind generation that are likely needed to achieve CLCPA compliance by 2040 is uncertain. CHPE is able to support the integration of increasing amounts of off-shore wind in New York by (1) exporting off-shore wind generation during times of excess production, and (2) ramping up/down to respond to sudden changes in off-shore wind generation. In fact, CHPE's ramping potential and the associated benefit to off-shore wind integration were recently cited in an Analysis Group report, commissioned by the NYISO, entitled Climate Change Impact and Resilience Study Phase II.

<sup>53</sup>

While neither operating mode is likely to be CHPE's primary function when it initially enters service, as New York moves towards CLCPA compliance and the NYISO grid grapples with ever increasing amounts of intermittent renewable generation, it is possible that CHPE's operating profile may change in ways that are not currently contemplated. The fact that CHPE has the potential to (1) export excess off-shore wind generation<sup>54</sup> and thereby minimize off-shore wind curtailment and (2) rapidly ramp to respond to sudden changes in off-shore wind generation supports the future reliability of the NYISO grid.

#### 4.3.1 CHPE Can Help Minimize Off-Shore Wind Curtailment

To estimate the benefit that CHPE can provide by helping minimize off-shore wind curtailment, PA evaluated the first year of CLCPA compliance, 2040. Since the Reference Case, as previously discussed, was developed to demonstrate the infra-marginal benefits CHPE can provide to the NYISO grid in terms of CO<sub>2</sub> and harmful pollutant emission reductions, PA utilized the 2040 CCP2-CLCPA Case reflected in The Analysis Group's report Climate Change Impact and Resilience Study Phase II. In this CLCPA-compliant case, The Analysis Group modeled a New York electric grid that was 100% compliant with the CLCPA's 2040 electric grid target, and assumed 21,000 MW (nameplate) of off-shore wind would be built to help achieve that compliance. As The Analysis Group did not explicitly calculate off-shore wind curtailment in its analysis, PA developed a model to simulate off-shore wind curtailment in 2040, based on 21,000 MW of off-shore wind capacity, with assumptions for energy storage capacity and transfer capability between NYISO zones. Notably, PA's analysis (consistent with The Analysis Group) assumed a CLCPA compliant load forecast, which is significantly higher than that used in Reference Case and therefore, all else equal, reduces the instances of off-shore wind curtailment (since there is more electric demand to absorb the off-shore wind generation).

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<sup>52</sup> Initial Report on the New York Power Grid Study

([https://brattlefiles.blob.core.windows.net/files/20842\\_initial\\_report\\_on\\_the\\_new\\_york\\_power\\_grid\\_study.pdf](https://brattlefiles.blob.core.windows.net/files/20842_initial_report_on_the_new_york_power_grid_study.pdf))

<sup>53</sup> Climate Change Impact and Resilience Study Phase II - NYISO

(<https://www.nyiso.com/documents/20142/15125528/02%20Climate%20Change%20Impact%20and%20Resilience%20Study%20Phase%202.pdf/89647ae3-6005-70f5-03c0-d4ed33623ce4>)

<sup>54</sup> From a technical perspective, once operational CHPE will be able to flow energy bidirectionally. However, certain permits would need to be amended and NYISO approval would be required to enable these bidirectional flows. If this situation occurs during the term of the PSA, the parties will need to discuss appropriate adjustments to the PSA.

As shown in Table 10, PA estimates CHPE could help reduce NYISO off-shore wind curtailment in 2040, in a CLCPA-compliant electric grid, by approximately 25%, depending on the level of off-shore wind generation operating on the system.

**Table 10: Estimated Off-Shore Wind Curtailment In 2040 With and Without CHPE**

Off-Shore Wind Generation Scenario	OSW Curtailment (MWh) <sup>55</sup>		Avoided OSW Curtailment Generation (MWh)
	Without CHPE	With CHPE	
<b>Median</b>	<b>7,745,387</b>	<b>5,685,549</b>	2,059,838
<b>High</b>	<b>24,443,166</b>	<b>19,042,127</b>	5,401,039

The value of this avoided curtailed offshore wind generation PA estimates to be in the range of \$224 million to \$588 million, as shown in Table 11. This assumes that NYISO would need to add lithium-ion battery energy storage, to provide an equivalent amount of avoided off-shore wind generation curtailment as can be provided by CHPE.<sup>56</sup>

**Table 11: CHPE Avoided Off-Shore Wind Generation Curtailment Benefit**

Offshore Wind Generation Scenario	Avoided OSW Curtailment Generation (MWh)	Avoided OSW Curtailment Benefit
<b>Median</b>	2,059,838	\$224 million
<b>High</b>	5,401,039	\$588 million

#### 4.3.2 CHPE Can Support Grid Reliability by Responding to Sudden Changes in Offshore Wind Generation

Though one of the benefits of offshore wind is its relatively flat generation profile, it is still an intermittent resource with hourly fluctuations in production. A large portion of the time, these fluctuations in production are small, but there are times when they can be significant. CHPE can help integrate offshore wind by adjusting its output to respond to sudden, and potentially large, changes in offshore wind generation. This integration is especially important as New York adds offshore wind *and* retires its dispatchable thermal generation in order to achieve CLCPA compliance by 2040. In the carbon-free world of 2040 New York will largely be left with only two choices, based on current technology, to manage offshore wind ramping – CHPE and energy storage.

In order to evaluate the reliability benefit that CHPE can provide to the NYISO grid by responding to offshore wind ramp, PA analyzed the hourly deviations in offshore wind generation reflected in the PA analysis discussed in the prior section. Furthermore, for conservatism, PA assumed that the 7,100 MW of nameplate lithium-ion battery storage included in PA’s analysis responds to offshore wind ramp before CHPE is called upon. It should be noted the 7,100 MW is more than double New York’s 3,000 MW by 2030 storage mandate.

As shown in

Table 12, based on the 21,000 MW of offshore wind and 7,100 MW of battery storage assumed to be on the system in 2040, there are over 250 hours when the 1-hour ramp of offshore wind exceeds battery storage capacity and nearly 1,500 hours (nearly 20% of the year) when the 4-hour ramp exceeds battery storage capacity.

**Table 12: Offshore Wind Generation Ramp Greater Than 7,100 MW In 2040**

Ramping Period (# of hours)
-----------------------------

<sup>55</sup> Curtailment calculated post export capacity and BESS charging

<sup>56</sup> PA estimates 4-hour lithium-ion battery storage to have a levelized cost of energy (LCOE) of approximately \$109/MWh in 2040.

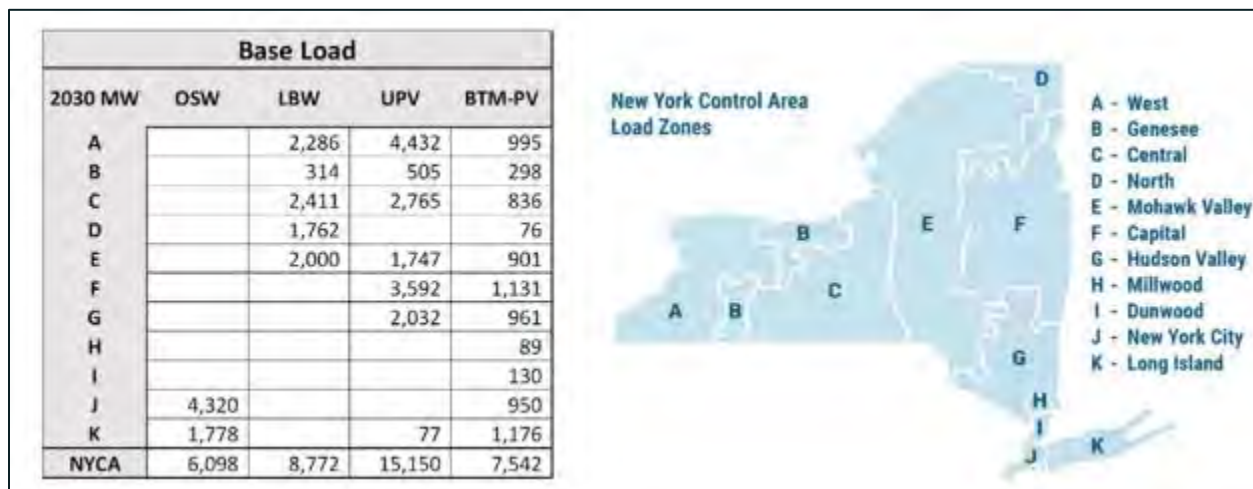
Offshore Wind Generation Scenario	1-Hour Ramp	4-Hour Ramp
Median	259	1,462
High	289	1,499

Since current lithium-ion battery storage technology is primarily 4-hour duration, this analysis indicates CHPE can play a critical role in responding to large and lengthy fluctuations in offshore wind generation by adjusting its output. And by doing so, CHPE will support the reliable integration of offshore wind in New York.

#### 4.4 CHPE Will Not Increase Transmission Congestion in Upstate New York

By relying on a dedicated HVDC transmission line to supply 10.4 TWh of reliable, clean energy to Zone J, CHPE does not require new renewable generation. This is an important consideration because the overwhelming majority of New York’s onshore wind and solar resources are located upstate, in Zones A-F, as illustrated in Figure 13 from the CARIS 70x30 Case. Notably, the CARIS 70X30 Case includes ‘...an assumed generic incremental HVDC connection of 1,310 MW between Hydro-Quebec and New York City.’ In other words, the CARIS 70X30 Case includes CHPE.

Figure 13: Total 2030 Renewable Capacity in CARIS 70x30 “Base Load” Case<sup>57</sup>



Moreover, as discussed at length in the 2019 CARIS report New York’s upstate transmission system is currently unequipped to integrate the renewable generation shown in Figure 13. The report states the following (“emphasis added”):

*‘Results show that renewable generation pockets are likely to develop throughout the state as **the existing transmission grid would be overwhelmed by the significant renewable capacity additions**. In each of the five major pockets observed, renewable generation is curtailed due to the lack of sufficient bulk and local transmission capability to deliver the power. The results support the conclusion that **additional transmission expansion, at both bulk and local levels, will be necessary to efficiently deliver renewable power to New York consumers.**’*

Since many of CHPE’s Tier 4 competitors plan to rely on new upstate renewable generation, the buildout of the upstate transmission system, or lack thereof, is an important consideration in their viability. CHPE has a substantial timing advantage over these competing Tier 4 projects, as they are likely to require some level of transmission buildout. For example, the AC Public Policy Transmission Projects took 12 years to complete. As a fully-permitted Tier 4 project, which relies on Québec hydro generation, the benefits associated with CHPE can accrue far sooner to New York communities than any alternative.

<sup>57</sup> Excerpted from Initial Report on the New York Power Grid Study, January 2021, at page 16.

# APPENDIX A: SUMMARY OF THE MODELING RESULTS

## A-1 Annual Benefit Forecast

Table 13 and Table 14 outline the annual results of PA's analysis for (1) direct and indirect economic output benefits, (2) wholesale electricity savings, (3) property tax payments, and (4) CO2 and local air pollutant emission reduction benefits, from CHPE's construction and operations.

**Table 13: Annual Benefits to the State of New York from CHPE (\$millions, 2021-2025)**

	2021	2022	2023	2024	2025
<b>(1) Direct Economic Output</b>	<b>116.8</b>	<b>176.0</b>	<b>234.6</b>	<b>233.1</b>	<b>244.6</b>
<b>(2) Indirect/Induced Economic Output (includes 2a)</b>	<b>80.4</b>	<b>99.1</b>	<b>123.8</b>	<b>119.8</b>	<b>124.5</b>
<b>(2a) Wholesale Electricity Cost Savings</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>63.8</b>
Energy Cost Savings	0.0	0.0	0.0	0.0	19.4
Capacity Cost Savings	0.0	0.0	0.0	0.0	44.4
<b>(3) Property Tax Payments</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>
<b>(4) Value of CO2 Emission Reductions</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>51.9</b>
<b>(5) Value of Local Air Pollutant Emission Reductions</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>4.6</b>
<b>Total Economic Benefits [Sum of (1) to (5)]</b>	<b>197.2</b>	<b>275.2</b>	<b>358.5</b>	<b>352.9</b>	<b>425.6</b>

**Table 14: Annual Benefits to the State of New York from CHPE (\$millions, 2026-2034)**

	2026	2027	2028	2029	2030	2031	2032	2033	2034
<b>(1) Direct Economic Output</b>	<b>21.3</b>	<b>16.4</b>	<b>17.0</b>	<b>23.8</b>	<b>24.4</b>	<b>18.8</b>	<b>20.8</b>	<b>20.3</b>	<b>22.4</b>
<b>(2) Indirect/Induced Economic Output (inc. 2a)</b>	<b>919.9</b>	<b>1,098.2</b>	<b>1,360.2</b>	<b>1,112.2</b>	<b>869.6</b>	<b>1,459.9</b>	<b>931.7</b>	<b>728.6</b>	<b>621.8</b>
<b>(2a) Wholesale Electricity Cost Savings</b>	<b>925.1</b>	<b>1,073.3</b>	<b>1,323.7</b>	<b>956.1</b>	<b>807.1</b>	<b>1,432.1</b>	<b>884.9</b>	<b>668.8</b>	<b>544.9</b>
Energy Cost Savings	220.8	216.7	217.8	232.2	245.2	257.3	274.7	285.7	343.1
Capacity Cost Savings	704.3	856.7	1,106.0	723.9	561.9	1,174.8	610.2	383.1	201.8
<b>(3) Property Tax Payments</b>	<b>39.3</b>	<b>39.8</b>	<b>40.3</b>	<b>40.9</b>	<b>43.7</b>	<b>45.6</b>	<b>46.2</b>	<b>46.8</b>	<b>49.9</b>
<b>(4) Value of CO2 Emission Reductions</b>	<b>628.2</b>	<b>632.3</b>	<b>661.0</b>	<b>675.8</b>	<b>684.4</b>	<b>719.1</b>	<b>719.1</b>	<b>750.7</b>	<b>752.5</b>
<b>(5) Value of Local Air Pollutant Emission Reductions</b>	<b>48.6</b>	<b>50.1</b>	<b>59.9</b>	<b>63.0</b>	<b>63.5</b>	<b>65.2</b>	<b>72.0</b>	<b>68.0</b>	<b>61.5</b>
<b>Total Economic Benefits [Sum of (1) to (5)]</b>	<b>1,657.3</b>	<b>1,836.9</b>	<b>2,138.5</b>	<b>1,915.6</b>	<b>1,685.6</b>	<b>2,308.6</b>	<b>1,789.8</b>	<b>1,614.4</b>	<b>1,508.1</b>

**Table 15: Annual Benefits to the State of New York from CHPE (\$millions, 2035-2042)**

	2035	2036	2037	2038	2039	2040	2041	2042
<b>(1) Direct Economic Output</b>	<b>53.7</b>	<b>29.9</b>	<b>29.6</b>	<b>33.0</b>	<b>32.7</b>	<b>33.4</b>	<b>34.2</b>	<b>34.9</b>
<b>(2) Indirect/Induced Economic Output (inc. 2a)</b>	<b>795.8</b>	<b>730.7</b>	<b>496.6</b>	<b>520.7</b>	<b>877.1</b>	<b>564.8</b>	<b>595.2</b>	<b>628.7</b>
<b>(2a) Wholesale Electricity Cost Savings</b>	<b>684.9</b>	<b>627.6</b>	<b>407.0</b>	<b>385.1</b>	<b>740.4</b>	<b>445.9</b>	<b>460.6</b>	<b>476.6</b>
Energy Cost Savings	385.3	391.0	419.0	425.0	488.2	499.8	516.8	534.0

Capacity Cost Savings	299.5	236.6	-12.0	-39.9	252.2	-53.9	-56.2	-57.4
<b>(3) Property Tax Payments</b>	<b>50.5</b>	<b>52.6</b>	<b>53.4</b>	<b>56.6</b>	<b>57.4</b>	<b>58.2</b>	<b>60.5</b>	<b>64.0</b>
<b>(4) Value of CO2 Emission Reductions</b>	<b>776.2</b>	<b>805.9</b>	<b>826.7</b>	<b>869.3</b>	<b>920.8</b>	<b>972.6</b>	<b>1,006.4</b>	<b>1,041.2</b>
<b><u>(5) Value of Local Air Pollutant Emission Reductions</u></b>	<b><u>66.8</u></b>	<b><u>70.8</u></b>	<b><u>70.0</u></b>	<b><u>73.6</u></b>	<b><u>73.5</u></b>	<b><u>80.3</u></b>	<b><u>82.6</u></b>	<b><u>85.1</u></b>
<b>Total Economic Benefits [Sum of (1) to (5)]</b>	<b>1,742.9</b>	<b>1,689.9</b>	<b>1,476.2</b>	<b>1,553.1</b>	<b>1,961.5</b>	<b>1,709.2</b>	<b>1,778.8</b>	<b>1,853.9</b>

**Table 16: Annual Benefits to the State of New York from CHPE (\$millions, 2043-2050)**

	2043	2044	2045	2046	2047	2048	2049	2050
<b>(1) Direct Economic Output</b>	<b>35.7</b>	<b>36.5</b>	<b>37.3</b>	<b>38.1</b>	<b>38.9</b>	<b>39.8</b>	<b>40.6</b>	<b>41.5</b>
<b>(2) Indirect/Induced Economic Output (inc. 2a)</b>	<b>662.1</b>	<b>697.0</b>	<b>732.7</b>	<b>773.6</b>	<b>812.8</b>	<b>853.6</b>	<b>897.6</b>	<b>942.6</b>
<b>(2a) Wholesale Electricity Cost Savings</b>	<b>492.9</b>	<b>509.3</b>	<b>525.5</b>	<b>542.0</b>	<b>558.5</b>	<b>575.1</b>	<b>591.6</b>	<b>608.0</b>
Energy Cost Savings	551.6	569.3	586.9	604.7	622.5	640.6	658.5	676.4
Capacity Cost Savings	-58.7	-60.0	-61.3	-62.7	-64.0	-65.4	-66.9	-68.4
<b>(3) Property Tax Payments</b>	<b>64.9</b>	<b>65.8</b>	<b>66.7</b>	<b>73.7</b>	<b>75.7</b>	<b>77.6</b>	<b>83.0</b>	<b>88.0</b>
<b>(4) Value of CO2 Emission Reductions</b>	<b>1,077.1</b>	<b>1,114.1</b>	<b>1,152.1</b>	<b>1,184.4</b>	<b>1,224.6</b>	<b>1,266.0</b>	<b>1,301.3</b>	<b>1,345.0</b>
<b><u>(5) Value of Local Air Pollutant Emission Reductions</u></b>	<b><u>87.5</u></b>	<b><u>90.0</u></b>	<b><u>92.5</u></b>	<b><u>94.7</u></b>	<b><u>96.9</u></b>	<b><u>99.1</u></b>	<b><u>101.4</u></b>	<b><u>103.8</u></b>
<b>Total Economic Benefits [Sum of (1) to (5)]</b>	<b>1,927.3</b>	<b>2,003.3</b>	<b>2,081.3</b>	<b>2,164.6</b>	<b>2,249.0</b>	<b>2,336.2</b>	<b>2,423.9</b>	<b>2,520.9</b>

## A-2 Annual Jobs and Compensation Forecast

Table 17 outlines the results of PA's analysis related to estimated direct and secondary (indirect and induced) job creation and compensation within New York (all values are presented in nominal \$s). Jobs and compensation benefits are also discussed in Section 2.2.3.

**Table 17: Jobs and Compensation Impacts from CHPE in New York (2021-2050)**

Year	Period	Direct Jobs	Secondary Jobs	Total Compensation (\$millions)
2021	Construction	67	797	76
2022		296	1,110	114
2023		745	882	144
2024		826	680	140
2025		290	1,230	149
2026		51	4,820	338
2027		31	5,064	401
2028		32	6,152	496
2029		54	4,458	409
2030		54	3,748	320
2031		34	6,307	526
2032	Operation	38	3,904	339
2033		35	2,965	266
2034		40	2,458	229
2035		48	3,070	302
2036		42	2,760	270
2037		38	1,822	185
2038		43	1,813	198
2039		40	3,102	324
2040		39	1,918	212
2041		39	1,965	223
2042		39	2,031	236
2043		39	2,099	248
2044		39	2,167	260
2045		39	2,234	273
2046		39	2,302	288

Year	Period	Direct Jobs	Secondary Jobs	Total Compensation (\$millions)
2047		39	2,371	302
2048		39	2,440	317
2049		39	2,508	333
2050		39	2,577	349

### A-3 Air Pollutant Reduction Forecast

Table 18 outlines the results of PA’s analysis related to estimated air pollutant reductions in New York State. Pollutants are also discussed in Section 3.3.3.

**Table 18: Pollutant Emission Reductions Attributable to CHPE Operations (tons, 2025-2050)**

Year	CO <sub>2</sub> (metric tons)	NO <sub>x</sub>	SO <sub>2</sub>	NH <sub>3</sub>	PM <sub>2.5</sub>	VOCs
2025	347,311	36	2	24	18	6
2026	4,084,066	498	26	234	177	55
2027	3,963,404	396	17	215	163	51
2028	3,995,559	406	20	219	165	51
2029	3,940,167	363	16	195	148	46
2030	3,877,173	349	14	185	140	43
2031	3,930,770	392	16	192	145	45
2032	3,793,465	356	16	179	135	42
2033	3,848,413	362	16	179	136	42
2034	3,724,184	356	13	166	126	39
2035	3,708,570	359	13	163	123	38
2036	3,718,637	351	14	168	127	39
2037	3,708,366	351	14	168	127	39
2038	3,766,281	342	12	169	128	40
2039	3,854,324	403	15	179	135	42
2040	3,933,569	444	18	193	146	45
2041	3,933,569	444	18	193	146	45
2042	3,933,569	444	18	193	146	45
2043	3,933,569	444	18	193	146	45
2044	3,933,569	444	18	193	146	45
2045	3,933,569	444	18	193	146	45
2046	3,933,569	444	18	193	146	45
2047	3,933,569	444	18	193	146	45
2048	3,933,569	444	18	193	146	45
2049	3,933,569	444	18	193	146	45
2050	3,933,569	444	18	193	146	45



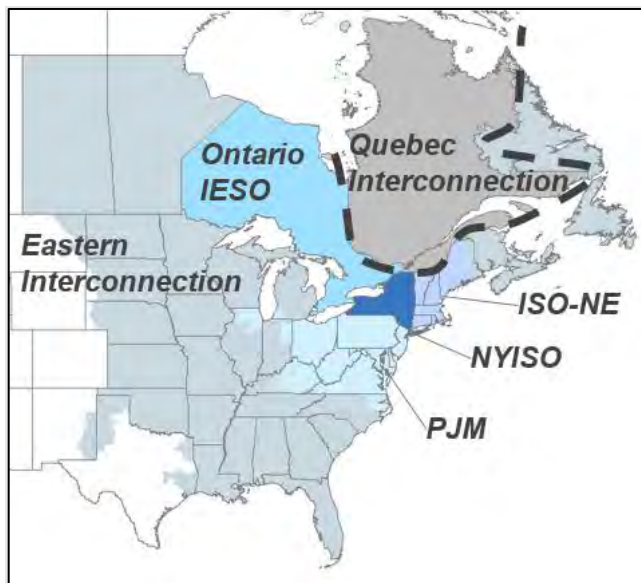
# APPENDIX B: DESCRIPTION OF THE MODELING METHODOLOGY AND ANALYSIS

## B-1 Wholesale Electricity Modeling

To evaluate the wholesale electricity and environmental benefits from CHPE, PA used its proprietary electricity market modeling process. This process has been vetted in regulatory and litigation proceedings, including some of the largest bankruptcies in the power sector.

At the core of PA's proprietary modeling process, PA uses an industry standard chronological dispatch simulation model, AURORA, to simulate the hourly operations of the power plants and transmission lines within the Eastern and Québec Interconnections – as illustrated in Figure 14 – with a focus on the NYISO system. This model enables PA to analyze inter and intra-market hourly energy flows and the operating profile of the power plants and transmission lines within a given system; in this case NYISO and the adjacent systems of PJM, Ontario IESO, Hydro-Québec, and ISO-NE. The AURORA model is widely used by electric utilities, power market regulators, independent system operators and other market consultants.

**Figure 14: North American Electric Interconnections**



To analyze the environmental and economic benefits of the Project, PA modeled the NYISO electricity system under two scenarios - referred to as the Reference Case and the Study Case – for 2025 through 2040. CHPE's operations post-2040, and associated emission reduction impacts, were held constant. Wholesale energy and capacity costs were escalated at an inflation rate of 2.2%.

The Reference Case modeled the NYISO system without CHPE, while the Study Case assumed CHPE would provide 10.4 TWh per year of clean energy and 1,250 MW of firm capacity sales into the system. The Study Case is identical to the Reference Case with the exception of the addition of CHPE.

The Reference Case and The Study Case included all new renewable resources that have received contracts with NYSERDA as of February 28, 2021, but assumed a 20% degradation rate, in line with NYSERDA's assumption in its June 2020 White Paper on Clean Energy Standard Procurements.<sup>58</sup> Additionally, over 6 GW of offshore wind is added by 2030, in line with the 26 TWh of offshore wind generation assumed in NYSERDA's White Paper, with a further 3 GW added by 2035 in order to meet New York's 9 GW of offshore wind by 2035 mandate. Finally, 3 GW of battery storage are added by 2030 in order

<sup>58</sup> <https://www.nyserra.ny.gov/-/media/Files/Programs/Clean-Energy-Standard/20200714-CLCPA-white-paper.pdf>

to meet New York's mandate, with an additional ~5 GW of battery storage added beyond 2030 as needed to meet reliability needs.

Neither the Reference Case nor the Study Case reflect compliance with the CLCPA's 70% renewable energy by 2030 nor 100% clean energy by 2040 targets. This approach was taken in order to model CHPE as an inframarginal clean energy resource and contributor to CO<sub>2</sub> and local air pollutant reductions. This enables the reader to evaluate the incremental benefits CHPE can provide to New York by lowering pollutant emissions and helping New York State make progress towards its short and long-term decarbonization targets.

### **B.1.1 Determining Wholesale Electricity Cost Savings and CO<sub>2</sub> Emission Reductions**

As previously discussed, PA's analysis forecasted CHPE's operations to result in wholesale electricity cost savings and CO<sub>2</sub> emission reductions for New York ratepayers. These findings were determined using the aforementioned AURORA model. Two primary assumptions that impact the level of electricity cost savings and CO<sub>2</sub> emission reductions are (1) natural gas prices, and (2) peak electricity demand growth.

#### **1. Natural gas price assumptions**

PA relied on the natural gas prices from NYISO's 2019 CARIS report, published in July 2020.<sup>59</sup> This report provides delivered prices for Zones A-E, F-I, J, and K separately, all of which were incorporated in PA's analysis.

#### **2. Electricity demand assumptions**

PA relied on the 2021 peak demand forecast for 2021.<sup>60</sup> For peak demand beyond 2021, PA relied on the projected year-over-year changes from the 2020 Gold Book forecast, and applied those to the official peak demand forecast for 2021.<sup>61</sup> Energy demand projections are based on the 2020 Gold Book.

It is important to note that the 2021 Gold Book does not assume New York will be in full compliance with CLCPA targets.

#### **3. How electricity cost savings are calculated**

The electricity cost savings (made up of energy and capacity cost savings) to New York ratepayers were calculated using the AURORA model (energy cost saving) and PA's ICAP auction simulation model (capacity cost savings). As discussed in Section 1, CHPE was assumed to begin commercial operations in December 2025 with the ability to generate 1,250 MW of electricity at a capacity factor of 95%.

The AURORA model simulated the NYISO system, and the adjacent PJM, Ontario IESO, Hydro-Québec, and ISO-NE systems, with and without CHPE in the market. CHPE was forecasted to lower wholesale energy prices, and thereby lower energy costs, by reducing the system's reliance on expensive fossil-fueled power plants to generate electricity as a result of its low production cost of electricity – which results in CHPE operating ahead of these fossil-fueled power plants. These dynamics and how wholesale energy prices decrease as a result of CHPE's 1,250 MW of clean energy were described in Section 2.2.1 of this report.

The ICAP auction simulation model simulated NYISO's capacity auctions with and without CHPE and its 1,250 MW of firm capacity sales in the market. CHPE was forecasted to lower wholesale capacity prices in NYISO and thereby lower capacity costs, by increasing the amount of low-cost capacity that is available to be purchased. This dynamic and how wholesale capacity prices decrease as a result of CHPE's 1,250 MW of firm capacity sales was described in Section 2.2.1 of this report.

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<sup>59</sup> <https://www.nyiso.com/documents/20142/2226108/2019-CARIS-Phase1-Report-Final.pdf/bcf0ab1a-eac2-0cc3-a2d6-6f374309e961>

<sup>60</sup> <https://www.nyiso.com/documents/20142/1401192/2021-ICAP-Forecast.pdf/b0ba579e-696c-b4a8-c9bf-484fce6a57fb>

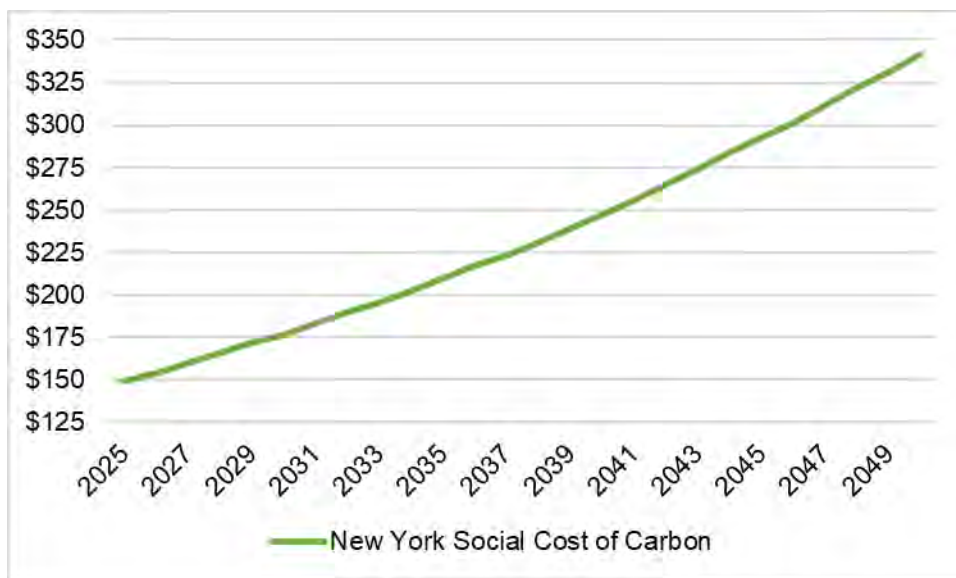
<sup>61</sup> <https://www.nyiso.com/documents/20142/2226333/2020-Gold-Book-Final-Public.pdf/9ff426ab-e325-28bc-97cf-106d792593a1>

#### 4. How CO<sub>2</sub> emission reductions and environmental benefits are calculated

Similar to how energy cost savings were calculated, PA relied on the AURORA model to simulate the operations of the NYISO system and the adjacent PJM, Ontario IESO, Hydro-Québec, and ISO-NE systems, with a specific focus on how CHPE would change the operations of CO<sub>2</sub>-emitting power plants. Similar to how CHPE creates energy cost savings, CHPE is forecasted to create CO<sub>2</sub> emission reductions by reducing the NYISO system's reliance on CO<sub>2</sub>-emitting fuel oil and natural gas-fired power plants to generate electricity as a result of its low production cost of electricity – which results in CHPE operating ahead of these CO<sub>2</sub>-emitting power plants.

Once the CO<sub>2</sub> emission reductions from CHPE were quantified, PA calculated the environmental benefit of the reductions (i.e., the value of avoided CO<sub>2</sub> emissions) based on the New York DEC Social Cost of Carbon calculation<sup>62</sup>. The Social Cost of Carbon is a monetized estimate of the societal damages, including agricultural productivity changes, human health risks, and flooding damages, associated with increases in CO<sub>2</sub> emissions. Specifically, the NY Social Cost of Carbon starts at \$149/metric ton in 2026, escalating to \$342 by 2050. However, because New York participates in the Regional Greenhouse Gas Initiative (“RGGI”), the NY Social Cost of Carbon was also reported by reducing the forecasted price of RGGI CO<sub>2</sub> allowances to calculate the environmental benefit of CO<sub>2</sub> emission reductions, since the RGGI allowance value was already captured in the decrease in wholesale energy costs from CHPE. The net CO<sub>2</sub> cost that was applied to the forecasted CO<sub>2</sub> emission reductions from CHPE is illustrated in Figure 15 below.

**Figure 15: New York Social Cost of Carbon Value (\$/metric ton)**



#### B-2 Economic Impacts Modeling

To estimate the economic benefits, PA's used an Input-Output (“I-O”) analysis. I-O analysis accounts for inter-industry relationships within a defined geographic area (e.g. New York) and estimates how the local and regional economies are affected by a given investment, using economic activity multipliers. In this case, that investment is the construction and operation of CHPE.

The specific model PA used to conduct the I-O analysis was IMPLAN – Impact Analysis for Planning. IMPLAN is an economic analysis tool that takes data from multiple government sources and employs an

<sup>62</sup>PA used the Social Cost of Carbon value calculated using a 2% social discount rate which is consistent with the NY Department of Environmental Conservation's discount rate recommendation for decision making by state entities. PA used the SCC values published by the NY DEC in the October 2020 Value of Carbon Guidance documents (<https://www.dec.ny.gov/regulations/56552.html>). Note that on February 26, 2021, President Joe Biden signed an executive order reinstating the Obama administration's SCC figures adjusted for inflation and called for a comprehensive update of the SCC by January 2022.

estimation method based on industry accounts, an I-O Matrix, uses multipliers to estimate how changes in income and spending benefit regional economies. IMPLAN estimates are generated by interacting CHPE's direct expenditures (e.g., jobs created and compensation paid) with the Regional Input-Output Modeling System (RIMS II) multipliers for New York, which were provided by the U.S. Bureau of Economic Analysis ("BEA").

Multiplier analysis is based on the notion of feedback through I-O linkages among firms and households who interact in an economy. Firms buy and sell goods and services to other firms and compensate households. In turn, households buy goods from additional firms using the compensation received. This interaction creates economic output in an economy. Similarly, capital projects such as CHPE (1) create jobs, which in turn (2) compensate households and increase household disposable income that (3) is used to purchase goods and services in an economy, which (4) also creates economic output.

Economic benefits represent the jobs, income, output, and fiscal benefits created from both the direct jobs created and compensation paid by CHPE, but also from feedback effects where other local firms require more labor and inputs to meet rising demand for their output, which was stimulated by CHPE's construction and operation. Collectively, these total benefits can be categorized into direct, and indirect and induced effects.

Direct effects reflect those impacts resulting from CHPE's direct expenditures, such as CHPE hiring workers. Indirect effects reflect supply chain impacts from CHPE's direct expenditures, such as the incremental jobs and compensation at local contractors or material providers that are supported by investment in CHPE's construction (truckers, concrete providers, etc.). Lastly, induced effects reflect impacts created by household spending of income earned directly from CHPE or indirectly through businesses that are impacted by CHPE or through ratepayer savings resulting from the operation of CHPE.

### B-3 Air Pollution Impacts Modeling

To evaluate the health effects resulting from changes in air pollution levels in New York state and New York City, PA uses a screening tool with an integrated model that measures health effects at county-level resolution. This analysis uses the US Environmental Protection Agency's (EPA) Co-Benefits Risk Assessment (COBRA) Screening model. COBRA estimates how changes in air pollution particulate matter can result in various health effects, which are then translated to the economic results of these health outcomes.

In our analysis, EPA's COBRA model functions in three stages: reading in the user-determined emissions changes and population by county, calculating the health effects which results from those emissions changes, and outputting estimates of the dollar value implications of those adverse health effects.

Fine particles (PM2.5) are responsible for many adverse health effects. The small size of PM2.5 particles makes it easier to reach deeper locations in our lungs, leading to a variety of harmful long-term health consequences. A reduction in PM2.5 is associated with fewer cases of adverse health effects.

The model accepts changes in different county-level emissions categories in a base case and a scenario case. Using a Source-Receptor matrix (S-R Matrix), COBRA estimates the formation and dispersion of PM2.5 resulting from the emissions of PM2.5 and PM2.5 precursors (SO<sub>2</sub>, NO<sub>x</sub>, NH<sub>3</sub>, VOC). This matrix is constructed based on air quality models that simulate particle dispersion and outlines the relationships between the locations of pollution emitters and a single receptor in the center of each county. This permits COBRA to link emissions from different sources to the spatial concentration of fine particles that lead to adverse health conditions.

Based on the differences in particle concentrations that COBRA estimates from emissions changes using the S-R Matrix, the model estimates the changes in different health risks. COBRA evaluates how the changes in these pollutants affect fourteen "health endpoints", or selected health conditions and other effects affecting the population that have societal cost. These include premature mortality (high and low estimates), nonfatal heart attacks (high and low estimates), infant mortality, hospital admits (all respiratory), hospital admits – cardiovascular (except heart attacks), acute bronchitis, upper respiratory symptoms, lower respiratory symptoms, emergency room visits (asthma), minor restricted activity days, work loss days, and asthma exacerbation.

For each health risk, COBRA employs a unique “health endpoint function” that quantifies how much change in one adverse health effect can be expected due to a change in the concentration of fine particles. Each health endpoint is related to one or more peer-reviewed articles from scientific literature from which a set of health endpoint incidence factors by population age group is referenced.

Once COBRA has estimated health outcomes due to a change in emissions, the model assigns economic value to the change in adverse health conditions. Each health effect is associated with a health impact economic valuation that considers the age of the population affected, the adverse health condition, and the discount rate selected in the model. The economic values are determined using a specified discount rate of either 3% or 7% to reflect a more conservative or progressive economic growth forecast (a 3% discount rate is applied in this analysis). These economic valuations assign “unit values” to health conditions which reflect the cost of willingness-to-pay to avoid illness, treatment/effect mitigation of the health effect, or of lost wages. By applying these unit values to the number of avoided statistical cases estimated for each health effect, COBRA estimates the total economic value of emissions reductions on a yearly basis.

# APPENDIX C: ALTERNATE BID – NEW SCOTLAND CONVERTER

## C-1 New Scotland Converter

This Appendix C describes the benefits to New York State resulting from the New Scotland Converter, CHPE’s Alternate Bid. The New Scotland Converter will enable up to 500 MW of upstate solar generation, to be built by a New York Supplier, to access CHPE for delivery into Zone J whenever the solar is generating electricity.

PA understands that a New York Supplier has submitted a proposal to NYSEERDA under the Tier 4 RFP conditioned on NYSEERDA's acceptance of this Alternate Bid and proposing to use the New Alternate Transmission to supply the solar generation into Zone J via CHPE with the New Scotland Converter configuration. As part of that proposal, PA understands the New York Supplier has described the benefits associated with the 500 MW of solar.

As such, the benefits described in this appendix relate solely to the incremental economic benefits of the construction and operation of the New Scotland Converter and associated property tax payments.

The incremental economic benefits of the New Scotland Converter can be summarized as follows:

- The New Scotland Converter will create an average of 64 direct full-time jobs during construction. New Scotland will also support the creation of an average 3 direct, full-time jobs in the State of New York during the first 25 years of operations.
- The New Scotland Converter will create \$175 million in total economic output in the State of New York during construction, and an additional \$263 million during its first 25 years of operations.
- The New Scotland Converter will contribute \$45 million in property taxes in the first 25 years of operation, funding towns and school districts across the State of New York.

## C-2 Annual Jobs and Compensation Forecast

Tables 19 through 22 outline the results of PA’s analysis related to (1) estimated direct and secondary (indirect and induced) job creation and compensation, and (2) property tax payments within New York attributable to the New Scotland addition to CHPE (all values are presented in nominal \$s).

**Table 19: Annual Benefits to the State of New York from CHPE (\$millions, 2021-2025)**

	2021	2022	2023	2024	2025
<b>(1) Direct Economic Output</b>	<b>116.8</b>	<b>176.0</b>	<b>234.6</b>	<b>233.1</b>	<b>244.6</b>
<b>(1a) New Scotland Incremental Impact</b>	<b>1.0</b>	<b>12.9</b>	<b>25.1</b>	<b>33.0</b>	<b>41.6</b>
<b>(2) Indirect/Induced Economic Output (includes 2a)</b>	<b>80.4</b>	<b>99.1</b>	<b>123.8</b>	<b>119.8</b>	<b>124.5</b>
<b>(2a) Wholesale Electricity Cost Savings</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>63.8</b>
Energy Cost Savings	0.0	0.0	0.0	0.0	19.4
Capacity Cost Savings	0.0	0.0	0.0	0.0	44.4
<b>(2b) New Scotland Incremental Impact</b>	<b>0.5</b>	<b>6.4</b>	<b>13.1</b>	<b>18.2</b>	<b>23.0</b>
<b>(3) Property Tax Payments</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>
<b>(3a) New Scotland Incremental Property Tax Payments</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>
<b>(4) Value of CO2 Emission Reductions</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>51.9</b>
<b>(5) Value of Local Air Pollutant Emission Reductions</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>4.6</b>
<b>Total Economic Benefits [Sum of (1) to (5), and (1a) + (2b) + (3a)]</b>	<b>199</b>	<b>294</b>	<b>397</b>	<b>404</b>	<b>490</b>

**Table 20: Annual Benefits to the State of New York from CHPE (\$millions, 2026-2034)**

	2026	2027	2028	2029	2030	2031	2032	2033	2034
<b>(1) Direct Economic Output</b>	21.3	16.4	17.0	23.8	24.4	18.8	20.8	20.3	22.4
<b>(1a) New Scotland Incremental Impact</b>	4.1	4.3	4.5	4.7	5.0	5.2	5.5	5.8	6.1
<b>(2) Indirect/Induced Economic Output (includes 2a)</b>	919.9	1,098	1,360	1,112	869.6	1,459.9	931.7	728.6	621.8
<b>(2a) Wholesale Electricity Cost Savings</b>	925.1	1,073	1,323	956.1	807.1	1,432	884.9	668.8	544.9
Energy Cost Savings	220.8	216.7	217.8	232.2	245.2	257.3	274.7	285.7	343.1
Capacity Cost Savings	704.3	856.7	1,106	723.9	561.9	1,174	610.2	383.1	201.8
<b>(2b) New Scotland Incremental Impact</b>	2.0	2.0	2.1	2.2	2.3	2.4	2.5	2.6	2.8
<b>(3) Property Tax Payments</b>	39.3	39.8	40.3	40.9	43.7	45.6	46.2	46.8	49.9
<b>(3a) New Scotland Incremental Property Tax Payments</b>	1.2	1.2	1.3	1.3	1.4	1.4	1.5	1.5	1.6
<b>(4) Value of CO2 Emission Reductions</b>	628.2	632.3	661.0	675.8	684.4	719.1	719.1	750.7	752.5
<b>(5) Value of Local Air Pollutant Emission Reductions</b>	<u>48.6</u>	<u>50.1</u>	<u>59.9</u>	<u>63.0</u>	<u>63.5</u>	<u>65.2</u>	<u>72.0</u>	<u>68.0</u>	<u>61.5</u>
<b>Total Economic Benefits [Sum of (1) to (5), and (1a) + (2b) + (3a)]</b>	1,665	1,844	2,146	1,924	1,694	2,318	1,799	1,624	1,519

**Table 21: Annual Benefits to the State of New York from CHPE (\$millions, 2035-2042)**

	2035	2036	2037	2038	2039	2040	2041	2042	2043
<b>(1) Direct Economic Output</b>	53.7	29.9	29.6	33.0	32.7	33.4	34.2	34.9	35.7
<b>(1a) New Scotland Incremental Impact</b>	6.4	6.7	7.1	7.4	7.8	8.2	8.4	8.6	8.8
<b>(2) Indirect/Induced Economic Output (includes 2a)</b>	795.8	730.7	496.6	520.7	877.1	564.8	595.2	628.7	662.1
<b>(2a) Wholesale Electricity Cost Savings</b>	684.9	627.6	407.0	385.1	740.4	445.9	460.6	476.6	492.9
Energy Cost Savings	385.3	391.0	419.0	425.0	488.2	499.8	516.8	534.0	551.6
Capacity Cost Savings	299.5	236.6	-12.0	-39.9	252.2	-53.9	-56.2	-57.4	-58.7
<b>(2b) New Scotland Incremental Impact</b>	2.9	3.0	3.1	3.3	3.4	3.5	3.6	3.8	3.8
<b>(3) Property Tax Payments</b>	50.5	52.6	53.4	56.6	57.4	58.2	60.5	64.0	64.9
<b>(3a) New Scotland Incremental Property Tax Payments</b>	1.6	1.7	1.7	1.8	1.9	1.9	1.9	2.1	2.1
<b>(4) Value of CO2 Emission Reductions</b>	776.2	805.9	826.7	869.3	920.8	972.6	1,006	1,041	1,077
<b>(5) Value of Local Air Pollutant Emission Reductions</b>	<u>66.8</u>	<u>70.8</u>	<u>70.0</u>	<u>73.6</u>	<u>73.5</u>	<u>80.3</u>	<u>82.6</u>	<u>85.1</u>	<u>87.5</u>
<b>Total Economic Benefits [Sum of (1) to (5), and (1a) + (2b) + (3a)]</b>	1,754	1,701	1,488	1,566	1,975	1,723	1,793	1,868	1,942

**Table 22: Annual Benefits to the State of New York from CHPE (\$millions, 2043-2050)**

	2044	2045	2046	2047	2048	2049	2050
<b>(1) Direct Economic Output</b>	<b>36.5</b>	<b>37.3</b>	<b>38.1</b>	<b>38.9</b>	<b>39.8</b>	<b>40.6</b>	<b>41.5</b>
<b>(1a) New Scotland Incremental Impact</b>	<b>9.0</b>	<b>9.2</b>	<b>9.4</b>	<b>9.6</b>	<b>9.8</b>	<b>10.0</b>	<b>10.2</b>
<b>(2) Indirect/Induced Economic Output (includes 2a)</b>	<b>697.0</b>	<b>732.7</b>	<b>773.6</b>	<b>812.8</b>	<b>853.6</b>	<b>897.6</b>	<b>942.6</b>
<b>(2a) Wholesale Electricity Cost Savings</b>	<b>509.3</b>	<b>525.5</b>	<b>542.0</b>	<b>558.5</b>	<b>575.1</b>	<b>591.6</b>	<b>608.0</b>
Energy Cost Savings	569.3	586.9	604.7	622.5	640.6	658.5	676.4
Capacity Cost Savings	-60.0	-61.3	-62.7	-64.0	-65.4	-66.9	-68.4
<b>(2b) New Scotland Incremental Impact</b>	<b>3.9</b>	<b>4.0</b>	<b>4.1</b>	<b>4.2</b>	<b>4.3</b>	<b>4.4</b>	<b>4.6</b>
<b>(3) Property Tax Payments</b>	<b>65.8</b>	<b>66.7</b>	<b>73.7</b>	<b>75.7</b>	<b>77.6</b>	<b>83.0</b>	<b>88.0</b>
<b>(3a) New Scotland Incremental Property Tax Payments</b>	<b>2.1</b>	<b>2.2</b>	<b>2.3</b>	<b>2.4</b>	<b>2.4</b>	<b>2.4</b>	<b>2.6</b>
<b>(4) Value of CO2 Emission Reductions</b>	<b>1,114</b>	<b>1,152</b>	<b>1,184</b>	<b>1,224</b>	<b>1,266</b>	<b>1,301</b>	<b>1,345</b>
<b><u>(5) Value of Local Air Pollutant Emission Reductions</u></b>	<b><u>90.0</u></b>	<b><u>92.5</u></b>	<b><u>94.7</u></b>	<b><u>96.9</u></b>	<b><u>99.1</u></b>	<b><u>101.4</u></b>	<b><u>103.8</u></b>
<b>Total Economic Benefits [Sum of (1) to (5), and (1a) + (2b) + (3a)]</b>	<b>2,018</b>	<b>2,097</b>	<b>2,180</b>	<b>2,265</b>	<b>2,353</b>	<b>2,441</b>	<b>2,538</b>



### C-3 Annual Jobs and Compensation Forecast

Table 23 outlines the results of PA's analysis related to estimated direct and secondary (indirect and induced) job creation and compensation within New York attributable to the incremental impact from the New Scotland Converter (all values are presented in nominal \$s).

**Table 23: Jobs and Compensation Impacts from the New Scotland Addition to CHPE in New York (2021-2050)**

Year	Period	Direct Jobs	Secondary Jobs	Total Compensation (\$millions)
2021	Construction	5	3	0.6
2022	Construction	52	32	0.6
2023	Construction	82	55	0.6
2024	Construction	86	64	0.6
2025	Construction	94	75	0.6
2026	Operations	3	3	0.6
2027	Operations	3	3	0.6
2028	Operations	3	3	0.6
2029	Operations	3	3	0.6
2030	Operations	3	3	0.6
2031	Operations	3	3	0.6
2032	Operations	3	3	0.6
2033	Operations	3	3	0.6
2034	Operations	3	3	0.6
2035	Operations	3	3	0.6
2036	Operations	3	3	0.6
2037	Operations	3	3	0.6
2038	Operations	3	3	0.6
2039	Operations	3	3	0.6
2040	Operations	3	4	0.6
2041	Operations	3	4	0.6
2042	Operations	3	4	0.6
2043	Operations	3	4	0.6
2044	Operations	3	4	0.6
2045	Operations	3	4	0.6

Year	Period	Direct Jobs	Secondary Jobs	Total Compensation (\$millions)
2046	Operations	3	4	0.6
2047	Operations	3	4	0.6
2048	Operations	3	4	0.6
2049	Operations	3	4	0.6
2050	Operations	3	4	0.6



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