

Nicolas Graver
Skidmore College
815 North Broadway
Saratoga Springs, NY
ngraver@skidmore.edu

Thank you for taking public comment in regards to the Draft EIS on the CHPE Transmission Line Project. I am writing to support the "No Action Alternative," as the impacts of increased population and energy demand in Southeastern New York are much better addressed by conservation strategies than by the massive disruption of aquatic ecosystems that this plan represents. The Draft EIS dismisses this as a goal which would not be completed within the State of New York's energy efficiency plan, but does not acknowledge the opportunity for New York City and the surrounding region to take additional action and conservation measures. Increasing energy demand and conservation in this part of the state should be tackled by the consumers themselves in terms of conservation efforts and increased energy costs, thereby reducing demand, and not subsidized by environmental destruction elsewhere in the state. A balanced energy plan should absolutely require all new sources of energy to be not only sustainable in terms of greenhouse gas emissions, but also environmentally responsible in terms of land impacts.

The DEIS also dismisses several alternate routes which prevent environmental destruction on the scale of the proposed project, largely due to the additional project expenses associated with each of these projects. These projects are not considered practical alternatives by the applicant, but this assessment is done entirely based on the increased expense of the projects and not based on the relative merits of these options, which are immense. The alternatives described in Appendix B do represent a significant increase in cost (ranging from a 15% to 42% cost increase for the project), but are hugely advantageous in that they reserve environmental impacts to existing developed land and do not disrupt important aquatic ecosystems in the Hudson River and Lake Champlain, not to mention disruption of PCBs that have settled in the riverbed substrate. These are key waterways in the northeast and incredibly valuable for protection, well worth the additional cost of alternatives.

Increased energy costs to be borne by the consumer may also be a necessary part of a responsible energy plan for the state and the NYC downstate region, and should be considered first as an alternative to destruction of the natural environment. These costs should be transferred directly to the companies supplying power and correspondingly to power users, instead of allowing valuable habitat and ecosystems in Lake Champlain and the Hudson River to be sacrificed as a cost saving measure.

The principles which caused public objections when the NYRI project was originally proposed remain true; the notion that the people and environment upstate should bear the costs of increased power use in the NYC area is inherently objectionable and unjust. Instead of addressing the fundamental tenet of this objection, the new CHPE proposal hides the impacts from the immediate public gaze while

simultaneously magnifying the environmental and social impacts of the project, creating more destruction but hiding it from the public gaze in order to reduce opposition.

Dann Marine Towing, LC

CANAL PLACE

Post Office Box 250 / Chesapeake City, Maryland 21915
(410) 885-5055 / (800) 770-TUGS / FAX (410) 885-5570



Brian Mills
CHPE Draft EIS Comments
Office of Electricity Delivery & Energy Reliability (OE-20)
U.S. Department of Energy
1000 Independence Ave SW
Washington, D.C 20585

Dear Mr. Mills,

I am writing on behalf of Dann Marine Towing, as a member of the Tug & Barge Committee (TBC) of the Maritime Association of the Port of New York and New Jersey to strongly request that the Champlain Hudson Power Express (CHPE) cable route application as proposed in the Hudson River be denied.

“the Applicants recognize that there is significant waterborne commerce on the Hudson River, with the majority of the cargo originating from the Ports of New York and New Jersey.”¹

The Maritime Industry feel that vessel safety has been dismissed in this process and that safe navigation will be compromised. A vast and powerful river, the Hudson has long been a vital piece in our nations Marine Transportation System (MTS) serving New York State and our Nation connecting cities/ports world-wide with numerous ports along the Hudson including the State Capital Port Albany

STATE POLICY 3

“The installation and operation of the transmission cables may affect navigation or future dredging activities which may, in turn, affect the operation of port facilities in New York City and Albany. However, the applicant has consulted with appropriate port facility operators and agreed to site the project in a manner that would not hamper or interfere with port activities.”²

The mission of Harbor Safety, Navigation and Operations Committee of the Port of New York and New Jersey is: “*To develop non-regulatory solutions to operational challenges in the Port of New York and New Jersey.*” The Energy Sub-Committee has worked closely with numerous Alternative/Conventional Energy proposals to develop workable sensible

¹ HDR Letter October 18, 2010, Sean Murphy

² NYSDOS Letter June 8, 2011, Signed by Daniel E. Shapiro, First Deputy Secretary of State

Dann Marine Towing, LC

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proposals and met with the CHPE consultants on March 16, 2011 to discuss cable routing. At that meeting the Energy Sub-Committee raised several concerns regarding the proposed cable route and installation. The consultant informed the Energy Sub-Committee that they were negotiating with the New York State Department of Conservation (DEC) to route the cable outside the channel in shallow water and that the route would not be the same as presented; however, the recently approved New York State DEC proposed CHPE route is very similar though not identical to the first proposal and therefore the Applicant has met but NOT consulted with the appropriate port facility operators.

STATE POLICY 2

“Should the bi-pole occupy any federally maintained navigation channels it will be buried at least 15 feet below the authorized depth in a single trench within those channels. In this matter, the siting of the cable at these depths will minimize conflicts with water based navigation by substantially avoiding anchor strikes and potential future navigational improvements.”³

Anchors vary in size and use but regardless have long been a staple of the shipping industry performing many functions for vessels including anchoring, docking, and emergencies and while docks and anchorages are predictable, emergencies are not. The Hudson River varies in channel width and depths is primarily rock and can narrow to 400 feet in width. The primary tool to mitigate non-controllable factors is the anchor. Non- controllable external factors include diminishing visibility (fog, snow, and thunderstorms), Ice, or other vessels or internal casualty factors (loss of engines or steering). As non-controllable factors can occur anytime and anywhere in any navigable channel, anchoring must be a primary factor in considering proposals in navigational waters that may impact anchoring.

Risk of fouling an anchor on a cable has many impacts to include but not limited to loss of assets, supply chain schedules, asset/human casualties, and/or environmental damage. Vessels transiting the River trade in various liquid products including Albany exports of crude oil and ethanol.

“Another condition requires that the applicant verify the transmission cables' burial depth on a periodic basis so that they do not become a hazard to navigation or marine resources.”⁴

³ IBID

⁴ IBID

Dann Marine Towing, LC

CANAL PLACE

Post Office Box 250 / Chesapeake City, Maryland 21915
(410) 885-5055 / (800) 770-TUGS / FAX (410) 885-5570



The Energy Sub Committee and the Tug and Barge Committee have serious concerns with the proposed cable routing and burial depths for this project and strongly object to burial depths as proposed. Burial depths should be analyzed, verified, and certified by the applicant and MUST be for ALL navigational channels maintained or not maintained.

New York is home to many of our employees. Over 31,000 New York City residents earn their livelihood in the maritime industry. Because we recognize the importance of balancing the working waterfront activities we support environmental stewardship balanced with economic growth and welcome the opportunity to partner with DEC, FERC, and USACE to create a sensible to approach to cable routes.

I wish to thank you in advance for your considerations to our needs. Have a great Holiday Season.

Regards,

Handwritten signature of Jason Wisneski.

Jason Wisneski
Dann Marine Towing
410-885-5055

From: Bryan and Doddy [\[mailto:bbcd@verizon.net\]](mailto:bbcd@verizon.net)

Sent: Friday, December 13, 2013 8:16 PM

To: jun.yan@usace.army.mil

Cc: Mills, Brian

Subject: CHPEI

Dear Sir, I am writing to state my opposition the the proposed underwater transmission line to be run under Lake Champlain and the Hudson River. It will do nothing to help the people of New York. We need to upgrade our existing lines and to look for local generation such as wind power and small hydros. Importing more power from Canada will do very little to help New York's power problems. Thank you,
Bryan J. LaVigne

From: wehew@aol.com [mailto:wehew@aol.com]
Sent: Sunday, December 15, 2013 1:48 PM
To: Mills, Brian
Subject:

Dear Mr. Mills

I am writing to express my opposition to the proposed Champlain Hudson Power Express (CHPE) high voltage direct current line proposed to carry 1,000 megawatts of electricity from Canada to New York City.

According to information obtained from CHPE's website and United States Geological Survey maps, this transmission line will cross the US border into the most seismically active region of NY. The proposed northernmost converter station for this line also lies within this region. This converter and the cable would be susceptible to damage from seismic activity.

As this is a two pole DC line, it is not compatible with NY's current three phase AC based electrical grid, and we CAN NOT tie into it in the event of a regionalized failure. A failure along any point of this line effectively removes the entire line from service. Losing 1,000 MW of power during a period of peak demand with no means of replacing it may have catastrophic consequences for the end users in NY City and Long Island. Furthermore, a DC line will do nothing to strengthen the electrical backbone of NERC's Northeast Power Coordinating Council region. The CHPE project amounts to little more than extending a very large extension cord from Canada directly to New York City.

In addition to these concerns, this line also relies on the presumption of continued amicability from a foreign country. In the event that Quebec manages to achieve its longstanding ambition of independence, this relationship may be called into question.

The solution to meeting New York City's electrical needs lies in upgrading our existing transmission facilities to provide power from generators in western, central, and northern New York.

Thank you for your attention to this important issue.

Very truly yours,

Todd Jones

Sent from Windows Mail

From: wehew@aol.com [mailto:wehew@aol.com]
Sent: Sunday, December 15, 2013 1:48 PM
To: Mills, Brian
Subject:

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Thank you for your attention to this important issue.

Very truly yours,

Todd Jones

Sent from Windows Mail

December 18, 2013

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

Complexe Desjardins, Tour Est
19^e étage
C.P. 10000, succ. Pl. Desjardins
Montréal (Québec)
H5B 1H7

Tel. : (514) 879-4648
Fax. : (514) 879-4685
E-mail. : Clermont.sylvain@hydro.qc.ca

**Subject : Champlain Hudson Power Express
Docket No. PP-362 / DOE/EIS-0447
Clarifications on the permitting process in Canada**

Dear Mr. Mills:

Hydro-Quebec TransÉnergie is following with interest the DOE process considering the application for a Presidential permit for the Champlain Hudson Power Express line.

Unfortunately, we noted some information that needs to be clarified in the Environmental Impact Statement, more precisely about the permitting process that will apply to the Hertel-New York Interconnection project in Canada as described at section 1.7.3 entitled "Issues Outside the Scope of this EIS – Impacts in Canada".

We therefore wish to respectfully bring to your attention the information that needs to be clarified.

Paragraph 2

"The Canadian Government, through the National Energy Board, would conduct an environmental review for impacts in Canada, as applicable, as part of its authorization process associated with the facilities to be constructed in Canada."

The Government of Québec, through the Ministère du Développement durable, de l'Environnement, de la Faune et des Parcs, will conduct an environmental review for impacts of the project in Québec, as part of its authorization process associated with the facilities to be constructed in the province. The Canada Government, through the National Energy Board, will also authorize the project and will consider the environmental impacts in its analysis. In both cases, Hydro-Québec will provide an Environmental Impact Statement to the authorities with the filings for the project approval.

Paragraph 3

“The electrical power to be supplied by the proposed CHPE Project would be transmitted through a proposed new HVDC converter station at Hydro-Québec TransÉnergie’s 765/315-kilovolt (kV) Hertel Substation, south of Montreal in Québec, Canada.”

The Hertel Substation voltage is 735/315 kV.

Paragraph 4

“Hydro-Québec TransÉnergie has filed an interconnection request (Number 157T) for the construction and operation of the facilities in Canada with the Canadian National Energy Board and the Québec Régie de l’énergie.”

The interconnection request was filed by Hydro-Québec Production to Hydro-Québec TransÉnergie. Hydro-Québec TransÉnergie is the Reliability Coordinator and the Transmission Service Provider in the province of Québec.

The roles of the National Energy Board and of the Régie de l’énergie are different. The National Energy Board will authorize the construction of the international power line at the federal level. At the provincial level, the Government of Québec will also authorize the construction of the line. The Régie de l’énergie is the Québec energy board that will authorize the investment necessary for the construction of the transmission line, in accordance with the Hydro-Québec Open Access Transmission Tariff.

Paragraph 4

“At the Canadian Federal level, Environment Canada and the Canadian Environmental Assessment Agency administer the Canadian Environmental Assessment Act (CEAA), which requires prescribed Federal authorities to assess the environmental impacts of Canadian Federal projects and private projects that receive Federal funding, take place on Federal lands, or require certain Federal permits. In accordance with the National Energy Board Electricity Regulations, an environmental assessment of the proposed Hertel-New York Interconnection would be carried out either under the CEAA or under provincial laws. “

Following changes in the Canadian environmental legislation in 2012, international power line projects that are less than 345 kV and less than 75 km, in a new right of way, are no longer subject to a federal environmental assesment. The National Energy Board still considers the environmental impacts as part of its analysis.

Hydro-Québec TransÉnergie will file its Environmental Impact Statement at the provincial level with the Government of Québec, through the Ministère du Développement durable, de l’Environnement, de la Faune et des Parcs and with the National Energy Board at the federal level.

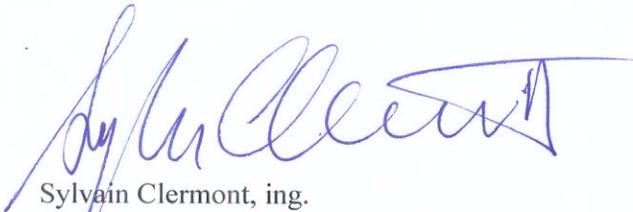
Paragraph 5

“The most likely source of power that would be transmitted on the proposed CHPE Project transmission line is expected to be from the four-station, 1,500-MW Romaine hydroelectric generating complex that is currently under construction by Hydro-Québec in Canada. This hydroelectric facility is expected to be put into service starting in 2015 (NYSPSC 2012). The development of this hydroelectric facility is independent of and not connected to the proposed CHPE Project and would not be affected by the possible Federal action of issuing a Presidential permit.”

The energy that would be transmitted on the proposed international power line will come from the bulk electric transmission system. As such, the source of supply can be any generating station interconnected to the Hydro-Québec TransÉnergie electric transmission system. The Romaine hydroelectric generating complex will represent only a fraction of the total generation capacity interconnected to Hydro-Québec TransÉnergie electric transmission system.

I hope that you will find this information useful. You may find further information on the Hertel – New York project on the Website <http://www.hydroquebec.com/hertel-new-york/en>. If we can provide any further information about Hydro-Quebec TransÉnergie’s activities, please feel free to contact me.

Best regards,



Sylvain Clermont, ing.
Chef, Commercialisation des services de transport

c.c.: Stéphane Verret

12/30/2013

Mr. Brian Mills, NEPA Document Manager
Office of Electricity Delivery and Energy Reliability (OE-20)
U.S. Department of Energy
1000 Independence Avenue,SW
Washington, DC 20585
Draft CHPE EIS COMMENTS
USACE NAN-2009-01089-EYA

Mr. Mills,

Thank you for extending the comment period for 30 days and also for hearing our concerns at the Nov. 18, 2013 meeting.

Attached is a list of areas that I think need to be looked at.

Mr. Mills I would like to mention that as far back as I can remember when a candidate was running for President for the first time or was seeking reelection they all used the ***We need to make the U.S. less dependent on Foreign Energy*** campaign platform. What happened to this Goal? By allowing CHPE to run from Canada to New York City (bypassing a number of power plants) does not seem to follow this Goal.

As stated by CHPE in section S.3 **Therefore it is possible that the proposed CHPE project power would be purchased first and DISPLACE NATURAL GAS & OIL FEUELED SOURCESOF ELECTRICAL GENERATION SUPPLYING THE REGION i.e. CLOSE POWER PLANTS. Section S.3 also states REDUCE AIR POLLUTION AND GHG EMISSIONS WITHIN NEW YORK CITY BY ALLEVIATING THE NEED TO OPERATE ONE OR MORE EXISTING FOSSIL-FUELED POWER PLANTS WITHIN THE REGION DURING PERIODS OF TRANSMISSION CONGESTION.**

All this comes down to is:

Close Existing Power Plants

Eliminate Jobs

Weaken our already weak economy

Reduce Blue collar work force and add to the Unemployment figure.

How many KW or Mw will we be losing verses the 1MW they say they will supply (SOUNDS LIKE A LOSS TO ME).

Please look at all our Items. I feel as a state we would be better to invest in STATE OF THE ART Power Plants which will create jobs and boost our economy. The U.S. has the Technology to build the BEST & SAFEST power plants and generate our own power IN State by State Workers for the People of this state.

After Sandy the state of NJ used the saying STRONGER THAN THE STORM why cannot NEW YORK State say **OUR POWER IS PRODUCED BY THE PEOPLE FOR THE PEOPLE.**

Thank You,

Wellington & Rebecca Casscles 69 & 71 Beach Rd. Stony Point, NY 10980

TDI has had (4) sets of maps each showing different Proposals and Deviation zones, Row's & Routes not to mention that if you look at the CSX Row maps they are also different. I would suggest that CHPE supply you with their latest maps.

Attached are pages **S-3, S-4, S-6,S-11,S-12,S-13, S-14, S-15,S-16,S-34, S-35, S-37, 1-16,2-13, 2-21, 2-28, 2-32, 2-33, 2-35, 3-107, 3-112.**

S-3 CLOSEING POWER PLANTS

S-4 CLOSEING POWER PLANTS

S-6 S.6.1 STATES TO BE BURIED IN Railway ROW (most will be Eminent Domain)

Cooling stations will be needed- Mr. Jesome says they will not be needed WITCH IS IT.

Hudson River Segment states that in Stony Point the line would be in the CSX ROW of 2.2 miles it would be in ROW about .7 miles.

S-11 S6.2 Under water installation activities would be limited to certain times of year WHY CANNOT THIS BE DONE FOR HAVERSTRAW BAY.

S-12 Where will Splice vaults be located, how many, what are the sizes of vaults.

Where are the staging areas & how large are they,(ROW NOT LARGE ENOUGH)

S-13 Additional Engineering Details-HEAT how will it affect surrounding vegetation and soil temps.

S-14 Magnetic Fields how is this going to affect the use of the land.

Trench would be 9' wide at top and 3' wide at bottom, if in the slope of the rail bed would this be STABLE if on the flat part of ROW this would be out of ROW.

S-15 Permanent ROW this would have to be Eminent Domain.

S-16 Cable Repair would create more Splice Vaults.

S-34 & 35 EMINENT DOMAIN WILL BE NEEDED.

S-37 Converter Station will be in flood plain has this been updated with new FEMA maps.

1-16 this project is inconsistent with Governor Cuomo's ENERGY HIGHWAY.

2-13 Construction Corridor 48' EMINENT DOMAIN AGAIN.

2-21 2.4.5 Cooling Stations Chiller units noisy and 8x8x16 structure Esthetic

2-28 Aquatic cable installation GRAPPLE RUN.

2-32 Supplies and Equipment would be transported over local roads,(can roads handle this weight and who will repair them.

CSX ROW MAPS these maps need to be looked at to determine if this can be done. SEE 2-33.

2-35 Cable support facilities, EMINENT DOMAIN

3-107 " The Boundaries of the Waldron Cemetery would be determined during the survey of this portion PRIOR to the DOE'S issuance of its FINAL EIS.

__When is this going to happen and will we be notified.

3-112 Contaminated Soils



American Sugar Refining, Inc.

1 Federal Street
Yonkers, NY 10705
t +1914.709.8238
Lael.Paulson@asr-group.com

Lael Paulson
Refinery Manager

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

January 13, 2014

Dear Mr. Mills:

RE: Champlain Hudson Power Express (CHPE) Project – Draft EIS Comments

American Sugar Refining, Inc., operates a sugar refining facility located at 1 Federal Street in Yonkers, NY 10705 on the eastern bank of the Hudson River, at approximately river mile 17.5. The Facility, which is located on an 19.4 acre site, was originally constructed in the early 1900's and currently employs over 280 employees on a full time rotating shift basis; providing much needed manufacturing jobs in the city of Yonkers and Westchester County.

The sugar refining process requires raw material, in this case raw sugar, which is transported to the facility by barge or ship. All of the raw sugar arrives at the facility via the Hudson River by vessels travelling up the federal navigation channel from the port of New York to our Yonkers facility. The vessels are docked at the facility, with the assistance of tug boats, and moored while the raw sugar is unloaded. These vessels arrive on a frequent basis, often with more than one vessel each week, year round, to maintain production.

To maintain sufficient draft for the vessels, the river bed surrounding our facility is dredged under permit on an annual basis to remove accumulated sediment. Attached is a file showing the result of recent soundings performed which shows the extent of the dredging area. American Sugar respectfully requests that our continued unrestricted Hudson River access is assured as the pipeline routing, construction and future repair plans are finalized for this project. An area extending the entire length of the facility and 500 additional feet of clearance from the edge of our dredging area toward the center channel is required by ASR.

If you require additional information, or require clarification please contact me.

Yours sincerely

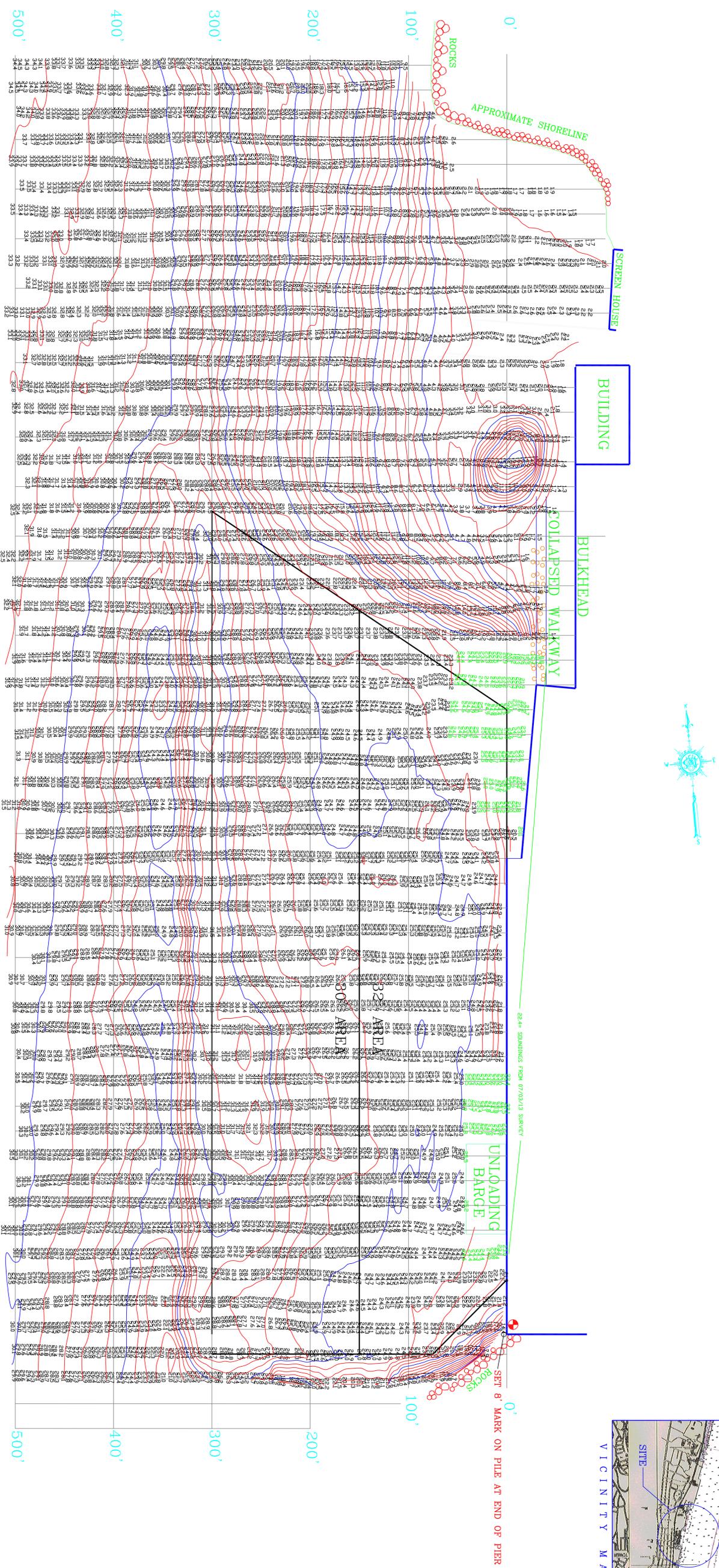
A handwritten signature in black ink, appearing to read 'Lael Paulson', written over a white background.

Lael J. Paulson

Sent via Email to Brian.Mills@hq.doe.gov

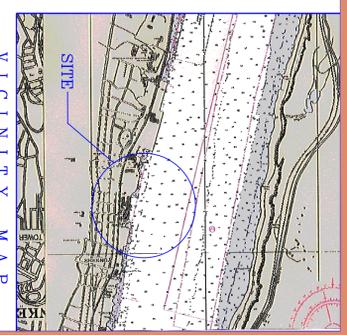
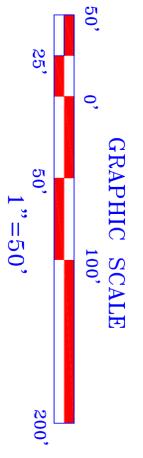
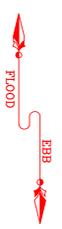
cc File.

AMERICAN SUGAR REFINING, INC.



- GENERAL NOTES:**
1. All soundings are in feet and tenths and refer to Mean Low Water.
 2. All soundings are negative unless shown with a plus (+).
 3. Innerspace 456 Precision Survey Fathometer was used for soundings.
 4. The Trimble AGPS 132 DGPS system was used for positioning.
 5. The Hypack Software was used for processing data.

6. The information depicted on this map represents the results of surveys made on the date(s) indicated and can only be considered as indicating the general conditions at that time.
7. Dock and pier structures were scaled from drawings by others and are only approximate (for reference only).



NO.	DATE	DESCRIPTION	APR

PROJECT: **BEFORE DREDGE SOUNDINGS**
25' BY 5' GRID

FATHOMETRIC SURVEY PREPARED FOR:
American Sugar Refining Inc.
1 Federal Street
Yonkers, N.Y. 10702

1 hereby certify that all work was performed in accordance with the standards and specifications of the Surveying and Mapping profession and that the information herein is a true and correct representation of the conditions existing on the date of the survey.

Alfred W. Benson III
 Alfred W. Benson III
 Registered Professional Engineer
 No. 13100 State of New York

HYDROGRAPHIC SURVEYS

HYDROGRAPHIC SURVEYS
 1000 WEST 10TH AVENUE, SUITE 1000
 DENVER, COLORADO 80202
 TEL: 303.733.1111 FAX: 303.733.1112
 WWW.HYDROGRAPHICSURVEYS.COM

HYPACK TAG: REF-100613	DATE: OCTOBER 6, 2013
ANALOG#:100613	
LINE FILE:refinedsugars25foot	
DRAWING NO.:	
13-REF1-03/040-5964-3288	

-----Original Message-----

From: cozzafesta@optonline.net [mailto:cozzafesta@optonline.net]

Sent: Wednesday, January 15, 2014 2:54 PM

To: Mills, Brian

Subject: comments: CHPE EIS

Mr. Mills,

I have spent an enormous amount of time researching the proposed CHPE project, as have others, and have not heard anything at meetings or hearings or have found anything in the paper work that addresses the serious consequences of allowing a transmission line to run through wetlands, a super fund site, a brownfield and sewage piping in the towns of Stony Point and Haverstraw. Also of concern is the close proximity to United Water's proposed Desalination Plant, CSX Rail Extension project (which comes first?), Indian Point Nuclear Power Plants, the Ramapo Fault and the Spectra Natural Gas High-Pressure Main. In the event of a serious accident who will pay for clean up and damage? and has any evacuation route for the towns of Stony Point and Haverstraw been established?

I would ask that all decision makers walk this route to get a complete understanding of the predictable catastrophe that Rockland County will experience should the CHPE project be allowed to go forward.

Thank you.

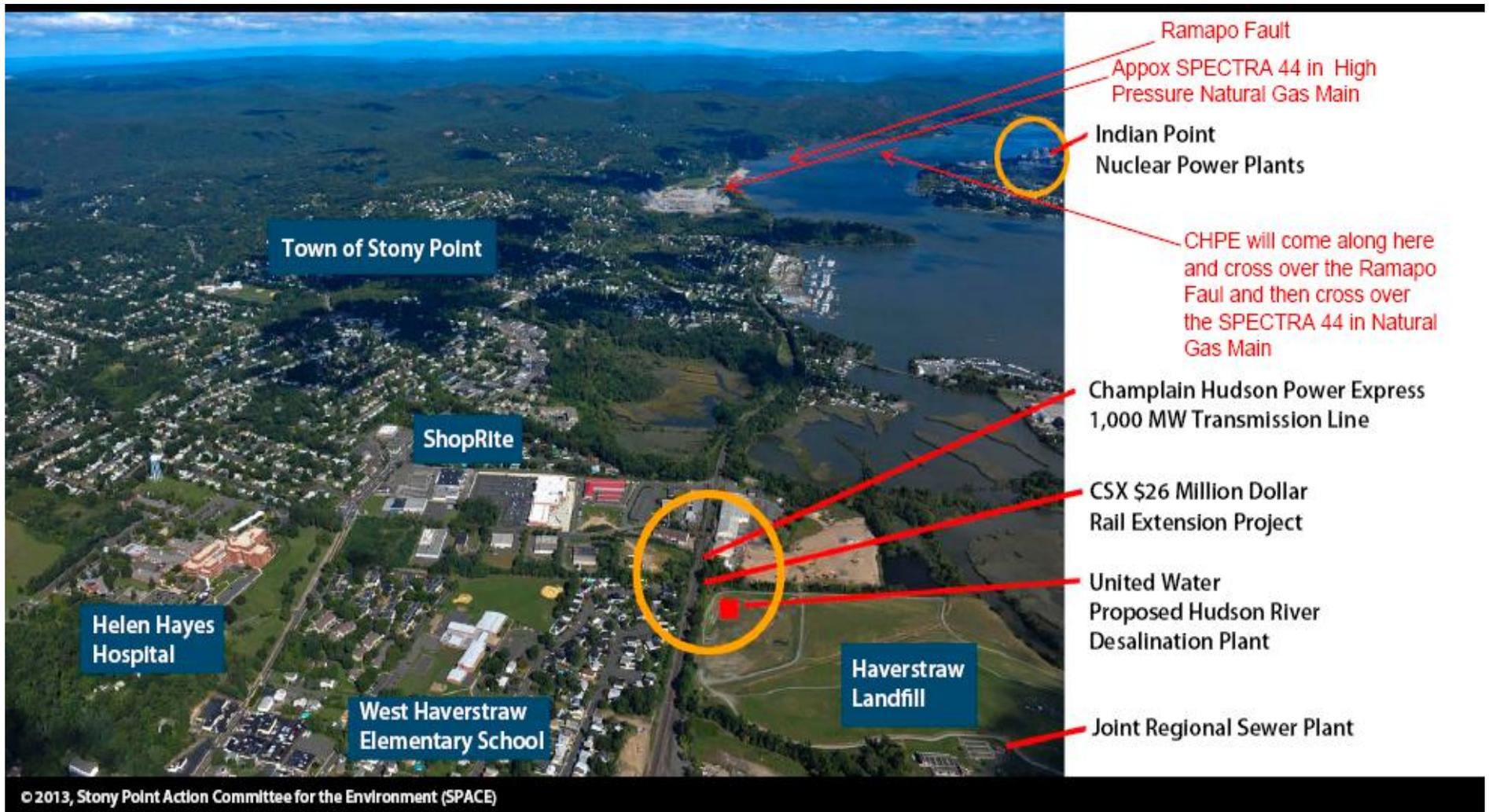
Laurie Cozza

205 Wayne Ave.

Stony Point, NY

845.269.3979

“CHPE Draft EIS” Comments / [Public Notice NAN-2009-01089-EYA](#)



Susan Filgueras
87 Mott Farm Rd
Tomkins Cove, NY 10986
845-429-3229

“CHPE Draft EIS” Comments / [Public Notice NAN-2009-01089-EYA](#)

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

via e-mail to Brian.Mills@hq.doe.gov;

by facsimile to (202) 586-8008;

Please mark envelopes and e-mail subject lines as **“CHPE Draft EIS Comments.”**

Written comments must be received by **January 15, 2013**. Comments submitted after that date will be considered to the extent practicable.

Please Title your response: [USACE: Public Notice #NAN-2009-01089-EYA & DOE: “CHPE Draft EIS Comments”](#)

Your e-mail or phone call or fax or e-mail can be sent to:

Mr. Brian Mills
Department of Energy
Office of Electricity Delivery&Energy Reliability (OE20)
U. S. Department of Energy
1000 Independence Ave, SW
Washington, DC 20585
Phone: 202-586-8267
Fax: 202-586-8008
Brian.Mills@hq.doe.gov

Jodi M. McDonald
USACE Chief, Regulatory Branch
New York District
U.S. Army Corps of Engineers
26 Federal Plaza, Room 1937
New York, NY 10278
917-790-8092
212-264-4260
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Susan Filgueras
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Tomkins Cove, NY 10986
845-429-3229
SFilgueras@optonline.net

Table of Contents

**BEFORE THE
PUBLIC SERVICE COMMISSION
STATE OF NEW YORK**

1-16-2014

Case 13-ET

Verified Petition Of Champlain Hudson Power Express, Inc. And CHPE Properties, Inc.
Requesting A Declaratory Ruling That The Companies Are Subject A Lightened Regulatory Regime,
And A Declaratory Ruling That A Prior Transfer Of Ownership Did Not Require Commission Approval
Or In The Alternative Approving Such Transfer

VERIFIED PETITION OF CHAMPLAIN HUDSON POWER EXPRESS, INC. AND CHPE PROPERTIES,
INC. REQUESTING A DECLARATORY RULING THAT THE COMPANIES ARE SUBJECT TO A
LIGHTENED REGULATORY REGIME, AND A DECLARATORY RULING THAT A PRIOR TRANSFER
OF OWNERSHIP DID NOT REQUIRE COMMISSION APPROVAL OR IN THE ALTERNATIVE
APPROVING SUCH TRANSFER

Rockland County Resolution

2010-Public Hearing Notices

2012 Public Hearing Notices – April 12, 2012

Ownership Documents, verification of Canadian ownership

2-27-2012 CSX Design and Construction Standard Specifications (Joint Proposal exhibit)

3-6-2012 Preferred Alternative Trajectory- e-mail William S. Helmer to Dr. Pell

6-14-2012 -USACE to Brian Mills DOE- how many other transmission lines on row?

6-19-2012 Rockland County Resolution –Opposing CHPE

7-2012- CHAMPLAIN HUDSON POWER EXPRESS PROJECT, ENVIRONMENTAL IMPACTS
ASSOCIATED WITH ROUTING PROPOSED IN JOINT PROPOSAL
Case 10-T-0139 Joint Proposal Hearing Exhibit 121, Page 1 of 503

CSX claims to offer a right of way on property *they do not own*

9-12-2012- E-mail (2) to Brian Yates – New York State Historic Preservation –regarding Waldron
Revolutionary War and War of 1812

.9-12-2012 Letter to Jeffery Earle for injunction against CHPE to save the Waldron Cemetery

10-23-2012 NYS Senate Hearing on Energy & Telecommunications

4-18-2013 NYS Order Granting Certificate of Environmental for Compatibility and Need - pgs 31 to 36

4-18-2013 NYS Order Granting Certificate of Environmental for Compatibility and Need --- pgs 83 to 85

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7-1-2013	Congresswoman Lowey- Requesting a DOE Hearing in Stony Point
11-18-2013 –	Capitol News- Scott Waldman – 11-18-13 Hydro Quebec recently requested access to state money to help fund the \$2 Billion project. The states pot of money to support renewable energy projects, currently comes from a utility bill surcharge on New York State residents.
	Community Reconstruction Zone Program –Fact Sheet
	JP Exhibit 117 List of Cooling Equipment

Background

January 15, 2014

Mr. Mills,

I have repeatedly tried to find a reply portal or person for the Army Corps of Engineers. Jodi McDonald ran out of business cards at the DOE's Public Hearing in November, so I have never had her contact information. I find it very difficult to even find her listed at the USACE's headquarters.

I am somewhat confused as to the process, I had thought I had found all of the documents and then stumbled onto the USACE filing on the Champlain Hudson Power Express and they are a whole set of additional documents. They were not filed on the USACE's web site the maps were but not the documents. Is it usual for the USACE to file their DEIS documents on the applicants web site? I want to note that on this response.

The Champlain Hudson Power Express (aka "CHPE") proposed 333 mile transmission line has been a roller coaster of incorrect information, deliberately misled, and in some cases a study of totally incorrect information. To the novice trying to navigate State and Federal procedures this is simply overwhelming. When I began to research the Champlain Hudson Power Express (aka "CHPE") application three years ago I did not believe it had any value to New York State, especially Rockland County. All along the route, are abandoned Power Plants, tax challenges on these plants, their owners claiming the property no longer has the value, unemployment from Plant closures, the projected trajectory heavily residential and well established.

The main points I would like to make are:

- 1- You do realize that the route is not settled, and the delivery end point may very well be the Ravenswood Plant in Queens NY, owned by Trans Canada. There has been little environmental review on that end , but as it is simply an attachment to the Joint Proposal was it evaluated fairly and equally along with all other parts of this proposal? This delivery point is not mentioned in any of the documentation with the exception of Attachment J to the Joint Proposal.
- 2- The Desecration of the Stony Point Battlefield, where we know that soldiers are buried where they fell.
- 3- The Destruction of the Waldron Revolutionary War and War of 1812 Cemetery.
 - a. Con Ed I believe accidently purchase the land and then built a sub-station on the outer fringes,
 - b. I have spoken to them about the Cemetery but they were embroiled in their own debate with CHPE over the Luyster Creek site.
- 4- Eminent Domain- CSX row is not big enough in Rockland has anyone really checked the rest of NYS.
- 5- No Jobs- Joint Proposal, Order Granting Certificate of Environmental for Compatibility and Need, DOE DEIS all agree MIMINUAL JOBS.
 - a. Each of these documents state but do not expand that CHPE may be given a higher ranking in the electric pool that is purchased, thereby cutting NYS production , closing NYS Power Plants
- 6- Savings- each of the controlling documents show a significantly "LESS"/ different savings than CHPE, it is not quantified clearly- the JP and Order state the savings are Production area savings not Stake Holders.
- 7- No Environmental Impact Statement done on the Rockland County Land Installation

I really do not want to be disrespectful to the fish but..... what about the humans who live on the line, don't we count?

I object to CHPE’s portrayal of the CSX ROW within Rockland County. Except for a few small areas it does not exist. See attached 10-23-12 Presentation to the NYS Senate Energy and Telecommunications Committee, Hearing held in Stony Point NY. The majority of CHPE’s proposed trajectory within Stony Point and Haverstraw is Eminent Domain,

CSX claims to offer a right of way on property *they do not own*.

Case 10-T-0139 Joint Proposal Hearing Exhibit 121

Page 1 of 503

CHAMPLAIN HUDSON POWER EXPRESS PROJECT, ENVIRONMENTAL IMPACTS ASSOCIATED WITH ROUTING PROPOSED IN JOINT PROPOSAL

Comment: Page 2- last pp- CSX installation Guide lines for HDD drilling- the installation must be 25 ft from the centerline of the outside rails

1.1.1 Overland Installation Methodology

For the overland portions of the Facility route, the cables will be buried via excavated trenches or trenchless technology (e.g., Horizontal Directional Drilling (“HDD”) or Jack and Bore (J&B)) methods. For underwater cable installation, the primary methods utilized for installation will be water jetting, jet plowing, plowing, and dredging, with shoreline crossings completed by HDD. Further details of the cable installation methods and equipment are described below. The majority of the overland portion of the Facility route is located within or immediately adjacent to the existing CP, CSX Railroad (“CSX”), and NYS Route 22 rights-of-way. A minimum separation distance is required from the rails to the cables by each railroad; CP requires a minimum separation of 10 feet from the centerline of the outermost track to the cable trench, and **CSX requires a minimum separation of 25 feet from the centerline of the outermost track**. The typical and preferred layout is to have the bipole (2 cables) installed on one side of the railroad tracks. With this layout, the limits of construction activity extend 40 feet beyond the required minimum setback of the railroads. This 40-foot area will include the area needed for excavation of the trench, installation of erosion and sediment control measures, installation of the two cables and stockpiling of excavated material. Along the railroad, the construction corridor will generally be 40 feet wide on one side of the track. There are areas that will require different configuration and pose additional engineering challenges, such as steep slopes, environmentally sensitive areas, and existing structures. These areas will be identified and site-specific engineering solutions will be developed as part of the EM&CP. A minimum construction **corridor of 25 feet will be required along the edge of Routes 22 and 9W for installation** of the HVDC bi-pole cables, although a wider width may be employed to allow for more efficient construction and quicker completion of the work in these areas

Volume 1 Impact Analysis S-6.2 Proposed CHPE Details

page S-12

Comment: Donald Jessome, Vice president CHPE and Board Member of TDI-Canada, specifically stated in the June 26, 2012 Stony Point Meeting that there would be no cooling stations, simply more misdirection- apparently he did not expect us to have read the actual documents.

Cooling Stations. In certain situations where there is a long segment of cable installed by HDD, heat can accumulate in the HDPE conduit and reduce the performance of the transmission system. The Applicant has identified 16 sections of underground cabling where the potential for heat accumulation could require that a cooling equipment station be installed at each section. Each of the 16 cooling stations would consist of a chiller unit and pumping system within a building and this equipment would circulate chilled water through tubing in a closed-loop system alongside the HVDC cable to cool the cables.

3.3.15 Hazardous Materials and Wastes

Section 3.1.15

Page 3-111 pp-2

Comment: There is a cursory glance at the sites mentioned below; shouldn't CHE have mentioned the 285ft. coal ash pile that is leaching into our ground water? It is mentioned prominently in the DEC letter dated 11-5-2011. Is this what passes for an Environmental Review, I have many of the records for 3 of the 4 sites listed below and the blithe fashion that CHPE has addressed these sites is appalling. Where does the Haverstraw Land Fill stand? What happens if CHPE starts HDD drilling, are there gases trapped? Is there chemical waste intermingled with the debris? If CHPE start HDD drilling will contaminated waste escape out into the Hudson River? The Temco site is in a heavily populated residential area, if they disturbed that area will the gases become air borne? How will that affect the Health of the residents? Isothere a plan in place to evacuate in case of a disaster? The same questions will apply to Kayfries.

I think we can say there has been NO Environmental Impact Statement for the Rockland County Land Installation.

- 1- Letter dated 11-5-2011 DEC to town of Stony Point concerning the Lovett Power Plant Site (attached)
- 2- The Haverstraw Landfill is a Brown field at the very least
- 3- Temco Uniform Factory

Regarding the terrestrial portions of the Hudson River Segment, as noted in **Section 3.2.15**, railroad ROWs are areas with high potential for environmental contamination. Additionally, environmental contamination is possible in the vicinity of railroad and roadway ROWs from adjoining industrial and commercial facilities. Examples of adjacent facilities where soil and groundwater contamination is present or potentially present in this segment are the former Mirant-Lovett Electric Generating Station, Haverstraw Landfill, Kay-Fries National Priorities List **Superfund site (USEPA Identification Number NYD980534564)**, the former Temco Uniform Factory site, and automobile repair facilities located along U.S. Route 9W in Clarkstown. The former Temco Uniform Factory is a **NYSDEC Class 2 Inactive Hazardous Waste Site located at MP 298.4** of the proposed CHPE Project transmission line route in West Haverstraw. This site currently is being investigated by the NYSDEC for environmental contamination resulting from industrial uniform manufacturing, washing, and dry cleaning that occurred from 1985through 2002 (TRSA 2012).

What they are not mentioning is the

See cover Picture in front of my reply it shows all of the projects in this area of 7.2 miles.

SPECTRA AIM Project- a 42in High Pressure Gas Main being fracked across the Hudson in the Ramapo Fault. CHPE's plans are to lay their "HOT" Transmission line on top of the 42in High pressure gas main. Then the West Point power Express will do the same thing as it comes out of the ground at Indian Point. Are you nervous yet?

The worst is – is that they are I believe 3 existing and 1 new (42inc.) Natural Gas High Pressure Mains that cross to Westchester in front of the Lovett site, mile marker just north of mile market 295.5

Iona Island

Iona Island is an American Eagle sanctuary. CHPE will need to blast ledge along Iona Islands riverfront to proceed, Has anyone told CHPE that this island was once used as an ARMORY and there may still be ordnance on the island ?

Desecration of the Stony Point Revolutionary War Battlefield, where we know there are soldiers buried where they fell.

Waldron Revolutionary War and War of 1812 Cemetery

The final insult to common decency, Donald Jessome, Vice President of the Champlain Hudson Power Express’s utter contempt for the Waldron Revolutionary War and War of 1812 Cemetery, stated at a June 26, 2012 meeting in Stony Point, don’t worry we will shoot a bullet through the Cemetery, how deep will your bullet be- Jessome ”oh about 3ft”. I guess they bury Canadians in shallow graves.

Joint Proposal, approved on a trajectory they have agreed not to use, and agreed to in the Joint Proposal.

A Joint Proposal negotiated and approved on an installation route in the HUDSON RIVER,

Do we know where CHPE is going?

The final loss of all common sense is that the New York State Public Service Commission approved a project to WHERE? In an e-mail from William Helmer to Dr. Pell dated 3-6-2012, he states that the preferred route is the one that was submitted with the Joint Proposal. You need to read ALL 5000+, pages to know that on

Volume 1

IMPACT ANALYSIS,

Page S-17

S.7 Alternatives Considered but Eliminated from Further Detailed Analysis

Several technology, alignment, and construction alternatives were considered but eliminated from further detailed study for various reasons. Alternatives considered but dismissed are discussed in the following paragraphs, along with the reasons for dismissal.

S.7.1 Alternative Upland Transmission Line Routes

The Applicant considered a range of terrestrial routes for the transmission line. These alternatives included consideration of transmission line alternatives that would have been installed either on overhead structures or buried within a new or existing terrestrial ROW, rather than in Lake Champlain or the Hudson, Harlem, and East rivers. An alternatives analysis report documenting the evaluation of alternative routes was submitted by the Applicant to the USACE in July 2013 as part of the Applicant’s Clean Water Act (CWA) Section 404 permit application. This report is included in the EIS as **Appendix B**. DOE determined that these alternative transmission routes were not reasonable due to engineering feasibility, cost, and logistical considerations (e.g., legal limitations), and, therefore, they have been eliminated from further consideration in the EIS.

Alternatives considered included the following:

- Constructing the transmission line in and along existing electrical transmission line ROWs from the U.S./Canada border to New York City
- Constructing the transmission line in and along existing highway and roadway ROWs
- Constructing the transmission line within existing railroad ROWs beyond those identified as part of the proposed CHPE Project
- Using combinations of railroad, electrical, and roadway ROWs
- Development of a new electrical transmission line ROW

Comment: **All of these documents finally hint at it will be the route as stipulated within the Joint Proposal, CHPE once again has misled the Stake Holders in this case, he had promised our Supervisor that the Cememtery would not be invaded.**

CHPE’s Environmental Trust Fund

<http://www.chpexpress.com/environmental-trust-fund.php>

Comment:

2003 to March of 2007- the Blackstone Group was the financial manager for the Mirant – Bowline and Lovett Power Plant bankruptcy they had plenty of time to study the interaction of the various groups of the Hudson Valley (while Rocklanders paid them to decimate our towns with the closure of the Power Plants) once again Blackstone found a weakness and exploited it. Blackstone, offered the Riverkeeper, Scenic Hudson and the NYS Council of Trout Unlimited an Environmental Trust Fund.

When the people along the trajectory of this transmission line begin to develop diseases and die, just like they did in Buffalo at the Love Canal, do you think that these groups will say at least we protected the fish?

Public Notice

As hard as it is for the layperson to understand the process, it is even more difficult for me to believe that the DOE, the USACE, and the NYS PSC, simply skipped over the Towns of Haverstraw and Stony Point during their public input sessions in 2010. The one meeting in 2012 held in Haverstraw was poorly attended. I cannot find where the meeting was publicized in the Local paper, I only knew because my Dad went into the Haverstraw Town Hall. There has been no local outreach.

Bilingual Populations

We have two communities that have a bi-lingual population yet no outreach has been done for those communities.

Congresswoman Lowey

Had it not been for Congresswoman Lowey’s letter of July 1, 2013 requesting that the Department of Energy schedule a hearing here in Stony Point, our voices would never have been heard.

What CHPE tells to the Stake Holder

Rockland County was introduced to the Champlain Hudson Power Express the hard way, the deal was already done. We have been defending our Town from CHPE for almost three years. CHPE has come to Stony Point three times and each time the story changes. On June 6, 2012 Donald Jessome, Vice President CHPE-USA and Board Member of TDI Canada, came with his team, and stated for the record,

CHPE’s Marketing Claims	Addressed by one or the other or All 3- DOE– DEIS/, Joint Proposal- Order Approving
No Eminent Domain	States clearly Eminent Domain will need to be used
Savings,	Each of the documents state clearly – Production Area Savings, not rate payers
Jobs	NO JOBS- DEIS is clearest – 26 jobs, Construction-labor would be imported due to specialization of work- Order Approving- states –applicant’s submission was

	wholly inadequate in this area
Support Local Economies	CHPE devalues ALL of the properties it crosses,
Taxes	the taxes collected will be a Utility formula as is standard practice in NYS - will be far less than what we lose as CHPE crosses multiple properties
Will help close Indian Point	This project was not mentioned in the “ Order Instituting Proceeding and Soliciting Indian Point Contingency Plans” – until the correct infrastructure is in place in WESTCHESTER Indian Point cannot be closed for good, short term outages work but stress the GRID- CHPE does nothing to address that stress

Submitted on Nov 18, 2013 to Brian Mills, and to be made a part of this testimony:

The Just say No, committee gave to Brian Mills on Nov 18, 2013 a Disk of the Feb 5, 2013 CHPE meeting in the Town of Stony Point. (We had to insist they come back)

Ownership

The “NRE Transaction” (2009).

1 day after all comments are due to the DOE and USACE, CHPE has filed, with the NYS PSC “Requesting A Declaratory Ruling That The Companies Are Subject A Lightened Regulatory Regime, And A Declaratory Ruling That A Prior Transfer Of Ownership Did Not Require Commission Approval Or In The Alternative Approving Such Transfer”. (Case 13-ET) This sale took place in 2009. The “NRE Transaction” (2009), has been in all of the financial documents that CHPE has submitted to the FERC and the NYS PSC. What is the importance of this filing, who will it impact, does it have any financial, integrity or liability issues?

(Attached is the Ownership documentation submitted to the PSC by CHPE for their application)

Department of Energy web site- Document Library <http://chpexpresseis.org/library.php>– Bottom of page (the Presidential Permit document is too big to attach)

For verification purposes – the Champlain Hudson Power Express is a wholly owned Canadian Company,

“CHPEI is a joint venture of TDI-USA Holdings Corporation (TUCH), a Delaware Corporation, and National Resources Energy, LLC (NRE). TUHC, the majority shareholder in CHPEI, is a wholly owned subsidiary of Transmission Developers Inc. (TDI) a Canadian Corporation. NRE is a wholly owned subsidiary of National RE/sources Group, a limited liability corporation duly organized under the state of Connecticut.”

Presidential Permit, bottom of page 2- states

1.4 Foreign Ownership and Affiliations

Neither the applicant nor its proposed transmission facilities are owned wholly or in part by any foreign government or instrumentality thereof.

Has the Department of Energy verified that CHPE’s relationship with Hydro –Quebec will simply be that of a shipper? That Hydro-Quebec has no other ties to the Blackstone Group that will allow them to influence the transactions on this transmission line.

Financing

Repeatedly CHPE has said that they will not take public money to build this transmission line. As reported by *Scott Waldman in Capitol News, 11-18-13* “Hydro-Quebec is a Canadian state-owned utility that has received approval to sell power through the Champlain Hudson Power Express a 330 mile long transmission line, It recently requested access to State money to help fund the \$2 billion project. The states pot of money to support renewable project’s, currently comes from a utility bill surcharge on New York residents....”

Volume 1 Impact Analysis

SUMMARY

Someone said to me have you followed the process. Yes we have, please note these are not the original Public Hearing dates, Stony Point nor Haverstraw was on the list. We were behind before we got started.

July 8, 2010 City Hall, Bridgeport, CT 10

July 9, 2010 Federal Building, Manhattan, New York City 25

July 12, 2010 Royal Regency Hotel, Yonkers, NY 27

July 13, 2010 Holiday Inn, Kingston, NY 28

July 14, 2010 Holiday Inn, Albany, NY 31

July 15, 2010 Ramada Inn, Glens Falls, NY 18

July 16, 2010 North Country Chamber of Commerce, Plattsburgh, NY 28

Table S-1 Summary of Potential Impacts Associated with the Proposed CHPE Project page S-21

(middle of page) Impacts on Resource areas from Construction and Operations, Maintenance and Emergency Repairs of the Proposed CHPE Project

Comparison Factor/ Resource Area	Lake Champlain Segment	Hudson River Segment
Land Use	Construction: Temporary, non-significant increase in limitations on water-based uses. Operations: *Potential for future limitations on water based uses or access during inspection activities; use limitations from maintenance and emergency repairs would be shorter-term and more localized than for construction	Construction/Operations: Same temporary use and access limitations or disruptions and potential future land use restrictions as Lake Champlain and Overland segments.

Comment: I believe that this is the first hint that Rockland County and New Yorkers in General will have limited access to the Hudson River along the trajectory of CHPE. If approved CHPE, a wholly owned Canadian Corporation can use our property as a high voltage “Hot “ electric transmission line corridor creating a CANAL of transmission lines (I believe that CSX and CHPE have an agreement to solicit more transmission lines for this row) to one of the world most lucrative electric markets NEW YORK CITY.

In essence reducing our majestic Hudson River to a flowing waste land of leaking fluids from these transmission lines, making this route the “LOVE CANAL” of the 21st CENTURY!

Impacts from Operations, Maintenance and Emergency Repairs

Pg-S-34&S-41

Impacts on land use would result from operation of the proposed CHPE Project **because future use of the land within the transmission line ROW would be limited for the lifespan of the transmission line.** The **Applicant would be granted either exclusive control** of (via fee or easement for private property), or other appropriate interest or rights to use (via revocable consent or use and occupancy permit for public ROWs such as roadways or state land or lease for the railroad ROWs) **a 20-foot (6-meter)-wide transmission line ROW.** Property owners granting the use of portions of their lands as the transmission line ROW would be prohibited from taking any action on that land that would damage or interfere with the Applicant’s maintenance, inspection, and emergency repair activities with the ROW. It is anticipated that easements negotiated with private landowners would be bilateral easements in which the Applicant and landowner mutually agree to the easement provisions. While use of eminent domain would be avoided to the maximum extent practicable, limited easements or leases for the transmission line ROW in areas outside of the roadway and railroad ROWs might need to be obtained via eminent domain as part of the NYS PSC Article VII approval process. **However, property owners would receive just compensation for this loss of use.**

Comments: Within Rockland County the amount of ROW is questionable, simply put

CSX does not own the land it is offering for the ROW!

Is what CSX proposes to do Legal?

Can CSX offer land for a ROW that they do not own?

Frankly this is simply a “Land Grab” by both CSX and the Blackstone Group, so that they may have enough land to lease on the row to other transmission lines per the USACE letter dated June 14, 2012, “how many other transmission line will fit on this row?”

Impacts from Operations , Maintentaince and Emergency Repairs

S-34 pp 2

Activities impacting transportation and traffic operations along the terrestrial portion of the proposed CHPE Project route would include those associated with operation, regular inspection, maintenance, and possible emergency repairs of the transmission line. Regular inspection of the terrestrial portions of the transmission line and aboveground infrastructure (i.e., cooling stations and converter station), and routine preventive maintenance of the aboveground infrastructure would generally be non-intrusive and not disrupt (i.e., delay, temporarily cancel, or otherwise change) transportation operations or traffic. If necessary, emergency repairs of the transmission line or aboveground infrastructure would be expected to result in temporary construction-related disturbances (e.g., temporary lane rerouting or closures from the presence of emergency repair activities) that would impact transportation uses along the proposed CHPE Project route.

Comment: CHPE also down plays their request for access roads, which will become a “LAND GRAB” they justify the so called access roads as, needed for inspections and maintenance, then they state there is little to no maintenance.

S.8.7 Terrestrial Protected and Sensitive Species

Impacts from Construction

S-45 pp2

Transmission line construction in the Overland Segment would directly impact approximately 67 acres (27 hectares) of wetlands within the construction corridor. **The Hudson River Segment of the proposed CHPE Project would have an 8-mile (13-km) terrestrial segment that would cross three additional wetland areas**

in Stony Point and Haverstraw totaling 0.8 acres (0.3 hectares). The transmission line would cross a 0.03-acre (0.01-hectare) wetland in Haverstraw; the other two crossings would be by HDD. No delineated wetlands are present in the construction corridor of the New York City Metropolitan Area Segment.

Comment: What will happen to the Stony Point Trunkline Sewers within this trajectory which have not been identified within the DEIS by CHPE.

We have two –

Just north of MILE MARKER 296.5,

Between MILE MARKERS 297.3 and 297.4

Stony Point is part of Governor Cuomo’s Community Reconstruction Zone Program, and this area figures heavily into storm mitigation. The CHPE transmission line is in direct conflict with Stony Points participation in the Governors Community Reconstruction Program.

CHPE has not addressed the **new FEMA Flood Zones** and how will their proposed trajectory disables Stony Point’s ability to develop a plan for Resiliency when CHPE negates all that we can or could do. CHPE is taking ownership of a 20ft ROW smack in the middle of the Community Reconstruction Zone, NOW WHAT!

S 8.10 Cultural Resources Impacts from Construction S47 whole page

Ground-disturbing activities associated with construction could damage archaeological features and would disturb the context of artifacts of terrestrial archaeological sites, underwater sites, and historic cemeteries. In the case of terrestrial and underwater archaeological sites that are listed or eligible for listing in the NRHP, this could constitute an adverse effect under 36 CFR 800.5(a)(1) and, therefore, require mitigation. Because the transmission line would be underground or underwater and would avoid any standing structures, the adverse effects from construction on the NRHP-listed and –eligible architectural properties in the APE would be limited to exposure to temporary noise, dust, and vibrations and short-term visual effects from the proximity of construction activities and equipment. The effects would not require mitigation. HDD would be used to install the transmission line under Stony Point Battlefield Historic Park. As specified in the conditions

Comments: I cannot under any circumstances condone this leg of the project- within the Battlefield there are soldiers buried where they fell on the property, THIS IS DESCREATION of a burial ground and a National Treasure. It is offensive to me as a Catholic, and to my Native American Heritage!

I personally hold Governor Cuomo responsible for this desecration. I will consider this a personal challenge to make sure that I communicate the fact that Governor Cuomo has approved and supports a project that totally dismisses and dishonors our the very soldiers who died for his right to be elected! I have to ask myself the question – does NYS need a Governor who has no respect for our Veterans?

Impacts from Operations, Maintenance, and Emergency Repairs

2nd pp S-49

Where the proposed CHPE Project route would cross aesthetic resources such as Stony Point Battlefield State Park and Rockland Lake State Park, the Applicant would use HDD techniques, which would allow installation of the transmission line without disturbing the surface features of the parks. This would eliminate any potential impacts on these aesthetic resources from construction activities. Construction equipment would be visible during construction at the HDD staging area sites.

Comment: First there has to be a staging area (a fairly large installation with fuel, tools, parking for truck storage) and within a reasonable distance of the installation. There are no roads within the Battlefield –Park. How does the DOE and USACE foresee managing the issue of CHPE wanting to cut in access roads, which would be **HIGHLY DETRIMENTAL** and destructive to the Battlefield-Park. Worse they will want to keep their access roads for the life of the transmission line, approx 30 years.

5th PP

Cooling stations would be present along the proposed CHPE Project route within aesthetic resources, such as Saratoga Spa State Park and Spensieri Park. However, the cooling stations would not result insignificant visual impacts or would have impacts on aesthetic resources because the cooling stations would be small and only minimally change the character of the existing view shed

Comment: Donald Jessome said and I quote “there would be no cooling stations” How does CHPE propose to go from a submarine cable to a land cable in the Stony Point Battlefield without a cooling station? The transference of HEAT will be enormous!

SEE BELOW COMENT

S-8.13 Recreation **page S-50, pp6**

Use of HDD would avoid adverse impacts on recreational users by allowing installation of the transmission line without disturbing the surface features or uses of park lands. Staging areas for HDD would be outside of park boundaries, though equipment could be visible during construction; however, no permanent impacts on recreational resources would be anticipated. **No cooling stations would be constructed on park lands or in recreational areas, and access to recreational areas would be maintained during construction**

Comment: Within the Joint Proposal and the Order Granting Certificate of Environmental Compatibility and Public Need issued- 4-18-13, they state clearly there will be cooling stations placed within the Battlefield-park. I believe that it will be a physical necessity that a cooling station be built on Park property as CHPE will be transitioning from submarine cable to land cable- there will be an enormous transfer of heat. **How does the DOE and USACE plan to make sure that enormous damage is not done to the Battlefield with this installation?**

S.8.14 Public Health and Safety **page 51 pp-1**

Comment: This is a difficult topic to address, especially as I have tried to read the majority of the 5000 plus pages, (and the USACE file on CHPE’s web site) and frankly the entire proposal makes me ill. I do not believe that any Government Agency has really looked at the Health and Welfare of the Stake Holders. I believe Governor Cuomo has allowed the Canadians to New Yorkers as guinea pigs.

S.8.18 Socioeconomics **page 55 pp-5**

Construction and operation of the proposed CHPE Project would require relatively few specialized workers and laborers over the lifetime of the project. Project requirements for non-specialized construction workers and local housing units along the CHPE Project corridor should be adequate to meet labor demands associated with the project. Tax receipts and revenue associated with construction expenditures would increase for local municipalities and an annual reduction in wholesale electrical energy market prices would occur.

Comment: Once again CHPE has managed to misinform the Stake Holders, jobs if any will be minimal due to the specialization needed for the installation. That means NO JOBS under any scenario.

If in fact your document is correct, then that makes CHPE’s assertions about Jobs, false, how does the USACE and the DOE reconcile this fact, one of you (DOE&USACE or CHPE) has to be wrong.

CHPE states ratepayers will receive significant savings, HOW. The Devaluation of our personal properties as CHPE crosses them, fear of a 1,000 MW transmission line will prevent residents from selling their homes, essentially reducing the homeowner’s net worth and overall wealth by Would you buy a home with a 1,000 MW transmission line on the property, especially if you had children, Ummmm I don’t think so.

Would you buy a home in a Town that allowed a foreign nation, for self-serving profit to totally obliterate a Revolutionary War Cemetery?

The proposed CHPE transmission line will take over our shore line and then claim National Security due to their transmission line and Stony Point will lose access to the shore line and the last bastion of hope for economic development within Stony Point.

Stony Point is part of Governor Cuomo’s Community Reconstruction Zone Program- specifically developed for those communities that Hurricane Irene and Sandy battered. It is an opportunity for a \$3 million dollar grant to *Build Back Bigger and Better with more Resiliency*.

It has enabled Stony Point to work with “AKRF, INC. Environmental, Planning, and Engineering Consultants” as part of the program. To develop a flood mitigation plan, and at the same time develop an economic plan for community growth.

I guess you need to be a New Yorker to see the irony in Stony Point belonging to such a program, what Governor Cuomo gives to Stony Point CHPE will come in and tear it asunder.

Page S-55

Impacts from Construction

Over the approximated 4-year construction period, the proposed CHPE Project would result in an *Estimated average 300 direct construction jobs*. Additionally produced indirect and induced jobs would be associated with supplying materials and providing other services for construction of the proposed CHPE Project.

Comment: **Once again CHPE has managed to misinform the Stake Holders, jobs if any will be minimal due to the specialization needed for the installation. That means NO JOBS under any scenario. See below they tell you in section S. 8.18 Socioeconomics, there are minimal jobs. This entire paragraph is deliberately misleading.**

“S.8.18 Socioeconomics

Construction and operation of the proposed CHPE Project would require relatively few specialized workers and laborers over the lifetime of the project”

Page S-56

Relatively few (i.e., approximately 20) specialized workers would be required during construction activities and would be on site only for the duration of those activities (i.e., 2 weeks or less) in any given location.

Non-specialized workers would be hired from the existing construction workforce along each segment of the proposed CHPE Project corridor. Therefore, it is unlikely that large numbers of workers would permanently

migrate to the area to meet the labor demands of the project. The few specialized workers travelling to the area for construction of the proposed CHPE Project would likely be housed either in local hotels or other short-term boarding units. Given the low number of specialized workers required for construction, existing housing options along each segment of the proposed project corridor should be adequate to meet the temporary increase in demand.

Comment: **NO JOBS< NO JOBS< NO JOBS< NO JOBS< NO JOBS- what are we missing I think it is clear one of the entities is wrong, CHPE, DOE or the USACE,**

Spending associated with construction (e.g., purchase of building materials, construction workers’ wages, and purchases of goods and services) would temporarily increase tax receipts and revenue for local economies. Building materials required for the proposed CHPE Project would be purchased as needed from local sources. Construction activities within roadways could interfere with access to local businesses. However, construction zones would be established in a given location for 2 or less weeks at a time and a Maintenance and Protection of Traffic Plan would be developed to ensure continuous road access to businesses.

Easements would be acquired by the Applicant, where appropriate, along the proposed CHPE Project corridor and the Applicant would pay for any associated land restoration costs following construction activities in these areas. Since construction activities would be temporary and property would be returned to pre-construction conditions once completed, it is unlikely that property values would be impacted.

Comment: **This is EMINENT DOMAIN-, as for the properties being impacted – again I ask would you purchase a home with a 1,000 MW transmission line buried under your back yard, driveway? The CHPE transmission line has the ability to crush North Rockland and surrounding communities, as this is not about 1 transmission line but several. (USACE Ltr dated 6-14-12) CHPE will be a legislated monopoly and Rockland will be forced to allow (EMINENT DOMAIN- really no choice at all) additional transmission line installations creating a “LOVE CAMAL” area within Rockland County. DEMOLISHING Stony Point and Haverstraw’s access to the Hudson River, CHPE’s exit strategy is abandonment, with no thought to what the environmental impact will be.**

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Impacts from Operations, Maintenance, and Emergency Repairs

Approximately 26 direct, full-time employees would be hired to operate the proposed CHPE Project; of this total, 21 employees would be located in the New York City metropolitan area. A negligible number of indirect jobs could also be created for maintenance inspections and possible emergency repairs that, if needed, would be conducted by contractors. Considering the low number of jobs that would be created, the existing workforce within the project area would be able to meet the employment and housing demands of the proposed CHPE Project. The Applicant would pay fees, as appropriate, to New York State agencies for use of state lands occupied by the proposed CHPE Project. Some elements of the proposed CHPE Project transmission system facilities would be taxable as real property. Local municipalities would impose a tax on the facilities and the Applicant would pay the tax. Tax receipts are estimated to be 2 percent of the annually assessed municipal property value; this percentage is calculated per New York State tax regulations and is subject to change.

Comments: **I challenge CSX’s statement of ROW, it is not big enough for CHPE to be installed on the ROW. Though the majority of Rockland the ROW is 50ft wide, 25ft from the center line of the rail . The minimum construction guidelines for installation on CSX ROW is 25ft from the centerline of the rail. –NO ROW OUT OF PROPERTY_ CSX DOES NOT HAVE the PROPERTY.**

Tappan Zee Hudson River Crossing Project, and possibly the **Grande Isle Intertie** across Lake Champlain and the West Point Transmission Project in the Hudson River (though the timing of these projects are unknown). Multiple activities occurring at the same time and vicinity would have greater impacts than just one project. If construction activities overlap in this area, then the construction-related impacts, such as disturbed substrate, temporary water quality degradation, sediment redeposition, increased turbidity, increased noise and vibration, and the potential for spills could be greater than for just one project. However, construction of the proposed CHPE Project would not affect any one area for long (i.e., no more than 2 weeks), so the short temporal overlap would limit cumulative impacts. Construction activities along terrestrial portions of the proposed CHPE Project route could result in vegetation clearing, disturbances to wildlife, localized degradation of wildlife habitat, possible

Comment: **The following installations are ongoing and will converge on the Haverstraw/ Stony Point Boarder:**

- 1- SPECTRA AIM Project**
- 2- West Point Power Express**
- 3- Haverstraw Desalination Project**
- 4- CSX \$26 Million dollar expansion**
- 5- CHPE**

To an extent each of the above mentioned projects will at any one point in time be dredging, fracking and performing construction activities within the Hudson River and on land in Stony Point and Haverstraw.

The cumulative effect of these projects is not addressed with any of the documents. CHPE just ignored all and when SPECTRA applied to FERC and received approval for their project CHPE was not thought of. (SPECTRA is a 2 phase project, we are in the second phase)

Per the Picture on the cover page, Please note that both CHPE and the West Point Power Express will lay on top of 3 if not 4 High Pressure Natural Gas Mains. The newest of them will be SPECTRA AIM's 42 in High Pressure Natural Gas Main.

What is especially disturbing shouldn't CHPE have known what projects are being installed along the trajectory. Yet if they didn't, then we really need to ask ourselves if this is the type of company we want dragging a "HOT" extension cord behind them. If they knew and deliberately left it out of the application, that is a whole different issue, so which is it frankly neither answer is a good one.

A decision needs to be made, depending on how much you are willing to turn a blind eye on CHPE's professionalism, their intelligence, their knowledge of the transmission line business and the area in which they want to install their transmission lines,

Rockland County really needs to know if we can trust CHPE to install a high tension transmission line. The absence of these High Pressure Natural Gas Mains especially the SPECTRA AIM, 42 ins pipeline, CHPE should have known about them, , do we really want to see how high a pipe like that go blow?

All of the attachments and referred to documents will be mailed tomorrow on a disk as they were too large to attach.

**Thank You
Susan Filgueras**

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