



DOE/EIS-0447

Final
Final

Champlain Hudson
Power Express
Transmission Line Project
Environmental Impact Statement
Volume III: Appendix P
Comment Response Document



U.S. DEPARTMENT OF ENERGY
OFFICE OF ELECTRICITY DELIVERY AND ENERGY RELIABILITY
WASHINGTON, DC

August 2014

FINAL

**CHAMPLAIN HUDSON POWER EXPRESS
TRANSMISSION LINE PROJECT
ENVIRONMENTAL IMPACT STATEMENT**

**Volume III: Appendix P
Comment Response Document**

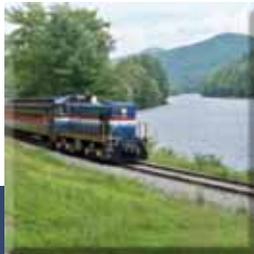
**U.S. DEPARTMENT OF ENERGY
OFFICE OF ELECTRICITY DELIVERY
AND ENERGY RELIABILITY**



COOPERATING AGENCIES

**U.S. ENVIRONMENTAL PROTECTION AGENCY
U.S. ARMY CORPS OF ENGINEERS
U.S. FISH AND WILDLIFE SERVICE
U.S. COAST GUARD
NEW YORK STATE DEPARTMENT OF PUBLIC SERVICE
NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION**

AUGUST 2014



APPENDIX P

Comment Response Document



APPENDIX P

COMMENT RESPONSE DOCUMENT

FOR THE

CHAMPLAIN HUDSON POWER EXPRESS
TRANSMISSION LINE PROJECT
DRAFT ENVIRONMENTAL IMPACT STATEMENT

U.S. Department of Energy
Office of Electricity Delivery and Energy Reliability
Washington, DC

Cooperating Agencies:
New York State Department of Environmental Conservation
New York State Department of Public Service
U.S. Army Corps of Engineers
U.S. Coast Guard
U.S. Environmental Protection Agency
U.S. Fish and Wildlife Service

AUGUST 2014

**COMMENT RESPONSE DOCUMENT FOR THE
CHAMPLAIN HUDSON POWER EXPRESS TRANSMISSION LINE PROJECT
DRAFT ENVIRONMENTAL IMPACT STATEMENT**

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ACRONYMS AND ABBREVIATIONS

°C	degrees Celsius	ERRP	Emergency Repair and Response Plan
°F	degrees Fahrenheit		
AC	alternating current	ESA	Endangered Species Act
AIM	Algonquin Incremental Market	FERC	Federal Energy Regulatory Commission
BA	Biological Assessment	FWCA	Fish and Wildlife Coordination Act
BFE	base flood elevation		
BMP	best management practice	GWh	gigawatt hour
CEQ	Council on Environmental Quality	HDD	horizontal directional drilling
CFR	Code of Federal Regulations	HVAC	high-voltage alternating current
CHPE	Champlain Hudson Power Express	HVDC	high-voltage direct current
CHPEI	Champlain Hudson Power Express, Inc.	IBB	International Brotherhood of Boilermakers
CMP	Coastal Management Program	IBEW	International Brotherhood of Electrical Workers
CP	Canadian Pacific	IPCC	Intergovernmental Panel on Climate Change
CRMP	Cultural Resources Management Plan	IUOE	International Union of Operating Engineers
CSX	CSX Transportation		
CWA	Clean Water Act	km	kilometer
CZM	Coastal Zone Management	LEDPA	Least Environmentally Damaging Practicable Alternative
CZMA	Coastal Zone Management Act	LIUNA	Laborers' International Union of North America
DC	direct current		
DOE	U.S. Department of Energy	MAPNYNJ-TBC	Maritime Association of the Port of New York and New Jersey – Tug & Barge Committee
DOI	U.S. Department of the Interior		
EFH	essential fish habitat	mG	milligauss
EIS	Environmental Impact Statement	mg/L	milligrams per liter
EM&CP	Environmental Management and Construction Plan	mm	millimeter
EMF	electromagnetic field	MOA	Memorandum of Agreement
EO	Executive Order	MPT	Maintenance and Protection of Traffic

MSA	Magnuson-Stevens Fishery Conservation Management Act	NYSRC	New York State Reliability Council
MSL	mean sea level	PAH	polycyclic aromatic hydrocarbon
MW	megawatt	PCB	polychlorinated biphenyl
NEPA	National Environmental Policy Act	percent g	percentage of the force of gravity
NERC	North American Electric Reliability Corporation	POI	point of interconnection
NIEHS	National Institute of Environmental Health Sciences	ROI	region of influence
NMFS	National Marine Fisheries Service	ROW	right-of-way
NOA	Notice of Availability	SAV	submerged aquatic vegetation
NOAA	National Oceanic and Atmospheric Administration	SCFWH	Significant Coastal Fish and Wildlife Habitat
NRHP	National Register of Historic Places	SHPO	State Historic Preservation Office
NY AREA	New York Affordable Reliable Electricity Alliance	SMIA	Significant Maritime and Industrial Area
NYISO	New York Independent System Operator	SPACE	Stony Point Action Committee for the Environment
NYPA	New York Power Authority	SSAP	Sediment Sampling Analysis Plan
NYSAPA	New York State Adirondack Park Agency	TDI	Transmission Developers Inc.
NYSBPS	New York State Bulk Power System	TSS	total suspended solids
NYSDEC	New York State Department of Environmental Conservation	TUHC	TDI–USA Holdings Corporation
NYSDOS	New York State Department of State	U.S.C.	United States Code
NYSDOT	New York State Department of Transportation	USACE	U.S. Army Corps of Engineers
NYSDPS	New York State Department of Public Service	USCG	U.S. Coast Guard
NYSL	New York State Laborers	USEPA	U.S. Environmental Protection Agency
NYSPSC	New York State Public Service Commission	USFWS	U.S. Fish and Wildlife Service
		WRP	Waterfront Revitalization Program
		XLPE	cross-linked polyethylene

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1. Introduction

1.1 Overview

On January 25, 2010, Champlain Hudson Power Express, Inc. (CHPEI)¹ submitted an application to the U.S. Department of Energy (DOE) for a Presidential permit for the Champlain Hudson Power Express (CHPE) project (proposed CHPE Project)². An application for a Presidential permit is evaluated in accordance with Executive Order (EO) 10485, as amended by EO 12038, and the regulations codified at 10 Code of Federal Regulations (CFR) 205.320 et seq. (2000), “Application for Presidential Permit Authorizing the Construction, Connection, Operation, and Maintenance of Facilities for Transmission of Electric Energy at International Boundaries.” The DOE Office of Electricity Delivery and Energy Reliability, National Electricity Delivery Division (OE-20) is responsible for issuing Presidential permits. The Presidential permit for CHPEI (OE Docket Number PP-362), if issued, would authorize CHPEI to construct, operate, maintain, and connect the U.S. portion of the proposed CHPE Project.

Pursuant to the National Environmental Policy Act of 1969 (NEPA), and in considering an application for a Presidential permit, the DOE must take into account potential environmental impacts of the proposed transmission line and associated facilities before making a final decision. DOE is using the NEPA process to involve Federal, state, and local agencies; tribal governments; and the public in the environmental review of the proposed CHPE Project and alternatives.

The proposed CHPE Project would include construction, operation, and maintenance of an approximately 336-mile (541-kilometer [km])-long, 1,000-megawatt (MW), high-voltage electric power transmission system that would have aquatic (underwater) and terrestrial (underground) portions (see **Figure P-1**). The underwater portions of the transmission line would be buried in the beds of Lake Champlain and the Hudson, Harlem, and East rivers, and the terrestrial portions of the transmission line would be buried underground, principally in road and railroad rights-of-way (ROWs). The presentation of the analysis in the Environmental Impact Statement (EIS) divided the transmission line route into four geographically logical segments: Lake Champlain Segment, Overland Segment, Hudson River Segment, and New York City Metropolitan Area Segment.

The transmission system would consist of one 1,000-MW, high-voltage direct current (HVDC) transmission line and ancillary aboveground facilities, including a direct current (DC) to alternating current (AC) converter station and cooling stations at selected locations where required. The transmission line would be a bipole consisting of two transmission cables, one positively charged and the other negatively charged. A new HVDC converter station would be constructed in Queens, New York, to convert the electrical power from DC to AC and then connect to two points of interconnection (POIs) within the New York City electrical grid. Cooling stations would be installed along the terrestrial portions of the transmission line route in certain locations to disperse accumulated heat in long cable segments installed by horizontal directional drilling (HDD).

¹ CHPEI is a joint venture of TDI–USA Holdings Corporation (TUHC), a Delaware corporation, and National Resources Energy, LLC. TUHC, the majority shareholder in CHPEI (75 percent), is a subsidiary of Transmission Developers Inc. (TDI), a Canadian Corporation. National Resources Energy is a wholly owned subsidiary of National RE/sources Group, a limited liability corporation duly organized under the laws of the State of Connecticut. TDI’s lead investor is the Blackstone Group, an energy investment company.

² TDI submitted amendments to the proposed route in its original application on August 5, 2010; July 7, 2011; and February 28, 2012.

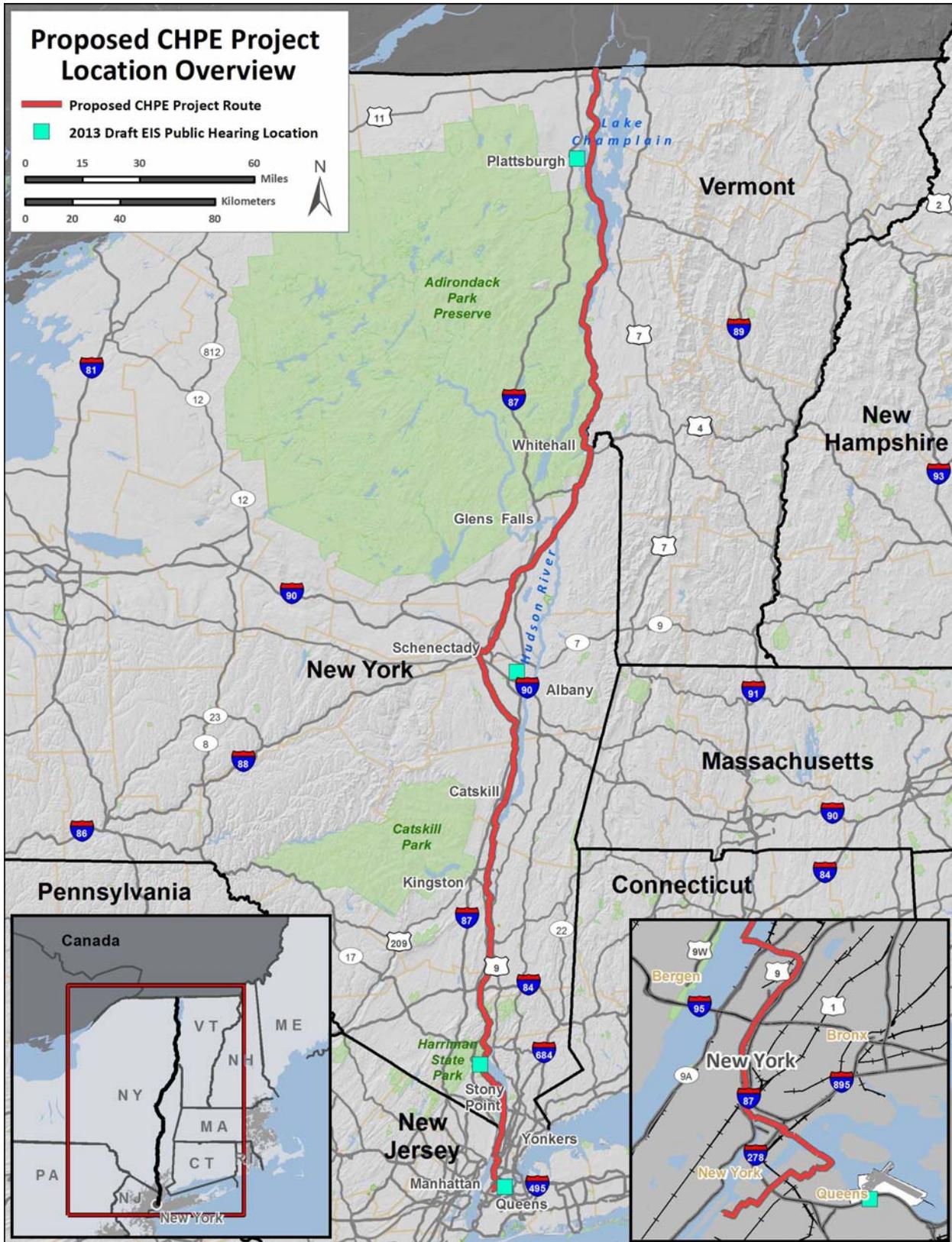


Figure P-1. Proposed CHPE Project Route

This document constitutes the Final EIS Comment Response Document on the *Champlain Hudson Power Express Project Environmental Impact Statement*. The Draft EIS and all other documents associated with the EIS are available on the CHPE EIS Web site at <http://www.chpexpresseis.org>.

1.2 History of Public Outreach and Comment Process

On June 18, 2010, DOE issued the *Notice of Intent to Prepare an Environmental Impact Statement and to Conduct Public Scoping Meetings, and Notice of Floodplains and Wetlands Involvement; Champlain Hudson Power Express, Inc.* (75 *Federal Register* 34720), and conducted public scoping from June 18, 2010, to August 2, 2010.

On February 28, 2012, TDI submitted an amendment to the Presidential permit application that reflected changes to the proposed transmission line route. The proposed changes were the result of settlement negotiations among New York State agencies, CHPEI, CHPE Properties, Inc., and other stakeholders as part of the project review under Article VII of the New York State Public Service Law. The amendment is referred to as the Joint Proposal. In response to submission of the Joint Proposal, DOE published an *Amended Notice of Intent to Modify the Scope of the Environmental Impact Statement for the Champlain Hudson Power Express Transmission Line Project in New York State* (77 *Federal Register* 25472) (Amended Notice of Intent) on April 30, 2012, and accepted public comments from April 30, 2012, to June 14, 2012. DOE also stated that it would consider comments submitted after June 14, 2012, to the extent practicable. In the Amended Notice of Intent, DOE stated that it did not intend to hold further public scoping meetings, but recognized that comments provided by the public during the New York State Public Service Commission's (NYSPSC) April 2012 public statement hearings might be relevant to the NEPA scoping process. Therefore, DOE explained that it "intends to review the Commission's April public hearing statement transcripts and consider them, to the extent matters relevant to the Federal environmental review process arise, as scoping comments for the purposes of the EIS."

On April 18, 2013, the NYSPSC issued an order granting the Certificate of Environmental Compatibility and Public Need (Certificate) for the proposed CHPE Project. DOE reviewed and this EIS analyzed the proposed CHPE Project as amended by the Joint Proposal and the Certificate.

DOE provided a 45-day public review period starting November 1, 2013, which was extended for an additional 30 days and ended on January 15, 2014, and held public hearings for the Draft EIS. The public review period was initiated through publication of a Notice of Availability (NOA) in the *Federal Register* by the U.S. Environmental Protection Agency (USEPA) (see **Attachment 1**). The NOA was also sent to interested parties, including Federal, state, and local officials; regulatory agency representatives; stakeholder organizations; and private individuals in the vicinity of the proposed transmission line. The NOA was published in 17 New York newspapers with distribution along the proposed transmission line (see **Table P-1**). Issuance of the NOA commenced a 45-day public comment period on the Draft EIS that was initially announced to end on December 16, 2013. The NOA noted that comments submitted after the deadline "would be considered to the extent practicable." Subsequently, in response to requests from members of the public, DOE announced that it would extend the public comment period on the Draft EIS an additional 30 days to January 15, 2014 (78 *Federal Register* 76140) (see **Attachment 1**). **Attachment 2** contains an example of the NOA published in the newspapers.

During the public comment period on the Draft EIS, DOE conducted four public hearings: one in Astoria, Queens, New York; two within the Hudson River Valley corridor; and one in the Lake Champlain region. **Figure P-1** provides an overview of the route of the proposed transmission line along with an identification of the locations where the public hearings were held. The hearings occurred between November 18 and November 20, 2013, as noted in **Table P-2**.

Table P-1. Newspaper Publication Dates and Area of Distribution for the Draft EIS

Newspaper	Area of Distribution	Publication Date(s)
Lake Champlain Segment		
<i>The Press Republican</i>	Clinton and Essex counties	November 5 and 6, 2013
<i>Lake Champlain Weekly</i>	Clinton, Essex, and Franklin counties	November 6, 2013
Overland Segment		
<i>Albany Times Union</i>	Albany, Rensselaer, Saratoga, and Schenectady counties	November 5 and 6, 2013
<i>The Chronicle</i>	Saratoga to North Creek (Washington and Warren counties)	November 7, 2013
<i>The Daily Gazette</i>	Albany, Fulton, Montgomery, Schenectady, Saratoga, Rensselaer, and Schoharie counties	November 5, 2013
<i>The Daily Mail</i>	Greene County and Catskills Region	November 5, 2013
<i>Register Star</i>	Columbia County and Hudson Valley	November 5, 2013
<i>The Saratogian</i>	Saratoga County	November 5, 2013
<i>The Post Star</i>	Adirondack Region	November 5, 2013
Hudson River Segment		
<i>The Journal News</i>	Westchester, Putnam, and Rockland counties	November 4, 2013
<i>Rockland County Times</i>	Rockland County	November 7, 2013
<i>Times Herald Record</i>	Orange and Ulster counties	November 4, 2013
<i>Rising Media Group</i>	Westchester County	November 4, 2013
<i>Kingston Times</i>	Dutchess and Ulster counties	November 4, 2013
New York City Metropolitan Area Segment		
<i>am New York</i>	Nassau and Suffolk counties, and New York City	November 4, 2013
<i>New York Post</i>	New York City	November 4, 2013
<i>New York Daily News</i>	New York City	November 4, 2013

Table P-2. Dates and Locations of the Public Hearings on the Draft EIS

Meeting Date	Location	Number of Attendees/Registered	Number of Commenters
November 18, 2013	LaGuardia Courtyard by Marriott, Astoria, Queens, NY	40/26	3
November 18, 2013	Stony Point Center, Stony Point, NY	215/197	27
November 19, 2013	Holiday Inn, Albany, NY	68/65	11
November 20, 2013	West Side Ballroom, Plattsburgh, NY	41/39	4

The hearings provided the public with the opportunity to provide verbal comments in-person at the hearings, and their comments were transcribed by a court stenographer. Transcripts of the public hearings are provided in **Attachment 3**. In addition, DOE received written comment letters or emails from private citizens, government agencies, and nongovernmental organizations. A copy of the comment letters received during the open comment period and written materials submitted for the record at the public hearings are also included in **Attachment 3**. The transcripts and comment letters are also available on the CHPE EIS Web site at <http://www.chpexpreseis.org>.

1.3 Cooperating Agencies

DOE invited several Federal and state agencies to participate as cooperating agencies in the preparation of the EIS to ensure that the EIS meets the NEPA and other regulatory requirements of those agencies and to engage the agencies' specialized expertise. Region 2 of the USEPA, the New York District of the U.S. Army Corps of Engineers (USACE), and the New York Field Office (Region 5) of the U.S. Fish and Wildlife Service (USFWS) are Federal cooperating agencies. In addition, the New York State Department of Public Service (NYSDPS) and the New York State Department of Environmental Conservation (NYSDEC) are cooperating agencies in the development of the proposed CHPE Project EIS. The DOE has the authority to issue the Presidential permit for the international border crossing; the USACE issues Clean Water Act Section 404 permits; and the State of New York has the authority to approve siting, construction, and operation of transmission lines in the state. No local agencies or Native American tribes were invited or made a request to participate as cooperating agencies.

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2. Agency and Public Comments on the Draft EIS

A variety of issues and concerns were raised during the public review period. DOE considered all comments in preparing the Final EIS. This section presents the comment documents received during the public comment process, including transcripts of comments provided during the four public hearings on the Draft EIS. Each comment document has been assigned a numerical designation (e.g., 200), and each delineated (i.e., bracketed) comment within a comment document is marked by a bar in the margin and a unique comment number (e.g., 200-01). Responses to delineated comments are displayed to the right of the comment.

Comments are divided into separate categories, as follows:

- Transcripts from the November 2013 Draft EIS public hearings (100 series; 45 comment documents)
- Federal agencies (200 series; 5 comment documents)
- Federal and state elected officials (300 series; 6 comment documents)
- State agencies (400 series; 3 comment documents)
- Local elected officials (500 series; 4 comment documents)
- Local agencies (600 series; 2 comment documents)
- Stakeholder groups (700 series; 22 comment documents)
- Other groups and members of the public (800 series; 20 comment documents).

DOE responded to written and verbal comments from a total of 107 government officials, organizations, and individuals. DOE responded to those comments that are within the scope of and relevant to the analysis within this EIS.

Table P-3 provides a list of commenters who provided verbal or written comments during the Draft EIS comment period.

Table P-4 provides a list of examples of major representative issues and concerns submitted during the Draft EIS public comment period, catalogued by general topic. All comments received are presented in **Attachment 3** of this Comment Response Document, together with DOE's responses.

Table P-5 identifies substantive revisions made from the Draft EIS to the Final EIS due to agency and public comments.

Table P-3. Draft EIS Commenters

Commenter Number	Commenter Name	Commenter Agency or Organization
Public Hearing Commenters		
101	Thomas Ryan	International Brotherhood of Boilermakers (IBB) – Local Lodge No. 5
102	Vincent Albanese	New York State Laborers (NYSL)
103	Richard Thomas	New York Affordable Reliable Electricity Alliance (NY AREA)
104	Douglas Jobson	Rockland County Legislature
105	Thomas Basile	Stony Point Town Council
106	Geoffrey Finn	Stony Point Town Supervisor
107	Annie Wilson	New York Environmental Law and Justice Project
108	Dean Tamburri	Laborers’ International Union of North America (LIUNA) – Local 17
109	Susan Filgueras	Stony Point Action Committee for the Environment (SPACE)
110	Frank Collier	SPACE
111	Stephen Reich	LIUNA – Local 754
112	Wellington Casscles	Private Citizen
113	Rebecca Casscles	Private Citizen
114	Hayley Carlock	Scenic Hudson
115	Laurrie Cozza	Private Citizen
116	Katherine Redmond	Private Citizen
117	Steven Ludwigson	IBB – Local Lodge No. 5
118	Brian McPartland	International Brotherhood of Electrical Workers (IBEW) – Local Union 503
119	Mary Ellen Furlong	Private Citizen
120	Breda Beckerle	Private Citizen
121	Timothy Waldron	Private Citizen
122	Robert Knight	Private Citizen
123	Barry Brooks	Sons of the American Revolution
124	Richard Thomas	NY AREA
125	Stephen Beckerle	Private Citizen
126	Jacquelyn Drechsler	Sierra Club
127	Michael Diederich	Private Citizen
128	Alex Guarino	Town of Haverstraw

Commenter Number	Commenter Name	Commenter Agency or Organization
Public Hearing Commenters (continued)		
129	Jim McDonnell	Town of Stony Point
130	Luanne Konopka	Town of Stony Point
131	Anthony Fresina	LIUNA – Local Union 190
132	Carol Tansey	Private Citizen
133	Tom Ellis	Citizens' Environmental Coalition
134	Paul Capel	Hudson River Pilots Association
135	Sandy Steubing	Private Citizen
136	Jessica Semon	Private Citizen
137	Steven Ludwigson	IBB – Local Lodge No. 5
138	Lavar Smith	IBB – Local Lodge No. 5
139	Jürgen Wekerle	Sierra Club
140	Susan Lawrence	Sierra Club
141	Phil Wilcox	IBEW – Local Union 97
142	Bill Wellman	New York State Council of Trout Unlimited
143	Jeffery Kellogg	International Union of Operating Engineers (IUOE) – Local No. 158
144	John Donoghue	LIUNA – Local 196
145	Ben Mainville	LIUNA
Federal Agency Commenters		
201	Andrew Raddant	U.S. Department of the Interior (DOI)/USFWS
202	Judy-Ann Mitchell	USEPA
203	W.A. Mulenburg	U.S. Coast Guard (USCG)
204	John Bullard	National Marine Fisheries Service (NMFS)
205	Stephen Ryba	USACE
Federal and State Elected Officials		
301	Nita Lowey	U.S. Congress – New York's 17 th District
302	Annie Rabbit	New York State Assembly – District 98
303	David Carlucci	New York State Senate – 38 th Senate District
304	William J. Larkin, Jr.	New York State Senate – 39 th Senate District
305	James Skoufis	New York State Assembly – District 99
306	Kenneth Zebrowski	New York State Assembly – District 96
State Agency Commenters		
401	Brian Yates	New York State Historic Preservation Office (SHPO)
402	Javier Bucobo	New York Power Authority (NYPA)

Commenter Number	Commenter Name	Commenter Agency or Organization
State Agency Commenters (continued)		
403	Jay Goodman	Couch-White, LLC, on behalf of NYSDPS, New York State Adirondack Park Agency (NYSAPA), and City of New York City
Locally Elected Officials		
501	Thomas Basile	Stony Point Town Council
502	Edwin Day	Rockland County Legislature
503	Howard T. Phillips, Jr.	Town of Haverstraw
504	Douglas Jobson	Rockland County Legislature
Local Agency Commenters		
601	Wesley O'Brien	City of New York
602	Kevin Maher Six other comment letters only transmitting the 2012 Rockland County Legislature resolution regarding the proposed CHPE Project that was attached to the letter from this commenter were provided by the following private citizens: Frank Collyer Breda Beckerle (two different times) "Jillian and Sean" Jennifer Lima Stephen Beckerle	Stony Point Town Engineer Private Citizens
Stakeholder Group Commenters		
701	Eric Johansson	Maritime Association of the Port of New York and New Jersey – Tug & Barge Committee (MAPNYNJ-TBC)
702	Stephen Reich	LIUNA – Local 754
703	Thomas Ryan	IBB – Local Lodge No. 5
704	Steven Ludwigson	IBB – Local Lodge No. 5
705	Joe Mirabile	NYSL
706	Vincent Albanese	NYSL
707	Paul Steidler	NY AREA
708	Arthur Kremer	NY AREA
709	Steven Ludwigson	IBB – Local Lodge No. 5
710	Albany Laborers' Union	Albany Laborers' Union
711	Tom Ellis	Citizens' Environmental Coalition
712	Jürgen Wekerle	Sierra Club

Commenter Number	Commenter Name	Commenter Agency or Organization
Stakeholder Group Commenters (continued)		
713	Timothy R. Muller	IUOE – Local 825
714	Garry Douglas	Plattsburgh North Chamber of Commerce
715	Brian Buel	IBEW
716	Eric Johansson	MAPNYNJ-TBC
717	Edward Kelly	MAPNYNJ
718	Tim Waldron	Ba-Mar Community
719	James Slevin	Utility Workers Union
720	Mike Winslow	Lake Champlain Committee
721	Haley Carlock and Phillip Musegaas	Scenic Hudson
722	John Harms	American Waterways Operators
Other Groups and Members of the Public		
801	Roger Jennings	R. Jennings Manufacturing
802	Kathi Ellick	Private Citizen
803	Susan Filgueras	SPACE
804	Rebecca Casscles	Private Citizen
805	Stephen Beckerle	Private Citizen
806	Sandy Steubing	Private Citizen
807	Jim Fitzgerald	Private Citizen
808	Carolyn Stuetzle	Private Citizen
809	<p>Diane Reichert A similar form letter was provided by 14 other commenters: Jeanette Strassburg Carolyn Stuetzle Paul Tirc Felipa Watts Lilly Ann Wilson Celia Velez Joe Velez Jean Bellon Ann Sheridan Marguerite Rogers Elsie Nissen Anna Crispino Joyce Robinson Thomas Robinson</p>	Private Citizens

Commenter Number	Commenter Name	Commenter Agency or Organization
Other Groups and Members of the Public (continued)		
810	Wellington and Rebecca Casscles	Private Citizens
811	Nicolas Graver	Private Citizen
812	Jason Wisneski	Dann Marine Towing
813	Bryan LaVigne	Private Citizen
814	Todd Jones	Private Citizen
815	Sylvain Clermont	HydroQuebec
816	Wellington Casscles	Private Citizen
817	Lael J. Paulson	American Sugar Refining
818	Laurrie Cozza	Private Citizen
819	Susan Filgueras	Private Citizen
820	William Hurst	Entergy

Table P-4. Summary of Agency and Public Comments on the Draft EIS

Subject Area	Comment Summary
NEPA Process	<p>Public Involvement. Several comments requested an extension of the public comment period on the Draft EIS due to the length of the EIS and potentially complicated issues addressed in the document. Comments also expressed concern that notification and outreach were not provided to local Hispanic communities, nor were materials provided in Spanish. Comments also noted that property owners along the proposed CHPE Project route were not notified of the CHPE Project or the public hearings.</p> <p>Public Hearings. Some comments indicated the commenters were unable to confirm the hearing at the Stony Point Center, and other comments questioned the appropriateness of public hearing venues in Queens and Stony Point.</p>
Proposed Project	<p>Burial Depths. Burial depth of the proposed CHPE Project should be revised to match those identified in the USACE Public Notice.</p> <p>Additional Information. Comments requested additional information and analysis of impacts from blasting, use of concrete mats, backfilling, construction schedule timing, and construction vessel speed and draft in aquatic portions of the proposed CHPE Project route.</p> <p>Project Route Alternatives. Many comments, especially from those in Stony Point, New York, questioned why the proposed CHPE Project route was removed from the Hudson River and moved onto land in the Hudson River Segment, and suggested moving the terrestrial portion of the proposed CHPE Project route in this segment back into the Hudson River. Some comments stated that the impacts of the terrestrial route in the Hudson River Segment were not analyzed in the EIS. Other comments stated that the proposed CHPE Project route changed and these portions of the route were not analyzed in the EIS.</p> <p>Other Alternatives. Several comments stated that instead of the proposed CHPE Project, energy conservation and efficiency measures should be implemented and the power should be produced locally in New York State through renewable energy projects, distributed generation, existing power plants in upstate New York or in the Hudson Valley Region, or by constructing new power plants in New York State. Another comment suggested an alternative to keep the proposed CHPE Project outside of the Federal navigation channel in the Hudson River.</p> <p>Elimination of Alternatives. One comment stated that previously proposed alternatives to the proposed CHPE Project were eliminated due primarily to cost as compared to other merit-based factors.</p> <p>Discrepancy with Previous Information Provided by the Applicant. Several comments noted that information presented in the EIS was different from information previously provided by the Applicant.</p> <p>General Opposition/Adverse Effects. Many comments were generally opposed to the proposed CHPE Project. Many of these comments expressed specific opposition to the terrestrial portion of the proposed CHPE Project in the Hudson River Segment, and thought it would have adverse environmental effects. Other comments in opposition to the proposed CHPE Project stated that it would not be beneficial to the New York State energy grid/infrastructure or consumers.</p> <p>General Support/Beneficial Effects. Some comments expressed support for the proposed CHPE Project, primarily due to jobs created in New York State during construction and operation of the transmission line.</p>

Subject Area	Comment Summary
<p>Land Use</p>	<p>Encroachment Outside of Right-of-Way. Comments expressed concern that portions of the proposed CHPE Project route would be outside of the existing road and railroad ROWs in deviation areas, which would require the taking of private property, including residential and commercial properties, through eminent domain. Some comments also expressed concern that the presence of the transmission line could limit use of some private property.</p> <p>Forever Wild Clause. One comment stated that the proposed CHPE Project would violate the “Forever Wild” clause by crossing through Adirondack Park and other New York State parks.</p>
<p>Transportation and Traffic</p>	<p>Navigation. Several comments expressed concern that the proposed transmission line would be installed within the Federal navigation channel in various locations, which could prevent some vessels from deploying anchors due to risk of anchor damage, or could result in anchor snags on the transmission cables or concrete mats used to cover portions of the transmission line that cannot be installed underground.</p> <p>Anchorage Prohibitions. Comments noted that vessel anchorage prohibitions over the aquatic transmission line ROW should not be part of the proposed CHPE Project and should be removed from the EIS.</p> <p>Effect on Dredging. Comment expressed concern that the presence of the transmission line would prevent dredging of the Federal navigation channel or other locations along the Hudson River, such as a new port or industrial facility.</p>
<p>Water Resources and Quality</p>	<p>Water Resources. One comment noted that after 2.5 years of study, it found the proposed CHPE Project would have minimal impact on lakes, rivers, and waters.</p> <p>Water Quality. One comment expressed concern that installation of the proposed transmission line would resuspend polychlorinated biphenyls (PCBs) in the Hudson River.</p>
<p>Aquatic and Terrestrial Habitats and Species</p>	<p>Aquatic Resources. One comment stated that beneficial effects on aquatic resources would result by avoiding Haverstraw Bay. Additional impacts would be avoided by complying with construction windows and exclusion zones.</p> <p>Concrete Mats. A few comments requested discussion of potential impacts from concrete mats on Significant Coastal Fish and Wildlife Habitats (SCFWHs) and invasive species.</p>
<p>Aquatic and Terrestrial Protected and Sensitive Species</p>	<p>Species Proposed for Listing. One comment stated that it would be beneficial to add species proposed for listing under the Endangered Species Act (e.g., northern long-eared bat) in the EIS.</p>
<p>Wetlands</p>	<p>Wetlands. Comments expressed concerns for wetlands along the proposed CHPE Project route, particularly in the terrestrial portion of the Hudson River Segment, and stated that impacts on wetlands were not sufficiently analyzed.</p>
<p>Geology and Soils</p>	<p>Seismicity. Comments questioned the impacts of a potential seismic event on the proposed CHPE Project, and noted that the transmission line would cross the Ramapo Fault.</p>
<p>Cultural Resources</p>	<p>Cultural Resources. Several comments were concerned that the proposed CHPE Project route would cross and disrupt the Waldron Cemetery and Stony Point Battlefield Historic Park.</p>

Subject Area	Comment Summary
Visual Resources	<i>Visual Impacts.</i> Comments expressed concern about adverse visual impacts from the proposed CHPE Project, particularly in Stony Point, New York, and New York State parks, during construction and operation of aboveground facilities.
Infrastructure	<i>Utility Pipelines.</i> Comments expressed concern that installation of the proposed transmission line could damage existing wastewater or natural gas pipelines.
Recreation	<i>Recreation Impacts.</i> Comments expressed concern about adverse impacts on New York State parks from the proposed CHPE Project, and possibly recreational uses of waterways during CHPE Project installation activities.
Public Health and Safety	<i>Security.</i> Comments questioned the adverse security impacts from an increased risk of terrorism associated due to the presence of the proposed CHPE Project. <i>Public Safety.</i> Comments expressed concern about the proposed CHPE Project being adjacent to railroads that transport hazardous materials, and where trains could derail and affect the transmission line. <i>Magnetic Fields.</i> A few comments questioned the impacts of magnetic fields resulting from the proposed transmission line.
Hazardous Materials and Wastes	<i>Hazardous Wastes.</i> One comment expressed concern about the proposed CHPE Project’s proximity to the Kay-Fries National Priorities List Superfund site and brownfields and other industrial sites in Stony Point and Haverstraw. <i>Contaminated Soil.</i> Comments expressed concern that installation of the proposed transmission line would encounter contaminated soil within terrestrial portions of the route.
Air Quality	<i>Air Quality.</i> One comment stated the proposed CHPE Project would use clean, hydropower that would reduce air emissions; however, another comment stated that air quality impacts are unknown because impacts in Canada and the impacts of hydropower on climate change were not analyzed. <i>Calculations.</i> One comment noted a possible error in calculation of emissions factors for proposed vessels and equipment.
Socioeconomics	<i>Employment.</i> Some comments stated that the proposed CHPE Project would result in additional local employment and other economic benefits in New York State, while other commenters expressed concerns that the project would outsource jobs from New York State to a foreign county, lead to the reduction of in-state employment (including some due to closing of existing power plants), and increase the U.S. dependence on foreign energy. Comments stated there would be no long-term socioeconomic benefit from the proposed CHPE Project because minimal permanent jobs would be created. <i>Property Value.</i> Comments expressed concern that the proposed CHPE Project would decrease property values, including residential and commercial properties, and reduce revenue from taxes to local jurisdictions. <i>Utility Savings.</i> Comments stated that the proposed CHPE Project would not benefit rate payers and consumers, but would increase utility costs to consumers.
Mitigation/Best Management Practices	<i>Aquatic Best Management Practices (BMPs).</i> One comment noted that pre- and post-installation monitoring would ensure aquatic resource protection. Another comment suggested use of mid-line buoys in instances where anchors are deployed by construction vessels to prevent anchor sweeps. <i>Environmental Protection.</i> One comment noted that the environmental protections included in the proposed CHPE Project appear to be sufficient and comprehensive.

Subject Area	Comment Summary
<p>Cumulative Impacts</p>	<p>Additional Cumulative Projects. Comments suggested that the proposed CHPE Project would inhibit future economic development projects such as redevelopment of the Stony Point waterfront. Comments requested analysis of additional cumulative projects, including the redevelopment of the Stony Point, New York, waterfront, Spectra-Algonquin Incremental Market Natural Gas Pipeline project, New England Clean Power Link, and the U.S. Military Academy West Point Net Zero Initiative.</p> <p>Other. One comment suggested that the proposed CHPE Project would be the precursor to other linear transmission projects using the same ROWs, which would result in the expansion of the ROW.</p>
<p>Other Issues</p>	<p>New York State Energy Grid. Comments stated that the proposed CHPE Project would not be in the National Interest and would be detrimental to the existing energy grid in New York State because existing power plants and renewable energy projects would not be able to connect to the transmission line, and it would not strengthen the New York State transmission system. Existing energy capacity is not being effectively used, and addition of the proposed CHPE Project would not improve this situation. Instead of implementing the proposed CHPE Project, existing energy infrastructure should be upgraded and other projects developed. Comments expressed concern that the proposed CHPE Project would prevent proposed energy projects in New York State, such as renewable/green energy projects, projects at the Bowline and Lovett power plant sites, and the New York City Solar Roofs program.</p> <p>Energy Policy. Comments stated the proposed CHPE Project should be analyzed within the context of state and regional energy policies, including the New York State Energy Highway Blueprint.</p> <p>Impacts in Canada. Comments stated that impacts in Canada should be addressed in the EIS, and without this analysis the EIS does not address potential impacts of the entire proposed CHPE Project.</p>

Table P-5. Summary of Substantive Revisions to the Draft EIS

EIS Section	Revision to Draft EIS
Volume I: Impact Analysis	
Front Matter	<ul style="list-style-type: none"> • Updated cover sheet and table of contents.
Summary	<ul style="list-style-type: none"> • Updated the Summary to be consistent with the Final EIS, including updated information on the proposed CHPE Project, figures, and summary of impacts, including Table S-1.
1. Purpose of and Need for the Proposed Action	<ul style="list-style-type: none"> • Added 2013 Draft EIS public hearing locations to Figure 1-1. • Clarified the anticipated allocation of transmission capacity of the proposed CHPE Project between hydropower and other sources. • Updated information on public participation and public involvement, primarily to include a description of the Draft EIS public review period and summarize comments received on the Draft EIS. • Clarified roles of some cooperating agencies. Updated the potential permits, approvals, and authorizations needed for the proposed CHPE Project. • Updated information regarding the Canadian environmental review process. • Added new appendices.
2. Proposed Action and Alternatives	<ul style="list-style-type: none"> • Made minor changes to legends in Figures 2-1 through 2-4. • Clarified one of the conditions in the New York State Department of State (NYSDOS) conditional concurrence of the consistency certification for the New York State Coastal Management Program based on subsequently received information. • Updated minimum transmission line burial depth information. • Added description of blasting in the Harlem River. • Clarified that installation of the proposed transmission line would occur via HDD under the East River. • Added distance of concrete mats in each segment. • Added description of transition, or splice, vaults. • Added information regarding temperatures at which the proposed transmission line is designed to operate. • Provided explanation of how and why underwater construction work schedule windows were developed. • Updated some mileposts in Table 2-2. • Provided description of vessel anchorage during installation activities. • Clarified trench dimensions. • Added information regarding typical drafts of installation barges. • Added description of decommissioning of the proposed CHPE Project. • Provided reasons why alternatives were eliminated from further consideration in the EIS. • Similar revisions identified in Summary were also made in Section 2.6.
3. Affected Environment	
Land Use	<ul style="list-style-type: none"> • Clarified that the proposed CHPE Project would comply with all local zoning ordinances in Section 3.1.1.

EIS Section	Revision to Draft EIS
Volume I: Impact Analysis (continued)	
Transportation and Traffic	<ul style="list-style-type: none"> No substantive changes were made to the Transportation and Traffic resource area (Sections 3.1.2, 3.2.2, 3.3.2, and 3.4.2).
Water Resources	<ul style="list-style-type: none"> Updated the acreage of Zone A floodplains the proposed CHPE Project would cross in the terrestrial portion of the Hudson River Segment in Section 3.3.3.
Aquatic Habitats and Species	<ul style="list-style-type: none"> Moved discussion of Catskill Creek SCFWH from Section 3.3.4 (Hudson River Segment) to Section 3.2.4 (Overland Segment). Added scup to Table 3.3.4-1. Added Haverstraw Bay SCFWH to list of SCFWHs that would be within 1 mile of the proposed CHPE Project in the Hudson River Segment in Section 3.3.4. Clarified that the proposed CHPE Project would cross the Lower Hudson Reach SCFWH in the New York City Metropolitan Area Segment in Section 3.4.4.
Aquatic Protected and Sensitive Species	<ul style="list-style-type: none"> Clarified that the proposed transmission line would be installed under the East River via HDD in Section 3.4.5.
Terrestrial Habitats and Species	<ul style="list-style-type: none"> No changes were made to the Terrestrial Habitats and Species resource area (Sections 3.1.6, 3.2.6, 3.3.6, and 3.4.6).
Terrestrial Protected and Sensitive Species	<ul style="list-style-type: none"> Added northern long-eared bat and associated background information to Sections 3.1.7, 3.2.7, 3.3.7, and 3.4.7. Updated information regarding small whorled pogonia in Sections 3.2.7 and 3.3.7. Added red knot and associated background information to Section 3.4.7.
Wetlands	<ul style="list-style-type: none"> Clarified that the proposed CHPE Project would not cross wetlands in the Esopus Estuary SCFWH in the Hudson River Segment in Section 3.3.8.
Geology and Soils	<ul style="list-style-type: none"> No changes were made to the Geology and Soils resource area (Sections 3.1.9, 3.2.9, 3.3.9, and 3.4.9).
Cultural Resources	<ul style="list-style-type: none"> Updated the milestone by which sites would be reexamined or formally surveyed by the Applicant in Sections 3.1.10, 3.2.10, 3.3.10, and 3.4.10. Updated the milestone by which sites would be determined eligible for listing in the NRHP in Section 3.4.10. Added discussion that the Applicant would conduct archaeological monitoring during construction for those portions of the proposed CHPE Project in existing surface streets in the New York City Metropolitan Area Segment where archaeological surveys might not be practicable or warranted prior to construction in Section 3.4.10.
Visual Resources	<ul style="list-style-type: none"> No changes were made to the Visual Resources resource area (Sections 3.1.11, 3.2.11, 3.3.11, and 3.4.11).
Infrastructure	<ul style="list-style-type: none"> No changes were made to the Infrastructure resource area (Sections 3.1.12, 3.2.12, 3.3.12, and 3.4.12).
Recreation	<ul style="list-style-type: none"> No substantive changes were made to the Recreation resource area (Sections 3.1.13, 3.2.13, 3.3.13, and 3.4.13).
Public Health and Safety	<ul style="list-style-type: none"> No substantive changes were made to the Public Health and Safety resource area (Sections 3.1.14, 3.2.14, 3.3.14, and 3.4.14).

EIS Section	Revision to Draft EIS
Volume I: Impact Analysis (continued)	
Hazardous Materials and Wastes	<ul style="list-style-type: none"> No changes were made to the Hazardous Materials and Wastes resource area (Sections 3.1.15, 3.2.15, 3.3.15, and 3.4.15).
Air Quality	<ul style="list-style-type: none"> No changes were made to the Air Quality resource area (Sections 3.1.16, 3.2.16, 3.3.16, and 3.4.16).
Noise	<ul style="list-style-type: none"> No changes were made to the Noise resource area (Sections 3.1.17, 3.2.17, 3.3.17, and 3.4.17).
Socioeconomics	<ul style="list-style-type: none"> No changes were made to the Socioeconomics resource area (Sections 3.1.18, 3.2.18, 3.3.18, and 3.4.18).
Environmental Justice	<ul style="list-style-type: none"> No changes were made to the Environmental Justice resource area (Sections 3.1.19, 3.2.19, 3.3.19, and 3.4.19).
3.5 Incomplete or Unavailable Information	<ul style="list-style-type: none"> Deleted specific locations of concrete mats from the list of incomplete information sources and data gaps.
4. Environmental Consequences of the No Action Alternative	<ul style="list-style-type: none"> No changes were made to this section.
5. Environmental Consequences of the Proposed CHPE Project	
Land Use	<ul style="list-style-type: none"> Deleted text regarding prohibition of vessel anchorage in the aquatic transmission line ROW in Sections 5.1.1, 5.3.1, and 5.4.1. Clarified that the Applicant would not have exclusive control of the transmission line ROW, certain immediately adjacent areas, and deviation areas in Sections 5.2.1 and 5.3.1.
Transportation and Traffic	<ul style="list-style-type: none"> Updated discussion of impacts on commercial and recreational vessels from inconvenience and navigational obstacles in Sections 5.1.2, 5.3.2, and 5.4.2. Deleted text regarding prohibition of vessel anchorage in the aquatic transmission line ROW in Sections 5.1.2, 5.3.2, and 5.4.2. Added discussion of anchor snags and information regarding the Anchor Snag Manual and the associated Navigation Risk Assessment in Sections 5.1.2 and 5.3.2. Updated discussion of minimum burial depths in aquatic portions of the proposed CHPE Project route and use of concrete mats in Sections 5.1.2, 5.3.2, and 5.4.2. Added discussion of decommissioning of the proposed CHPE Project in Sections 5.1.2, 5.3.2, and 5.4.2. Added discussion of impacts from blasting in the Harlem River in Section 5.4.2.

EIS Section	Revision to Draft EIS
Volume I: Impact Analysis (continued)	
Water Resources	<ul style="list-style-type: none"> • Updated discussion of impacts from ambient temperature increase surrounding concrete mats that would result from operation of the proposed transmission line in Sections 5.1.3, 5.3.3, and 5.4.3. • Added discussion of extrapolating water quality modeling results for a deeper burial depth in Section 5.3.3. • Clarified that the proposed transmission line would be installed under the East River via HDD in Section 5.4.3. • Added discussion of impacts from blasting in the Harlem River in Section 5.4.3.
Aquatic Habitats and Species	<ul style="list-style-type: none"> • Added discussion of impacts from barge positioning, anchoring, anchor cable sweep, and the pontoons on the jet plow that would result in sediment disturbance in Section 5.1.4. • Added discussion of impacts on benthic communities from use of concrete mats in Section 5.1.4. • Updated discussion of impacts on fish from noise generated during installation activities, and supplemented discussion of impacts in Section 5.1.4. Deleted discussion of noise impacts that would result in injury to fish. • Updated discussion of impacts on benthic communities and fish from the increase of ambient sediment, sediment surface, and water temperature, including those surrounding concrete mats, due to operation of the proposed transmission line in Sections 5.1.4 and 5.3.4. • Added to discussion of impacts from magnetic fields on the American eel in Section 5.1.4. • Added discussion of impacts from magnetic fields on fish life stages, including eggs and larvae, in Sections 5.1.4 and 5.3.4. • Clarified discussion of SCFWHs in the Overland Segment to note that the proposed CHPE Project would cross the Catskill Creek SCFWH via bridge attachment in Section 5.2.4. • Clarified the temporary area of disturbance due to installation activities, including anchoring, in the Hudson River and New York City Metropolitan Area segments in Sections 5.3.4 and 5.4.4, and added that midline buoys would be used to prevent anchor chain sweeps. • Clarified the distance and area of concrete mats that would be used in the Hudson River and New York City Metropolitan Area segments in Sections 5.3.4 and 5.4.4, and the distance and area of concrete mats used in SCFWHs in the Hudson River Segment in Section 5.3.4. • Added discussion of impacts from blasting in the Harlem River in Section 5.4.4. • Updated discussion of SCFWHs in the New York City Metropolitan Area Segment in Section 5.4.4.

EIS Section	Revision to Draft EIS
Volume I: Impact Analysis (continued)	
Aquatic Protected and Sensitive Species	<ul style="list-style-type: none"> • Clarified that impacts on fish from noise generated during installation activities would be behavioral, and supplemented discussion of impacts in Sections 5.1.5 and 5.3.5. Deleted discussion of noise impacts that would result in injury to fish. • Added discussion of impacts from magnetic fields on fish life stages, including eggs and larvae, in Sections 5.1.5 and 5.3.5. • Updated discussion of the increase of ambient sediment, sediment surface, and water temperature, including those surrounding concrete mats, due to operation of the proposed transmission line in Sections 5.1.5 and 5.3.5. • Clarified the temporary area of disturbance due to installation activities, including anchoring, in the Hudson River and New York City Metropolitan Area segments in Sections 5.3.5 and 5.4.4, and added that midline buoys would be used to prevent anchor chain sweeps. • Updated the number of SCFWHs that would be crossed by the proposed CHPE Project in the Hudson River Segment in Section 5.3.5. • Updated discussion of impacts on fish from vessel traffic to note the typical draft and reduced speed of installation barges, and that installation activities would avoid spawning migration in the Hudson River Segment in Section 5.3.5. • Added discussion of impacts from blasting in the Harlem River in Section 5.4.5.
Terrestrial Habitats and Species	<ul style="list-style-type: none"> • Clarified information regarding ambient temperature increase at and below the sediment surface that would result from operation of the proposed transmission line in Section 5.2.6.
Terrestrial Protected and Sensitive Species	<ul style="list-style-type: none"> • Added discussion of impacts on northern long-eared bat in Sections 5.1.7, 5.2.7, 5.3.7, and 5.4.7, and discussion of impacts on red knot in Section 5.4.7. • Added northern long-eared bat, red knot, and small whorled pogonia to Table 5.1.7-1. • Updated discussion of impacts on the Indiana bat and Karner blue butterfly from proposed maintenance activities (i.e., mowing) in Section 5.2.7.
Wetlands	<ul style="list-style-type: none"> • Clarified the total acreage of wetlands expected to be impacted along the proposed CHPE Project route in Section 5.1.8. • Clarified that the proposed CHPE Project would not cross wetlands in the Esopus Estuary SCFWH in the Hudson River Segment in Section 5.3.8.
Geology and Soils	<ul style="list-style-type: none"> • Updated discussion of impacts on the proposed CHPE Project from potential seismic events in Sections 5.1.9, 5.2.9, 5.3.9, and 5.4.9. • Added discussion of impacts on geology from blasting in the Harlem River, and text regarding installation of the transmission line via HDD in the East River in Section 5.4.9. • Deleted discussion of installation of the proposed transmission line in the side slopes of the Harlem and East rivers in Section 5.4.9.

EIS Section	Revision to Draft EIS
Volume I: Impact Analysis (continued)	
Cultural Resources	<ul style="list-style-type: none"> • Updated the milestone by which site boundaries would be reexamined or areas formally surveyed in Sections 5.1.10, 5.2.10, 5.3.10, and 5.4.10. • Added information regarding ongoing Section 106 consultation and the Programmatic Agreement in Sections 5.1.10, 5.2.10, 5.3.10, and 5.4.10. • Added discussion of vibration effects on historic properties from blasting in the Harlem River in Section 5.4.10.
Visual Resources	<ul style="list-style-type: none"> • Added discussion of HDD staging areas and blasting in the Harlem River in Section 5.4.11.
Infrastructure	<ul style="list-style-type: none"> • Added text regarding NYSPSC Certificate conditions that would avoid or minimize impacts on water supply systems in Section 5.3.12. • Updated volume of solid waste (i.e., excavated soils and drill cuttings) that would result from HDD and creation of a cofferdam in the New York City Metropolitan Area Segment in Section 5.4.12.
Recreation	<ul style="list-style-type: none"> • No substantive changes were made to the Recreation resource area (Sections 5.1.13, 5.2.13, 5.3.13, and 5.4.13).
Public Health and Safety	<ul style="list-style-type: none"> • Added discussion of blasting in the Harlem River in Section 5.4.14.
Hazardous Materials and Wastes	<ul style="list-style-type: none"> • No substantive changes were made to the Hazardous Materials and Wastes resource area (Sections 5.1.15, 5.2.15, 5.3.15, and 5.4.15).
Air Quality	<ul style="list-style-type: none"> • Updated air emissions resulting from installation activities in the Hudson River Segment in Tables 5.3.16-1 and 5.3.16-2 (in Section 5.3.16) and Tables 5.4.16-2 and 5.4.16-4 (in Section 5.4.16); and in the New York City Metropolitan Area Segment in Tables 5.4.16-1, 5.4.16-2, and 5.4.16-4 (in Section 5.4.16).
Noise	<ul style="list-style-type: none"> • Added discussion of blasting in the Harlem River in Section 5.4.17.
Socioeconomics	<ul style="list-style-type: none"> • No substantive changes were made to the Socioeconomics resource area (Sections 5.1.18, 5.2.18, 5.3.18, and 5.4.18).
Environmental Justice	<ul style="list-style-type: none"> • No substantive changes were made to the Environmental Justice resource area (Sections 5.1.19, 5.2.19, 5.3.19, and 5.4.19).
6. Cumulative and Other Impacts	<ul style="list-style-type: none"> • Added descriptions and associated impact discussion for the following present and reasonably foreseeable future actions: New England Clean Power Link, redevelopment of Stony Point waterfront, Spectra-Algonquin Incremental Market Natural Gas Pipeline, and West Point Net Zero Project. • Updated schedule of the Hudson River Navigation Channel Dredging project. • Deleted reference to harassment and possible take of wildlife or protected species.
7. Public Participation and Interagency Coordination	<ul style="list-style-type: none"> • Added a description of the Draft EIS public review period and summarized comments received on the Draft EIS.
8. List of Preparers	<ul style="list-style-type: none"> • No substantive changes were made to this section.
9. References	<ul style="list-style-type: none"> • Updated reference list based on revisions made to the Draft EIS and other changes made to prepare the Final EIS.

EIS Section	Revision to Draft EIS
Volume I: Impact Analysis (continued)	
10. Acronyms and Abbreviations	<ul style="list-style-type: none"> Updated acronyms and abbreviations based on revisions made to the Draft EIS and other changes made to prepare the Final EIS.
11. Glossary	<ul style="list-style-type: none"> No substantive changes were made to this section.
12. Index	<ul style="list-style-type: none"> Updated index to reflect the Final EIS.
Volume II: Appendices A-O	
Appendix A	<ul style="list-style-type: none"> Updated Maps 61 and 62 to include updated floodplain data.
Appendix B	<ul style="list-style-type: none"> The Clean Water Act 404 Permit Application Alternatives Analysis Report for the proposed CHPE Project was removed and replaced with a page directing the reader to the CHPE EIS Web site for this appendix.
Appendix C	<ul style="list-style-type: none"> The NYSpsc Order granting the Certificate of Environmental Compatibility and Public Need for the proposed CHPE Project was removed and replaced with a page directing the reader to the CHPE EIS Web site for this appendix.
Appendix D	<ul style="list-style-type: none"> No changes were made to this appendix.
Appendix E	<ul style="list-style-type: none"> Updated the EIS distribution list based on data obtained during the Draft EIS public comment period.
Appendix F	<ul style="list-style-type: none"> No changes were made to this appendix.
Appendix G	<ul style="list-style-type: none"> Updated Applicant-proposed impact avoidance and minimization measures (i.e., BMPs) based on new information, and noted that the BMPs will be incorporated into the final Environmental Management and Construction Plan (EM&CP) for the proposed CHPE Project.
Appendix H	<ul style="list-style-type: none"> No changes were made to this appendix.
Appendix I	<ul style="list-style-type: none"> No changes were made to this appendix.
Appendix J	<ul style="list-style-type: none"> No changes were made to this appendix.
Appendix K	<ul style="list-style-type: none"> No changes were made to this appendix.
Appendix L	<ul style="list-style-type: none"> Reorganized census tracts in Tables L-2 and L-3, and identified census tracts along the terrestrial portions of the proposed CHPE Project route with gray shading.
Appendix M	<ul style="list-style-type: none"> Updated data in Tables M-13, M-17, M-22, and M-25 based on correction to conversion of emissions factors for some vessels.
Appendix N	<ul style="list-style-type: none"> No changes were made to this appendix.
Appendix O	<ul style="list-style-type: none"> No changes were made to this appendix.
Volume III: Appendix P	
Appendix P	<ul style="list-style-type: none"> Added Volume III, Appendix P, which includes comments received on the Draft EIS and responses to those comments.
Volume IV: Appendices Q-U	
Appendices Q-U	<ul style="list-style-type: none"> Added Volume IV, which includes the following appendices: Appendix Q (Biological Assessment), Appendix R (Essential Fish Habitat Assessment), Appendix S (Floodplain Statement of Findings), Appendix T (Programmatic Agreement), and Appendix U (Navigation Risk Assessment).

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65622

Federal Register / Vol. 78, No. 212 / Friday, November 1, 2013 / Notices

Services, Office of Management, hereby issues a correction notice as required by the Paperwork Reduction Act of 1995.

Dated: October 29, 2013.

Tomakie Washington,

Acting Director, Information Collection Clearance Division, Privacy, Information and Records Management Services, Office of Management.

[FR Doc. 2013-26111 Filed 10-31-13; 8:45 am]

BILLING CODE 4000-01-P

DEPARTMENT OF EDUCATION

[Docket No. ED-2013-ICCD-0100]

Agency Information Collection Activities; Submission to the Office of Management and Budget for Review and Approval; Comment Request; National Professional Development Program: Grantee Performance Report

AGENCY: Office of English Language Acquisition (OELA), Department of Education (ED).

ACTION: Notice.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. chapter 3501 *et seq.*), ED is proposing an extension of an existing information collection.

DATES: Interested persons are invited to submit comments on or before December 2, 2013.

ADDRESSES: Comments submitted in response to this notice should be submitted electronically through the Federal eRulemaking Portal at <http://www.regulations.gov> by selecting Docket ID number ED-2013-ICCD-0100 or via postal mail, commercial delivery, or hand delivery. *Please note that comments submitted by fax or email and those submitted after the comment period will not be accepted.* Written requests for information or comments submitted by postal mail or delivery should be addressed to the Director of the Information Collection Clearance Division, U.S. Department of Education, 400 Maryland Avenue SW., LBJ, Room 2E115, Washington, DC 20202-4537.

FOR FURTHER INFORMATION CONTACT: For questions related to collection activities or burden, please call Tomakie Washington, 202-401-1097 or electronically mail ICDocketMgr@ed.gov. Please do not send comments here.

SUPPLEMENTARY INFORMATION: The Department of Education (ED), in accordance with the Paperwork Reduction Act of 1995 (PRA) (44 U.S.C. 3506(c)(2)(A)), provides the general public and Federal agencies with an opportunity to comment on proposed,

revised, and continuing collections of information. This helps the Department assess the impact of its information collection requirements and minimize the public's reporting burden. It also helps the public understand the Department's information collection requirements and provide the requested data in the desired format. ED is soliciting comments on the proposed information collection request (ICR) that is described below. The Department of Education is especially interested in public comment addressing the following issues: (1) Is this collection necessary to the proper functions of the Department; (2) will this information be processed and used in a timely manner; (3) is the estimate of burden accurate; (4) how might the Department enhance the quality, utility, and clarity of the information to be collected; and (5) how might the Department minimize the burden of this collection on the respondents, including through the use of information technology. Please note that written comments received in response to this notice will be considered public records.

Title of Collection: National Professional Development Program: Grantee Performance Report.

OMB Control Number: 1885-0555.

Type of Review: Extension without change of an existing collection of information.

Respondents/Affected Public: State, Local, or Tribal Governments.

Total Estimated Number of Annual Responses: 138.

Total Estimated Number of Annual Burden Hours: 6,900.

Abstract: The National Professional Development (NPD) program provides professional development activities intended to improve instruction for students with limited English proficiency and assists education personnel working with such children to meet high professional standards. The NPD program office is submitting this application to request approval to collect information from NPD grantees. This data collection serves two purposes; the data are necessary to assess the performance of the NPD program on Government Performance Results Act measures, also, budget information and data on project-specific performance measures are collected from NPD grantees for project-monitoring information.

Dated: October 29, 2013.

Tomakie Washington,

Acting Director, Information Collection Clearance Division, Privacy, Information and Records Management Services, Office of Management.

[FR Doc. 2013-26112 Filed 10-31-13; 8:45 am]

BILLING CODE 4000-01-P

DEPARTMENT OF ENERGY

[OE Docket No. PP-362]

Notice of Availability for the Draft Environmental Impact Statement and Announcement of Public Hearings for the Proposed Champlain Hudson Power Express Transmission Line Project

AGENCY: U.S. Department of Energy.

ACTION: Notice of availability and public hearings.

SUMMARY: The U.S. Department of Energy (DOE) announces the availability of the "Draft Environmental Impact Statement for the Champlain Hudson Power Express Transmission Line Project" (DOE/EIS-0447) for public review and comment. DOE is also announcing four public hearings to receive comments on the Draft EIS. The Draft EIS evaluates the environmental impacts of DOE's proposed Federal action of issuing a Presidential permit to the Applicant, Champlain Hudson Power Express, Inc. (CHPEI), to construct, operate, maintain, and connect a new electric transmission line across the U.S./Canada border in northeastern New York State.

DATES: DOE invites interested Members of Congress, state and local governments, other Federal agencies, American Indian tribal governments, organizations, and members of the public to provide comments on the Draft EIS during the 45-day public comment period. The public comment period started on October 11, 2013, with the publication in the **Federal Register** by the U.S. Environmental Protection Agency of its Notice of Availability of the Draft EIS, and will continue until November 25, 2013. Written and oral comments will be given equal weight and all comments received or postmarked by that date will be considered by DOE in preparing the Final EIS. Comments received or postmarked after that date will be considered to the extent practicable.

Locations, dates, and start time for the public hearings are listed in the **SUPPLEMENTARY INFORMATION** section of this Notice of Availability (NOA).

ADDRESSES: Requests to provide oral comments at the public hearings may be made at the time of the hearing(s).

Written comments on the Draft EIS may be provided on the CHPE EIS Web site at <http://www.chpexpressseis.org> (preferred) or addressed to 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 email to Brian.Mills@hq.doe.gov; or by facsimile

to (202) 586-8008. Please mark envelopes and email subject lines as "CHPE Draft EIS Comments."

The locations, dates, and starting times of the public hearings are listed in the table below:

Location	Date and time	Address
Courtyard Marriott LaGuardia (Queens)	Monday, November 18, 2013, 12:00 p.m.	9010 Ditmars Blvd. East Elmhurst, NY 11369.
Stony Point Center	Monday, November 18, 2013, 6:00 p.m.	17 Cricketown Rd. Stony Point, NY 10980.
Holiday Inn Schenectady	Tuesday, November 19, 2013, 6:00 p.m.	100 Nott Terrace Schenectady, NY 12308.
West Side Ballroom (Plattsburgh)	Wednesday, November 20, 2013, 6:00 p.m.	253 New York Rd. Plattsburgh, NY 12903.

FOR FURTHER INFORMATION CONTACT: Mr. Brian Mills at the addresses above, or at 202-586-8267.

SUPPLEMENTARY INFORMATION: The public hearings will consist of the formal taking of comments with transcription by a court stenographer. The hearings will provide interested parties the opportunity to make comments for consideration in the preparation of the Final EIS.

Availability of the Draft EIS Copies of the Draft EIS have been distributed to appropriate members of Congress, state and local government officials, American Indian tribal governments, and other Federal agencies, groups, and interested parties. Printed copies of the document may be obtained by contacting Mr. Mills at the above address. Copies of the Draft EIS and supporting documents are also available for inspection at the following locations:

- Queens Library—Steinway, 21-45 31 Street (Ditmars Boulevard), Long Island City, NY 11102
- Yonkers Public Library—Riverfront Library, 1 Larkin Center, Yonkers, New York 10701
- Rose Memorial Library, 79 East Main Street, Stony Point, NY 10980
- Kingston Public Library, 55 Franklin Street, Kingston, NY 12401
- Schenectady County Public Library, 99 Clinton Street, Schenectady, NY 12305
- Crandall Public Library, 251 Glen Street, Glens Falls, NY 12801
- Plattsburgh Public Library, 19 Oak Street, Plattsburgh, NY 12901

The Draft EIS is also available on the EIS Web site at <http://chpexpressseis.org> and on the DOE NEPA Web site at <http://nepa.energy.gov/>.

Issued in Washington, DC, on October 28, 2013.

Patricia A. Hoffman,
Principal Deputy Assistant Secretary, Office of Electricity Delivery and Energy Reliability.
[FR Doc. 2013-26080 Filed 10-31-13; 8:45 am]
BILLING CODE 6450-01-P

DEPARTMENT OF ENERGY

Office of Energy Efficiency and Renewable Energy

[Case No. RF-032]

Decision and Order Granting a Waiver to Samsung From the Department of Energy Residential Refrigerator and Refrigerator-Freezer Test Procedures

AGENCY: Office of Energy Efficiency and Renewable Energy, Department of Energy.

ACTION: Decision and Order.

SUMMARY: The U.S. Department of Energy (DOE) gives notice of its decision and order in Case No. RF-032 that grants to Samsung Electronics America, Inc. (Samsung) a waiver from the DOE electric refrigerator and refrigerator-freezer test procedures for specific basic models set forth in its petition for waiver. In its petition, Samsung provides an alternate test procedure that is identical to the test procedure DOE published in a final rule dated January 25, 2012 (77 FR 3559) that manufacturers will be required to use starting in 2014. Under today's decision and order, Samsung shall be required to test and rate these refrigerator-freezers using an alternate test procedure as adopted in that January 2012 final rule, which accounts for multiple defrost cycles when measuring energy consumption.

DATES: This Decision and Order is effective November 1, 2013.

FOR FURTHER INFORMATION CONTACT:

Mr. Bryan Berringer, U.S. Department of Energy, Building Technologies Office, Mailstop EE-2J, 1000 Independence Avenue SW., Washington, DC 20585-0121. Telephone: (202) 586-0371. Email: Bryan.Berringer@ee.doe.gov

Mr. Michael Kido, U.S. Department of Energy, Office of the General Counsel, Mail Stop GC-71, Forrestal Building, 1000 Independence Avenue SW., Washington, DC 20585-0103. Telephone: (202) 586-8145. Email: Michael.Kido@hq.doe.gov

SUPPLEMENTARY INFORMATION: In accordance with Title 10 of the Code of Federal Regulations (10 CFR 430.27(l)), DOE gives notice of the issuance of its decision and order as set forth below. The decision and order grants Samsung with a waiver from the applicable residential refrigerator and refrigerator-freezer test procedures in 10 CFR part 430, subpart B, appendix A1 for certain basic models of refrigerator-freezers with multiple defrost cycles, provided that Samsung tests and rates such products using the alternate test procedure described in this notice. Today's decision prohibits Samsung from making representations concerning the energy efficiency of these products unless the product has been tested in a manner consistent with the provisions and restrictions in the alternate test procedure set forth in the decision and order below, and the representations fairly disclose the test results.

Distributors, retailers, and private labelers are held to the same standard when making representations regarding the energy efficiency of these products. 42 U.S.C. 6293(c).

pursue the Joint SPP option. Comments submitted in response to this notice should include the following information:

1. Name and general description of the entity submitting the comment.
2. Name, mailing address, telephone number, and email address of the entity's primary contact.
3. Identification of any specific recommendation the comment references.

Environmental Compliance

In compliance with the National Environmental Policy Act (NEPA) of 1969 (42 U.S.C. 4321–4347), Council on Environmental Quality regulations (40 CFR parts 1500–1508), and DOE NEPA regulations (10 CFR part 1021), Western is in the process of determining whether an environmental assessment or an environmental impact statement should be prepared or if this action can be categorically excluded from those requirements. Further environmental review actions will be posted to <http://www.wapa.gov/ugp/Environment/default.htm>.

Dated: October 29, 2013.

Mark A. Gabriel,
Administrator.

[FR Doc. 2013–26079 Filed 10–31–13; 8:45 am]
BILLING CODE 6450–01–P

ENVIRONMENTAL PROTECTION AGENCY

[ER–FRL–9011–7]

Environmental Impact Statements; Notice of Availability

Responsible Agency: Office of Federal Activities, General Information (202) 564–7146 or <http://www.epa.gov/compliance/nepa/>.

Weekly receipt of Environmental Impact Statements

Filed 10/21/2013 Through 10/25/2013 Pursuant to 40 CFR 1506.9.

Notice

Section 309(a) of the Clean Air Act requires that EPA make public its comments on EISs issued by other Federal agencies. EPA's comment letters on EISs are available at: <http://www.epa.gov/compliance/nepa/eisdata.html>.

EIS No. 20130306, Second Final EIS, USCG, 00, Tiering FEIS—U.S. Coast Guard Rulemaking for Dry Cargo Residue Discharges in the Great Lakes. Review Period Ends: 12/02/2013, Contact: Timothy P. O'Brien 202–372–1539.

EIS No. 20130307, Final EIS, BLM, WY, Gas Hills In-Situ Recovery Uranium Project. Review Period Ends: 12/02/2013, Contact: Tom Sunderland 307–332–8400.

EIS No. 20130308, Draft EIS, USACE, NC, Morehead City Harbor Integrated Dredged Material Management Plan, Port of Morehead City. Comment Period Ends: 12/16/2013, Contact: Hugh Heine 910–251–4070.

EIS No. 20130309, Draft EIS, DOE, NY, Champlain Hudson Power Express Transmission Line Project. Comment Period Ends: 12/16/2013, Contact: Brian Mills 202–586–8267.

EIS No. 20130310, Draft EIS, BLM, UT, Utah Greater Sage-Grouse Draft Land Use Plan Amendment. Comment Period Ends: 01/29/2014, Contact: Quincy Bahr 801–539–4122.

EIS No. 20130311, Draft EIS, BLM, NV, Nevada and Northeastern California Greater Sage-Grouse Planning. Comment Period Ends: 01/29/2014, Contact: Joe Tague 775–861–6556.

The U.S. Department of the Interior's Bureau of Land Management and the U.S. Department of Agriculture's Forest Service are Joint Lead Agencies for the above project.

EIS No. 20130312, Draft EIS, BLM, ID, Idaho and Southwestern Montana Greater Sage-Grouse Draft Land Use Plan. Comment Period Ends: 01/29/2014, Contact: Brent Ralston 208–373–3812.

EIS No. 20130313, Draft EIS, USFS, ID, Lost Creek-Boulder Creek Landscape Restoration Project. Comment Period Ends: 12/16/2013, Contact: Holly Hutchinson 208–347–0325.

EIS No. 20130314, Final EIS, DOE, IL, FutureGen 2.0 Project. Review Period Ends: 12/02/2013, Contact: Cliff Whyte 304–285–2098.

EIS No. 20130315, Draft EIS, FERC, AZ, Sierrita Pipeline Project. Comment Period Ends: 12/16/2013, Contact: David Hanobic 202–502–8312.

EIS No. 20130316, Final EIS, NPS, CA, Restoration of the Mariposa Grove of Giant Sequoias. Review Period Ends: 12/02/2013, Contact: Kimball Koch 209–379–1364.

EIS No. 20130317, Draft Supplement, USACE, NC, NC–1409 (Military Cutoff Road) Extension and Proposed US 17 Hampstead Bypass. Comment Period Ends: 12/16/2013, Contact: Brad Shaver 910–251–4611.

Amended Notices

EIS No. 20130221, Draft Supplement, BLM, CA, Palen Solar Electrical Generating System. Comment Period Ends: 11/14/2013, Contact: Frank McMenimen 760–833–7150.

Revision to FR Notice Published 07/26/2013; Extending Comment Period from 10/24/2013 to 11/14/2013.

EIS No. 20130260, Draft EIS, BIA, NV, Moapa Solar Energy Center. Comment Period Ends: 11/12/2013, Contact: Amy Heuslein 602–379–6750.

Revision to FR Notice Published 09/13/2013; Extending Comment Period from 10/21/2013 to 11/12/2013.

EIS No. 20130261, Draft Supplement, NPS, CA, Golden Gate National Recreation Area Draft Dog Management Plan. Comment Period Ends: 01/13/2014, Contact: Michael B. Edwards 303–969–2694.

Revision to FR Notice Published 09/06/2013; Extending Comment Period from 12/04/2013 to 01/11/2014.

EIS No. 20130266, Draft EIS, USN, GU, The Mariana Islands Training and Testing. Comment Period Ends: 12/06/2013, Contact: John Van Name 808–471–1714.

Revision to FR Notice Published 10/25/2013; Extending Comment Period from 11/12/2013 to 12/12/2013.

EIS No. 20130269, Draft EIS, NRC, 00, Generic—Waste Confidence. Comment Period Ends: 12/20/2013, Contact: Sarah Lopas 301–287–0675.

Revision to FR Notice Published 09/13/2013; Extending Comment Period from 11/27/2013 to 12/20/2013.

EIS No. 20130277, Final Supplement, BLM, NV, Silver State Solar South Project Proposed Resource Management Plan Amendment. Review Period Ends: 11/06/2013, Contact: Nancy Christ 702–515–5136.

Revision to FR Notice Published 09/20/2013; Extending Comment Period from 10/21/2013 to 11/06/2013.

EIS No. 20130280, Draft EIS, BLM, NV, 3 Bars Ecosystem and Landscape Restoration Project. Comment Period Ends: 11/29/2013, Contact: Chad Lewis 775–635–4000.

Revision to FR Notice Published 09/27/2013; Extending Comment Period from 11/12/2013 to 11/29/2013.

EIS No. 20130284, Draft Supplement, GSA, CA, San Ysidro Land Port of Entry Improvements Project. Comment Period Ends: 11/29/2013, Contact: Osmahn Kadri 415–522–3617.

Revision to the FR Notice Published 09/27/2013; Extending Comment Period from 11/12/2013 to 11/29/2013.

EIS No. 20130290, Draft EIS, NPS, CA, Restoration of Native Species in High Elevation Aquatic Ecosystems Plan, Sequoia and Kings Canyon National Parks. Comment Period Ends: 12/17/

Dated: November 1, 2013.

Donna S. Wieting,

Director, Office of Protected Resources,
National Marine Fisheries Service.

[FR Doc. 2013-26596 Filed 11-5-13; 8:45 am]

BILLING CODE 3510-22-P

DEPARTMENT OF ENERGY

[OE Docket No. PP-362]

Notice of Availability for the Draft Environmental Impact Statement and Announcement of Public Hearings for the Proposed Champlain Hudson Power Express Transmission Line Project; Correction

AGENCY: U.S. Department of Energy.

ACTION: Notice of availability and public hearings; correction.

SUMMARY: The Department of Energy (DOE) published a document in the *Federal Register* of November 1, 2013, announcing the availability for the Draft Environmental Impact Statement and public hearings for the proposed Champlain Hudson Power Express transmission line project. This document corrects an error in that notice.

FOR FURTHER INFORMATION CONTACT: Requests for additional information should be directed to Brian Mills at Brian.Mills@hq.doe.gov.

Correction

In the *Federal Register* of November 1, 2013 in FR Doc. 2013-26080, 78 FR 65622, please make the following correction:

On page 65622, third column, under the heading **DATES**, the second sentence is corrected to read: "The public comment period started on November 1, 2013, with the publication in the *Federal Register* by the U.S. Environmental Protection Agency of its Notice of Availability of the Draft EIS, and will continue until December 16, 2013."

Issued in Washington, DC, on November 1, 2013.

Brian Mills,

NEPA Compliance Officer, Office of
Electricity Delivery and Energy Reliability.

[FR Doc. 2013-26573 Filed 11-5-13; 8:45 am]

BILLING CODE 6450-01-P

DEPARTMENT OF ENERGY

Western Area Power Administration

Loveland Area Projects, Colorado River Storage Project, Pacific Northwest-Pacific Southwest Intertie Project, Central Arizona Project, and Parker-Davis Project—Rate Order No. WAPA-163

AGENCY: Western Area Power Administration, DOE.

ACTION: Notice of Proposed Formula Rates for Western Area Power Administration (Western) Transmission Projects to Enter into WestConnect's Point-to-Point Regional Transmission Service Participation Agreement (PA).

SUMMARY: Western is proposing new formula rates to participate in WestConnect's PA. The proposed formula rates under Rate Schedule WC-8 would become effective June 1, 2014, and remain in effect through May 30, 2019. Western, along with other WestConnect participants (Participants), has participated in the WestConnect Pricing Experiment (Experiment) since its inception in June 2009. On June 28, 2013, the Federal Energy Regulatory Commission (FERC) issued an order (143 FERC ¶ 61,291) conditionally accepting the PA and regional tariffs. FERC ordered that the Participants in the filing submit separate compliance filings. Western has determined that no changes are necessary to Western's Open Access Transmission Tariff (Tariff) because Western will continue to offer this transmission service under the existing Tariff Schedule 8. For Western to implement the permanent arrangement, however, Western needs to adopt new formula rates. Publication of this *Federal Register* notice begins the formal process for the proposed formula rates.

DATES: The consultation and comment period will begin today and will end December 6, 2013. Western will accept written comments any time during the consultation and comment period. The proposed action constitutes a minor rate adjustment as defined by 10 CFR part 903. As such, Western has determined it is not necessary to hold a public information or public comment forum.

ADDRESSES: Send written comments to: Ms. Lynn C. Jeka, Colorado River Storage Project Manager, Colorado River Storage Project Management Center, 150 East Social Hall Avenue, Suite 300, Salt Lake City, UT 84111-1580, fax (801) 524-5017, or email WestConnect@wapa.gov. Western will post information about the rate process on its Web site at <http://www.wapa.gov/dsw/>

[pwrnkt/WestConnect/Default.htm](http://www.wapa.gov/dsw/pwrnkt/WestConnect/Default.htm).

Western will post official comments received to its Web site after the close of the comment period. Western must receive comments by the end of the consultation and comment period to ensure they are considered in Western's decision process.

FOR FURTHER INFORMATION CONTACT: Mr. Thomas Hackett, Rates Team Lead, Colorado River Storage Project Management Center, 150 East Social Hall Avenue, Suite 300, Salt Lake City, UT 84111-1580, telephone (801) 524-5503, or email hackett@wapa.gov.

SUPPLEMENTARY INFORMATION:

WestConnect consists of a group of electric utilities currently providing transmission service in the Western Interconnection. Its members are a mixture of investor- and consumer-owned utilities and Western. The WestConnect membership encompasses an interconnected grid stretching from western Nebraska to southern California and from Wyoming to the United States-Mexico border. Western began participating in the Experiment in June 2009, which offered potential customers the option of scheduling a single transaction for hourly, non-firm, point-to-point transmission service over multiple transmission providers' systems at a single rate. The original term of the Experiment was 2 years and expired on June 30, 2011. In 2011, WestConnect filed with FERC to extend the term of the Experiment for 2 additional years, until June 30, 2013.

To participate in the Experiment during its total 4-year term, Western had to convert its "all-hours," non-firm, point-to-point transmission rates into on-peak and off-peak rates, similar to other Participants. Western's FERC-approved Tariff transmission rate designs for all regions yield an "all-hours" transmission rate. Western's transmission rates do not make a rate distinction between on-peak and off-peak, but rather spread the annual revenue requirements over all hours of the year. Western established these on-peak and off-peak rates using the authority granted to Western's Administrator in Delegation Order No. 00-037.00A to set rates for short-term sales.

On April 16, 2013, WestConnect submitted to FERC an Amended and Restated PA that, in essence, offers the coordinated hourly, non-firm, point-to-point transmission service at a single rate on a permanent basis, effective July 1, 2013. On June 28, 2013, FERC issued an order conditionally accepting the PA and regional tariffs. In its order, FERC stated it was approving the proposal

67348

Federal Register / Vol. 78, No. 218 / Tuesday, November 12, 2013 / Notices

Issued in Washington, DC on November 6, 2013.

Patricia A. Hoffman,

Assistant Secretary, Office of Electricity Delivery and Energy Reliability.

[FR Doc. 2013-26976 Filed 11-8-13; 8:45 am]

BILLING CODE 6450-01-P

DEPARTMENT OF ENERGY

Invitation for Public Comment on Draft Test Plan for the High Burnup Dry Storage Cask Research and Development Project (CDP)

AGENCY: Fuel Cycle Technologies, Office of Nuclear Energy, Department of Energy.

ACTION: Notice; request for public comments.

SUMMARY: The U.S. Department of Energy (DOE) is providing notice of request for public comment on its draft test plan for the High Burnup Dry Storage Cask Research and Development Project (CDP). The test plan will guide the Department's activities, research, and development throughout the execution of the High Burnup Dry Storage Cask Research and Development Project. The draft test plan places its focus on "why" the project is being performed and "what" the Department plans to accomplish with the CDP. The details on "how" the test plan will be executed will be added when Dominion Virginia Power, who is part of the Electric Power research Institute (EPRI) team, submits a License Amendment Request for the existing North Anna Generating Station Independent Spent Fuel Storage Installation (ISFSI). The License Amendment Request will be submitted to the NRC in the future. The public will be provided an opportunity to provide comments to the NRC on the CDP test plan at that time. The DOE's Office of Used Nuclear Fuel Disposition Research and Development has coordinated this effort in collaboration with its contractor EPRI and several DOE national laboratories. The DOE is seeking public stakeholder comment to ensure CDP resources are invested wisely to achieve measurable improvements in our Nation's data on High Burnup Casks.

DATES: Written comments should be submitted by December 12, 2013. Comments received after this date will be considered if it is practical to do so; however, the DOE is only able to ensure consideration of comments received on or before this date.

ADDRESSES: You may submit comments by any of the following methods:

Electronic Form: Go to <http://www.id.energy.gov/insideNEID/PublicInvolvement.htm>. Locate the area on the page that pertains to the draft test plan for the High Burnup Dry Storage Cask Research and Development Project (CDP). Click on the link for the electronic comment form. Populate the form and click on "Submit".

E-Mail: CDP@id.doe.gov.

Mail: U.S. Department of Energy, C/O Melissa Bates, 1955 Fremont Ave., MS 1235, Idaho Falls, ID 83415.

Hand Delivery or Courier: U.S. Department of Energy, Willow Creek Building Ground Floor, Room 185B, 1955 Fremont Ave., Attn: Melissa Bates, Idaho Falls, ID, between 8 a.m. and 3:30 p.m. MT, Monday through Thursday, except Federal holidays.

Fax: 208-526-6249.

FOR FURTHER INFORMATION CONTACT: Mrs. Melissa Bates, Contracting Officers Representative, High Burnup Dry Storage Cask Research and Development Project, U.S. Department of Energy—Idaho Operations Office, MS 1235, 1955 Fremont Ave., Idaho Falls, ID 83415, (208) 526-4652, batesmc@id.doe.gov.

SUPPLEMENTARY INFORMATION: The Department of Energy (DOE) has performed recent assessments focusing on long-term aging issues important to the performance of the structures, systems, and components of the dry cask storage systems for high burnup spent nuclear fuel. A number of technical issues and research and data needs have emerged from these assessments. DOE has determined that a large scale cask research and development project using various configurations of dry storage cask systems and experiments would be beneficial.

A draft test plan for the High Burnup Dry Storage Cask Research and Development Project (CDP) has been drafted by DOE's contractor the Electric Power Research Institute (EPRI) to document what is planned to be accomplished by the CDP. DOE is soliciting comments from the public to obtain feedback on what the Department plans to execute.

A copy of the draft test plan can be found at the following link: <http://www.id.energy.gov/insideNEID/PublicInvolvement.htm>. Locate the area on the page that pertains to the High Burnup Dry Storage Cask Research and Development Project (CDP). Click on the link for the draft test plan.

Submitting Comments

Stakeholder's comments should be aligned, if possible, with the goals and objectives of the CDP. All comments

will be considered that are received by the deadline that appears in the **DATES** section.

Instructions: Submit comments via any of the mechanisms set forth in the **ADDRESSES** section above. Identify your name, organization affiliation, comments on the draft test plan, email, and phone number. If an email or phone number is included, it will allow the DOE to contact the commenter if questions or clarifications arise. No responses will be provided to commenters in regards to the disposition of their comments. All comments will be officially recorded without change or edit, including any personal information provided.

Privacy Act: Data collected via the mechanisms listed above will not be protected from the public view in any way. DOE does not intend to publish the comments received externally; however, data collected will be seen by multiple entities while comments are resolved.

Dated: November 5, 2013.

Jay Jones,

Office of Fuel Cycle Technologies, Office of Nuclear Energy.

[FR Doc. 2013-26977 Filed 11-8-13; 8:45 am]

BILLING CODE 6450-01-P

DEPARTMENT OF ENERGY

[OE Docket No. PP-362]

Notice of Availability for the Draft Environmental Impact Statement and Announcement of Public Hearings for the Proposed Champlain Hudson Power Express Transmission Line Project; Correction

AGENCY: U.S. Department of Energy.

ACTION: Notice of availability and public hearings; correction.

SUMMARY: The Department of Energy (DOE) published a document in the **Federal Register** of November 1, 2013, announcing the availability for the Draft Environmental Impact Statement and public hearings for the proposed Champlain Hudson Power Express transmission line project. This document corrects an error in that notice.

FOR FURTHER INFORMATION CONTACT: Requests for additional information should be directed to Brian Mills at Brian.Mills@hq.doe.gov.

Correction

In the **Federal Register** of November 1, 2013 in FR Doc. 2013-26080, 78 FR 65622, please make the following correction:

On page 65623, in the table, the third row is corrected to read:

Holiday Inn Albany Wolf Road	Tuesday, November 19, 2013, 6:00 p.m	205 Wolf Rd., Albany, NY 12205.
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Issued in Washington, DC, on November 5, 2013.
Brian Mills,
NEPA Compliance Officer, Office of Electricity Delivery and Energy Reliability.
 [FR Doc. 2013-26963 Filed 11-8-13; 8:45 am]
 BILLING CODE 6450-01-P

DEPARTMENT OF ENERGY

Office of Energy Efficiency and Renewable Energy

Revision of a Currently Approved Collection

AGENCY: Office of Energy Efficiency and Renewable Energy, U.S. Department of Energy.

ACTION: Notice and request for OMB review and comment.

SUMMARY: The Department of Energy (DOE) has submitted to the Office of Management and Budget (OMB) for clearance, a proposal for collection of information under the provisions of the Paperwork Reduction Act of 1995. The proposed collection will be used to report the progress of participants in the DOE Better Buildings programs, including the Better Buildings Challenge, Better Buildings, Better Plants program, and the Better Buildings Alliance. These voluntary programs are intended to drive greater energy efficiency in the commercial and industrial marketplace to create cost savings and jobs. This will be accomplished by highlighting the ways participants overcome market barriers and persistent obstacles with replicable, marketplace solutions. These programs will showcase real solutions and partner with industry leaders to better understand policy and technical opportunities. Since the published 60-Day Notice and request for comments on April 11, 2013, Vol. 78, No. 70, page 21602, there are noted changes to the following supplemental information items: (6) Annual Estimated Number of Total Responses are reduced from 3,178 to 2,333; (7) Annual Estimated Number of Burden Hours are reduced from 5,077 to 4,651.89; and (8) Annual Estimated Reporting and Recordkeeping Cost Burden is reduced from \$194,926 to \$183,610.

DATES: Comments regarding this collection must be received on or before December 12, 2013. If you anticipate

that you will be submitting comments, but find it difficult to do so within the period of time allowed by this notice, please advise the DOE Desk Officer at OMB of your intention to make a submission as soon as possible. The Desk Officer may be telephoned at 202-395-4718.

ADDRESSES: Written comments should be sent to the DOE Desk Officer, Office of Information and Regulatory Affairs, Office of Management and Budget, New Executive Office Building, Room 10102, 735 17th Street NW., Washington, DC 20503.

And to Nancy Gonzalez, EE-2F/Forrestal Building, 1000 Independence Avenue SW., Washington, DC 20585 or by fax at 202-586-5234 or by email at nancy.gonzalez@ee.doe.gov.

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of the information collection instrument and instructions should be directed to Nancy Gonzalez, EE-2F/Forrestal Building, 1000 Independence Avenue SW., Washington, DC 20585 or by fax at 202-586-5234 or by email at nancy.gonzalez@ee.doe.gov.

SUPPLEMENTARY INFORMATION: This information collection request contains: (1) *OMB No.* 1910-5141; (2) *Information Collection Request Title:* Better Buildings Challenge, Better Buildings Alliance and the Better Buildings, Better Plants Voluntary Pledge Program; (3) *Type of Request:* Amendment; (4) *Purpose:* The collected information is being amended to be used to report the progress of participants in the Better Buildings Alliance, as well as additional information for the Better Buildings, Better Plants program. The collection is being amended to account for an increase in the number of respondents; (5) *Annual Estimated Number of Total Respondents:* 550; (6) *Annual Estimated Number of Total Responses:* 2,333; (7) *Annual Estimated Number of Burden Hours:* 4,651.89; (8) *Annual Estimated Reporting and Recordkeeping Cost Burden:* \$183,610.

Statutory Authority: Section 421 of the Energy Independence and Security Act of 2007 (42 U.S.C. 17081); Section 911 of the Energy Policy Act of 2005, as amended (42 U.S.C. 16191).

Issued in Washington, DC on November 1, 2013.

Maria Vargas,
Director, Better Buildings Challenge, Buildings Technologies Office, Office of Energy Efficiency and Renewable Energy.
 [FR Doc. 2013-26984 Filed 11-8-13; 8:45 am]
 BILLING CODE 6450-01-P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. CP00-401-001]

AltaGas Facilities (U.S.), Inc. (AltaGas); Notice of Application

Take notice that on October 21, 2013, AltaGas Facilities (U.S.), Inc. (AltaGas), 1700, 355 4th Avenue SW., Calgary, Alberta T2P 0J1, filed an application in Docket No. CP00-401-001, requesting authorization to terminate its Natural Gas Act section 3 authorization and its related Presidential Permit for its facilities extending from the international boundary in Toole County, Montana to Alberta, Canada. This filing is available for review at the Commission in the Public Reference Room or may be viewed on the Commission's Web site at <http://www.ferc.gov> using the "eLibrary" link. Enter the docket number excluding the last three digits in the docket number field to access the document. For assistance, please contact FERC Online Support at FERCOnlineSupport@ferc.gov or toll free at (866) 208-3676, or for TTY, contact (202) 502-8659.

On July 31, 2001, AltaGas was authorized to construct, connect, operate, and maintain 60 feet of six-inch diameter natural gas pipeline extending from the international boundary with Canada in T37N, R3W, to an interconnection with the natural gas gathering facilities which AltaGas owns in Toole County, Montana. In addition with the request to terminate the section 3 authorization, AltaGas also requests waiver of the requirement to remove the pipeline, as required by Article 9 of its Presidential Permit. AltaGas proposes to abandon the 60 foot pipeline in-place. The pipeline would be treated, capped, and tagged underground prior to its abandonment. The records of the internal and external corrosion control programs would be maintained for two years.

that does not meet the standards in 34 CFR parts 74 or 80, as applicable; has not fulfilled the conditions of a prior grant; or is otherwise not responsible.

VI. Award Administration Information

1. *Award Notices:* If your application is successful, we notify your U.S. Representative and U.S. Senators and send you a Grant Award Notification (GAN); or we may send you an email containing a link to access an electronic version of your GAN. We may notify you informally, also.

If your application is not evaluated or not selected for funding, we notify you.

2. *Administrative and National Policy Requirements:* We identify administrative and national policy requirements in the application package and reference these and other requirements in the *Applicable Regulations* section of this notice.

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

3. *Reporting:* (a) If you apply for a grant under this competition, you must ensure that you have in place the necessary processes and systems to comply with the reporting requirements in 2 CFR part 170 should you receive funding under the competition. This does not apply if you have an exception under 2 CFR 170.110(b).

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

4. *Performance Measures:* Under the Government Performance and Results Act of 1993 (GPRA), the Department developed the following performance measures to evaluate the overall effectiveness of the CAMP: (1) The percentage of CAMP participants completing the first academic year of their postsecondary program, and (2) the percentage of CAMP participants who, after completing the first academic year of college, continue their postsecondary education.

Applicants must propose annual targets for these measures in their applications. The national target for GPRA measure 1 for FY 2014 is that 86 percent of CAMP participants will complete the first academic year of their postsecondary program. The national target for GPRA measure 2 for FY 2014 is that 85 percent of CAMP participants continue their postsecondary education after completing the first academic year of college. The national targets for subsequent years may be adjusted based on additional baseline data. The panel readers will score related selection criteria on the basis of how well an applicant addresses these GPRA measures. Therefore, applicants will want to consider how to demonstrate a sound capacity to provide reliable data on GPRA measures, including the project's annual performance targets for addressing the GPRA performance measures, as is required by the Office of Management and Budget approved annual performance report that is included in the application package. All grantees will be required to submit, as part of their annual performance report, information with respect to these GPRA performance measures.

5. *Continuation Awards:* In making a continuation award, the Secretary considers, under 34 CFR 75.253, the extent to which a grantee has made "substantial progress toward meeting the objectives in its approved application." This consideration includes the review of a grantee's progress in meeting the targets and projected outcomes in its approved application, and whether the grantee has expended funds in a manner that is consistent with its approved application and budget. In making a continuation grant, the Secretary also considers whether the grantee is operating in compliance with the assurances in its approved application, including those applicable to Federal civil rights laws that prohibit discrimination in programs or activities receiving Federal financial assistance from the Department (34 CFR 100.4, 104.5, 106.4, 108.8, and 110.23).

VII. Agency Contact

FOR FURTHER INFORMATION CONTACT:

Nathan Weiss, U.S. Department of Education, Office of Migrant Education, 400 Maryland Avenue SW., Room 3E321, Washington, DC 20202-6135. Telephone Number: (202) 260-7496, or by email: nathan.weiss@ed.gov.

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

VIII. Other Information

Accessible Format: Individuals with disabilities can obtain this document

and a copy of the application package in an accessible format (e.g., braille, large print, audiotape, or compact disc) on request to the program contact person listed under **FOR FURTHER INFORMATION CONTACT** in section VII of this notice.

Electronic Access to This Document: The official version of this document is the document published in the **Federal Register**. Free Internet access to the official edition of the **Federal Register** and the Code of Federal Regulations is available via the Federal Digital System at: www.gpo.gov/fdsys. At this site you can view this document, as well as all other documents of this Department published in the **Federal Register**, in text or Adobe Portable Document Format (PDF). To use PDF you must have Adobe Acrobat Reader, which is available free at the site.

You may also access documents of the Department published in the **Federal Register** by using the article search feature at: www.federalregister.gov. Specifically, through the advanced search feature at this site, you can limit your search to documents published by the Department.

Dated: December 11, 2013.

Deborah S. Delisle,
Assistant Secretary for Elementary and Secondary Education.

[FR Doc. 2013-29821 Filed 12-13-13; 8:45 am]

BILLING CODE 4000-01-P

DEPARTMENT OF ENERGY

Extension of Public Comment Period for the Champlain Hudson Power Express Transmission Line Project Draft Environmental Impact Statement

AGENCY: Department of Energy.

ACTION: Extension of the public comment period.

SUMMARY: The U.S. Department of Energy (DOE) is extending the public comment period for the *Champlain Hudson Power Express Transmission Line Project Draft Environmental Impact Statement* (DOE/EIS-0447). The Draft EIS evaluates the environmental impacts of DOE's proposed Federal action of issuing a Presidential permit to the Applicant, Champlain Hudson Power Express, Inc. (CHPEI), to construct, operate, maintain, and connect a new electric transmission line across the U.S./Canada border in northeastern New York State.

DATES: The ongoing public comment period which opened on November 1, 2013, will remain open until January 15, 2014, an extension of 30 days.

ADDRESSES: Written comments on the Draft EIS may be provided on the CHPE EIS Web site at <http://www.chpexpresseis.org> (preferred) or addressed to Mr. Brian Mills, Office of Electricity Delivery and Energy Reliability (OE-20), U.S. Department of Energy, 1000 Independence Avenue SW., Washington, DC 20585; by electronic mail to Brian.Mills@hq.doe.gov; or by facsimile to 202-318-7761.

Availability of the Draft EIS: Copies of the Draft EIS have been distributed to appropriate members of Congress, state and local government officials, American Indian tribal governments, and other Federal agencies, groups, and interested parties. Printed copies of the document may be obtained by contacting Mr. Mills at the above address. Copies of the Draft EIS and supporting documents are also available for inspection at the following locations:

- Queens Library—Steinway, 21-45 31 Street (Ditmars Boulevard), Long Island City, NY 11102
- Yonkers Public Library—Riverfront Library, 1 Larkin Center, Yonkers, New York 10701
- Rose Memorial Library, 79 East Main Street, Stony Point, NY 10980
- Kingston Public Library, 55 Franklin Street, Kingston, NY 12401
- Schenectady County Public Library, 99 Clinton Street, Schenectady, NY 12305
- Crandall Public Library, 251 Glen Street, Glens Falls, NY 12801
- Plattsburgh Public Library, 19 Oak Street, Plattsburgh, NY 12901

The Draft EIS is also available on the EIS Web site at <http://chpexpresseis.org> and on the DOE NEPA Web site at <http://nepa.energy.gov/>.

Issued in Washington, DC, on December 11, 2013.

Brian Mills,

NEPA Compliance Officer, Office of Electricity Delivery and Energy Reliability.
[FR Doc. 2013-29789 Filed 12-13-13; 8:45 am]

BILLING CODE 6450-01-P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Combined Notice of Filings #1

Take notice that the Commission received the following electric rate filings:

Docket Numbers: ER11-4027-003; ER11-4028-003.

Applicants: James River Genco, LLC, Portsmouth Genco, LLC.

Description: Notice of Non-Material Change in Status of James River Genco, LLC, et. al.

Filed Date: 12/5/13.

Accession Number: 20131205-5177.
Comments Due: 5 p.m. ET 12/26/13.

Docket Numbers: ER14-318-001.
Applicants: The Connecticut Light and Power Company.

Description: LCRA with CMEEC Amended to be effective 1/1/2014.

Filed Date: 12/6/13.

Accession Number: 20131206-5087.
Comments Due: 5 p.m. ET 12/27/13.

Docket Numbers: ER14-319-001.
Applicants: Public Service Company of New Hampshire.

Description: Localized Cost Responsibility Agreement with CTMEEC Amended to be effective 1/1/2014.

Filed Date: 12/6/13.

Accession Number: 20131206-5119.
Comments Due: 5 p.m. ET 12/27/13.

Docket Numbers: ER14-320-001.
Applicants: Western Massachusetts Electric Company.

Description: Localized Cost Responsibility Agreement with CTMEEC Amended to be effective 1/1/2014.

Filed Date: 12/6/13.

Accession Number: 20131206-5112.
Comments Due: 5 p.m. ET 12/27/13.

Docket Numbers: ER14-538-000.
Applicants: Ameren Illinois Company.

Description: Sectionalizing Switch Replacement Letter Agreement with NEC to be effective 12/5/2013.

Filed Date: 12/5/13.

Accession Number: 20131205-5146.
Comments Due: 5 p.m. ET 12/26/13.

Docket Numbers: ER14-539-000.
Applicants: Arizona Public Service Company.

Description: Cancellation—Service Agreement No. 327 between APS and the City of Azusa to be effective 12/31/2013.

Filed Date: 12/6/13.

Accession Number: 20131206-5075.
Comments Due: 5 p.m. ET 12/27/13.

Docket Numbers: ER14-540-000.
Applicants: Arizona Public Service Company.

Description: APS Service Agreement No. 329—Azusa Simultaneous Exchange to be effective 2/5/2014.

Filed Date: 12/6/13.

Accession Number: 20131206-5078.
Comments Due: 5 p.m. ET 12/27/13.

Docket Numbers: ER14-541-000.
Applicants: Public Service Company of New Mexico.

Description: Order No. 784 Compliance Filing to be effective 11/27/2013.

Filed Date: 12/6/13.

Accession Number: 20131206-5099.
Comments Due: 5 p.m. ET 12/27/13.

Docket Numbers: ER14-542-000.

Applicants: Midcontinent Independent System Operator, Wolverine Power Supply Cooperative, Inc.

Description: 12-06-2013 SA 1316 Wolverine Grand Traverse IFA to be effective 11/8/2013.

Filed Date: 12/6/13.

Accession Number: 20131206-5120.
Comments Due: 5 p.m. ET 12/27/13.

Docket Numbers: ER14-543-000.
Applicants: Niagara Mohawk Power Corporation, New York Independent System Operator, Inc.

Description: Amendment of Niagara Mohawk's Wholesale TSC in the NYISO OATT to be effective 7/1/2013.

Filed Date: 12/6/13.

Accession Number: 20131206-5130.
Comments Due: 5 p.m. ET 12/27/13.

Take notice that the Commission received the following electric securities filings:

Docket Numbers: ES14-13-000.

Applicants: KCP&L Greater Missouri Operations Company.

Description: Application for Authorization of Issuance of Short-Term Debt Securities Under Section 204 of the Federal Power Act of KCP&L Greater Missouri Operations Company.

Filed Date: 12/6/13.

Accession Number: 20131206-5033.
Comments Due: 5 p.m. ET 12/27/13.

The filings are accessible in the Commission's eLibrary system by clicking on the links or querying the docket number.

Any person desiring to intervene or protest in any of the above proceedings must file in accordance with Rules 211 and 214 of the Commission's Regulations (18 CFR 385.211 and 385.214) on or before 5:00 p.m. Eastern time on the specified comment date. Protests may be considered, but intervention is necessary to become a party to the proceeding.

eFiling is encouraged. More detailed information relating to filing requirements, interventions, protests, service, and qualifying facilities filings can be found at: <http://www.ferc.gov/docs-filing/efiling/filing-req.pdf>. For other information, call (866) 208-3676 (toll free). For TTY, call (202) 502-8659.

Dated: December 6, 2013.

Nathaniel J. Davis, Sr.,

Deputy Secretary.

[FR Doc. 2013-29812 Filed 12-13-13; 8:45 am]

BILLING CODE 6717-01-P

ATTACHMENT 2
EXAMPLE NEWSPAPER NOA

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ATTACHMENT 3
RESPONSES TO ALL COMMENTS ON THE DRAFT EIS

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Comment 101

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CHAMPLAIN HUDSON EXPRESS TRANSMISSION

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LINE PROJECT

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DOE EIS PUBLIC HEARING

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Monday, November 18, 2013

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Courtyard Marriott LaGuardia

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9010 Ditmars Boulevard

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East Elmhurst, New York 11369

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PARTICIPANTS

AGENCY REPRESENTATIVES/HEARING OFFICERS:

- BRIAN MILLS
- JODI MCDONALD
- JULIE SMITH

PUBLIC PARTICIPANTS:

- THOMAS RYAN
- VINCENT ALBANESE
- RICHARD THOMAS

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1 started with the hearing. Thanks for coming.

2 MR. MILLS: Hi. I'm Brian Mills. Thank you
3 for taking the time to attend this hearing. I work for
4 the Department of Energy in the Office of Electricity
5 Delivery and Energy Reliability. I along with Jodi
6 McDonald from the U.S. Corps of Engineers will be the
7 hearing's officers today.

8 The reason we are here is Champlain Hudson
9 Power Express is proposing to construct an international
10 transmission line. They've asked the Department of
11 Energy for a presidential permit. A presidential permit
12 is needed before any transmission line can be built
13 across the U.S. international border. DoE determined
14 that an environmental impact statement would be the
15 appropriate level of analysis for a presidential permit.

16 This is a public hearing on the Champlain
17 Hudson Power Express Transmission Line Project draft
18 Environmental Impact Statement. That's a mouthful, so
19 I'll call it the draft EIS. Once we begin the hearing,
20 we will hear from you in the order you have signed up.
21 If you wish to speak but do not -- but have not signed
22 up, you can sign up at the registration table.

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1 For those of you who may not be familiar with
2 the process we go through in preparing an environmental
3 impact statement or EIS and where we are for this
4 particular project, I'll cover the steps. Although I'm
5 sure all of you have read the draft EIS available on our
6 EIS website, you can also find more detailed information
7 for the process and this project on the website.

8 The first step in the process, we start public
9 participation by issuing a Notice of Intent to Prepare
10 an EIS. For this project, DoE issued our Notice of
11 Intent on June 18th, 2010 and an amended notice on April
12 30th, 2012. The Notice of Intent begins a process we
13 call scoping, which is an opportunity for the public to
14 tell us their issues and concerns related to the
15 project. We use this input to help us prepare a draft
16 EIS. If you commented during the scoping period, we
17 used your scoping comments to determine which
18 alternatives and issues we needed to address.

19 The next step in the process is to prepare a
20 draft EIS. The draft EIS analyzes the foreseeable
21 environmental impacts that might result from granting
22 the permit. The draft EIS also identifies steps that

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1 might be needed to mitigate impacts. For this project,
2 we issued the draft EIS on October 21st, 2013. After we
3 issue a draft, we ask the public to comment on it during
4 a public comment period. EPA opens the comment period
5 by publishing a Notice of Availability in the *Federal*
6 *Register*. The EPA notice for this draft EIS was in the
7 *Federal Register* November 1st, 2013.

8 Since this is where we are in the process, I'm
9 going to cover this a little bit more thoroughly. The
10 comment period gives you the opportunity to tell us any
11 changes that you would like to see in the draft EIS,
12 what you think is wrong with the document, and how you
13 think we should fix it. We are also looking for issues
14 you think we missed or didn't cover as well as we
15 should.

16 If you have questions as part of your comment,
17 we will not be able to answer your questions today, but
18 we will do so in the final EIS. It's also very helpful
19 for your comments to cite specific sections or page
20 numbers from the document itself. None of this is
21 required, but it will help us to understand your
22 comments.

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1 During the hearing, the hearing's officers may
2 ask questions to allow you to clarify points you may be
3 making. Whether you choose to speak or not, you are
4 invited to submit written comments. Instructions to do
5 so are provided on the board back here or are available
6 on the registration table. All comments, whether
7 written or oral, are treated the same and have equal
8 weight.

9 For this draft EIS, we will continue to accept
10 comments until December 16th, 2013. To the extent we
11 can, we will also consider your comments submitted after
12 that date. After the close of the comment period, we
13 will write the final Environmental Impact Statement,
14 which considers your comments. The final EIS will
15 contain a comment response document that addresses
16 comments received on the draft EIS. When completed, EPA
17 will issue a Notice of Availability of the final EIS in
18 the *Federal Register*, and again, we will post the
19 document on the EIS website and send it out to the
20 mailing list. No sooner than 30 days after EPA lets all
21 of you *Federal Register* readers know the final EIS is
22 out there, DoE may issue a Record of Decision on the

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1 presidential permit application. I hope that very
2 general process outline is helpful to you.

3 I'd also like to mention a couple of other
4 things about the draft EIS and this project. The
5 Department of Energy has authority to permit the border
6 crossing. The U.S. Army Corps of Engineers issues Clean
7 Water Act permits. The State of New York has authority
8 to cite transmission lines in New York. Several other
9 Federal and State agencies are working with DoE and the
10 Corps in preparing the draft EIS. The U.S.
11 Environmental Protection Agency, the U.S. Fish and
12 Wildlife Service, the U.S. Coast Guard, the New York
13 State Department of Public Service, and the New York
14 State Department of Environmental Conservation, are all
15 cooperating agencies in the preparation of the draft
16 EIS.

17 That was a lot to remember, so what you need
18 to remember for this hearing is, one, comments received
19 on the draft EIS will be included in the final EIS, and
20 we will respond in the document to the comments
21 received. Comments expressed at one of our hearings or
22 provided to us by email or letter will be considered

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1 equally. And three, the comment period for the draft
2 EIS closes on December 16th, 2013.

3 I will now turn this over to your hearing's
4 officer, Jodi McDonald, from the U.S. Army Corps of
5 Engineers.

6 MS. MCDONALD: Thank you, Brian. Good
7 afternoon. I'm Jodi McDonald, Chief of the Regulatory
8 Branch for the New York District, U.S. Corps of
9 Engineers. I will be the presiding officer on behalf of
10 the Corps of Engineers.

11 The Corps of Engineers is here today to obtain
12 information and evidence and ensure coverage of core
13 concerns, to assist in the regulatory review of a permit
14 application by the Champlain Hudson Power Express for
15 the installation and construction of a 336-mile power
16 cable from the Canadian border through waters of the
17 United States, including wetlands, as well as Lake
18 Champlain, the Hudson River, Harlem River, and East
19 River. The U.S. Department of Energy as lead Federal
20 agency will make a decision whether to issue a
21 presidential permit to allow crossing of the U.S. border
22 to facilitate the operation of this power cable.

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1 The Corps of Engineers is neither a proponent
2 for nor an opponent of the proposed work. Our role is
3 to determine whether the proposed activity -- in this
4 case, the installation of a power line in waters of the
5 United States -- is in the overall public interest.
6 This hearing will play an important part in that
7 determination.

8 Please understand that we do not expect to
9 answer questions from the dais in this hearing related
10 to the proposal as we are here to obtain information and
11 your comments. Questions on the regulatory process in
12 general can be directed to my staff who are sitting in
13 the audience here today.

14 The New York District has issued a public
15 notice for this project with the comment period closing
16 on December 16th, which is the same date as the EIS
17 comment period. That public notice is currently posted
18 on the New York District website, and that web address
19 is www.nan.usace.army.mil, as in "military." We do have
20 some copies available on the registration table as well.

21 If you are not currently on our public notice email
22 distribution list and would like to receive an

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1 announcement for future public notices from my office,
2 please provide your email address to one of the staff at
3 the registration table today. Thank you.

4 MR. MILLS: We will now start the hearing.
5 Thomas Ryan?

6 MR. RYAN: Thank you. My name is Thomas Ryan.

7 I'm President of the Boilermaker's Local 5.
8 Distinguished members from the U.S. Department of
9 Energy, thank you for providing this opportunity to the
10 people of New York to weigh in on some of their concerns
11 with the Champlain Hudson Power Express. I'm here today
12 as the President of Boilermaker's Local 5, representing
13 over 500 members from Long Island, New York City, from
14 the southern tier, and throughout the north country.

15 But I'm also here as a proud New Yorker and a father of
16 four children with further reservations about this
17 proposal -- proposed project and the negative
18 environmental impact it would have for the next
19 generation.

101-01 **101-01:** Comment noted.

20 The developers of this line that would snake
21 its way through New York and its great waterways have
22 touted the signatures of some representatives of the New

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1 York delegation in support of the line. Yet when my
 2 colleagues and I personally met with the vast majority
 3 of these congressmen and women last spring, we were met
 4 with blank stares and disbelieving shakes of their
 5 heads. Some had no recollection of signing. Others
 6 seemed not overly committed to the project. But all of
 7 them had second thoughts and promised to look into the
 8 matter further and revisit their commitment. For that
 9 we are grateful to them and their staffs.

10 The Champlain Hudson Power Express will be a
 11 jobs killer for the greater New York City area,
 12 outsourcing skilled labor positions to a foreign country
 13 in exchange for a product we can and should be making
 14 here in New York. Our economy, environment, and our
 15 quality of life now hang on a delicate thread. Do we as
 16 a Nation give our environment over to the hands of
 17 another country, albeit currently a friendly one? I, my
 18 family, and the tens of thousands of vital building and
 19 constructions trades members in this great metropolis
 20 emphatically respond no.

21 Just in the last couple of years, our great
 22 city and State has had a tragic loss of life,

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101-02 An estimated average 300 direct construction jobs would be created, and approximately 26 direct, full-time employees would be hired to operate the proposed Champlain Hudson Power Express (CHPE) Project as stated in Sections S.8.18 and 2.6.18 of the Environmental Impact Statement (EIS). Additional indirect and induced jobs would be associated with construction, maintenance, inspections, and possible emergency repairs. It is likely that existing local workers from New York State would be able to meet these workforce demands of the project. The proposed CHPE Project would not directly outsource any jobs to foreign countries.

1 infrastructure, and the environment due to severe
 2 storms. As catastrophic losses they were, could we
 3 imagine if we were held hostage by power traveling
 4 hundreds of miles on towers over land and within our
 5 rivers and lakes? We need to rely on power generation
 6 produced in our back yards to survive whatever storms we
 7 must weather.

101-03 **101-03:** Comment noted. The development of in-state electric power generation is outside the scope of the EIS.

8 I swam in the Hudson River and lived to tell
 9 about it. I wish my children and my children's children
 10 the same. But this Canadian power line is nothing more
 11 than a large extension cord with a single customer,
 12 whose only vested interest in the delicate environment
 13 of the great State of New York is one of commercialism
 14 and greed. Just in my short lifespan, I have seen where
 15 dependence on foreign energy and foreign natural
 16 resources has led this great Nation of ours: embargo,
 17 rationing, and war. We should not depend on others for
 18 our vital needs, but ourselves and our fellow New
 19 Yorkers. Americans should not sacrifice their
 20 environment, their energy independence, or their
 21 children's future for the promise of miniscule savings
 22 on our electrical bill.

101-04 **101-04:** Comment noted.

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Comment 102

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1 I would like to thank you again for this
2 opportunity, and we trust the United States Department
3 of Energy and ultimately the Office of the President of
4 the United States to hear the cry of its citizens and
5 say no to the Champlain Hudson Power Express. I will
6 save the time, but I would also like to submit an open
7 letter that ran in one of the publications, city and
8 State, that was signed by members -- representing
9 members of the District Council of Carpenters, Local 638
10 of the Steam Fitters, Boilermaker's Local 5, Utility
11 Workers Union of America, and also the IBEW. Thank you.

12 MR. MILLS: Vincent Albanese?

13 MR. ALBANESE: Vincent Albanese, New York
14 State Laborers. I represent the New York State
15 Laborers' Union with 40,000 members employed in the
16 construction industry and other fields throughout the
17 State. Our members are organized into more than 35
18 local unions and five district councils. We're a proud
19 affiliate of the Laborers' International Union of North
20 America.

21 The Champlain Hudson Power Express
22 Transmission Project would create more than 300

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1 construction jobs for our members from Clinton County
 2 along the route to Queens County during the three and a
 3 half year construction period. It's also estimated that
 4 during peak construction, there'll be up to 600
 5 construction jobs. The construction jobs will be
 6 associated with the construction of a power -- of a
 7 converter station and the installation of the
 8 transmission cable within the State. Our members would
 9 also be involved in the construction of temporary access
 10 roads, site excavation, and site restoration.

11 We have eight local unions represented
 12 throughout the geographic region of this project. The
 13 Champlain Hudson Power Express would provide work
 14 opportunity in the communities where they live, which
 15 would benefit these communities greatly. The Champlain
 16 Hudson Power Express is a 333-mile underground
 17 transmission line that will bring up to a thousand
 18 megawatts of clean, renewable energy to New York State.

19 Two six-inch wide cables will be buried under
 20 Lake Champlain, the Hudson, Harlem, and East Rivers,
 21 along railroads, and other public rites-of-way. By
 22 burying the line, this project will have minor impacts

102-01 **102-01:** Comment noted.

102-02 **102-02:** Comment noted. The cooling stations and the Luyster Creek Converter Station would be aboveground. In some locations, the cooling stations might be visible to surrounding areas considered aesthetic resources, but would be within the context of the existing visual environment and would either not change or only minimally change the existing character of the viewshed.

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1 on communities and the environment. There will be
 2 temporary minimal impact during construction of the
 3 line. Once installed, there will be no visual impacts.
 4 Transmission Developers, Inc., or TDI, is committed to
 5 constructing the line using the highest environmental
 6 standards to protect New York State's, waters and
 7 communities, and natural beauty.

↑
 102-02
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8 The Champlain Hudson Power Express Project
 9 will provide clean hydropower to fuel economic growth
 10 with significant environmental and consumer benefits.
 11 The project will reduce sulphur dioxide and greenhouse
 12 gas emissions. The project will add options to the
 13 State's energy selection and increase the electric
 14 grid's safety and security. This new, tough
 15 infrastructure will be less susceptible to damage from
 16 natural disasters. A \$117 million environmental trust
 17 will be established to improve the aquatic environments
 18 in Lake Champlain, the Hudson, Harlem, and East Rivers.

↓
 102-03 **102-03: Comment noted.**
 ↓

19 The construction jobs created by the Champlain
 20 Hudson Power Express Project will result in an increase
 21 in the demand of goods and services within the State.
 22 The project will also mean direct spending in New York,

↓
 102-04 **102-04: Comment noted.**
 ↓

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1 including non-labor installation costs, as well as fees
2 and taxes paid to the local and State government. As
3 there are more revenues and sales, businesses will have
4 more profits and, therefore, be able to hire more people
5 to make investments in the community.

↑
102-04
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6 The \$2.2 billion project will be financed
7 completely by the private sector with no responsibility
8 on the customer for the cost of development or operation
9 of the line. Three hundred direct jobs will be created
10 during the three and a half year construction period,
11 peaking at 600 construction jobs. During the
12 construction phase of the Champlain Hudson Power Express
13 Project, there will be more than 1,200 indirect jobs in
14 New York State from suppliers, businesses, and the local
15 community along the route.

16 The New York State Public Service Commission
17 approved the Champlain Hudson Power Express Project in
18 April of this year. We're here to urge you to grant
19 Federal permits to transmission developers quickly so
20 that this important transmission line project can move
21 forward. This project means jobs for many of our local
22 union members and opportunities for the State that would

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102-05
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102-05: The U.S. Department of Energy (DOE) is responsible for reviewing the Presidential permit application submitted by CHPE, Inc. (i.e., the Applicant) and determining whether to grant a permit to the Applicant for an electrical transmission system that crosses the U.S. international border. If issued, the Presidential permit granted by the DOE to the Applicant would authorize it to construct, operate, maintain, and connect the U.S. portion of the proposed CHPE Project at the U.S./Canada border. This EIS was prepared by DOE in accordance with the National Environmental Policy Act (NEPA) to address the potential impacts of issuing the Presidential permit for the proposed CHPE Project. Only after completion of additional steps, including preparation of the Final EIS, publication of a Notice of Availability of the Final EIS in the *Federal Register*, a 30-day waiting period, and issuance of a Record of Decision, will DOE make its final decision as to whether or not to issue the Presidential permit for the proposed CHPE Project. The Applicant is required to consult with and obtain permits from several other Federal and state government agencies for the proposed CHPE Project. DOE is not responsible for these other permits.

Comment 103

18

1 benefit our communities for years to come. Thank you. ↑ 102-05

2 MS. MCDONALD: Thank you.

3 MR. MILLS: Are there any other registered --
4 anyone else would like to speak? If not -- would you
5 like to -- if no one else wants to speak, this hearing
6 is adjourned. No, we have one?

7 MR. THOMAS: Yes. Thank you. My name is
8 Richard Thomas. I'm the Director of New York AREA.
9 It's an acronym for Affordable Reliable Electricity
10 Alliance. I have a statement on behalf of my Chairman,
11 Jerry Kremer.

12 In conjunction with today's Army Corps of
13 Engineers' hearing on the draft Environmental Impact
14 Statement on the Champlain Hudson Power Express, a 330-
15 plus mile high voltage transmission line running from
16 Quebec to Queens, New York AREA issues the following
17 statement.

18 The Champlain Hudson Power Express Project is
19 unquestionably bad for New York. It means higher
20 electricity prices, lost jobs, and a less reliable
21 electric grid. In fact, it is merely a special interest
22 project that will have no benefit for hardworking New ↓ 103-01

103-01: The New York State Public Service Commission (NYSPSC) identified in their Certificate of Environmental Compatibility and Public Need issued for the proposed CHPE Project in April 2013 that “the Project would serve the public interest, convenience and necessity” and “increase the reliability of the Bulk Power System in New York City [and] reduce wholesale market prices.” Additionally, the proposed CHPE Project would result in an estimated average 300 direct construction jobs created, and approximately 26 direct, full-time employees hired to operate the proposed CHPE Project as stated in Section 2.6.18 of the EIS. Additional indirect and induced jobs would be associated with construction, maintenance, inspections, and possible emergency repairs. It is likely that existing local workers from New York State would be able to meet the workforce demands of the project.

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1 Yorkers, including those struggling upstate communities.

103-01

2 Indeed, the Champlain Hudson Power Express
3 Project is nothing more than a high voltage extension
4 cord from Canada to New York City that will make a giant
5 sucking sound as it takes billions of dollars annually
6 out of New Yorkers' pockets and across the border.

7 There is no doubt that we can make electricity at a
8 lower cost and more reliably here in New York, and that
9 should be the focus of our energy policy. At a time
10 when America is on the verge of becoming energy
11 independent, and indeed an energy exporter, the
12 Champlain Hudson Project takes us backwards.

103-02

103-02: Comment noted. The source of electric power to be transmitted through the proposed CHPE Project is outside the scope of the EIS.

13 Our energy infrastructure will also be
14 degraded by this precedent-setting project. The greater
15 the distance that electricity has to travel, the more
16 expensive and less reliable it is. And due to these
17 reasons, a broad coalition from labor, business, and the
18 environment community opposes this project and will
19 continue to do so through all available avenues. I'll
20 submit this statement to you.

103-03

103-03: The proposed CHPE Project would consist of a high-voltage direct current (HVDC) transmission system. HVDC transmission is more efficient over long distances than high-voltage alternating current (HVAC) transmission systems because there is no need to charge the capacitance (as is required for HVAC transmission cables) and transmission losses are significantly reduced. Additionally, the proposed CHPE Project would provide greater reliability because the HVDC transmission cables would be armored and underwater/underground so that they operate within a constant temperature range and are not subject to thermal derating, which can limit power flow at high ambient temperatures.

21 MR. MILLS: Thank you.

22 MS. MCDONALD: Thank you.

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1 MR. MILLS: Anyone else want to speak?
2 (No response.)
3 MR. MILLS: This hearing is adjourned.
4 (Whereupon, at 12:36 p.m., the meeting was
5 adjourned.)
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CHAMPLAIN HUDSON EXPRESS TRANSMISSION
LINE PROJECT

DOE EIS PUBLIC HEARING

Monday, November 18, 2013

Stony Point Center
17 Cricketown Road
Stony Point, New York 10980

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1 PARTICIPANTS
2
3 AGENCY REPRESENTATIVES/HEARING OFFICERS
4 BRIAN MILLS JULIE SMITH
5 JODI MCDONALD JAMES PALMER
6
7 PARTICIPANTS:
8 DOUGLAS JOBSON BRIAN MCPARTLAND
9 THOMAS BASILE MARY ELLEN FURLONG
10 GEOFFREY FINN BRED A BECKERLE
11 ANNIE WILSON TIMOTHY WALDRON
12 DEAN TAMBURRI ROBERT KNIGHT
13 SUSAN FILGUERAS BARRY BROOKS
14 FRANK COLLIER RICH THOMAS
15 STEVEN REICH STEVEN BECKERIE
16 WELLINGTON CASSCLES JACQUELYN DRECHSLER
17 REBECCA CASSCLES MICHAEL DIEDRICH
18 HAYLEY CARLOCK ALEX GUARINO
19 LAURRIE COZZA JIM MCDONALD
20 KATHERINE REDMOND LUANNE KONOPKA
21 STEVEN LUDWIGSON
22

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1 those over tonight so that we can also get a proper
2 record of those and make those a part of the public
3 record for the document. And you can submit those also
4 at the registration table.

5 SPEAKER: Is it the 16th we should mail it
6 in?

7 MS. SMITH: Absolutely. The public comment
8 period closes on December 16th, so you can mail those or
9 email those in. But if you just wanted to provide
10 written comments tonight, we are accepting those.

11 Also because of the crowd and the number of
12 speakers that we have this morning, we will ask that you
13 keep your verbal comments to three minutes. We do have
14 a timekeeper to help you move your comments along. But
15 if you don't get through your entire comments and you
16 have that in written form, again, please make sure you
17 submit that so that we have a full record of your full
18 comments.

19 And with that, thank you very much for your
20 time in coming, and we will get started with the
21 hearing.

22 MR. MILLS: I'm Brian Mills. Thank you for

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1 taking your time to attend this hearing. I work for the
2 Department of Energy in the Office of Electricity
3 Delivery and Energy Reliability. I along with Jodi
4 McDonald from the U.S. Corps of Engineers will be the
5 hearing's officers today.

6 The reason we are here is Champlain Hudson
7 Power Express is proposing to construct an international
8 transmission line. They've asked the Department of
9 Energy for a presidential permit. A presidential permit
10 is needed before any transmission line can be built
11 across the U.S. international border. DoE determined
12 that an environmental impact statement would be the
13 appropriate level for analysis for this presidential
14 permit.

15 This is a public hearing on the Champlain
16 Hudson Power Express Transmission Line Project draft
17 Environmental Impact Statement. That's amouthful, so
18 I'll call it the draft EIS. Once we begin the hearing,
19 we will hear from you in the order you have signed up.
20 If you wish to speak but have not signed up, you can
21 sign up at the registration table.

22 For those of you who may not be familiar with

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1 the process we go through in preparing an environmental
2 impact statement -- an EIS -- and where we are at for
3 this particular project, I'll cover the steps. Although
4 I'm sure you've all read the draft EIS available on our
5 EIS website, you can also find more detailed information
6 for the process and this project on the website.

7 The first step in the process, we start
8 public participation by issuing a Notice of Intent to
9 Prepare an EIS. For this project, DoE issued our Notice
10 of Intent on June 18th, 2010 and an amended notice on
11 April 30th, 2012. The Notice of Intent begins a process
12 we call scoping, which is an opportunity for the public
13 to tell us their issues and concerns related to the
14 project. We use this input to help us prepare a draft
15 EIS. If you commented during the scoping period, we
16 used your scoping comments to determine which
17 alternatives and issues we needed to address.

18 The next step in the process is to prepare a
19 draft EIS. The draft EIS analyzes the foreseeable
20 environmental impacts that might result from granting
21 the permit. The draft EIS also identifies steps that
22 might be needed to mitigate impacts. For this project,

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7

1 we issued the draft EIS on October 21st, 2013. After we
2 issue a draft, we ask the public to comment on it during
3 a public comment period. EPA opens the comment period
4 by publishing a Notice of Availability in the *Federal*
5 *Register*. The EPA notice for this draft EIS was in the
6 *Federal Register* November the 1st, 2013.

7 Since this is where we are in the process,
8 I'm going to cover this a little bit more thoroughly.
9 The comment period gives you the opportunity to tell us
10 any changes you would like to see in the draft EIS, what
11 you think is wrong about the document, and how you think
12 we should fix it. We are also looking for issues you
13 think we missed or didn't cover as well as we should.

14 If you ask questions as part of your comment,
15 we will not be able to answer your questions today, but
16 we will do so in the final EIS. It's also very helpful
17 for your comments to cite specific sections of the-- or
18 page numbers from the document itself. None of this is
19 required, but it will help us to understand your
20 comments.

21 During the hearing, the hearing's officers
22 may ask questions to allow you to clarify points you are

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7

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10 any changes you would like to see in the draft EIS, what
11 you think is wrong about the document, and how you think
12 we should fix it. We are also looking for issues you
13 think we missed or didn't cover as well as we should.

14 If you ask questions as part of your comment,
15 we will not be able to answer your questions today, but
16 we will do so in the final EIS. It's also very helpful
17 for your comments to cite specific sections of the-- or
18 page numbers from the document itself. None of this is
19 required, but it will help us to understand your
20 comments.

21 During the hearing, the hearing's officers
22 may ask questions to allow you to clarify points you are

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1 I'd also like to mention a couple of other
2 things about the draft EIS and this project. The
3 Department of Energy has authority to permit the border
4 crossing. The U.S. Army Corps of Engineers issues Clean
5 Water Act permits. The State of NewMexico -- New York
6 has authority to cite transmission lines in New York.
7 Several other Federal and State agencies are working
8 with DoE and the Corps in preparing the draft EIS.
9 These are the U.S. Environmental Protection Agency, the
10 U.S. Fish and Wildlife Service, the U.S. Coast Guard,
11 the New York State Department of Public Service, and the
12 New York State Department of Environmental Conservation
13 These are all cooperating agencies in the preparation
14 of the draft EIS.

15 That was a lot, so what you need to remember
16 for this hearing is, one, comments received on the draft
17 EIS will be included in the final EIS, and we will
18 respond in the document to the comments received. Two,
19 comments expressed at one of our hearings or provided to
20 us by email or letter will be considered equally.
21 Three, the comment period for the draft EIS closes on
22 December 16th, 2013.

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1 I will now turn this over to your other
2 hearing's officer, Jodi McDonald, from the U.S. Army
3 Corps of Engineers.

4 MS. MCDONALD: Thank you, Brian. Good
5 afternoon. I am Jodi McDonald. I'm Chief of the
6 Regulatory Branch for the New York District Army Corps
7 of Engineers. I will be the presiding officer on behalf
8 of the Corps at today's hearing.

9 The Corps of Engineers is here today to
10 obtain information and evidence and ensure coverage of
11 core concerns, to assist in the regulatory review of a
12 permit application by Champlain Hudson Power Express,
13 Incorporated for the installation and construction of a
14 336-mile power cable from the Canadian border through
15 the waters of the United States, including wetlands, as
16 well as Lake Champlain, the Hudson River, Harlem River,
17 and East River. The U.S. Department of Energy as lead
18 Federal agency will make a decision whether to issue a
19 presidential permit to allow the border crossing to
20 facilitate the operation of this power cable.

21 The Corps of Engineers is neither a proponent
22 for nor an opponent of the proposed work. Our role is

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1 to determine whether the proposed activity-- in this
2 case, the installation of a power line in waters of the
3 United States -- is in the overall public interest.
4 This hearing will play an important part in that
5 determination.

6 Please understand that we do not expect to
7 answer questions from the dais in this hearing related
8 to the proposal as we are here to obtain information and
9 to receive your comments. Questions on our regulatory
10 process in general can be directed to my staff member
11 who's in the audience today. June, if you would raise
12 your hand.

13 The New York District has issued a public
14 notice for this project with the comment period closing
15 on December 16th, which is the same closing date as the
16 draft EIS. That public notice is currently posted on
17 our New York District website. The website address is
18 www.nan.usace.army.mil, as in "military." We do have
19 some copies of that public notice available on our -- on
20 the registration table as well. If you're not currently
21 on our public notice email distribution list and would
22 like to receive an email announcement for future public

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1 notices from my office, please provide your email
2 address to one of the staff members at the registration
3 table. Thank you.

4 MS. SMITH: Yeah. Again for the folks that
5 are by the door, if you want -- we need to create some
6 space back by the doors. So please find a seat if you
7 will and sit in the audience with us.

8 MS. MCDONALD: There are seats.

9 MS. SMITH: Yeah, there are definitely seats
10 to the left of the room. We do want you to stay.

11 MS. MCDONALD: Are we ready?

12 MR. MILLS: We're ready.

13 MS. MCDONALD: Should I bang the gavel?

14 MR. MILLS: Yes, bang the gavel, and we'll
15 call these first speakers.

16 MS. MCDONALD: We don't usually -- do you
17 usually do Pledge of Allegiance?

18 MR. MILLS: We don't, but we can.

19 MS. MCDONALD: I don't have a problem with
20 it.

21 MR. MILLS: Let's -- do you want to lead it?

22 MS. MCDONALD: We've had a request to do the

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Comment 104

13

1 Pledge of Allegiance, so if you would all stand, please.

2 (Pledge of Allegiance.)

3 MS. MCDONALD: Thank you.

4 MS. SMITH: Thank you.

5 (Pounding of gavel.)

6 MS. MCDONALD: We're going to begin the
7 hearing right now. Mr. Mills will call the first
8 speaker.

9 MR. MILLS: Douglas Jobson

10 MR. JOBSON: Good evening, everyone, ladies
11 and gentlemen. Locals of -- members of Local 754 and,
12 you, the members of the Department of Energy and the
13 Army Corps of Engineers, I'd like to thank you for
14 coming to our community tonight to hear our concerns.

15 I rise in opposition of this line, and I will
16 explain to you why. I know there's another unionized
17 group in the county that is in favor of this because
18 it's going to bring some work to their membership, and I
19 respect their view on that. But I have to rise in
20 opposition to this, and I feel that there is no economic
21 nor environmental benefit to the Town of Stony Point to
22 allow this line to begin in another nation north of us

} 104-01
↓

104-01: The proposed CHPE Project would result in an estimated average of 300 direct construction jobs and approximately 26 direct, full-time employees during the operational phase in addition to indirect or induced jobs in other industries (see Section 2.6.18 of the EIS). Installation of the transmission cable would also avoid impacts on the Haverstraw Bay Significant Coastal Fish and Wildlife Habitat (SCFWH) that contains important habitat for Endangered Species Act (ESA)-listed species.

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14

1 in Canada to come through out backyard and end up in the
2 five boroughs where it's going to end.

↑
104-01
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3 Over time, if you listen to what's been said
4 and you understand what's going on here, I don't
5 understand why we should be played, a small community,
6 with sensitive things, such as Revolutionary War
7 cemeteries, marinas, waterways, environmental concerns
8 that should really be heard out totally before this
9 takes place and this thing could be pushed through. The
10 problem with things like this is they're never put to a
11 public referendum because you know the way the public
12 would vote. It would easily be voted down. So it's
13 brought this way, which I think is bad for our
14 community.

15 I don't think that after what this community
16 went through with divestiture of our assets -- we had
17 two perfectly good power plants in our back yard here
18 forever and ever, amen, and all of a sudden--

19 (Applause.)

20 MR. JOBSON: -- overnight people had to -- we
21 had to basically auction them off and the local utility
22 had to sell their means of production. They had to sell

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1 these companies and form two smaller companies out of
 2 it. Horrible from day one. They bring people up from
 3 right-to-work States down south, one of the outfits that
 4 bought it. They hire people for a slashed wage. They
 5 learn everything they can from these people, and they
 6 turn around and fire them after they drain all the
 7 information and the years of experience that they have
 8 from these people.

9 There's no benefit for us. With terrorism
 10 and all the things that go on in this Nation today that
 11 we see and throughout the world, why would you want to
 12 put a power line with the on and off switch in a foreign
 13 country's hands in Canada, north of us, to control
 14 something that's going to come through our State and our
 15 backyard? There's no real rational reason for it. And
 16 it's unfortunate that it has come to this. I was hoping
 17 the idea for this would never get off the ground.

18 It's bad economically. It's bad
 19 environmentally. There's going to be no major job
 20 creation long term out of this. And I just don't feel
 21 that there's any grabbing rationale that we'd let this
 22 go forward. I would -- wish that the Public Service

104-02

104-02: Comment noted. The proposed CHPE Project would be a merchant transmission facility that would provide electricity, primarily generated in Canada from hydroelectric and wind sources, to the New York City metropolitan area.

104-03

104-03: See response to Comments 104-01 and 104-02.

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Comment 105

16

1 Commission when they do review this, I wish they would
2 choose not to go forward and deny this permit. Thank
3 you.

4 (Applause.)

5 MR. MILLS: Thomas Basile?

6 MR. BASILE: Good evening. From my time at
7 EPA in Washington and working for the Department of
8 Defense, I've had the opportunity to work with the DoE
9 and the Army Corps for -- on a number of occasions. We
10 appreciate your professionalism, and we appreciate you
11 being here tonight.

12 I also rise in opposition to this line. It
13 is very clear that from cross border conversations that
14 have happened between the State and the Federal
15 government that there is an interest in increasing
16 hydroelectric power into the United States. But you
17 need to know that if the Federal government backs this
18 project in any way, that people of the Town of Stony
19 Point and Rockland County will fight in the courts and
20 in the court of public opinion to prevent this cable and
21 the others that will likely follow it from coming on
22 shore here in our historic town.

105-01 **105-01:** Comment noted.

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17

1 If CHPE is to proceed, it should be routed
2 through the Hudson River bed where it is currently
3 slated to run for hundreds of miles, bypassing every
4 other town along its route except this one. The
5 presidential permit is to allow a cable line to come
6 through the territorial waters of the United States.
7 But in the Town of Stony Point where you are standing,
8 it comes on land, and that would be a grave injustice to
9 the people of this town.

105-02

10 There is no conclusive evidence or convincing
11 evidence that the cable will adversely impact the
12 river's ecosystem adjacent to here in Stony Point as
13 opposed to anywhere else. And let me tell you
14 something. I've always been of the opinion that the
15 needs of people be considered the higher purpose and
16 priority than those of fish.

105-03

17 This is not about nimbyism, it's not about
18 opposing progress, and this is not political in any way.
19 It's about the lives of the people of this town, its
20 economic future, and the jobs for local area residents.

21 According to the most recent route maps, the
22 land-based route through Stony Point will require CHPE

105-04

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105-02: The Haverstraw Bay Alignment, under which the transmission line would have continued in the Hudson River through the bay rather than transition to land from Stony Point to Clarkstown, was initially proposed by the Applicant in its 2010 Presidential permit application as identified in Section 2.5.1 of the EIS. However, as a result of negotiations during the NYSpsc Article VII process, it was not included in the Joint Proposal or in the NYSpsc Certificate for the proposed CHPE Project because Haverstraw Bay contains important habitat for ESA-listed fish species. Avoidance of the Haverstraw Bay SCFWH would also comply with conditions developed in coordination with the New York State Department of State (NYSdos) to make the proposed CHPE Project compliant with the New York State Coastal Management Program. Therefore, this previously proposed component of the route is not now part of the proposed CHPE Project route as approved in the NYSpsc Certificate.

105-03: Haverstraw Bay contains important habitat for ESA-listed fish species. It was determined through the Joint Proposal process that impacts from the proposed CHPE Project could be greater in the Haverstraw Bay SCFWH than elsewhere in the Hudson River (see EIS Sections 2.3 and 5.3.5).

105-04: The Applicant and 13 signatory parties submitted the Joint Proposal to the NYSpsc in February 2012. The Joint Proposal reflected route and project changes that resulted from negotiations with state agencies and stakeholder organizations pursuant to the NYSpsc Article VII Certificate review process for the project. The proposed CHPE Project route analyzed in the Draft EIS reflected the route approved by NYSpsc in the Certificate granted in April 2013. Property owners would receive just compensation from the Applicant for use of a portion of their property for the transmission line right-of-way (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. However, the NYSpsc has authorized the use of eminent domain for the Applicant to obtain limited easements or leases for the transmission line ROW in areas outside of the roadway and railroad ROWs if negotiations with private landowners are not successful.

18

1 to pursue eminent domain or condemnation against
 2 homeowners and other private and commercial entities
 3 across the town to accommodate a 50-foot deviation zone
 4 for the cable. The number of jobs that would be created
 5 by this project are also highly suspect, but this is one
 6 thing that is absolutely clear. The number of jobs that
 7 are created by this project, if any, would have the
 8 effect of killing, by my calculation, at least 1,000
 9 local jobs, particularly in the construction trades, but
 10 also in engineering, retail, and facility management.

11 The Town of Stony Point is currently advancing an
 12 economic development program and a Sandy recovery
 13 strategy that will revitalize our community and drive
 14 hundreds of million dollars' worth of investment capital
 15 to this town and also produce revenue-- millions of
 16 dollars in revenue to make this town more affordable and
 17 sustainable to the future.

18 Let me be clear. Should CHPE be allowed to
 19 come on land, not only will dozens of residential
 20 properties be adversely affected and the property values
 21 of hundreds of town residents, costing residents
 22 millions in personal wealth, be affected, the



105-05: See response to Comment 104-01. There is no evidence that the proposed CHPE Project would reduce the availability of existing jobs.

105-06: The terrestrial portion of the transmission line would be underground along the general perimeter of properties and not visible; therefore, its presence generally would not result in a detriment to private property values. Easement payments to landowners would compensate landowners for any access or use restrictions placed on private properties and would offset any potential impacts on property values. The Applicant would also pay for any land restoration costs associated with conditions that might exist after construction or any emergency repairs that might be required. See Section 5.3.18 of the EIS for the discussion of property values within the terrestrial portion of the Hudson River Segment. See response to Comment 106-03 regarding impacts on future economic development in Stony Point.

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19

1 aforementioned commercial projects and the ancillary
2 economic development derived may not be possible. The
3 route and the deviation zone will scar the landscape of
4 this town through its most vital areas, leaving a trail
5 of human and economic wreckage in its wake.

105-06

6 Take this message back to General Bostick and
7 take it back to the Secretary, please. Do not
8 underestimate the amount of opposition to this cable
9 being brought on land in Stony Point and in Rockland
10 County. You want your cross-border hydroelectric? I
11 think I can probably live with that. But put the cable
12 in the river where it belongs, and do not underestimate
13 our ability or our willingness to fight this proposed
14 route. Jobs will be lost, personal wealth will be lost,
15 economic development will be stifled, and the damage
16 will be irreparable. We will not permit this
17 discrimination, and we will not permit this injustice to
18 be perpetrated against the people of this town. Thank
19 you very much.

105-07

105-08

105-07: Installation of the transmission cables in the terrestrial portion of the Hudson River Segment (i.e., buried configuration along the CSX Transportation (CSX) railroad ROW in the communities of Stony Point and Haverstraw, and the U.S. Route 9W ROW in Clarkstown) would avoid impacts on the Haverstraw Bay SCFWH (see EIS Section 5.3.5). Haverstraw Bay contains important habitat for ESA-listed fish species. Avoidance of the Haverstraw Bay SCFWH would also comply with conditions developed by NYSDOS to make the proposed CHPE Project compliant with the New York State Coastal Management Program.

105-08: See response to Comment 104-01. There is no evidence that the proposed CHPE Project would reduce the availability of existing jobs or negatively impact economic development.

(Applause.)

MR. MILLS: Geoffrey Finn?

MR. FINN: Thank you. Geoffrey Finn,

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Comment 106

20

1 Supervisor, Town of Stony Point. We've had these
2 meetings. I'm glad to see this room packed here
3 tonight, and I see a lot of 754 members here as well. I
4 used to be a 754 member. My father is a 50-year
5 member, so --

6 (Applause.)

7 MR. FINN: That being said, I represent the
8 people of Stony Point. I'm not sure that this will
9 create jobs for 754. This will create for Canadians,
10 people north of Albany and whatnot. We want to create
11 our own energy right here. That's how we can put our
12 people back to work. Let's put our Stony Pointers or
13 Rockland County employees --

14 (Applause.)

15 MR. FINN: Let's put our people from New York
16 back to work. And we can do that by creating our own
17 energy here. We had a Lovett site. It's torn down.
18 It's a piece of grass right now. It's doing nothing
19 except -- well, I'll get into that in a minute. We can
20 create our own energy right here -- Haverstraw or Stony
21 Point, and put everyone back to work.

22 I was in a deli this morning. I'll give an

}
106-01

106-01: Comment noted. Employment in Canada is outside the scope of the EIS.

}
106-02

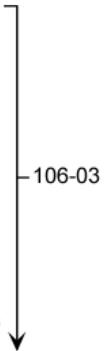
106-02: Comment noted. Analyzing additional electrical generation in southeastern New York State to meet increasing demand was not within the scope of the EIS. The purpose of the EIS is to analyze the environmental impacts of granting a Presidential permit for the proposed CHPE Project. Also see response to Comment 107-03. As noted, the proposed CHPE Project would not prevent the development of other projects.

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1 example. We just signed a contract with Tappan Zee
 2 Bridge Constructors for a staging area here in Stony
 3 Point. We have a vacant piece of land where our Lovett
 4 site used to stand. And right now, we have probably
 5 about 30 to 40 people on the grounds up there. Let's
 6 have that trickle-down effect.

7 I'm in the deli this morning. I got someone
 8 in front of me ordering about 30 to 40 sandwiches, 30 to
 9 40 cups of coffee. That all trickles down and helps all
 10 our local businesses. We bring people to work in our
 11 town. They will help each and every one of us. They'll
 12 help our taxpayers. They'll help our tax-- businesses
 13 that are paying top dollars here in Stony Point. That's
 14 what we need.

15 This will also affect many other
 16 opportunities we have here. We're talking about
 17 waterfront property with about 100 condos and two
 18 waterfront restaurants that this line will run right
 19 through. That will probably stop that project. We're
 20 also looking at a half a billion dollar green energy
 21 plant right here in Stony Point. This line runs right
 22 through that. Those are millions of dollars in business



106-03: The proposed CHPE Project would generally follow the perimeter of existing marinas in Stony Point and would not preclude redevelopment associated with these marinas. Redevelopment of the marinas has been added to the cumulative impacts analysis in Section 6.1 of the Final EIS. Given its location, the proposed CHPE Project would not prevent the development of these projects. There is no known reasonably foreseeable future “green energy plant” proposed for Stony Point. As of March 2013, a waste-to-energy gasification plant (Stony Point Waste to Energy Project), which was proposed by MBC Contractors, Inc., to be located on Holt Drive just north of the Haverstraw-Stony Point border, has been withdrawn by the developers.

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1 that we can generate here in Stony Point, in Rockland
2 County, in New York. Not New Mexico, sir, New York.
3 And that's what we need to do.

↑
106-03

4 And we cannot jeopardize this by allowing
5 this line to come here. It's an extension cord. That's
6 all it is, a 330-mile extension cord coming from Canada
7 all the way to Queens. We don't need it. We don't want
8 it. We can put our own people back to work here. And
9 we may be a small town, but we're going to be loud. I
10 know Susan has been leading the pack on this for a long
11 time, the Casscles.

106-04 **106-04: Comment noted.**

12 (Applause.)

13 MR. FINN: But we're not going to sit down
14 and be quiet about this. We're going to make sure we're
15 heard, and we would appreciate if you guys would respect
16 the people of Stony Point, the people of Rockland
17 County, and get these people back to work right here in
18 our town. Thanks.

19 (Applause.)

20 MR. MILLS: Are there any other elected
21 officials who wish to speak?

22 (No response.)

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Comment 107

23

1 MR. MILLS: Annie Wilson?

2 MS. WILSON: Okay. Hi, good evening. I'm
3 Annie Wilson, and I work with the New York Environmental
4 Justice Project in the city, and generally, we serve the
5 disenfranchised and underserved populations, and I have
6 been involved in this process since its beginning. And
7 I would like to bring several issues to your attention
8 tonight and will follow up with written comments by due
9 date.

10 First of all, would it be possible to extend
11 the comment period by at least 45 to 180 days given the
12 volume of review and the expertise needed for both the
13 Department of Energy, EIS, and the U.S. Corps of
14 Engineer materials? It's a lot to demand competent
15 review in such little time.

16 There are many details which I cannot cover
17 here tonight. But, for example, the three-mile
18 extension in Queens, which was not part of your initial
19 review by the State Public Service Commission and
20 certificate that was issued in April of this past year.
21 Wouldn't that require some kind of amended application
22 by the developer back to the State-- back to the State?

107-01

107-01: DOE extended the comment period on the Draft EIS for an additional 30 days until January 15, 2014. All comments received are addressed in the Final EIS (see EIS Section 1.7.3).

107-02

107-02: The Draft EIS and the NYSPSC process included analysis of the approximate 3-mile Astoria to Rainey interconnection (see Section 2.4.1 of the EIS) and, therefore, would not require an amended application.

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1 It seems to be appropriate. And I think this needs to
2 be one of the top priorities as a next step for this
3 process.

4 I would like to address specifically for
5 tonight because the jobs issue is obviously very, very,
6 very relevant, and the fact that there are so little
7 jobs -- long-term jobs created by this cable of a
8 thousand megawatts into Queens. The jobs are in Canada;
9 they're not here in New York. This project displaces
10 New York jobs. New York City, for example, has quite a
11 bit of program for 5,000 megawatts of potential solar
12 roofs. The State has a SunShot Program. There's plenty
13 of potential here in Stony Point and issues with other
14 power suppliers that are being disregarded as a supply
15 option.

16 And I will cite Section 7.2 in the-- what is
17 the summary document? Past sentences state that the
18 "DoE has determined that conservation and demand
19 reduction measure alternatives alone is not a reasonable
20 alternative, and, therefore, not addressed further in
21 the EIS." This decision is based on the New York State
22 2009 Energy Plan. There has been the Governor's-- what

107-03

107-03: See response to Comment 104-01. The proposed CHPE Project would not prevent the development of other projects, energy-related or otherwise.

107-04

107-04: Comment noted. The proposed CHPE Project route is within an area designated as the Mid-Atlantic Area National Corridor, which is one of two National Interest Electric Transmission Corridors. Also see response to Comment 103-01 regarding economic impacts of the proposed CHPE Project.

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Comment 108

25

1 is known as the Energy Highway Plan. There have been
2 other initiatives. And certainly the Department of
3 Energy needs to review what are -- what is the existing
4 potential at this time and other programs that exist in
5 the State of New York.

6 The national interest determination by the
7 Department of State needs to look at the economic
8 reasons to oppose this project. This project is not in
9 the national interest. Thank you very much.

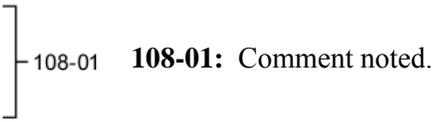
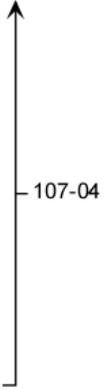
10 (Applause.)

11 MR. MILLS: Dean Tamburri? Dean Tamburri?

12 (Applause.)

13 MR. TAMBURRI: Good evening, everyone. My
14 name is Dean Tamburri. I am in favor of this project.
15 The company TDI has committed to using local labor.
16 They have committed to using trained labor. We,
17 Laborer's Local 17 and Laborer's Local 754, have trained
18 hundreds of construction workers anywhere from OSHA 30,
19 HAZMAT, asbestos, currently working with Orange and
20 Rockland on the downed power lines for emergency
21 services.

22 We have -- currently have hundreds of members



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1 at the United States Military Academy, DEP projects, New
2 Bridge, Beacon Bridge, Tappan Zee Bridge. These jobs
3 are for the construction workers who have suffered for
4 so many years without projects. They're going to be
5 great paying jobs for them and their families with
6 benefits.

7 We believe that the -- this is going to be
8 built and we're going to be a part of it. And we would
9 like to ask at this point is that everyone on all
10 projects would support local building trades on all the
11 projects and help them out as well. Thank you.

12 (Applause.)

13 MR. MILLS: Susan?

14 MS. FILGUERAS: Me?

15 MR. MILLS: Yes.

16 MS. FILGUERAS: Susan Filgueras. I live here
17 in the Town of Stony Point, and, yes, I have headed the
18 opposition to this. But first, let me acknowledge all
19 of the men here in orange tonight, and thank you for
20 coming out and supporting your union and yourselves.

21 What bothers me and what is, I find, very
22 frightening is that as I read through these documents,

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Comment 109

27

1 there are 26 jobs, and labor will be imported because it
 2 is specialized. And I will continue, but I want you to
 3 know that I appreciate, I sympathize, and I want you to
 4 go to work. I want you to go to work six days a week,
 5 eight hours a day, maybe 10 for two hours' overtime. I
 6 want you working. But I want you working building the
 7 Bowline and the Lovett and power here in New York State
 8 in Rockland County. But thank you, gentlemen.

9 (Applause.)

10 MS. FILGUERAS: Now, onto the harder stuff.
 11 I am going to ask tonight for a 180-day extension on
 12 this process for the following reasons. We have ~~been~~
 13 frantically trying to clear through well over 3,000
 14 pages of material. And we are not utility specialists.
 15 We are not all of you folks, and thank you, thank you
 16 for being here. We are trying to understand what this
 17 mammoth process is that is going to tear through our
 18 county. We need that extension.

19 Added to that, I tried to confirm this
 20 meeting here at this facility tonight. I called and
 21 asked for the DoE Champlain Hudson Power Express
 22 meeting. What? We don't have one of those meetings.

109-01

109-01: See response to comment 104-01. Some specialized jobs might require bringing in trade experts from elsewhere in New York State or from some other location.

109-02

109-02: See response to Comment 107-01. In addition, appropriate notifications were provided about the public hearing in Stony Point (see EIS Appendix P). The notification letter submitted with the Draft EIS to the mailing list in EIS Appendix E also announced the public hearings, the details for which were posted on the CHPE EIS Web site (<http://www.chpexpresseis.org>).

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1 I'll be right down. And as I came down, we had to
2 literally call the manager at home to call somebody else
3 to get it -- to figure out that this was the Champlain
4 Hudson Power Express-Department of Energy DEIS hearing.
5 People didn't know.

109-02

6 Added to that, we have a Hispanic population.
7 I have not seen Hispanic outreach. And if this project
8 -- there are six different maps or I've lost count of
9 how many there are -- goes through some of the low lying
10 areas in Stony Point, they will go clear through a
11 fairly substantial population. Haverstraw, the back end
12 of Hudson Avenue, is Hispanic, yet noHispanic outreach
13 has been done. Typically through this process, the
14 Champlain Hudson Power Express has shown nothing but
15 contempt for the people of Rockland County. I am asking
16 for a 180-day extension.

109-03

17 Added to that, I also sent to the New York
18 State Public Service Commission the following: "This
19 notice is to inform you that the trajectory for the
20 Champlain Hudson Power Express has been extended by
21 three miles from 333 to 336, depending on which document
22 you read. At the end -- and it ends at the Ravenswood

109-04

109-03: DOE followed accepted practices in notifying the public about the availability of the EIS and the planned public hearings (see response to Comment 109-02). No special accommodation requests were received by DOE in advance of the hearings, including anything associated with the Hispanic populations in the area.

109-04: The proposed CHPE Project transmission line terminates at the Rainey Substation, which was addressed in the EIS (see response to Comment 107-02). There have been no changes to the proposed CHPE Project, including no proposal to terminate the transmission line at the Ravenswood Generating Station.

For Comments 109-05 through 109-08 and their responses, see the pages following Comment 130.

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1 Generating Station owned by TransCanada. Does this
2 significant change require a review by the New York
3 State Public Service Commission, or will an amended
4 application be required?" I've gone through the
5 documents. I'm not saying it's not there. It has ended
6 at each point at Rainey. The maps show it ends at
7 Ravenswood, so I have asked the New York State Public
8 Service Commission officially for clarification on that.

↑
109-04
└─┘

9 I need to sit down. I didn't finish.
10 (Applause.)

11 MS. SMITH: Please submit the written
12 comments to us so that we have all of those.

13 MS. FILGUERAS: So that you know, I'll have
14 written comments.

15 MS. SMITH: Okay, great.

16 MR. MILLS: Frank Collins?

17 MR. COLLIER: Collier.

18 MR. MILLS: Collier, gotcha.

19 MR. COLLIER: Good evening. Frank Collier of
20 the Town of Stony Point. Thank you all very much for
21 having this meeting.

22 A couple of things that caught my eye in this

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Comment 110

30

1 -- in this EIS is the economic impact on our town. Now,
 2 as this thing has been wending its way through, we've
 3 had meetings here in town. We see that there is-- it's
 4 going to come down the railroad, but there's going to be
 5 a deviation zone off here so they can kind of fit it all
 6 in as they need. The deviation zone goes into private
 7 property, so the deviation zone will probably take this
 8 private property by eminent domain. So it will affect a
 9 number of people in Stony Point, like the Casscles, the
 10 Beckerles. One other -- a large organization in Stoy
 11 Point is going to put in this gasification plant that
 12 was talked about before. That's not been considered. I
 13 don't believe there has been any consideration for the
 14 economic impact on our town of what's coming through.
 15 Now, when this -- when this deviation zone
 16 comes through, there are other companies out there now
 17 in the wings who waiting to come through with their
 18 extension cord from Canada, and they're going to come
 19 down, and they're going to have to either stay in a
 20 deviation zone or alongside it. So this isgoing to
 21 expand and expand and expand. What you will allow with
 22 this is will become magnified in the future. So we

110-01

110-01: See response to Comment 105-04.

110-02

110-02: Section 6.1.2 of the EIS discusses potential cumulative impacts from other past, current, and future activities when combined with the proposed CHPE Project. There are no known reasonably foreseeable future “gasification plants” proposed for Rockland County, New York. As of March 2013, a waste-to-energy gasification plant (Stony Point Waste to Energy Project), which was proposed by MBC Contractors, Inc., to be located on Holt Drive just north of the Haverstraw-Stony Point border, has been withdrawn by the developers.

110-03

110-03: Comment noted. The potential cumulative impacts from the proposed CHPE Project when combined with other projects, including transmission system projects, are discussed in Section 6.1 of the EIS.

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Comment 111

31

1 really have to pay attention to what that's going to be.

2 So I would ask you to please take a look at that.

↑ 110-03

3 And again, I'd like to thank you for the
4 union guys that are here. I'd like to see you bring an
5 American company building an American power plant in
6 Stony Point for Americans to work in. Thank you.

7 (Applause.)

8 MR. MILLS: Steven Wright?

9 MR. REICH: Good evening, everybody. My name
10 is Steven Reich. I'm the Business Manager for the
11 Laborers. I represent a lot of these orange guys. And
12 we absolutely hear everything you guys are saying, and
13 actually in the beginning we were not fully supportive
14 of this whole thing. But as time has gone by, we got to
15 put men to work. We've seen Bowline 3 stall. We've
16 seen, you know, Lovett stall. We've seen the energy
17 highway just blah. TDI, they talked to our
18 international people, signed an agreement, made an
19 agreement to use local union laborers on this part of
20 this. We had the agreement signed. And we agreed to
21 support them.

22 After looking at -- what we can tell from the

↓ 111-01 **111-01:** See response to Comment 109-05.

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1 DEIS and from what we see in general, the vast majority
2 of it is on already established rights-of-way. There is
3 some deviations, like the gentleman before me said, and
4 those definitely have to be dealt with. I wasn't able
5 to read fast enough to see --

111-01

6 SPEAKER: (Off audio.)

7 MR. REICH: I'm not saying -- it has changed
8 the route. The route has changed. But we-- in general
9 we see this as one part of the overall thing, and we
10 would like to see this in combination with Bowline 3 and
11 -- or whether it be Tompkins Cove, because the energy,
12 as we all know, is going to be needed in the next 20,
13 40, 60, 80 years. So just to have-- and we definitely
14 want home generation. But to have one part of our
15 energy source at least as an outlet from Canada, who--
16 I don't consider them our enemies. I don't think it's a
17 bad thing.

111-02

111-02: Comment noted.

18 So overall, we're with you guys in Sony
19 Point. Many of my members live here. I mean, we --
20 North Rockland is here. I mean, we are North Rockland,
21 we really are. And we understand your concerns. We
22 also have members that would treat this place like they

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Comment 112

33

1 live here because they do.

2 So however this thing turns out, either way,

3 we're together, all right? Thanks.

4 (Applause.)

5 MR. MILLS: Wellington Casscles?

6 MR. CASSCLES: Okay. Wellington Casscles is
7 my name. I live at 69 Beech Road. I've lived there all
8 my life. I come in this evening-- I have some maps in
9 the back of the room, the terrestrial maps. The ones
10 you guys got back there are from 2012. They've been
11 changed four times since then. Mr. Jessome came to town
12 in February with a new set of maps. I don't think you
13 guys got them.

14 But going by the maps that you do have, Stony
15 Point has about two miles worth of railroadright-of-
16 way. Out of that two miles, this project is going to be
17 in the right-of-way seven-tenths of a mile. The rest of
18 it is town, county, private propertythat they're going
19 to have to take eminent domain.

20 We've got, like they said, the gasification
21 plant and condos at the end of the street where I am.
22 If we lose those two, we're going to lose our whole tax

112-01 **112-01:** See response to Comments 105-04 and 109-05.

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1 base, and there ain't nobody in this town that will be
2 able to afford to live here.

3 This project does nothing for Stony Point but
4 carve a path through. Like they said before, there's
5 six or seven other outfits out there waiting for this.
6 If this gets approved, you can't stop then. The
7 deviation is always going to be even longer, okay?

8 Back in June, Mr. Jessome was here. I gave
9 him a set of questions I needed answers, and they're
10 just simple questions: how big are the reels of cable,
11 how much does it weigh per foot, how do you plan on
12 getting it here. To this day, I still haven't got an
13 answer. Tonight he says he's going to send a guy to my
14 house. We'll see.

15 Okay. As far as the labor union, hey, I'm
16 pulling for you. I used to belong to IBEW's 363. This
17 job is only going to be in Stony Point or Roeland
18 County for six months tops. They're coming through and
19 they're gone. Build a power house, you go five years
20 plus, plus the people that are going to be here.

112-02 **112-02:** Comment noted. See response to Comment 109-05.

21 (Applause.)

22 MR. CASSCLES: Plus the people who are going

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1 to be here afterwards running the place. Yeah,
2 everybody's got a right to work. I would rather see you
3 guys go out and fight for a five-year job versus a four-
4 month job. You got the bridge and everything else going
5 right now. Get behind us on this, and we'll see what we
6 can do.

7 Worst case, put it back in the damn river.
8 The DEC says we can't eat the fish.

9 (Applause.)

10 MR. CASSCLES: But in the meantime we're
11 trying to protect the fish that we can't eat, you know
12 in Cornwall where the sturgeons spawn. They spawn in
13 Cornwall so they're going to work around that time of
14 the year. They won't work around it for Haverstraw
15 because nothing spawns there. They spawn up above and
16 they come back into Haverstraw. Well, while they're
17 spawning, why don't we do the Haverstraw end of it?
18 After they're done spawning, do the other half. Thank
19 you.

20 (Applause.)

21 MR. MILLS: Rebecca Casscles?

22 MS. CASSCLES: Rebecca Casscles, 69 Beech

112-03

112-03: Haverstraw Bay is a major spawning, nursery, and overwintering area for various estuarine fish species. Depending on the location of the saltwater/freshwater interface in the Hudson River, the majority of the spawning of Atlantic sturgeon occurs in Haverstraw Bay northward to Coxsackie (see Section 3.3.5 of the EIS). During the NYSPSC Article VII process that culminated in the Joint Proposal, New York State agencies (including the New York State Department of Environmental Conservation [NYSDEC] and NYSDOS) required that the proposed transmission line avoid Haverstraw Bay in accordance with conditional concurrence of the proposed CHPE Project with the New York State Coastal Management Program (CMP).

For Comment 112-04 and its response, see the pages following Comment 130.

Comment 113

36

1 Road. Please pardon my back. I think you labor
 2 gentlemen are going to be interested in knowing that TDI
 3 is a wholly owned company by the Blackstone Group. This
 4 is the company that -- with the financial advisors for
 5 the Mirant Company before, during, and after the
 6 bankruptcy. The very company that wants to hire you is
 7 the company that put two of our power plants out of
 8 business, took them offline, okay?

9 (Applause.)

10 MS. CASCLES: My husband spoke about the
 11 deviation zone. TDI is going to give Rockland County
 12 for 7.66 miles, \$796,640 a year. Meanwhile, the houses
 13 -- one house along the rail line, not all the one-eighth
 14 of a mile, which, by the way, they're going to be able
 15 to take. We're losing a million dollars a year in
 16 revenue. If this goes through, I am going to file for a
 17 tax reduction because my home will not be worth what it
 18 normally is.

113-01

113-01: Private landowners would be compensated for use of their land to bury the transmission line and, if appropriate, to offset a potential reduction in property values. It is possible that municipal tax revenues from property taxes could also change; however, such changes would be expected to be minimal. It also is likely that any such change would be more than offset by the estimated \$800,000 tax revenue to Rockland County from the proposed CHPE Project (see Section 5.3.18 of the EIS).

19 I'm also going to quote from the Public
 20 Service Commission decision of April 18th, 2013.
 21 "Eminent domain will be used." It has to be used, it
 22 must be used to make this go through.

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1 Production cost analysis. The only ones that
 2 will capture any type of money from this will be
 3 captured by the applicants, their financial backers,
 4 and/or users of the facility. Jobs-- listen carefully,
 5 gentlemen and ladies. "The applicant's evidence on job
 6 creation was incomplete in a fundamental way," page 3.
 7 Also on page 3, "The record is void on the critical
 8 question of whether these jobs would be offset or more
 9 than offset by the jobs displaced at the conventional
 10 generating facilities that will not" -- will not -- "be
 11 built as a consequence."

113-02

12 Transmission corridor developers, page 19 and
 13 74. "Will the approval CHPE set a precedent"-- pardon
 14 me -- "for the approval of future transmission lines?"
 15 The answer is yes because there's already other
 16 companies out there waiting. Green power-- "At no time
 17 does the PSC decision confirm the percentage of green
 18 power. Fracking will be used to install the
 19 transmission line." No environmental impact statement
 20 was done for the land installation for Rockland County,
 21 none. I'd like to know why not. Everybody else has to
 22 do it.

113-03

113-04

113-05

113-06

Alderson Court Reporting
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113-02: The source of power to be transmitted through the proposed CHPE Project is outside the scope of the EIS. During preparation of this EIS, DOE considered other reasonable alternatives to the CHPE Project (see Section 2.5 of the EIS), but ultimately eliminated these alternatives from further detailed analysis. The alternatives considered included route alignments, upland transmission routes, conservation and demand reduction measures, use of HVAC vs. HVDC technology, and various interconnection and converter station alternatives. The purpose of the proposed CHPE Project is to deliver power into the New York City metropolitan area electrical market; therefore, no other generation sources, such as conventional generating facilities, were considered as alternatives.

The NYSPSC reviewed the jobs analysis in its Certificate and found that the jobs analysis was but one factor and had no positive or negative weight in its decision to issue the Certificate. Also see response to Comment 104-01.

113-03: See response to Comment 110-03.

113-04: Comment noted. See response to Comment 110-02.

113-05: The proposed CHPE Project transmission line would be designed to avoid impacts when crossing existing utility lines, including natural gas pipelines, through utility crossing agreements developed in consultation with utility providers. In underwater crossings, the transmission cables would be buried or laid on the surface of the bottom of the water body over the existing utility and protective coverings would be installed. Terrestrial underground utility crossings would be assessed to determine whether open trenching or a trenchless method (i.e., horizontal directional drilling (HDD) technology, horizontal boring, or pipe jacking) would be appropriate (see EIS Section 2.4.3). Hydraulic fracturing, or fracking, would not be used during the installation process.

113-06: The EIS addressed and analyzed potential impacts associated with installation of the proposed CHPE Project transmission line along the terrestrial portion of the Hudson River Segment (see EIS Section 5.3).

1 The Ramapo Fault Line. CHPE will cross over
 2 the fault line. What are the consequences for us?
 3 Evacuation plans. I live right next to the CSX rails.
 4 Who's going to be responsible for developing an
 5 evacuation plan, which, by the way, ladies and
 6 gentlemen, is a Federal mandate. National security.
 7 Who's going to protect us if this line goes through?

113-07

113-07: During a seismic event, which would be rare, it is possible that damage to the transmission line could be sustained; however, seismic events in the Hudson River Segment have a low potential for damage (see Section 5.3.9 of the EIS). Health and safety risks, including the potential for terrorism, were analyzed in the EIS (see Section 5.3.14), but are unpredictable. Most of the project infrastructure is underwater or underground and the risk from terrorism activity would be no greater than aboveground transmission lines.

8 Taxes. How do we recoup the lost revenue for
 9 the devaluation of our properties should the CHPE
 10 transmission, in fact, be built? One million dollars
 11 today, \$796,640 yearly from TDI. That's going to be
 12 divided by Rockland County, the towns that are involved
 13 in this, as well as the school district. It means each
 14 one of these entities, if they're lucky, will get
 15 \$222,000 a year, not a million, \$222,000.

113-08

113-08: See response to Comment 113-01.

16 And finally, this forces New York City's
 17 dependence on foreign produced electric. I say American
 18 jobs for American people. Let's build power plants.

113-09

113-09: Comment noted. See response to Comment 103-02. For Comments 113-10 through 113-13 and their responses, see the pages following Comment 130.

19 (Applause.)

20 MR. MILLS: Hayley Carlock?

21 MS. CARLOCK: Good evening. My name is
 22 Hayley Carlock, and I am the environmental advocacy

Comment 114

39

1 attorney with Scenic Hudson. Scenic Hudson is a non-
2 profit group which works to protect and restore the
3 Hudson River and is the largest environmental group
4 focused on the Hudson River Valley.

5 I participated in the Department of Energy
6 scoping statement hearing back over three years ago now,
7 and came there with serious concerns about the impacts
8 of installing a cable within the Hudson River estuary.
9 And around the same time, Scenic Hudson became involved
10 with the Public Service Commission Article 7 siting
11 proceeding.

12 However, after two years plus of living and
13 breathing this project up in Albany, we achieved
14 significant improvements to the route, and after
15 commissioning an expert report by ESS Group, which
16 detailed the potential environmental impact of the
17 project, and, of course, through our own review, we
18 concluded that the impacts to the estuary would be
19 minimal and were outweighed by the benefits of the
20 project as long as certain conditions were met.

21 We were pleased to see the project route
22 changed to avoid sensitive areas in the Hudson River,

114-01 **114-01:** Comment noted.
114-02 **114-02:** Comment noted.

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1 including Haverstraw Bay. The route as it is in the EIS
2 avoids directly transiting 12 out of the 17 significant
3 coastal fish and wildlife habitats in the estuary. And
4 in areas where it will be transiting the Hudson River,
5 there are exclusion zones of particularly sensitive
6 areas where cable installation will be avoided.

114-02

7 In addition, the cables would be buried to
8 the maximum depth achievable, expected to be at least
9 six feet below the sediment water interface, except in
10 limited areas where there's bedrock or debris where it
11 may have to be covered, and they'll also be installed
12 vertically on top of one another, which both minimizes
13 the heat from the cables and as well pretty much ends up
14 in the magnetic field cancelling out. Underwater cable
15 installation activities would be limited to certain
16 times of the year to avoid life cycle impacts on
17 migratory species as well as the American chad, winter
18 flounder, striped bass, and other fish populations.

114-03

114-03: Comment noted.

19 There will be continuous monitoring of water
20 quality. There will be pre- and post-installation
21 benthic and sediment monitoring, bathymetry, temperature
22 and magnetic field studies, and pre- and post-

114-04

114-04: Comment noted.

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1 installation surgeon tracking studies, all of which will
2 work to ensure that construction is not impacting that
3 water quality and aquatic species.

114-04

4 And while Scenic Hudson did become involved
5 in the project primarily due to concerns about the
6 potential impacts of the Hudson River, we carefully
7 evaluated the impacts of undergrounding the line on land
8 before advocating for this option to avoid especially
9 sensitive habitat, including in Haverstraw Bay. The vast
10 majority of the eight-mile terrestrial route in Rockland
11 County is within the railroad right-of-way and with some
12 along Route 9W. There would certainly be some temporary
13 disturbances, but no permanent significant impact.

114-05

114-05: Comment noted.

(Murmuring by audience members.)

15 MS. CARLOCK: In the limited distance
16 traversed under Stony Point Battlefield State Park, Hook
17 Mountain State Park, and Rockland Lake State Park,
18 horizontal directional drilling techniques will be used
19 to allow installation of the transmission line without
20 disturbing the surface of the parks.

114-06

114-06: Comment noted.

21 As mentioned earlier, there will be no
22 electrical field and small magnetic fields that will

114-07

114-07: Comment noted.

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1 dissipate with distance from the line.

↑ 114-07

2 (Murmuring by audience members.)

3 MS. CARLOCK: While we approached this

4 project in 2010 with deep concerns about its

5 environmental impacts, we believe that the environmental

6 impacts from this project will generally be temporary in

114-08 **114-08:** Comment noted.

7 nature and overall represent a small impact to the

8 Hudson River. Thank you.

9 SPEAKER: -- stop talking. She's going to

10 have to stop talking. Your time is over.

11 MS. CARLOCK: Thank you very much.

12 MR. MILLS: We don't need any help from the

13 audience, please.

14 (Applause.)

15 MS. SMITH: We ask that everyone respects

16 folks when they're speaking whether or not they are

17 speaking with -- in terms of -- support your opinion or

18 not. And there are other folks that did get a little

19 bit more time. So we appreciate your patience and

20 respect of all the speakers.

21 (Applause.)

22 MR. MILLS: Laurie Cozza?

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Comment 115

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1 MS. COZZA: Hi. I, too, am a resident of
 2 Stony Point, and I also request that we receive an
 3 extension. I'm deeply concerned with the fact that an
 4 environmental impact statement has not been done on the
 5 land portion going through Stony Point and Haverstraw.
 6 We have a Superfund site in Stony Point known
 7 as Kay Fries. We also have a Brownfield site at our
 8 past dump. These issues have not been addressed. We
 9 have wetlands. All of this is in a very small area, and
 10 I really think that it has to be looked at before this
 11 project is allowed to proceed. We have no idea what the
 12 consequences could be.

13 I also would have to say the Casscles, and
 14 Susan, and Frank have expressed what a lot of us are
 15 feeling, and I won't take any more time. I appreciate
 16 you being here. Thank you very much.

17 (Applause.)

18 MR. MILLS: Kathleen Redmond?

19 MS. REDMOND: Hi. I'm Katherine Redmond from
 20 Tompkins Cove. And I really put on my list that I maybe
 21 would have a comment because I really am not all that
 22 familiar with it.

- 115-01 **115-01:** See response to Comment 107-01.
- 115-02 **115-02:** Section 5.3 of the EIS addresses and analyzes potential impacts associated with installation of the proposed CHPE Project transmission line along the terrestrial portion of the Hudson River Segment.
- 115-03 **115-03:** Superfund sites in the vicinity of the proposed CHPE Project in the Hudson River Segment are discussed in Sections 3.3.15 and 5.3.15 of the EIS.
- 115-04 **115-04:** Comment noted. Wetlands are discussed in Sections 3.3.8 and 5.3.8 of the EIS.

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Comment 116

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1 But something strikes me about what's going
2 on here. It seems to me like we have an adversarial
3 kind of thing going on between the union people and the
4 people in the town. I could be wrong. And when I say
5 that, I don't mean to imply that we're-- everybody I
6 know is in favor of unions working. We all are. All
7 I'm saying is I think we could combine our efforts, the
8 union efforts for this project. And if we could just
9 take that line and move it back into the river and off
10 the land, if we don't put it through Stony Point. We
11 don't put it through Haverstraw. And if the union
12 combines with us to support that move, we can work
13 together and try to save the fish. And I think that
14 might be really great because if--

116-01 **116-01:** See response to Comment 105-02.

15 And, you know, one of the other things that
16 struck me. We're worried about the fish, and yet the
17 line that's supposed to be moved onto the land in Stony
18 Point, the Indian Point Nuclear Power Plant is right
19 across the river from there. If that hasn't damaged in
20 some degree -- hasn't had an impact on the fish
21 population, I think for sure we could work around this
22 electrical line and try to help the fish out. Thank

116-02 **116-02:** Comment noted. Section 6.1.1.6 of the EIS discusses potential cumulative impacts from other past, current, and future activities when combined with the proposed CHPE Project.

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1 you.

2 (Applause.)

3 MR. MILLS: Eugene Creasy?

4 (No response.)

5 MR. MILLS: Steven --

6 MS. MCDONALD: Ludwigson.

7 MR. MILLS: -- Ludwigson?

8 MR. LUDWIGSON: Good evening. My name is
9 Steve Ludwigson. I'm the Business Manager for the
10 Boilermakers Local 5. I represent the boilermakers in
11 all of New York State, with the exception of the 16
12 counties located around Buffalo, New York. Our members
13 are highly skilled professionals with expertise that
14 comes only with extensive training and years of
15 practice.

16 I'm here tonight to state on the record that
17 Boilermakers Local 5 opposes the Champlain Hudson Power
18 Express Line and the proposed Federal action of granting
19 of a presidential permit to construct, operate, and
20 maintain, and connect a new electric transmission line
21 across the U.S.-Canada border in northeastern New York
22 State.

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Comment 117

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1 The Champlain Hudson Power Express Line --
2 excuse me -- which proposes to bring a thousand
3 megawatts of power directly from Canada to New York
4 City, would do nothing to strengthen the State's
5 electricity grid. Practically speaking, the
6 transmission line is a large extension cord that would
7 bypass all of our State's existing energy sources and
8 transmission infrastructure, such as Upstate New York
9 plants that have an excess of available power instead of
10 enhancing the overall capacity and stability of New
11 York's power grid. New York will not be able to benefit
12 from the low cost power these upstate plans could be
13 producing and will instead become completely reliant on
14 a foreign source of electricity. Our good friends in
15 Canada will get new jobs, and New Yorkers will get the
16 bill.

117-01

117-01: In its Certificate for the proposed CHPE Project, the NYSPSC identified that the Project would (1) alleviate existing transmission constraints, (2) protect the security of the transmission network, and (3) enhance system reliability. Also see responses to Comments 104-01 and 104-02.

17 While we support an electricity highway that
18 improves the State's energy infrastructure and generates
19 union jobs for New Yorkers, we reject CHPE's proposal as
20 a jobs killer. For maximum benefits to New York,
21 especially in job retention and creation, new
22 electricity infrastructure should support current and

117-02

117-02: Comment noted. Development of in-state power sources is outside the scope of the EIS. Also see response to Comment 110-02.

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1 new in-State power generation.
 2 New York needs to improve the transmission
 3 grid in the upstate and western regions so that in-State
 4 power can be transported more efficiently, more
 5 economically, and in greater quantity throughout the
 6 State. Investing in our transmission infrastructure
 7 will lead to new jobs being created and new
 8 opportunities for energy development throughout the
 9 State.

10 We can't ignore the obvious. New York
 11 already has a very substantial generating capacity that
 12 can be expanded upon to meet our State's needs. New
 13 York can and should keep up with growing demand by
 14 ensuring the continued operation of our in-State energy
 15 sources and constructing new plants both upstate and
 16 downstate as necessary. There are several shovel-ready
 17 sites that are already permitted or pending permits in
 18 the Hudson Valley that could meet this demand and keep
 19 New Yorkers working and the revenue generated in State.

20 In order to have a strong 21st century
 21 economy, New York needs to build and produce products.
 22 We can no longer afford to be viewed only as consumers

↑ 117-02

117-03

117-03: Comment noted. In its Certificate for the proposed CHPE Project, the NYSPSC found that issuing the Certificate is in the public interest. Also see response to Comment 117-02.

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1 bearing the brunt of others' profits. Energy and
 2 manufacturing provide sustained, long-term, good paying
 3 jobs, a large portion of which are skilled union
 4 positions. These jobs enable individuals to stay in New
 5 York State, raise a family, and grow the middle class.
 6 They establish the economic infrastructure for many
 7 additional services and power other sectors of the
 8 State's economy.

9 New York's economy needs to be energized, and
 10 the opportunities are out there waiting to be seized
 11 upon. Such is the case with the opportunity of New
 12 York's growing demand for electricity and solving
 13 transmission congestion problems by investing in our in-
 14 State electrical infrastructure rather than compounding
 15 these issues with a costly outsource to Canada. For the
 16 jobs and literally a brighter future, we must act now
 17 and oppose the CHPE as an outright detriment to New York
 18 State.

19 And just for the record, I know we have two
 20 trades here tonight that are in support. This is an
 21 open letter to the New York congressional delegation
 22 rejecting the Champlain Hudson-Canadian Line signed by

117-04

117-04: See response to Comment 117-02.

For Comments 117-05 through 117-08 and their responses, see the pages following Comment 130.

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1 Richard Roberts, the Business Agent At Large for
2 Steamfitters Local 638 and his President, Patrick Dolan,
3 Michael Cavanaugh, the Vice President of New York City
4 District Council of Carpenters, and Anthony Spirito, the
5 Executive Vice President of Mechanical Contractors
6 Association, James Levin, Vice President of the Utility
7 Workers of America's Local 12, Don Dailey, Chairman of
8 the International Brotherhood of Electrical Workers
9 Utility Labor Council, State of New York, and myself.
10 Thank you.

11 (Applause.)

12 MR. MILLS: Brian McPartland?

13 MR. MCPARTLAND: Good evening, everybody. My
14 name is Brian McPartland. I'm the Business
15 Representative for Local Union 503. And I stand in
16 opposition to this project.

17 I'm probably not as well versed as everybody
18 here; however, I do want to -- I know Rebecca and
19 Wellington. This is going to do nothing for this
20 country. We had two power plants here. I had 250
21 members working daily. We leveled the power plant
22 because, remember, deregulation was going to make energy

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Comment 118

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1 cheaper. Has it?

2 SPEAKERS: No.

3 MR. MCPARTLAND: Right, I didn't think so.

4 So what I'm doing here I'm just coming to show that my

5 brothers and sisters are working. The Laborers just

6 signed a deal with my company that I represent to watts

7 down wires. We don't need to send it to Canada.

118-01 **118-01:** Comment noted.

8 On the environmental thing, I don't know how

9 many of you are fishermen, but I'm a fisherman. I fish

10 that river every spring, and I'm very concerned about

11 that, that we're going to -- you know, we catch fish

12 here. It's our river. We don't need this coming in

13 here.

118-02 **118-02:** Comment noted. See response to Comment 105-02.

14 We never had an issue, never had an issue

15 when we had the power plants, right? What happened? We

16 leveled the power plants. Taxes went through the roof.

17 We have Bowline 3. I could go on. All you got to do

18 is support that, and that will keep it in New York

19 State. Thank you.

20 (Applause.)

21 MR. MILLS: Mary Ellen Furlong?

22 MS. FURLONG: You'll have to be patient with

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Comment 119

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1 me. My name is Mary Ellen Furlong. I've lived in Stony
2 Point now for 26 years. And we the citizens of Stony
3 Point don't want this cable invading and destroying our
4 community because that's the way we see it.

5 We don't want to set a precedent that will
6 allow and all other cable carriers to invade our homes.

7 There's no benefit to our community, and the ones who
8 benefit are Champlain Power and Blackstone Investors,
9 the money men, not us.

10 If the cable was no good for the fish, as Mr.
11 Basile mentioned earlier, then it's no good for the
12 residents on the land, okay?

13 (Applause.)

14 MS. FURLONG: If the Tappan Zee Bridge
15 construction is being allowed to occur in the river
16 then you can run your cable through the river, or as the
17 \$127 million that was promised to River Keeper, their
18 bribe to let that cable come on our land, and not go
19 through the river.

20 (Applause.)

21 MS. FURLONG: This cable will desecrate the
22 graves of our war dead, the war dead from the American



119-01 **119-01:** Comment noted.



119-02 **119-02:** See response to Comment 105-02.



119-03 **119-03:** See response to Comment 109-06.

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1 Revolution, the War of 1812, the people who grew and
2 established this town and fought the British so you can
3 have a country.

119-03

4 Cables fail. There's no question about that.
5 You want it to run along tracks that carry toxic
6 materials, and accidents have already occurred. We
7 cannot allow a bigger disaster to occur, especially
8 where this cable, and the proposed desalinization plant,
9 and the proposed gas line will meet in Haverstraw.

119-04

10 We'll blow Rockland County off the map. No one has
11 addressed the potential threat of terrorism and the
12 cable. If it's in the river, what is the likelihood of
13 it being attacked? What is the likelihood if it's on
14 land and being attacked? I don't see any National Guard
15 troops going to be stationed along that route. Who's
16 going to pay for it?

119-05

17 You need to walk, Mr. Mills, Ms. McDonald,
18 you need to walk the route. Mr. Casscles, he'll take
19 you, I'm pretty sure.

20 SPEAKER: Absolutely.

21 MS. FURLONG: And you'll see where this cable
22 is running. Now, I know I'm a little over, but this is

119-06

119-04: No public health and safety impacts would be expected during operation of the proposed CHPE Project because the transmission cables would be underground and installed in compliance with all Federal and state rules and regulations. Regular inspections, in accordance with the manufacturer's specifications, would be performed to ensure equipment integrity is maintained. If the transmission cables were damaged by a third party, there is a risk of electrocution. However, a protection system would detect the fault and the transmission line would be de-energized (i.e., current and voltage reduced to zero) in approximately 5 milliseconds, thereby reducing the possibility of injury to people or nearby infrastructure. An Emergency Repair and Response Plan (ERRP) would be prepared to identify procedures and contractors necessary to perform maintenance and emergency repairs. See Section 5.2.14 of the EIS for more information.

119-05: See response to Comment 113-07.

119-06: Comment noted.

Comment 120

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1 -- I only got another sentence or two. If you allow
2 this cable to go through, then it's my recommendation
3 that the people of Stony Point impose a community
4 service charge on Champlain Power of a million dollars a
5 foot per day.

6 (Applause.)

7 MS. FURLONG: And that after -- and that the
8 other towns do so as well and on any other cable
9 carriers who are allowed to enter our boundaries, then
10 increase the fees on Champlain and the other carriers.
11 Make it \$3 million a foot. Make it \$7 million a foot.
12 You want to make us a dumping ground. Well, it's going
13 to cost you.

14 The people of Stony Point don't want it, and
15 we have a right to say that, be heard, and determine our
16 future. We're tired of everybody coming in, and dumping
17 on us, and allowing deregulation, and destroying our tax
18 base and our town. Thank you.

19 (Applause.)

20 MR. MILLS: Brenda Beckerle?

21 MS. BECKERLE: Hello. Breda Beckerle, 49
22 Beech Road, and I'd like to echo my opposition to this



119-06

119-07

120-01

119-07: See response to Comment 113-01.

For Comment 119-08 and its response, see the pages following Comment 130.

120-01: See response to Comment 107-01.

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Comment 120

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1 project, and also to support the request for 180 extra
2 additional days.

3 Some of my friends here have put in heroic
4 work in trying to work through this phenomenal amount of
5 expert knowledge to come up with, if you will, well
6 articulated objections. But it's a task that cannot be
7 done by local people in a very short span of time.

120-01

8 To echo some of the comments that have been
9 made here this evening, I'm a riverfront dweller, so I
10 have a personal interest here. But I also would like to
11 say that Stony Point is a river town. It is the
12 identity of Stony Point. It is the crown jewel of Stony
13 Point.

14 And Stony Point woke up some morning in the
15 last couple of years and learned out of the blue, in my
16 estimation, that this project had been re-routed out of
17 the Hudson River literally through every single foot of
18 river exposure this town has. Why? Westchester didn't
19 want it. Scenic Hudson didn't want it. So it was a
20 long list of didn't wants. We have asked endlessly who
21 made the decision that if you all didn't want it, we'd
22 get it. How did that happen? And to this day, I don't

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1 think we've had a satisfactory answer. All we know is
2 that every foot this town has of its most precious
3 resource is being basically confiscated in the interest
4 of private profit, and that is what this is. It's
5 private profit, foreign profit. And it's the first of
6 many.

7 We have, I believe, very good reason to fear
8 that our crown jewel is going to be the dumping ground
9 and the infrastructure corridor for what everybody else
10 doesn't want to have. And with all due respect to
11 Scenic Hudson and with all due respect to the fish, we
12 don't, I think, have any credible explanation that that
13 deviation is necessary from everything we've seen or
14 heard.

15 Why in this 330-plus miles does Stony Point
16 have to give up every inch it has of riverfront for
17 these projects, and in that short span of time, run
18 through a battlefield, a Revolutionary cemetery,
19 projected projects on the riverfront? What else do we
20 have here? We have wetlands. We've brown spots. We've
21 got the -- it's literally one after another abutting
22 each other. There's nothing free. There's no free

120-02 **120-02:** See response to Comment 105-03.

120-03 **120-03:** See response to Comment 109-06.

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Comment 121

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↑ 120-03

1 land. Thank you very much.

2 (Applause.)

3 MR. MILLS: Timothy Waldron?

4 MR. WALDRON: Good evening. With the time
5 given, I'm going to speak as the Acting Chairperson of
6 the Bay Mar Community Organization, and then as a
7 private citizen if there's enough time.

8 Good evening. The Bay Mar Community
9 Organization is greatly concerned with the project. The
10 CSX railway is only a good stone's throw away, so this
11 project is very, very close to where we live and will
12 have a great impact on us.

121-01

121-01: See response to Comments 104-01 and 105-06. Tax receipts and revenue associated with construction expenditures and operations would increase for local municipalities.

13 The Bay Mar Manufacturing home community to
14 date has no received outreach from the Champlain Hudson
15 Power Express, Incorporated, New York State, or New York
16 City, apparently the only beneficiary to this power
17 line. No correspondence in English or Spanish has been
18 received yet. And it needs to be pointed out that Bay
19 Mar has a significant Spanish-speaking population whose
20 first language is Spanish.

121-02

121-02: See response to Comment 109-03.

21 Our community was hit hard by Hurricane Sandy
22 just over a year ago, which has left us with a lot of

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1 uncertainty. We now learn that we have more uncertainty
2 placed upon us. This time it comes from the form a man
3 made storm. The high voltage power line that is set to
4 be placed so close to us is extremely troublesome to us,
5 and hopefully to all of Stony Point and Rockland County.
6 Obviously it is. Sorry about that.

7 Currently the Bay Mar property may have
8 little impact as one map shows, but this is no guarantee
9 here. The path can change and has changed already. As
10 it stands now, the line will disrupt the Stony Point
11 Battlefield, a State historic site, the historic Waldron
12 Cemetery, and a number of homes here in Stony Point
13 where good, decent people live.

14 Let it be said now people are now no better
15 than second on the protection list. The sturgeons of
16 Haverstraw Bay come first, which is the line comes out
17 of the Hudson into the battlefield and right-of-way
18 along the CSX line, and also will run through Stony
19 Point's wetland. None of this sounds good for Stony
20 Point families, the battlefield, the Waldron Cemetery,
21 or wildlife, or our environments, along the real
22 possibility of a line that already crisscrosses the

121-03

121-04

121-03: Waldron Cemetery would be surveyed for cultural resources, during which the exact boundaries of the cemetery would be determined and any resources in the Area of Potential Effects would be evaluated for National Register of Historic Places (NRHP) eligibility. Ground-disturbing activities would be avoided in the vicinity of the cemetery to the extent practicable. If these activities are unavoidable, appropriate mitigation would be implemented in accordance with the Cultural Resources Management Plan (CRMP) being developed for the CHPE Project in coordination with the New York State Historic Preservation Office (SHPO). The CRMP would identify measures to address adverse effects on historic properties. HDD technology would be used, where appropriate, to drill under potential cultural resources so they would not be disturbed. The proposed CHPE Project transmission line would be installed under the Stony Point Battlefield State Historic Site using HDD technology (see EIS Section 5.3.10). The Applicant would negotiate with landowners regarding just compensation (see response to Comment 105-04).

121-04: See response to Comment 121-01. Installation of the transmission cable would also avoid impacts on the Haverstraw Bay SCFWH that contains important habitat for ESA-listed species. The transmission line would not be visible; therefore, its presence would not present a general detriment to private property values.

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1 tracks and could end up on the east side of the tracks
2 that disrupts Bay Mar at an even greater risk to its
3 residents.

↑
121-04

4 The Bay Mar Community Organization must
5 solemnly, loudly, and clearly call for an end to this
6 project. There is no way to stop it-- if there is no
7 way to stop it, then put it in the river. Bay Mar says
8 people over sturgeons.

9 (Applause.)

10 MR. WALDRON: For my fellow union brethren
11 out there, I've been in two unions. They don't always
12 tell you the truth. Just keep that in mind. I've been
13 lied to directly by unions. We were asked to vote for
14 Andrew Cuomo. You know what he did? He took money
15 right out of my paycheck and spent millions and millions
16 of dollars to say, hey, we're getting corporations
17 breaks on everything.

18 I have a book here. On page S-2 -- I'm sorry
19 -- on page S-32 in this book, it is the Champlain
20 Express book. There is no negligible increase in your
21 jobs. It is quite limited. Anybody who wants to see
22 it, I'll meet you right now. Here's the book. I wish

121-05

121-05: Comment noted. See response to Comment 104-01.
For Comments 121-06 through 121-08 and their responses, see the
pages following Comment 130.

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Comment 122

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1 you would express that to your fellow members who left.
2 The jobs aren't there. I hope we all get jobs. We've
3 heard of other ways to get it. I'll stop. I'm going
4 over my limit. Thank you.

5 (Applause.)

6 MR. MILLS: Kevin Kennedy?

7 (No response.)

8 MR. MILLS: Robert Knight?

9 MR. KNIGHT: I'm Robert Knight, and I'm here
10 representing two organizations, the Stony Point Chapter
11 of the Sons of the Revolution and the Rockland County
12 Municipal Historians Association. Neither group is
13 either opposed or in favor of the power line. What both
14 groups are opposed to is a piece of destruction that it
15 virtually guarantees in Stony Point.

16 The main one is the Waldron Cemetery, which
17 our chapter president will hopefully talk on a little
18 later, where hundreds of Revolutionary War, War of 1812,
19 and Civil War soldiers are buried, and which will be
20 completely destroyed by the power line. The cemetery
21 was already partially destroyed in the 1880s when the
22 West Shore Railroad line was built through it, and now

122-01 **122-01:** See response to Comment 121-03.

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Comment 123

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1 the power line is going to take what's left of the
2 cemetery adjacent to the railroad tracks. And it also
3 goes right through the heart of the Stony Point
4 Battlefield, which is Stony Point's national treasure.
5 It's a site on the National Register of Historic Sites.

6 Personally I don't care if they put it down
7 in the middle of the river. That's fine as I'm far as
8 I'm concerned. But heaven's sake, don't destroy Stony
9 Point's most historic cemetery and most historic
10 battlefield site.

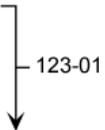
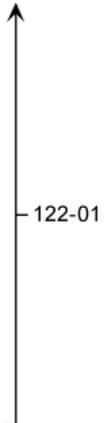
11 (Applause.)

12 MR. MILLS: Barry Brooks?

13 MR. BROOKS: I'm Barry Brooks, President of
14 the Sons of the -- Stony Point Chapter of the Sons of
15 the American Revolution. Most everything that I was
16 going to say has been said two or three times. But I do
17 want to point out a couple of things. This picture here
18 shows where --

19 SPEAKER: The railroad.

20 MR. BROOKS: Yeah, but it shows where the
21 cemetery is, but it also shows the deviation zone. If
22 you were to go through that cemetery on the-- on the



123-01: Comment noted. See response to Comment 109-06.

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1 eastern end, there aren't any headstones left. But
2 believe me, I -- we have accurately determined that
3 there are at least 200 bodies in the area of-- which
4 would be disturbed by this transmission line.

↑
123-01

5 A year ago when we met at Row Cottage and
6 discussed with the Assembly and senators who attended
7 that meeting, I let out a passionate plea for them to go
8 down and visit. And I know they did, but it didn't do
9 any good. Here a year later -- thank you -- here a year
10 later, it's still slated in the same spot.

11 It's about time -- they've got the Tappan Zee
12 -- new Tappan Zee Bridge going right across the river.
13 What is the difference between that and this
14 transmission line, you know? Put it -- put it in the
15 river. They're doing the bridge. That's a threemile
16 area down there. And this way it would save Stony
17 Point. All right, thank you.

↑
123-02

123-02: The proposed CHPE Project would be in the Hudson River for approximately 98 miles (158 km); however, to comply with NYSDOS conditions for conditional concurrence under the Coastal Zone Management Act (CZMA) and consistency with the New York State CMP, the CHPE Project route would be in a terrestrial configuration around the Haverstraw Bay SCFWH (see EIS Section 2.3.1). The Tappan Zee Bridge is outside of the scope of the EIS; however, that project also would not be in the Hudson River at Haverstraw Bay.

18 (Applause.)
19 MR. MILLS: Lynn Teager?
20 (No response.)
21 MR. MILLS: No Lynn Teager?
22 SPEAKER: She just left.

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Comment 124

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1 MR. MILLS: Rich Thomas?

2 MR. THOMAS: Thank you, everybody. And I

3 just want to especially say thanks to the Sons and

4 Daughters of the American Revolution. Your families

5 have really sacrificed the ultimate sacrifice to make

6 this country. So I just want to say thank you.

7 (Applause.)

8 MR. THOMAS: Now, earlier today I submitted a

9 statement on behalf of my chairman, Jerry Kremer. But I

10 have a few more documents I just want to quote from and

11 submit to you for consideration. One includes a letter

12 that we issued to Congresswoman Nita Lowey in July of

13 2012. And the -- I'm going to just skip ahead to the

14 one, two, three, fourth paragraph where it says,

15 "Champlain Hudson makes little economic sense for New

16 York. Any positive economic impacts from CHPE will be

17 short term." Key word "short term." "The jobs which

18 will be created during the construction process will be

19 temporary, as will the revenue generated from those

20 positions. Further, despite the project developer's

21 claims, Champlain Hudson will inhibit other developers

22 from investing in much needed improvements to New York's

124-01 **124-01:** See responses to Comments 104-01 and 105-06.

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1 aging transmission and generation systems at a time when
2 such improvements urgently needed. Jobs to build,
3 enhance, and support New York's generation and
4 transmission system will be shipped to Canada, along
5 with New Yorkers' hard-earned dollars." That's a fact.

124-01

6 And this letter is signed by, again, my
7 chairman, Jerry Kremer, Deb Malone, the Executive
8 Director of Hudson Valley Gateway Chamber of Commerce,
9 Dr. Marsha Gordon, President and CEO of the Business
10 Council of Westchester, Al Samuels, who is the President
11 of the Rockland Business Association, Mattie Aracich,
12 Business Manager of Insulators Local 12, Bill Mooney,
13 the President of Westchester County Association, Tom
14 Kline, who is Steve Ludwigson's predecessor, Lenny
15 Carroll, President of the Bronx Chamber of Commerce,
16 Melvin Burress, African American Men of Westchester, and
17 Dr. Matthew Cordero, who is the former President and CEO
18 of the Midwest Independent System Operator, one of the
19 largest grid operators in the country. And also
20 attached to it is an op-ed piece that that Al Samuels
21 authored regarding to reject the Champlain Hudson Power
22 Express. And I also have some testimony that was made

124-02

124-02: The proposed CHPE Project would generally not prevent the development of other projects. See Comment 106-03.

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1 in opposition to the line, some by Con Edison, some by
2 Phil Wilcox, the Business Agent for IBEW Local 97, who
3 you will probably hear from upstate, and also including
4 the New York Power Authority. Each of these entities
5 has expressed concern about the costs being understated.

124-02

6 But there's this one last thing I want to
7 read before I run out of time, and that is-- hang on.
8 Here we go. "Even if the Champlain line is developed,
9 we cannot be assured that Canadian hydroelectric
10 generators that assume suppliers of the power to New
11 York via CHPE, will, in fact, continue to operate on a
12 merchant basis. What happens if these out of State
13 generators suddenly shift their priorities? The rolling
14 blackouts and \$1,000 megawatt per hour cost experienced
15 by California rate payers in 2000 and 2001 illustrates
16 the danger of being over reliant on imported power."

124-03

124-03: Comment noted.

17 (Applause.)

18 MR. MILLS: Steven Beckel?

19 MS. SMITH: Beckerle?

20 MR. MILLS: He'll tell us.

21 MR. BECKERLE: Steven Beckerle, 49 Beech
22 Road, Stony Point, New York. I'm going to have two hats

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Comment 125

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1 tonight. I thank you guys for coming down to Stony
 2 Point. Appreciate it. I also would ask for an
 3 extension. I think we should be given the same study
 4 methods as the fish. She says three years, Scenic
 5 Hudson. I think the town people should get three years.
 6 What do you think?

125-01 **125-01:** See response to Comment 107-01.

7 SPEAKERS: Yes.

8 MR. BECKERLE: And I apologize for everybody
 9 interrupting you because I think if we hear you talk,
 10 we'll see the fallacy in the argument. So we should've
 11 let you talk. It's a democracy. Everybody should talk.

12 Okay. Thank you. I'm a resident at 49 Beech
 13 Road. I live in Stony Point. I live right next to the
 14 tracks. My property borders the CSX right-of-way. My
 15 house was built in 1835. It survived the Civil War. It
 16 survived the CSX line coming down in 1880. It was there
 17 before the CSX line. And more recently, we survived
 18 Sandy. I will not survive this CHPE. This CHPE will
 19 take my house.

125-02 **125-02:** According to the proposed CHPE Project route maps provided in Appendix B of the Joint Proposal (available on the NYSPSC Web site for the CHPE Project; see Map 516), the transmission line would be installed on the opposite side of the railroad tracks from this portion of Beach Road in Stony Point.

20 This project is not good for me personally.
 21 It's not good for the residents of Stony Point. And as
 22 my wife said, it's not good for anybody in Stony Point.

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1 Whether you're directly impacted or not, it is not good
 2 for Stony Point. And to take it to your position where
 3 you have to look at the greater good, maybe you
 4 sacrifice Stony Point for the greater good, but I also
 5 contend that it is not for the greater good. It's
 6 definitely not good for Stony Point. There's no
 7 argument there. But it is not good for New York State.
 8 It is not good for the United States.

125-03 **125-03:** Comment noted.

9 (Applause.)

10 MR. BECKERLE: Okay. That's my resident
 11 talk. Now, I'm going to be a businessman, and I'm not
 12 going to make up my business because my business started
 13 in 1940. My grandfather started Becker's Lumber. We
 14 employ 90 people. We have four branches in Rockland
 15 County. In 2012 we paid, small business, 90 people,
 16 \$1.7 million in real estate and sales tax. This figure
 17 does not include payroll tax, income taxes, FICA tax,
 18 Social Security tax, Medicare, Medicaid, workman's comp,
 19 State, city, and the dreaded MTA tax that firms under
 20 100 people have to pay. Over 100 people, you don't have
 21 to pay, but we pay the MTA tax. I'm not griping. It's
 22 a good life. This \$1.7 million does not include any of

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1 the taxes our 90 people pay that live and reside in
2 Rockland County, all local people, all reside in
3 Rockland County, believe it or not, a lot of families.

4 This line -- why do I bring this up? Well,
5 it's a public forum. "Buy it Beckerle," right?

6 (Laughter.)

7 MR. BECKERLE: No. No. This line also goes
8 through the town of Haverstraw. I have property, a
9 five-acre property that borders the CSX line in
10 Haverstraw. That property is threatened by this one
11 pipeline, this little thing. Why? Why is it
12 threatened? I'm going to continue. I would like to
13 continue.

14 Why is it threatened? The Chaplain -- it's
15 really threatened because it's bigger than this one.
16 This is not about one line. This is about a company of
17 -- a \$4 trillion company, Blackstone, that has an idea.
18 TDI expressed the idea, good idea. It sounds like a
19 great idea. But this trillion dollar company that makes
20 \$2.2 billion in revenue last year, we're no match.
21 We're no match. A \$1.7 million company is no match for
22 a trillion dollar company. That is not comprehensible.

125-04 125-04: Comment noted.

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1 So I believe that we're getting steamrolled, and we're
2 getting steamrolled by the bigs.

↑
-125-04

3 I believe this project, if allowed to
4 proceed, will just be the start of the local community
5 being overrun. Recent U.S. Treasury estimates show \$400
6 to \$500 billion is available in uncommitted capital in
7 the U.S. investment community. I think we're going to
8 be the blight. We're going to be the highway. We're
9 going to be the information highway. Stony Point is
10 going to be sacrificed if we let this start. We have to
11 stop it now before it gets off the ground, put it in the
12 river. I ask for an extension. And thank you for
13 letting me talk.

-125-05 **125-05: Comment noted.**

14 (Applause.)

15 MR. MILLS: Jacquelyn Drechsler?

16 MS. DRECHSLER: I'm going to be wearing two
17 hats, too. So I'm a private citizen and resident of
18 Valley Cottage. And I'm here tonight-- actually I'm
19 very glad for the opportunity to speak at this hearing
20 on behalf of the Sierra Club Statewide Atlantic Chapter
21 as well as the Sierra Club Lower Hudson, which
22 encompasses Rockland, Westchester, and Putnam Counties,

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Comment 126

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1 which are opposed to this project.

2 Just to let you know, the statement I'm
3 reading was prepared by Sierra Club professionals, the
4 Atlantic Chapter. Actually this letter was originally
5 written to the Public Service Commission.

6 The Atlantic Chapter of the Sierra Club
7 thanks you for the opportunity to provide comments on
8 the proposed 333-mile Champlain Hudson Power Express
9 Transmission Line from the Canadian border to Queens,
10 New York. We are a volunteer-led environmental
11 organization of 38,000 members Statewide dedicated to
12 protecting New York's air, land, water, and remaining
13 wild places. In general, the chapter believes New York
14 State needs to support expanded in-State renewable
15 energy development coupled with energy conservation and
16 energy efficient programs in order to combat the worst
17 effects of climate change. New York should not
18 undermine these goals or exports its environmental
19 problems through transmission lines that support the
20 development of destructive Canadian hydropower on virgin
21 rivers.

22 We have many concerns with the transmission

↙ 126-01

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126-01: DOE complied with the requirements of NEPA (42 United States Code [U.S.C.] Part 4321 et seq.), Council on Environmental Quality (CEQ) regulations for implementing NEPA (40 Code of Federal Regulations (CFR) Parts 1500–1508), and DOE implementing procedures for NEPA (10 CFR Part 1021). See responses to Comments 103-01 and 103-03 regarding reliability of the proposed CHPE Project. According to the Applicant, costs associated with the operation of the proposed CHPE project would

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1 line, including lack of reliability, dubious economic
2 benefits, negative environmental impacts associated with
3 the cable route, and issues with cost to rate payers,
4 which all happen to be in direct contradiction to the
5 objectives of the recently-proposed New York Energy
6 Highway Initiative.

126-01

not be directly passed on to ratepayers. Also see response to Comment 113-02 regarding the purpose of the CHPE Project and its nexus with economic benefits. Although the CHPE Project could result in adverse environmental impacts, the Applicant has committed to implementing best management practices (BMPs) to avoid or reduce environmental impacts during construction and operation of the proposed CHPE Project (see EIS Section 2.4.12 and Appendix G). See response to Comment 816-12 regarding the CHPE Project's consistency with the New York Energy Highway Blueprint.

7 Solar energy capacity in New York City has
8 increased 800 percent over the past six years, and the
9 city has passed its solar energy target of 8.1 MWs under
10 the federally-funded Solar America City Program three
11 years early. It is in our economic interest to expand
12 the solar market in this city of a million rooftops and
13 the efficiency potential as a result of the city's suite
14 of green building builds are wise solutions to our
15 energy needs and the best climate impact mitigation
16 option.

126-02

126-02: Comment noted. The source of the electric power in Canada is outside the scope of the EIS. Additionally, the proposed CHPE Project would not prevent the development of other projects.

17 The developers of the Hudson Champlain
18 Express have claimed that the project will provide jobs
19 to New Yorkers and supply New York City with additional
20 energy. But the truth is that we already have the
21 potential to meet all of our energy needs with inState
22 renewable resources and to create jobs that support a

126-03

126-03: Energy efficiency and conservation measures were considered in the EIS but eliminated from further detailed analysis because DOE determined that these measures alone were not a reasonable alternative to the proposed CHPE Project (see EIS Section 2.5.3). Additionally, in-state renewable energy projects are outside the scope of the EIS.

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1 sustainable energy infrastructure. Simply put, this
 2 project threatens the viability of in-State renewable
 3 energy and energy efficiency programs. It also fails to
 4 comply with the renewable portfolio standard of New York
 5 as 98 percent of the electricity transmitted through
 6 this electric cable is produced by the destruction of
 7 pristine rivers in Canada. Large-scale hydroelectric
 8 dam systems are not greenhouse gas free.

9 This project threatens the traditions and
 10 livelihood of the Cree and Inuit people through the
 11 damming of virgin rivers in Canada and flooding of
 12 wildlife corridors. As Roger Orr, Cree resident of
 13 James Bay Quebec has said, "No amount of money can make
 14 up for the loss of a river. With the loss of a river
 15 follows the loss of fish and wild game, the loss of a
 16 culture, the loss of connection to the land, the loss of
 17 independence, the loss of pride, the loss of an
 18 effective social structure, the loss of self
 19 responsibility, the loss of the meaning and purpose in
 20 life and society, the loss of freedom," and the list
 21 goes on and on.

22 On the U.S. side of the border, routing of

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126-03

126-04

126-05

126-06

126-04: See Comment 106-03. The proposed CHPE Project would not prevent the development of other projects. Impacts in Canada are outside the scope of the EIS.

126-05: Comment noted. Impacts in Canada are outside the scope of the EIS.

126-06: The NYSPSC Administrative Law Judges and the NYSDEC determined that decisionmaking associated with the proposed CHPE Project and this EIS are not the appropriate forum for analyzing the Article XIV "Forever Wild" clause or for determining New York State Office of General Services' authority to grant leases or other property rights to lands submerged under Lake Champlain. Therefore, the status of portions of the proposed CHPE Project route as Forest Preserve and the associated applicability of the "Forever Wild" clause are not discussed further in this EIS. See Section 3.1.1 in the EIS for discussion of the Forever Wild clause.

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1 the electric cable within the Adirondack and Rockland
 2 State Parks violates Article 14 of the New York State
 3 Constitution, the Forever Wild provision.

4 The Sierra Club Atlantic Chapter asks again
 5 that the Public Service Commission, since this was
 6 originally to the Public Service Commission, but we're
 7 asking it of you, that we request an opinion by the New
 8 York State Attorney General regarding this important
 9 concern. The precedent set by this property taking of
 10 public land will have a ripple effect through other like
 11 developments that threaten New York's wilderness legacy.

12 The impacts of increasing reliance on out of
 13 State generation must be studied and compared with in
 14 State deployment of efficiency, conservation, and
 15 renewable forms of energy. The creation of in State
 16 jobs and economic revitalization must be assessed as
 17 well as the economic losses due to imports. In the
 18 context of this development, the Public Service
 19 Commission and you have a primary obligation to support
 20 and promote the development of a sustainable energy
 21 economy in the City and State of New York before it
 22 looks to exploit Canadian resources and indigenous

↑ 126-06

126-07

126-07: Comment noted. In-state renewable energy projects are outside the scope of the EIS.

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1 peoples. There is no need for the Champlain Hudson
2 Power Express Transmission Proposal, and it is not in
3 the public interest. We truly need clean energy in New
4 York made by and for New Yorkers. Thank you for these
5 comments.

6 (Applause.)

7 MS. DRECHSLER: Now, if I may just have about
8 one more minute just for my own personal as a resident.

9 I have a great love for Rockland Lake, and Hook
10 Mountain State Park, and all of Rockland County. This
11 is a very historic area. And all of these other
12 beautiful areas that everyone in Rockland County enjoy
13 these other areas are also going to be affected by this
14 proposal.

15 These are areas that are very precious to us,
16 and we do question whether a rigorous environmental
17 review has been done. And I do believe that an
18 extension is necessary. Our river has been traumatized
19 for decades. And right now we have a confluence of
20 things converging into Rockland County and to this area
21 of Stony Point and Haverstraw, and it will just decimate
22 the area. We have Indian Point. We have the Ramapo



126-08 **126-08:** Comment noted.

126-09 **126-09:** See responses to Comments 106-03 and 109-08. Section 6.1.1 of the EIS discusses potential cumulative impacts from other actions including past, present, and reasonably foreseeable actions.

For Comment 126-10 and its response, see the pages following Comment 130.

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Comment 127

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1 Fault. We have the Spectra gas line. We have this
2 transmission line. We have the GX extension. We have
3 the desalination plant, and we have the Tappan Zee
4 Bridge. There is so much happening here. There is so
5 much risk. There is so much risk in our county for the
6 public safety. And I really do hope that you will take
7 all of this under advisement. Thank you very much.

126-09

8 (Applause.)

9 MR. MILLS: Lynn Teager?

10 MR. MILLS: Did she come back?

11 SPEAKER: She left.

12 MR. MILLS: She left?

13 MS. SMITH: Oh, okay.

14 MR. MILLS: Would anybody else who hasn't

15 registered to speak like to speak?

16 MR. DIEDRICH: I don't think I'm registered.

17 MR. MILLS: Well, we'll get -- you don't want

18 to speak?

19 MR. DIEDRICH: Yeah, I do.

20 MS. SMITH: Please go ahead.

21 MR. DIEDRICH: Michael Diedrich. I've been a

22 Stony Point resident for over 50 years. I concur in

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1 everything that Stony Point -- Stony Pointers have said
2 here tonight, so I'll limit my comments to some things I
3 think might be useful for your decision making.

4 I think the DoE needs to look at the bigger
5 picture, the more long-term picture, and the more
6 sustainable picture regarding this project, and I have
7 four points I want to discuss. One is environmental and
8 historic aspects or concerns for Stony Point. Two is
9 the socioeconomic impacts on Stony Point and North
10 Rockland. Three is energy policy, regional, and State,
11 and national. And fourth is environmental segmentation
12 regarding your environmental impact statement process.

13 So as to the environmental and historic, I
14 think many speakers have already made this very clear.
15 We're in what is really the world recognizes as one of
16 the most scenic areas of the world in the Hudson River
17 Valley. So this is not a location that we should
18 despoil in any way, so if you're going to have a cable,
19 it should be under the river, not viewable from our
20 landscape. And we're a very historic town. I mean,
21 this is -- we were the first Revolutionary War victory
22 against the British.

127-01

127-01: The transmission cables would be buried underground through Stony Point and, thus, would not be visible. There would be approximately two cooling stations located aboveground along the transmission line route in Stony Point that would be visible (see EIS Section 5.3.11).

127-02

127-02: See response to Comment 109-06.

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1 Okay. As to the socioeconomic impacts, I
 2 don't see any benefit long-term for this project, and I
 3 think you need to consider what I'll mention in a moment
 4 regarding energy policy. You need to consider that the
 5 socioeconomic, especially economic benefits of this
 6 project are minimal, and there would be a much greater
 7 economic benefit with all sorts of other possibilities,
 8 many of which have been already expressed here tonight.

127-03

127-03: Comment noted. See responses to Comments 104-01 and 117-02.

9 So that brings me to the third item, which is
 10 environmental policy -- sorry, energy policy. I think
 11 especially the U.S. Department of Energy, if you're only
 12 going to look at this project in the narrow temporal
 13 time wise and the narrow scope of this particular
 14 project, I think that is a very narrow view. I think
 15 you need to be looking at a regional and State energy
 16 policy and what it should be. All sorts of things have
 17 not been considered in connection with importing energy
 18 from Canada.

127-04

127-04: Section 6.1 of the EIS identifies broader regional and state energy policies, and analyzes the proposed CHPE Project's cumulative impact with these policies.

19 I think -- I mean, hydro power is fine
 20 except, A, I think as the Sierra Club pointed out, I
 21 think if you don't have the power, that's too bad, but I
 22 really think you should consider environmental impacts

127-05

127-05: Comment noted. Impacts in Canada are outside the scope of the EIS.

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1 in Canada, A. B is I think you need to look at with the
2 New York State, all the various things that we should be
3 doing for regional and Statewide energy policy, looking
4 at the issue of hydro fracking, looking at renewable
5 energy, wind, and looking at what is sustainable in this
6 region.

▲ 127-05

7 I think importing energy from Canada, that's
8 always going to be an option, but that doesn't help us
9 right now. I think what you, DoE, should be doing is
10 looking at what the bigger picture is regarding regional
11 energy planning that works for this region and the
12 State.

127-06

127-06: The impacts of the CHPE Project in combination with other energy, transportation, and other industry projects are discussed in Section 6 of the EIS.

13 And lastly, regarding segmentation. If you
14 only look at this narrow project, you're missing all the
15 other developmental things that are going to be coming
16 down after it, including the potential for other energy
17 providers coming down the Hudson, and also not looking
18 at things like transportation planning, regional
19 transportation planning, and other things that we really
20 should be looking at in connection with power. So those
21 are my comments. Thank you.

127-07

127-07: See response to Comment 110-03.

22 (Applause.)

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Comments 128 and 129

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1 MR. MILLS: Thank you. If there's nobody --
2 is there anybody who has not registered who wants to
3 speak?

4 MS. SMITH: The gentleman over here, Brian.
5 The gentleman there, and the gentleman there.

6 MR. GUARINO: Good evening. My name is Alex
7 Guarino. I'm the Assistant District Supervisor for the
8 Town of Haverstraw. Unfortunately, the Supervisor had a
9 previous commitment tonight and could make it. He
10 apologizes.

11 He wanted me to just let you all know that
12 he's been opposed to this from the beginning. He
13 continues to be opposed to it. It makes no sense. We
14 need to retool local infrastructure. We have Bowline 3.
15 We have Lovett. We need to put local people back to
16 work. And thank you very much.

128-01

128-01: Comment noted. Evaluation of uses of other power generation facilities, including Bowline, is outside the scope of the EIS.

17 (Applause.)

18 MR. MILLS: Thank you.

19 MR. MCDONALD: My name is Jim McDonald. I'm
20 a town councilman at the present time, and I'd like to
21 just review a few things.

22 Fifteen years ago, our politicians in Albany

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1 decided that we needed to deregulate our plants. And we
2 had a fantastic structure here that took care of our
3 residents and took care of our schools. So they
4 deregulated, and in came the plants from the south, who
5 do not pay tax structure like New York, okay? They came
6 in and they took us to court. Where was the court? In
7 Texas. The judge in Texas said, oh, you got to give
8 them back all this money. Our school district is paying
9 \$11 million a year to catch up on that, okay?

10 So next, our two plants go down. Jobs
11 disappear for residents that were working in those
12 plants. Then we come and we find out about this line.
13 It's a good thing for this lady sitting right here,
14 Susan, who told about this line.

15 (Applause.)

16 MR. MCDONALD: And again, we find out that
17 our politicians in Albany are involved with this even
18 though they're going no, no, no, including the Governor
19 that's in my party. And who's going to benefit from
20 this? The people that are going to make all the money
21 and have been making all the money for the past five
22 years on the stock market, not the local residents of

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1 this State.

2 We can redo our grid. We can put all the
3 people to work as we should have after what happened in
4 Ohio 10 years ago. And we haven't started to rebuild
5 this infrastructure right now. We don't need help from
6 Canada. We can do it right here in the United States.

129-01 **129-01:** Comment noted.

7 (Applause.)

8 MR. MILLS: Is there anybody else who hasn't
9 registered to speak want to speak? Right here.

10 MS. KONOPKO: I registered, but I did not
11 check off that I wanted to speak. Luanne Konopko. I'm
12 also a town councilwoman for the Town of Stony Point. I
13 just want to thank everybody for speaking out, for
14 trying to protect what we have here. What little we
15 have here, it's ours. It might be little, but it's
16 ours.

17 I echo and applaud everything that everybody
18 else has said. I'm not a fact and figure person. I
19 appreciate anybody that took the time to figure out the
20 actual numbers, the economic impact, for example. What
21 I do want to add that nobody else did say up until this
22 point is that we have an opportunity to rebuild, to

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Comment 130

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1 build back better. I'm one of the people on the New
2 York Rising Committee in Stony Point. A number of
3 people in this room are also members of the New York
4 Rising Committee. And this is the Governor's initiative
5 to build back better after Hurricanes Irene and Sandy.
6 We were devastated by both. Once again, the riverfront
7 is our livelihood. Riverfront and Revolutionary, those
8 are the two things that identify Stony Point.

9 And I just want to add -- I just want to add
10 a P.S. that the Champlain Hudson Power Express is slated
11 to go right through the very area that the New York
12 Rising Program is supposed to build back better. Thank
13 you.

130-01 **130-01:** See response to Comment 106-03.

14 (Applause.)

15 MR. MILLS: Somebody else wanted to speak
16 over here? Who hasn't registered to speak wishes to
17 speak?

18 SPEAKER: Can we give Susan the time of other
19 people?

20 MR. MILLS: We can handle it.

21 SPEAKER: Okay.

22 MR. MILLS: If you've already spoken and you

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Comment 109

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1 would like another three minutes.

2 (Laughter.)

3 MR. MILLS: Yes, you can.

4 MS. SMITH: It's a challenge.

5 (Applause.)

6 MR. MILLS: It's a challenge.

7 MS. FILGUERAS: Thank you. I will try.

8 First off, I asked the New York State Public Service
9 Commission at the United Water Haverstraw Desalinization
10 meeting a month ago if they had looked at the overall
11 finances of the program. And I apologize for such a
12 small picture, but you guys wouldn't let me bring the
13 rest of my pictures in.

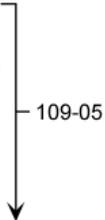
14 What you have to realize, and I did give to
15 Mr. Mills a copy of this picture with a few more pieces
16 and in addition, a copy of a video that we held the
17 meeting her with the Champlain Hudson Power Express.
18 Let's review the finances. TDI -- it goes Champlain
19 Hudson Power Express, a/k/a TDI, a/k/a the Blackstone
20 Group. The Blackstone Group is the group that managed
21 the bankruptcy for Mirant Bowline and Lovett power
22 plants. We paid them \$7 million and \$225 a month in

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1 expenses. They took their last check in March of 2007.
 2 In very early January of '10, Blackstone
 3 purchased TDI. As we look, we now have-- we know where
 4 Champlain is coming down. It converges on the
 5 Haverstraw-Stony Point border with the proposed United
 6 Water desal plant. United Water's parent is GDF Suez,
 7 the very company that Blackstone helped to form. They
 8 negotiated between then Suez and the French government,
 9 GDF Suez.

10 So added to that, TDI-Champlain Hudson Power
 11 Express, same company, negotiated with GDF Suez or
 12 stated in their documents that they would buy the
 13 additional 550 megawatts of power that the Champlain
 14 Hudson Power Express was short from their plant in
 15 Queens. Now, that may have changed. It's in the
 16 documents.

17 We now have Blackstone with the United Water
 18 Diesel plant. And let me state for the record, and I'll
 19 put it in blood, in the Town of Stony Point, there is no
 20 right-of-way on the CSX line. There are .2 miles. One
 21 happens at Kay Fries where there is an overpass. It
 22 widens. And I'm not sure where the second one. It is



109-05: The proposed route of the CHPE Project within Stony Point would be located in approximately 1.1 linear miles (1.8 linear km) of railroad ROW and 0.9 linear miles (1.4 linear km) of deviation zone approved by NYSPSC. As proposed, approximately 2.3 acres (0.9 hectares) of the 20-foot (6-meter) wide permanent transmission line ROW would occur within railroad ROW, and up to 2.6 acres (1.1 hectares) would occur outside the railroad ROW in Stony Point. EIS Sections 2.4.4 and 5.3.1 discuss the ROW for the terrestrial portion of the Hudson River Segment.

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1 miniscule. If you travel throughout the route, which I
2 have not done, I would bet you that's what we're going
3 to find.

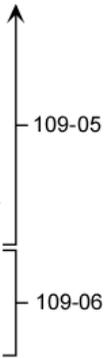
4 I object to this right-of-way language when
5 it isn't, and we have told them consistently and solidly
6 for two years we're not selling. I object. I am
7 offended and insulted that they are going to bring that
8 line through the Stony Point Battlefield. The American
9 Revolution was fought and won there. It's one of the
10 few battles, altercations --

11 (Applause.)

12 MS. FILGUERAS: -- that was fought that the
13 American rebels kicked their butts.

14 SPEAKER: It was the first.

15 MS. FILGUERAS: It was -- thank you. Okay.
16 We stood up for ourselves. And I will quote Mr.
17 Jessome. He's in the back. When I reminded-- when I
18 simply brought it up and they did not know at the very
19 first meeting that they had planned to go through the
20 Waldron Cemetery, his answer was, well, shoot a bullet
21 through it. How deep is the bullet? Three feet. I'm
22 speechless. I'm offended. It's wrong.



109-06: The proposed CHPE Project transmission line would be installed using HDD technology under the Stony Point Battlefield State Historic Site (see EIS Section 5.3.10).

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1 The Stony Point Battlefield is sacred. The
2 Waldron Cemetery -- Mr. Brooks descends from the people
3 who fought the Revolution. Anita Babcock, Gino Dell. I
4 think the Casscles might have been in that battle as
5 well. But these are people that descended from those
6 who fought for our rights.

7 The Blackstone has financial interest. They
8 negotiated the CSX right-of-way. The GDF Suez tie is
9 there and in the joint proposal and in the prior
10 documents. And one other small thing. If you're
11 familiar with a plant called Danskammer in Newburgh,
12 they are involved, according to their website, in all
13 facets of the bankruptcy for Danskammer. And in January
14 of this year, they filed an expedited plan to turn the
15 plant off. And in October, they filed a second plan to
16 relight the plant. They're only the manager, but do we
17 want somebody, a single entity, with that much market
18 power. That is the third plant on the route of the
19 transmission line.

20 They bankrupted Mirant, Bowline, and Lovett.
21 Lovett was torn down. The Danskammer plant, it goes
22 down, it goes up. And that's kind of unprecedented.

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1 Does the --

2 Now, Danskammer's excuse -- Danskammer's
3 reasoning was they've put a new market zone in the New
4 York State grid. Does that question the need for this
5 line? If they've added a new market zone, do we need
6 the line? I don't know the answer to that. I'm not--

7 So what I'm saying to you is Blackstone has
8 ties, multiple ties, to this project in different
9 companies. And I'm asking you to review those.

10 Everything should be an arm's length apart. Are they?
11 This project has the potential to tear the fabric of
12 towns in half, and if you go further upstate, it's going
13 down through the middle of streets.

14 We again say this is our property. We don't
15 want to sell it. We're not saying not in our backyard
16 because Spectra is bringing a 44-inch high pressure
17 natural gas main clear across the county through the
18 middle of Stony Point out to the front of the Lovett
19 power plant site. It's a 44-inch pipe. They are going
20 to frack it across the Ramapo Fault. And over top of
21 that, CHPE will lay 1,000 megawatts of hot power. I
22 don't know the Ramapo Fault, the nuclear plant,



109-07: The transmission line would be installed under city streets in Schenectady for 1.3 miles (2.1 km) due to engineering constraints associated with use of the railroad ROW in that location. Apart from small deviation areas and being within the New York State Route 22 ROW for 11 miles (17 km) between Dresden and Whitehall after exiting Lake Champlain, this is the only substantial deviation from the railroad ROW in the Overland Segment of the route between Lake Champlain and the Hudson River (see EIS Section 2.4.1).

109-08: The risk of seismic hazards relative to the proposed CHPE Project is discussed in Section 3.3.9 of the EIS. During a seismic event, which would be rare, it is possible that damage to the transmission line could be sustained; however, seismic events in the Hudson River Segment have a low potential for damage. Section 6.1.2 of the EIS discusses potential cumulative impacts from other past, current, and future activities when combined with the proposed CHPE Project.

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Comment 126

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1 transmission line. It kind of smells of a disaster.

2 I thank you. I will be submitting well-

3 written comments noted by page. I will have a--

4 anybody who wants to join me, we will have a letter

5 writing party so that we may reference each and every

6 one of our points back to the documents. But this is

7 what we came away with. There are 26 jobs. The jobs

8 are specialized and will be imported. We're not

9 objecting to power that's in our back yard. We're not

10 nimbies. We have power plant sites. Help us help

11 ourselves and rebuild Bowline and Lovett so we can make

12 our towns better. Thank you.

↑ 109-08

(Applause.)

14 MS. DRECHSLER: I'm sorry. I have to just go

15 to back Rockland Lake and Hook Mountain, because we know

16 that these -- this line is being moved. What the Sierra

17 Club would like to know, and other people as well, is

18 what is the actual route -- the actual route? There is

19 none. Okay. We need to know the actual route. Is it

20 going down to the river? How is it going to be

21 affecting these other areas well?

126-10

126-10: Appendix A of the EIS provides maps that outline the proposed CHPE Project transmission line route in full detail. Negotiation of the project route with the State of New York through the NYSPSC Article VII process culminated in the Joint Proposal in February 2012. The project route has not changed since then.

22 We need a real clear understanding of this

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Comment 112

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1 project. And as people here tonight have been saying,
2 this -- there are already other ways to get the power.
3 This is just such an unbelievable waste of money to do
4 something like this when there are ways to already
5 utilize what's already existing in Rockland County and
6 put it back to work. So thank you very much.

7 (Applause.)

8 MR. MILLS: One minute, okay.

9 MR. CASSCLES: I only need one minute.

10 MR. MILLS: One minute.

11 MR. CASSCLES: I want to quote two items from
12 the EIS.

13 MR. MILLS: State your name again.

14 MR. CASSCLES: Wellington Casscles. Okay.

15 Page S-3, halfway down the page, just one sentence.

16 "Therefore, it is possible" -- more likely probable --
17 "that the proposed CHPE Project Power will be purchased
18 first and displace natural gas and fuel sources of
19 electric generating supply in this region." In other
20 words, like they said on the next page. They're going
21 to reduce the air pollution, greenhouse gas emissions
22 within the New York City area "by alleviating the need

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1 to operate one or more existing fossil fuel power
2 plants."

3 They say they're going to create 26 jobs.
4 You shut down a power plant. How many jobs are you
5 taking away? And if they're going to shut down power
6 plants, the megawatts that they're going to produce,
7 we're not gaining anything. We're probably going to
8 wind up losing.

112-04

112-04: See response to Comment 104-01. There is no evidence that the proposed CHPE Project would reduce the availability of existing jobs.

9 What we should do is build another power
10 plant like Big Alice, which is twice the size of their
11 CHPE line. Build another big power plant or two smaller
12 ones that'll give us 2,000 megawatts, and tell them to
13 take their Canadian power and keep it.

14 (Applause.)

15 MS. CASSCLES: Rebecca Casscles, 69 Beech
16 Road. I'm sure by now you've realized we are passionate
17 about our town. I also belong to the New York Rising
18 Committee, along with Luanne, and Susan, and my husband.
19 We're so involved. We spent a Saturday afternoon from
20 10:00 in the morning until 10:00 at night going over
21 this project. My husband's family has been in this area
22 since the late 1600s.

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Comment 113

90

1 I happen to be a carpetbagger. I'm asking
 2 for an extension. This committee, the Just Say No
 3 Committee, has read every piece of paper that has come
 4 down. But we are not lawyers, and it's going to take us
 5 to digest this, to come up with questions. Also in the
 6 beginning the CHPE Project was going to end at the
 7 Astoria Queens Substation. Suddenly it's ending in
 8 Ravenswood. Anybody here heard of Big Alice? Why is it
 9 going from a substation to a power plant? I have
 10 concerns about this.

113-10 **113-10:** See response to Comment 107-01.

113-11 **113-11:** See response to Comment 109-04.

11 I'm inviting each and every one of you to
 12 come to our home and walk the line with us. I'll serve
 13 coffee and cookies. But I think you need to come to see
 14 what it is that we are up against. We're going to lose
 15 some of our property. We will now have a rental that
 16 will be a nonconforming building on a nonconforming lot.
 17 That building is what helps pay our taxes in this town.

113-12 **113-12:** See response to Comment 113-01.

18 And again, one house off the railroad tracks
 19 for the 2.2 miles, we generate \$1 million in town taxes.
 20 One million dollars. The CHPE will only be giving the
 21 town about \$220,000.

113-13 **113-13:** See response to Comment 113-01.

22 So please, I beg you, give us this extension

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Comment 121

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1 because I feel like this is a David and Goliath battle.
2 We don't have the wherewithal that TDI and Blackstone
3 have. Please, please, give us the opportunity to digest
4 this and let us take a look at it and submit really
5 fundamental questions. Thank you.

6 (Applause.)

7 MR. WALDRON: Just a couple of things. I
8 don't know if you're aware, but inside this information
9 right from CHPE, this power line only lasts 40 years,
10 maybe a little bit more. That's ridiculous. Forty
11 years. That's the life expectancy. I can show it to
12 you after I'm done. I'll do it.

13 I also have to second the extension process.
14 I respectfully say you must -- respectfully say you
15 must give us that. And, two, this is a little off the
16 beaten track, but if a little animated gecko for the
17 Geico commercial can claim that we are the Empire State
18 because we have the resources, I say it's time we use
19 these resources from New York State, not a foreign
20 country. We shouldn't be relying on foreign power or
21 foreign power for our country for our energy. That's
22 ridiculous, I'm sorry. Thank you.

121-06 **121-06:** The lifespan of the proposed CHPE project would be 40 years or more (see EIS Section 2.4.13).

121-07 **121-07:** See response to Comment 107-01.

121-08 **121-08:** See response to Comment 126-02.

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Comment 119

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1 (Applause.)

2 MR. MILLS: Thank you.

3 MS. FURLONG: Can I talk from here because I
4 have trouble standing. I can do it without a
5 microphone. I yell at kids. Okay. MaryEllen Furlong.
6 I remember a number of years ago in California, there
7 was a big scandal regarding a project-- a company
8 called Enron regarding the purchase and repurchase and
9 selling of power, and the corruption, and all the jobs
10 in the economy that were destroyed.

11 Now, it's been brought up that Blackstone has
12 a connection to all of these entities. How do we know
13 that they're not going to be an Enron, and that they are
14 going to not manipulate the power and the price of power
15 coming down from Canada to New York? How do we know
16 that they're not complicit in the destruction of jobs
17 and the destruction of the economy for their profit?

119-08

119-08: Comment noted. There is no evidence that the proposed CHPE Project would reduce the availability of existing jobs or negatively impact economic development (see response to Comment 104-01). In addition, the operation of the CHPE Transmission Line is subject to the conditions of the NYSPSC Certificate and the Federal Energy Regulatory Commission (FERC) Order Docket No. ER10-1175-000 issued to the Applicant on July 10, 2010.

18 You, Mr. Mills, and you, Ms. McDonald, and
19 Ms. Smith, and Mr. Palmer, you have a big job because we
20 have been steamrolled and put behind the eight ball,
21 because we're a little town in the smallest county in
22 New York. And they think they can do whatever they want

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1 here, and they can't because it's time that people speak
2 up and say no. You can't invade our town. You can't
3 rip the heart out of it. You can't destroy our schools
4 because we won't have a tax base to support them. We
5 won't have people making money or having jobs because
6 you've transported those jobs out of New York State.

7 You need to sit down with our Governor, and
8 our town, and our education systems, and everybody, and
9 develop a plan that will give our children and us a
10 developed program that will provide jobs and a tax base
11 that will support this town, and this county, and this
12 State to make it a successful place. And that's a big
13 responsibility. And I think you need to live up to it,
14 and everybody in Albany needs to live up to what they
15 are doing up there. It's not for their benefit, but
16 it's for the benefit of the citizens of this State and
17 this town.

18 That's why they're up there. That's why you
19 are up there. Government needs to be responsible, and
20 if you're not responsible, then we need to replace you
21 and put somebody in there who will respond to the people
22 because we're fed up. And we're tired of being ignored

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Comment 117

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1 and run over. And I'm sorry if it's a little
2 disrespectful, but that's how we feel. We are tired of
3 it.

4 And Ms. Susan and Rebecca and everybody, they
5 try so hard to build up this town, and everybody thinks,
6 oh, it's just Stony Point, what are they? Well, I think
7 they might find out we're a lot tougher than what people
8 imagine us to be. Thank you.

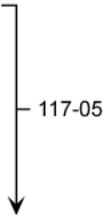
9 (Applause.)

10 MR. MILLS: If there are no other speakers.

11 Yes?

12 MR. WALDRON: We could stay up for hours. We
13 could. We could stay up for hours. I got more to say,
14 but we have to end sometime. You should meet with us
15 somehow.

16 MR. LUDWIGSON: Steve Ludwigson with the
17 Boilermakers. I already what I wanted earlier. Just
18 one thing I want to make clear. In New York State when
19 they purchase power, okay, if Mr. Jessome can produce it
20 for, say, \$15 a megawatt and everybody else is paying
21 \$50, okay, it makes it sound like you're saving \$35 a
22 megawatt. But in New York State, whatever the highest



117-05: Comment noted. The New York State electricity market is regulated by the NYSPSC and the New York Independent System Operator (NYISO). The pricing mechanisms for power purchases in the New York State electricity market are not the subject of this EIS.

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1 price paid for power, everybody gets it.
 2 So if you're paying \$50, he's getting \$50
 3 even though it's only costing him \$15. All we're doing
 4 is displacing money from New York and employers in New
 5 York that could be making it and sending it to Canada,
 6 okay? And it might seem like, okay, you have a choice.

117-05

7 Well, New York City, 80 percent of the power is
 8 supposed to be produced in the five boroughs of New York
 9 City. I know Indian Point supplies some of the other 20
 10 percent regardless. Eighty percent manufactured, built,
 11 supplied, New York City.

12 There's an exception. New York City used to
 13 run on DC power, and they never took it out of the
 14 rules. So if you can produce DC power, you get the
 15 first bite at the apple. Right now you've got a
 16 thousand megawatts with one line coming down. According
 17 to Susan, there's four or five more coming in behind it
 18 that are already looking for their permits waiting to
 19 see where this goes. That could be 6,000 megawatts that
 20 you'll never get to produce again in New York. Nobody
 21 will make the money on it here. It'll all go north,
 22 okay?

117-06 **117-06:** See response to Comment 110-03.

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1 So it's not -- I know this is environmental
2 whether it's safe for the river or not safe for the
3 river. This is jobs. This is people's livelihoods.
4 And we really need to look at that. Thank you.

117-07 **117-07:** See response to Comment 104-01.

5 (Applause.)

6 MR. MILLS: Thank you. One more.

7 MR. MCPARTLAND: Brian McPartland, Local 503,
8 IBEW. As I said before, we represented the people that
9 worked in the power plants. The one power plant is
10 leveled. We had 250 people working between two power
11 plants. Now we have 36 working at Bowline. If we
12 constructed power plants here, do you know how many
13 trades would be taken into that? Do you know how many
14 -- the boilermakers would make money, the electricians
15 would make money, the town would make money. Everybody
16 would make money. That's -- and, yes, naturally I would
17 hope to represent the people that are at that plant.

117-08 **117-08:** The proposed CHPE Project would not prevent the
development of other projects.

18 But we have to understand that by sending
19 this to Canada and bringing it down, we're just
20 bypassing a whole industry that's right here. And I
21 understand the laborers, okay, they got a project labor
22 agreement, and I understand they got to deal cut. I

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1 understand that. Twenty-six jobs. You heard it. You
2 heard the facts. The facts are 26 jobs. If you
3 constructed power plants at Bowline and Lovett, you'd
4 probably have more because somebody has got to do the
5 work to get the grounds laid.

6 All right, that's it. Thanks.

7 (Applause.)

8 MR. MILLS: Thank you. All right.

9 (Laughter.)

10 SPEAKER: I can keep going.

11 MR. MILLS: That's okay. Shall we gavel it?

12 This hearing is now adjourned.

13 (Whereupon, at 8:20 p.m., the meeting was
14 adjourned.)

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CHAMPLAIN HUDSON EXPRESS TRANSMISSION
TRANSMISSION LINE PROJECT

DOE EIS PUBLIC HEARING

Tuesday, November 19, 2013

Holiday Inn Albany - Wolf Road
205 Wolf Road
Albany, New York 12205

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1 PARTICIPANTS

2

3 AGENCY REPRESENTATIVES/HEARING OFFICERS:

4 BRIAN MILLS

5 JODI MCDONALD

6 JULIE SMITH

7

8 PUBLIC PARTICIPANTS:

9 ANTHONY FRESINA

10 CAROL TANSEY

11 TOM ELLIS

12 PAUL CAPEL

13 SANDY STEUBING

14 JESSICA SEMON

15 STEVEN LUDWIGSON

16 LAVAR SMITH

17 JURGEN WEKERLE

18 SUSAN LAWRENCE

19 PHIL WILCOX

20

21

22

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1 The reason we are here is Champlain Hudson
2 Power Express is proposing to construct an international
3 transmission line. They've asked the Department of
4 Energy for a presidential permit. A presidential permit
5 is needed before any transmission line can be built
6 across the U.S. international border. DoE determined
7 that an environmental impact statement would be the
8 appropriate level of analysis for this presidential
9 permit.

10 This is a public hearing on the Champlain
11 Hudson Power Express Transmission Line Project draft
12 Environmental Impact Statement. That's a mouthful, so
13 I'm going to refer to that from now on as the draft EIS.
14 Once we begin the hearing, we will hear from you in the
15 order that you signed up. If you wish to speak but have
16 not signed up, you can sign up at the registration table
17 outside the doors.

18 For those of you who may not be familiar with
19 the process that we go through in preparing an EIS and
20 where we are for this particular project in the process,
21 I'll cover some of the steps here briefly. Although I'm
22 sure you've all read the draft EIS available on our EIS

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1 website, you can also find more detailed information for
2 the process and this project, again, on that website.

3 The first step in the EIS process is we start
4 public participation by issuing a Notice of Intent to
5 Prepare an Environmental Impact Statement, an EIS. For
6 this project, DoE issued our Notice of Intent on June
7 18, 2010, and an amended notice on April 30th, 2012.
8 The Notice of Intent begins a process that we call
9 scoping, which is an opportunity for the public to tell
10 us their issues and concerns related to the project. We
11 use this input to help us prepare the draft EIS. If you
12 commented during the scoping period, we used your
13 scoping comments to determine which alternatives and
14 which issues we needed to address in the EIS.

15 The next step in the process is to prepare the
16 actual draft EIS. The draft EIS analyzes the
17 foreseeable environmental impacts that might result from
18 granting the presidential permit. The draft EIS also
19 identifies steps that might be needed to mitigate
20 impacts. For this project, we issued the draft EIS on
21 October 21st, 2013. After we issue a draft, we ask the
22 public to comment on it during the public comment

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1 period. The Environmental Protection Agency, or EPA,
2 opens the comment period by publishing a Notice of
3 Availability in the *Federal Register*. The EPA notice
4 for this draft EIS was in the *Federal Register* on
5 November 1st, 2013.

6 Since this is where we are in the process, the
7 public comment period, I'm going to cover this just a
8 little bit more in detail. The comment period gives you
9 an opportunity to tell us any changes that you would
10 like to see in the draft EIS, what you think is wrong
11 about the document, and how you think we should fix it.

12 We are also looking for issues you think we missed or
13 didn't cover as well as we should have.

14 If you have questions as part of your comments
15 today, we will not be able to answer your questions, but
16 we will do so in the final EIS. It's also very helpful
17 for when you make your comments to cite specific
18 sections or page numbers from the document itself. None
19 of this is required, but it will help us to understand
20 your comments.

21 During the hearing, the hearing's officers may
22 ask questions to allow you to clarify points that you're

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1 making. Whether you choose to speak or not, you are
2 invited to submit written comments. Instructions to do
3 so are provided on the boards at the back of the room,
4 how to make comments, or are available on the
5 registration table. All comments, whether written or
6 oral, are treated the same and have equal weight.

7 For this draft EIS, we will continue to accept
8 comments until December 16th, 2013. To the extent that
9 we can, we will also consider your comments submitted
10 after that date. After the close of this comment
11 period, we will write the final Environmental Impact
12 Statement, which considers your comments. The final EIS
13 will contain a comment response document that addresses
14 comments received on the draft EIS. When completed, the
15 Environmental Protection Agency will again issue a
16 Notice of Availability of the final EIS in the *Federal*
17 *Register*, and again, we will post the document on the
18 EIS website and send it out to the mailing list. No
19 sooner than 30 days after the EPA lets all of you know -
20 - all you *Federal Register* readers know the final EIS is
21 out there, DoE may issue a Record of Decision on the
22 presidential permit application. I hope that this very

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1 general outline is helpful to you in understanding where
2 we're at.

3 I'd also like to mention a couple of other
4 things about the draft EIS and this project. The
5 Department of Energy has the authority to permit the
6 border crossing. The U.S. Army Corps of Engineers
7 issues Clean Water Act permits. The State of New York
8 has the authority to cite transmission lines in New
9 York. Several other Federal and State agencies are
10 working with DoE and the Corps in preparing the draft
11 EIS, including U.S. Environmental Protection Agency, the
12 U.S. Fish and Wildlife Service, U.S. Coast Guard, the
13 New York State Department of Public Service, New York
14 State Department of Environmental Conservation. These
15 are all cooperating agencies in the preparation of the
16 draft EIS.

17 Now, I know that was a lot, so what you need
18 to remember for this hearing are the three following
19 points. First, comments received on the draft EIS will
20 be included in the final EIS, and we will respond in the
21 document to the comments that we receive. Two, comments
22 expressed at one of our hearings or provided to us by

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1 email or letter will all be considered equally. And
2 lastly, the comment period for the draft EIS closes on
3 December 16th, 2013.

4 I'll now turn this over to our hearing's
5 officer, Jodi McDonald, from the U.S. Army Corps of
6 Engineers.

7 MS. MCDONALD: Thank you, Julie. Good
8 afternoon -- good evening. I am Jodi McDonald. I'm
9 Chief of the Regulatory Branch for the New York District
10 Army Corps of Engineers. I will be the presiding
11 officer on behalf of the Corps of Engineers for today's
12 public hearing.

13 The Corps of Engineers is here today to obtain
14 information and evidence and ensure coverage of core
15 concerns, to assist in the regulatory review of a permit
16 application by Champlain Hudson Power Express,
17 Incorporated for the installation and construction of a
18 336-mile power cable from the Canadian border through
19 waters of the United States, including wetlands, Lake
20 Champlain, the Hudson River, Harlem River, and East
21 River. The U.S. Department of Energy as lead Federal
22 agency will make a decision whether to issue a

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1 presidential permit to allow the crossing of the U.S.
2 border to facilitate the operation of this power cable.

3 The Corps of Engineers is neither a proponent
4 for nor an opponent of the proposed work. Our role is
5 to determine whether the proposed activity -- in this
6 case, the installation of a power line in waters of the
7 United States -- is in the overall public interest.
8 This hearing will play an important part in that
9 determination.

10 Please understand that we do not expect to
11 answer questions from the dais in this hearing related
12 to the proposal as we are here to obtain information and
13 your comments. Questions on the regulatory process in
14 general can be directed to my staff member in the
15 audience today, and that's June Yen sitting in the back.

16 The New York District has issued a public
17 notice for this project with the comment period closing
18 on December 16th, 2013. That public notice is currently
19 posted on the New York District website. The website
20 address is www.nan.usace.army.mil, as in "military." We
21 do have some copies available on the registration table
22 as well. If you are not currently on our public notice

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Comment 131

11

1 email distribution list and would like to receive a copy
2 of future announcements for email public notices, please
3 provide your email address at the registration table.

4 I will now open the hearing.

5 (Pounding of gavel.)

6 MS. SMITH: For our first speaker, can we hear
7 from Anthony Fresina? And I apologize if I don't
8 pronounce names correctly.

9 MR. FRESINA: That's okay. You did pretty
10 good.

11 MS. SMITH: Okay, good.

12 MR. FRESINA: Well, good evening. I just want
13 to introduce myself. My name is Anthony Fresina. I'm
14 Business Manager of Laborers Local 190. I represent
15 laborers that -- from Fort Edward, Washington County, to
16 Green County, to the Catskills. I stand here -- I
17 should say we stand here today in favor of this project.
18 We believe it's going to be a good project. It'll
19 bring good paying jobs, skilled labor, skilled jobs to
20 the area, good for the economy. And we're hoping that
21 with this job, that it'll boost the economy.

131-01 **131-01:** Comment noted.

22 And we represent laborers, as I said, that are

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Comments 132 and 133

12

1 skilled and OSHA trained. We have a training facility
2 in Albany -- in Glenmont, I should say, and we're in
3 favor for the project, and I hope it goes. Thank you.

4 (Applause.)

5 MS. SMITH: Carol Tansey?

6 MS. TANSEY: My name is Carol Tansey, and I
7 live in Albany, New York. I'm a private citizen. I'm
8 an environmental activist, and I would rather see New
9 York City generate solar power to get their own
10 electricity. It's local. It makes more sense to me
11 than to let this pipeline come down from Canada. We can
12 handle this ourselves here in the United States. Thank
13 you.

132-01

132-01: Comment noted. The source of the electric power to be transmitted through the proposed CHPE Project is outside the scope of the EIS. In addition, the proposed CHPE Project is a buried electric transmission line, not a pipeline.

14 (Applause.)

15 MS. SMITH: Tom Ellis?

16 MR. ELLIS: Can I speak from here?

17 MS. SMITH: Certainly.

18 MR. ELLIS: Because I've got some papers I
19 want to read from. All right. Good evening, everybody.
20 My name is Tom Ellis. I live in Albany. I appreciate
21 this opportunity today to discuss the Federal
22 government's DEIS. I recommend that the presidential

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1 permit be denied. I spoke at the July 14th, 2010
2 scoping hearing on this project, and I stick with what I
3 said that night.

4 I represent both the Citizen's Environmental
5 Coalition and the Solidarity Committee of the Capital
6 District as I did in 2010. Both organizations have a
7 long history of opposing the importation of additional
8 Canadian river destroying hydroelectricity into New
9 York.

10 Just a little bit of information about both
11 groups. Last month the Solidarity Committee featured UE
12 Political Action Director, Chris Townsend, at our 30th
13 anniversary celebration. Chris is working to try to
14 save the 200 jobs at Fort Edward that General Electric
15 is proposing to eliminate. Early this month, the
16 Citizens Environmental Coalition organized the New York
17 State Fracking Health Summit at which a dozen public
18 health professionals met to carefully analyze the health
19 issues local governments in Upstate New York may face if
20 natural gas hydro fracking is allowed in the State. I
21 have information about that if anybody wants it.

22 So both the Citizens Environmental Coalition

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1 and the Solidarity Committee worked with the support of
2 Cree Indians in Quebec to force cancellations of two
3 contracts the New York Power Authority had with Hydro-
4 Quebec. Cancellation of these contracts 20 years ago
5 led Hydro-Quebec to cancel its proposed Great Well River
6 Project that had it gone forward would've literally
7 destroyed the Great Well River and five other rivers
8 that flow into James and Hudson Bays about a thousand
9 miles north of here.

10 Since the 1970s, Hydro-Quebec has destroyed
11 large rivers in Quebec, including the La Grande,
12 Eastmain, and Rupert. At present, Hydro-Quebec is
13 destroying the Romaine River that flows into the Gulf of
14 St. Lawrence near Havre-Saint-Pierre, about 800 or 900
15 miles northeast of here. The draft EIS did not examine
16 the environmental and health impacts of the entire
17 Champlain Project despite many requests, including mine,
18 to do so. The DEIS authors stated their reasons on page
19 1-17 and 1-18 for not examining the Canadian impacts of
20 this project. However, not performing such an analysis
21 renders the DEIS incomplete and defective.

22 It also prevents Champlain Hudson Power and

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133-01
133-02

133-01: The DOE addressed this issue in Section 1.7.4 of the EIS. Evaluating potential impacts in Canada is outside the scope of the EIS. NEPA does not require analysis of impacts that occur within another sovereign nation that result from actions approved by that sovereign nation. This is consistent with Executive Order (EO) 12114, Environmental Effects Abroad of Major Federal Actions (January 4, 1979), which does not require Federal agencies to evaluate impacts outside the United States when the foreign nation is participating with the United States or is otherwise involved in the action. The Quebec Provincial Government would conduct an environmental review for impacts in Canada, as applicable, as part of its authorization process associated with the construction of facilities (i.e., a new transmission line from a proposed new HVDC converter station at Hertel, in La Prairie, Quebec, to the U.S./Canada border) in the province. The Canadian Government, through the National Energy Board, would also have the authority to authorize the project and consider potential environmental impacts in its analysis. Therefore, NEPA and EO 12114 specify that the assessment of potential environmental impacts of the proposed CHPE Project is to be restricted to the evaluation of impacts that might occur within the United States.

133-02: Potential impacts in Canada associated with the source of the power to be transmitted through the CHPE transmission line is outside the scope of the EIS. According to the New York Energy Law § 1-103(12), renewable energy resources are “sources which are capable of being continuously restored by natural or other means or are so large as to be useable for centuries without significant depletion and include but are not limited to solar, wind, plant and forest products, wastes, tidal, hydro, geothermal, deuterium, and hydrogen.” The hydropower energy to be delivered to the New York City metropolitan area via the proposed CHPE Project would be considered renewable energy according to New York Energy Law.

1 the Department of Energy from proving that the Champlain
2 Hudson Power Project would provide the New York City
3 metro region with renewable energy, and it also prevents
4 them from proving that the project, if it goes forward,
5 would lead to a reduction in carbon dioxide and other
6 climate change emissions that contribute to rising
7 temperatures on this planet. Both the applicant and the
8 DoE assert that the Canadian hydro power that would flow
9 through the Champlain Hudson Power Line is renewable
10 energy or is renewable electricity.

11 Many people, including the Climate Action
12 Network of Canada assert that damming, diking,
13 diverting, and destroying rivers is not truly renewable
14 electricity. Hydro-Quebec generates much of its overall
15 electricity from manmade reservoirs. Hydro-Quebec's
16 hydro electrical development has altered river flow
17 patterns that used to peak in the spring. Today, peak
18 electricity generation is often in winter when power
19 demand is high. Winter water flows have increased many-
20 fold, devastating fish spawning and greatly increasing
21 soil erosion rates. Such destruction hardly qualifies
22 as renewable energy.

133-02

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1 The Department of Energy and Champlain Hudson
2 assert, but do not prove, that the Champlain Hudson
3 Project would reduce carbon dioxide emissions. Non-run
4 of the river hydro projects contribute to climate
5 change. Rotting vegetation in flooded river valleys
6 releases carbon dioxide and methane into the atmosphere.
7 Flooded rivers can no longer absorb carbon dioxide from
8 the atmosphere. Intact ecosystems lessen climate change
9 through oxygen production and carbon storage.

10 If the Champlain Hudson Project is constructed
11 and Canadian electricity displaces fossil fuel
12 electricity in the New York City area, would the
13 reduction in global warming emissions in downstate New
14 York be greater than the increase in global warming
15 emissions in Canada? Who knows? Without an
16 environmental review of the source of the Champlain
17 Hudson Power, neither the Department of Energy nor
18 Champlain Hudson Power can prove that the Champlain
19 Hudson Project is a low carbon electricity project
20 despite their assertions that it is. And let us not
21 forget that Hydro-Quebec floods huge areas. The Rupert
22 River Project flooded more than 100 square miles.

133-03

133-03: As presented in Section 1.4 of the EIS, the New York State Department of Public Service (NYSDPS) estimated that implementation of the proposed CHPE Project would result in an annual reduction of emissions of carbon dioxide, sulfur dioxide, and nitrogen oxides. See response to Comment 133-01 regarding analysis of potential impacts in Canada.

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1 We live on a planet that is rapidly warming.
 2 We need to preserve what nature has given us. Three
 3 years ago, the New York State Climate Action Council
 4 issued its Climate Action Plan Interim report. On page
 5 OV-8 of the report is a graphic indicating air
 6 temperatures in New York may increase from five and a
 7 half to seven -- from five and a half to seven degrees
 8 Fahrenheit by the 2080s compared to the 1980s.

9 In Chapter 11 of that report concerning
 10 adapting to climate change are some specific
 11 recommendations the State should take. On page 11-81 is
 12 a recommendation directly in conflict with the Champlain
 13 Hudson Power Project. It reads, "All water-related
 14 permit programs and policies should minimize alterations
 15 and disruptions to the natural hydrological cycle to the
 16 extent possible. Regulatory agencies should implement
 17 this recommendation at multiple scales, including site-
 18 level planning and construction, as well as more
 19 regional watershed scales." New York should be
 20 consistent with its policies. New York should reject
 21 imported electricity from out of State entities who
 22 disrupt or even destroy the natural hydrologic cycle.

133-04

133-04: The proposed CHPE transmission line would be installed below ground and beneath the bottom of Lake Champlain and the Hudson, Harlem, and East rivers, and would not result in a significant alteration of the hydrologic cycle of waters of the United States. The Specific Action cited from the New York State Climate Action Council’s Climate Action Plan Interim Report was proposed to guide the creation of technical guidance and design standards that the Interim Report suggests should be incorporated in storm water, wastewater, and water supply permit guidance, and permit reviews and approvals. The proposed CHPE Project would comply with all required permit guidance. Additionally, the Applicant would implement BMPs identified in the Applicant’s Environmental Management & Construction Plan (EM&CP), conditions specified in the NYSPSC Certificate for the proposed CHPE Project, and Applicant-proposed measures to minimize impacts on water resources (see EIS Section 2.4.12).

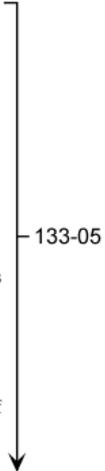
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1 Climate change is a global problem and it
2 requires vast international cooperation to effectively
3 deal with it. And now there is a second Champlain Hudson
4 or Champlain Project -- there's no time limit is there?

5 MS. SMITH: There is not a time limit.

6 MR. ELLIS: All right, thank you -- for New
7 England that, if approved, would bring 1,000 megawatts
8 of Quebec hydroelectricity into Vermont and probably to
9 coastal New England. This proposal may stimulate
10 additional river destruction in Quebec, which may lead
11 to additional Champlain Hudson proposals.

12 The other major critique the Citizens
13 Environmental Coalition and the Solidarity have is that
14 even ignoring the health and environmental impacts in
15 Canada, the Champlain Hudson Project is a poor way for
16 New York State and New York City to meet our energy
17 needs. The questions I ask are: should it be allowed,
18 is it the best use of our finite resources, who benefits
19 the most and the least from it, would its approval and
20 construction retard the development of better
21 alternatives, and why is there such a skimpy analysis of
22 alternatives to the Champlain Hudson Project contained



133-05: See response to Comment 133-01 regarding analysis of impacts in Canada. The Proposed Action analyzed by DOE in this EIS is the issuance of a Presidential permit that would authorize the construction, operation, and maintenance of the proposed CHPE Project that would cross the U.S./Canada border. Alternatives for the source of power to be transmitted through the proposed CHPE Project are outside the scope of the EIS. During preparation of this EIS, DOE considered other reasonable alternatives to the CHPE Project (see Section 2.5 of the EIS), but ultimately eliminated these alternatives from further detailed analysis due to various reasons, as discussed in Section 2.5. The alternatives considered included different route alignments, upland transmission routes, conservation and demand reduction measures, use of HVAC vs. HVDC technology, and various interconnection and converter station alternatives. The purpose of the proposed CHPE Project is to deliver power into the New York City metropolitan area electrical market; therefore, no other power generation sources, such as solar power projects, were considered as alternatives.

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1 in the DEIS. I saw no discussion of solar power in the
2 DEIS, nor does the word "solar" appear in the index.
3 The word "NYSERDA" does not appear in the index either
4 or any information about the vast energy efficiency and
5 solar projects that are job creating projects that
6 NYSERDA is working on right now. It's simply absent
7 from the DEIS.

↑
133-05
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8 In my spring 2010 scoping comments, I stated
9 that investing in weatherization and conservation
10 projects and improving energy efficiencies here in New
11 York could provide many thousands of New York State
12 residents with high quality jobs. I mentioned that
13 young people, and especially young men, have been hard
14 hit by the recession that began in 2008. And I
15 mentioned that decades ago the American Council for an
16 Energy Efficient Economy reported New York had vastly
17 reduced its overall use of electricity and summer and
18 winter peak demands by installing heavy -- excuse me --
19 highly-efficient motors, lighting, and other appliances.
20 The draft Environmental Impact Statement devotes parts
21 of only one page -- that's 2-44 -- to its discussion of
22 conservation and demand side measures without mentioning

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1 at all the considerable employment potentials that these
2 have.

3 The DEIS contains less than one page -- 6-11 -
4 - on wind energy -- half a page. The failure of the
5 DEIS to seriously or even half-heartedly examine the
6 considerable energy and employment advantages of
7 conservation, energy efficiency, wind and solar power,
8 renders the DEIS highly deficient. The DEIS on page 2-
9 44 contains a weak rationale for its decision in this
10 matter. It says, "Consequences the New York's
11 independent system operator has demonstrated that energy
12 efficiency and conservation measures alone would not
13 address southeastern New York's increasing demand for
14 electricity, and that a mix of energy efficiency, demand
15 reduction, and new generation would be required to meet
16 future energy demand. Therefore, DoE determined that
17 conservation and demand side measures alternative alone
18 is not a reasonable alternative, and is, therefore, not
19 addressed further in the EIS." Completely ignored is
20 the possibility that with intense conservation and
21 energy efficiency, electricity demand might no longer
22 increase or that conservation wind, energy efficiency,

133-06

133-06: Comment noted. See response to Comment 133-05 regarding alternatives to the proposed CHPE Project. Energy efficiency (i.e., demand reduction) and conservation measures were considered but eliminated from further detailed analysis because DOE determined that these measures alone were not a reasonable alternative to the proposed CHPE Project (see Section 2.5.3 of the EIS). The possible development of in-state renewable energy projects is outside the scope of the EIS.

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1 and solar together would provide for any increase in
2 demand.

133-06

3 On page 2-44, the DEIS lists the five policy
4 objectives identified in 2009 New York State Energy
5 Plan. One of these is to support development of in-
6 state energy supplies. The Champlain Hudson Power
7 Project does not meet that objective.

133-07

133-07: The potential issuance by DOE of a Presidential permit for construction of an electric transmission line crossing the U.S. border with Canada would not preclude the development of in-state energy supplies. The possible development of in-state power sources is outside the scope of the EIS.

8 In my 2010 scoping comments, I urged this
9 project be rejected because if it's approved, many tens
10 of millions of wealth will flow out of New York State
11 each year to pay for the Canadian electricity. It would
12 be much better to implement ways of keeping the wealth
13 of New York circulating in New York rather than watch it
14 disappear. The DEIS does not address this issue.

133-08

133-08: The EIS addresses potential socioeconomic impacts, including this issue, in Section 5.4.18 (New York City Metropolitan Area Segment) and similar subsections for the other segments of the transmission line route.

15 Several times the DEIS asserts that the
16 Champlain Hudson Project would save New York
17 residents --

18 MS. MCDONALD: Mr. Ellis, excuse me.
19 Gentlemen in the back, if you're going to have a
20 conversation, I'm going to ask you to step outside.

21 SPEAKER: I mean, this gentleman could speak
22 all night. We don't want to be here all night.

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1 MS. MCDONALD: And we haven't -- we have not
 2 set a time limit on speakers because we have only a few
 3 speakers tonight. So we're here until everyone is
 4 finished speaking. But it's very inconsiderate for you
 5 to stand in the back and have a conversation when this
 6 gentleman is trying to make his comments. So if you're
 7 going to --

8 SPEAKER: The gentleman has made his comments.
 9 He's been talking for an hour.

10 MS. MCDONALD: He has every right to do that.
 11 Please either have a conversation outside --

12 SPEAKER: I'll have a conversation right here.

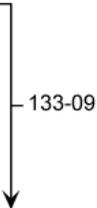
13 MS. MCDONALD: Thank --

14 MR. ELLIS: My comments will take about 15
 15 minutes, I think.

16 SPEAKER: It's been 15 so far.

17 MS. MCDONALD: Go ahead, Mr. Ellis.

18 MR. ELLIS: Thank you. The DEIS does not
 19 analyze this issue. Several times the DEIS asserts that
 20 the Champlain Hudson Project would save New York
 21 residents \$400 or \$500 million a year on electricity
 22 purchases without any data to back it up. But nowhere



133-09: As stated in Section 1.4 of the EIS, the economics of the proposed CHPE Project and potential impact on ratepayers were evaluated as part of the NYSPSC Article VII review process. Independent modeling conducted by the NYSDPS projected that ratepayer benefits in the New York Control Area would total approximately \$405 million to \$720 million per year.

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1 is there any data on how much New York would actually
2 pay -- how much New Yorkers would actually pay for the
3 electricity or how much of that money would go to
4 Canada. This omission needs to be corrected. Okay.

↑
133-09
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5 And finally, the Champlain Hudson Project
6 would provide only a few hundred jobs during
7 construction and only a few dozen jobs thereafter.
8 However, there is one alternative that would stimulate
9 the creation of tens of thousands of good-paying, good
10 benefits jobs in New York City, and probably upstate,
11 too, where such employment is desperately needed and
12 desired by low income workers and the chronically
13 unemployed. On June 16th, 2011, a *New York Times*
14 article reported that two-thirds of New York City's
15 rooftops are suitable for solar panels and could jointly
16 generate enough energy to meet half the city's demand
17 for electricity at peak periods according to a new
18 highly-detailed interactive map. The map showed the
19 solar potential for the city's one million plus
20 buildings. The map is at the website of the City
21 University of New York. It was developed by the City
22 University in cooperation with the city government and

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1 the Federal Department of Energy. The rooftop solar
2 could generate up to 5,847 megawatts of electricity,
3 almost six times as much electricity as this project
4 under discussion tonight could provide. The Department
5 of Energy Solar Awareness Cities Programs financed the
6 map.

7 The article also reported that in San
8 Francisco after a similar map was developed, the number
9 of solar installations on private rooftops rose from 551
10 in 2007 to 2,300 in 2011 with the help of tax credits
11 and rebates. If only 20 percent of the New York City
12 solar rooftop potential is developed, it would generate
13 more electricity than the Champlain Hudson Power can
14 provide. If 60 percent of the available space were
15 utilized, more electricity would be provided than by
16 both the Champlain Hudson Project and by Indian Point.

17 In the years ahead, as solar technology
18 continues to improve, it may be possible to convert the
19 sunlight and heat passing through millions of vertical
20 windows in New York City directly into electricity.
21 Solar obviously has a huge potential in New York City
22 and a huge employment potential. If government, private

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1 industry, and building owners made a commitment to equip
 2 25,000 buildings per year with rooftop solar, many tens
 3 of thousands of permanent jobs for electricians,
 4 plumbers, roofers, laborers, carpenters, sheet metal
 5 workers, and other building trades workers would be
 6 generated or would be created by the construction,
 7 maintenance, repair, and upgrading of the solar
 8 equipment -- you know, many, many, many, many more times
 9 as many jobs as this project could provide.

10 It is unfortunate that the DEIS considered
 11 only a no action alternative to the Champlain Hudson
 12 Proposal and ignored the solar alternative that it, DoE,
 13 helped to facilitate or helped to formulate. Among the
 14 many advantages of rooftop solar over the Champlain
 15 Project are it eliminates the need for additional power
 16 lines. It provides for a huge, but unknown, number of
 17 good quality middle-class jobs for New York City
 18 residents. It reduces incentives for Hydro-Quebec to
 19 destroy additional rivers. It keeps the energy dollars
 20 of New York State recirculating in New York State. It
 21 is sustainable, safe energy. It is a tremendous
 22 business opportunity and a tremendous employment

133-10

133-10: The purpose of the proposed CHPE Project is to deliver electric power into the New York City metropolitan area electrical market (see Section 1.4 of the EIS); therefore, use of other power generation sources such as rooftop solar were not considered alternatives to the proposed CHPE Project. Implementation of the CHPE Project would not preclude the development or use of rooftop solar, or other renewable generation sources, to meet future electrical demand. The proposed CHPE Project is estimated to create an average of 300 direct construction jobs during its 4-year construction period (see Section 2.3 of the EIS).

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1 opportunity. It spreads the wealth around more evenly
2 and widely among working families than the wealthy
3 investors behind this project. It further protects the
4 earth's environment and climate. It can put vast
5 numbers of people of color to work.

6 Something like 20 percent of the black men in
7 New York City are officially unemployed, double the rate
8 from 2006. And, of course, the official unemployment
9 rate is way lower than the actual unemployment rate.
10 Only one-fourth of New York City's black men under the
11 age 25 have a good job. There are literally hundreds of
12 thousands of people of color in New York City who have
13 never had a good job in their life. Solarizing the
14 city's rooftops is a superb way to bring these men and
15 women into the mainstream of our Nation.

16 This project here offers nothing of the kind.
17 Putting tens of thousands of people of color -- excuse
18 me -- putting tens of thousands of people to work on
19 solar would reduce poverty rates and government
20 expenditures to alleviate them. New York City would
21 become more energy independent. As solar continues to
22 evolve and people experience success with it, additional

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1 solar incentives or initiatives would be launched in the
2 city. Solarizing the city's rooftops would greatly
3 stimulate the solar industry development. New York
4 State could conceivably become the solar industry
5 equipment manufacturing center of North America.
6 Somebody is going to do it. It might as well be New
7 York. And solar electricity would displace fossil fuel
8 to electricity, leading to clean air and slowing climate
9 change.

10 In conclusion, I urge that the presidential
11 permit be denied, the final Environmental Impact
12 Statement seriously examine the vast employment impacts
13 that conversation, energy efficiency, and solar power
14 offer, and that the in-Canada impacts of this project be
15 examined. Thank you very much, and I have a copy of the
16 most recent newsletter of the two groups that I
17 represent and that I'd like to have included in the
18 record. And thank you for giving me enough time.

19 (Applause.)

20 MS. SMITH: Our next speaker, Ramon Figueroa?

21 (No response.)

22 MS. SMITH: Perhaps he stepped out. Paul

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Comment 134

28

1 Capel?

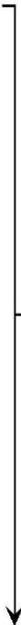
2 MR. CAPEL: Should I come up here?

3 MS. MCDONALD: Your choice.

4 MS. SMITH: Yeah.

5 MR. CAPEL: Okay. Good evening. My name is
6 Paul Capel. I represent the Hudson River Pilots. We're
7 the people that bring the big ships up and down the
8 Hudson River between New York and Albany. We're not
9 opposed to the project in its theory, in its concept.
10 We are very much opposed to the routing in which the
11 State of New York and other agencies have chosen.

12 They have chosen to run this project right
13 down through the middle of the navigational channel in
14 very many places. This is going to create quite a
15 problem for navigation -- to safe navigation, in our
16 opinion. If we have an emergency with a ship, we have
17 to drop an anchor to prevent the ship from going aground
18 or something, perhaps creating an oil spill. Our anchor
19 could hook this cable and cause a huge problem. In
20 certain areas, they have determined that they don't have
21 to put it originally. I believe they were going to put
22 it 20 feet underground. Now, they have found that



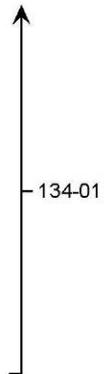
134-01

134-01: The risk of anchor snags on concrete mats is noticeably less than that of an exposed communications cable or other utility lines. The transmission line (and any concrete mats) would not cross any existing designated anchorage areas, and mats placed over the unburied transmission line would eventually become covered with sediment, which would further reduce the risk of anchor snags. The burial depth of cables in the Hudson River identified at this time is presented in the Final EIS in Sections S.6.2 and 2.4.10.1, and the exact burial depths and location of the transmission line are being determined in consultation with the relevant jurisdictional agencies, including the U.S. Army Corps of Engineers (USACE) and the U.S. Coast Guard (USCG).

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1 that's going to cost too much money, so they've changed
2 it to, in some places, five and six feet.

3 In other places where it goes over hard
4 ground, over rocks, they've proposed putting mats on it,
5 heavy cement mats. We drop an anchor 15,000 pounds. We
6 have a 40,000-ton ship behind that doing 10 knots in the
7 river. They don't make mats big enough to stop
8 something like that. We'll just rip the mat -- the
9 cable up and everything there.



10 We're also very much concerned about dredging.
11 The Army Corps of Engineers is in charge of dredging
12 the Hudson River. Currently due to financial
13 difficulties with the Nation, they have not dredged the
14 river as regularly as they have in the past. Any
15 dredging company that comes in here and says, well, we
16 have a cable six feet under the navigational channel,
17 they're going to go, you're crazy. We're not going to
18 dredge the Hudson River. We don't want any part of that
19 project. The Hudson River is now dredged by commercial
20 dredgers that are on hire to the Army Corps of
21 Engineers. The Army Corps of Engineers has a number of
22 dredges. I worked for them for a number of years. I

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1 know what they do. They do not come up the Hudson
2 River. They bid that job out.

3 Someone who has liability coverage, the
4 insurer is not even going to allow them to go anywhere
5 near that project. So basically what's going to happen
6 is all these places where they put this, where the
7 navigable channel is, they're not going to be able to
8 dredge there. They say they can, but no dredging
9 company would do that. They just don't feel it's going
10 to be safe.

11 A classic example of that is New Haven,
12 Connecticut. They put in a line in New Haven,
13 Constitution very similar to this one. There hasn't
14 been a dredging project in New Haven, Connecticut since
15 they put it in about five or six years ago. There's a
16 need for maintenance dredging, but they can't do it. So
17 basically you're locking the Hudson River into the draft
18 that it is right now, and you're not going to be able to
19 dredge very much at all, if at all.

20 Another problem is that if you put the cable
21 across the front of a particular port or a potential
22 area in which they want to build a port, you're locking

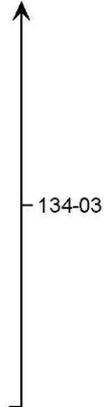
134-02

134-02: The proposed CHPE Project transmission line would not traverse any portions of existing maintained (i.e., dredged) Federal navigation channel in the Hudson River (see EIS Section 5.3.2). The transmission line would traverse unmaintained portions of the navigation channel in the Hudson River, but would be buried in actively maintained navigation channels in the narrows of lower Lake Champlain and the Harlem River. Subject to its ongoing review of navigation, environmental, and other public interest factors, the USACE may decide to issue a permit allowing for the placement of the transmission line in these areas provided that the burial depths are adhered to as agreed to between the USACE and the Applicant.

134-03

134-03: See responses to Comments 134-01 and 134-02.

1 that port in. Now, you're putting it across. Now, the
2 contractor is saying that they are going to pick it up
3 and they'll disrupt service and everything like that.
4 Once that project is going, and we seriously doubt if
5 they're going to pick the line up and they're going to
6 cut it or whatever they're going to do. They're going
7 to move it so that you can dredge to open stuff up.
8 It's going to prevent any dredging from happening in the
9 river that may deepen the river at some point and many
10 other things.



11 The State of New York built another project.
12 It went from Connecticut to Long Island several years
13 ago at a cost of many billion dollars to the rate payers
14 on Long Island to LILCO -- excuse me -- to LIPA now.
15 Once they got done, the contractor cut many corners
16 there. They didn't put it according to spec. As they
17 ran into hard material and other stuff, they put it up
18 higher than they were supposed to do. At the end of the
19 project, the State of New York went to throw on the
20 switch. The State of Connecticut said, well, you
21 haven't done this according to specifications;
22 therefore, we'll allow you to test it, and during

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Comment 135

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1 emergency times, we'll allow you to put it on. That
2 line right now remains unused. Billions of dollars
3 spent for a big project that they can't even use.
4 So as I said, we are not opposed to the
5 project, the concept of the project, or having it come
6 down. But we are very much opposed to the routing of
7 the cable coming down through the river. We attended
8 numerous meetings with the State and various other
9 agencies throughout the years that this has been going
10 on. We've expressed our opposition. We tried to get
11 them to change it. They would not. So we have grave
12 issues with -- doubts as to whether or not we can
13 continue safe navigation on the Hudson River if, in
14 fact, this project goes in in its current configuration.

15 Thank you very much.

16 (Applause.)

17 MS. SMITH: Sandy Steubing?

18 MS. STEUBING: Hi. I'm Sandy Steubing, and
19 I'm a private citizen here. And I just want to double
20 down on everything that Mr. Ellis said.

21 So basically I'm in opposition to this power
22 line. I don't believe that the 300-mile extension cord

} 135-01 **135-01:** Comment noted.
↓

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1 from Canada is necessary. I think that dispersed power
 2 generation is the wave of the future. To begin with, we
 3 have an old power grid and generating power closer to
 4 where it is used that is in New York itself increases
 5 efficiency. It reduces stress on the grid and makes the
 6 whole system more reliable. So close and dispersed
 7 power generations would save utilities from having to
 8 build and maintain the infrastructure of the grid. This
 9 \$2.2 billion project, and it would probably be more,
 10 would -- could create instead that amount of money and a
 11 large number of green jobs, as Tom said, by putting
 12 solar panels on rooftops. It would be employment for
 13 New Yorkers as opposed to Canadian jobs.

↑ 135-01

135-02

135-02: See response to Comment 133-10.

14 I also researched and found the same -- the
 15 same study that Tom did, and you can't see it. But this
 16 map that I just gave the women here shows the large
 17 number of rooftops that -- that is two-thirds of the
 18 rooftops in New York City are appropriate and suitable
 19 for solar panels. So this is a study that's been done,
 20 and we should take advantage of that. And I know
 21 intermittency can be a problem with solar panels, so if
 22 we bundled it with wind turbines offshore in New York,

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1 then we could have a consistent delivery of power.

2 I also want to mention conservation. We don't
3 talk or think about conservation enough. If we all
4 devoted ourselves to conserving and using less power,
5 then we wouldn't have a lot of these problems. I
6 understand that the cable coming down would be direct
7 current, and that there would be a large converting
8 station right outside of New York City, which would be a
9 target for terrorists.

135-03

135-03: As presented in Section 2.5.3 of the EIS, conservation, demand management, or use of other power generation sources by themselves were not considered reasonable alternatives to the proposed CHPE Project.

The potential for intentionally destructive acts, such as terrorism, was analyzed in Section 5.1.14 of the EIS, but is unpredictable. Although the Luyster Creek HVDC Converter Station would be aboveground, the risk from terrorism activity would be no greater than similar infrastructure associated with aboveground transmission lines or other energy facilities.

10 Small or more dispersed power generation has
11 built-in resiliency and would be less vulnerable to
12 blackouts. Like Tom said, the dams of Quebec are
13 artificially created and environmentally destructive. I
14 think the power industry can recreate itself, much like
15 the telecommunications has done. And finally, I'd like
16 to cite a Cornell and Stanford paper about how New York
17 State can be totally energy dependent by 2030, and
18 they've done a very large study on this that I encourage
19 people to look at.

135-04

135-04: The proposed CHPE Project would not prevent the development of other projects, including small and dispersed power generation.

20 So thank you very much.

21 (Applause.)

22 MS. SMITH: Jessica Semon?

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Comment 136

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1 MS. SEMON: Hello. My name is Jessica Semon.
 2 I'm an Albany County resident. I am activist for
 3 social and environmental justice. I'm here to just say
 4 that I'm against this project, and I suggest that the
 5 permit be denied.

136-01 **136-01:** Comment noted.

6 One reason is because we need to -- we need to
 7 embrace solar energy. I was recently at a talk by Dr.
 8 Richard Perez, who is a research scientist at U-Albany's
 9 Department of Atmospheric Science. Go ahead and Google
 10 Dr. Richard Perez and solar, and you'll find lots of
 11 information. I found it to be very informative.

12 Basically -- well, not basically, but one
 13 thing that impressed me was that there was a chart that
 14 showed the amount of energy that solar could produce
 15 compared to all of the other energy that could be
 16 produced with water, wind, fossil fuels, coal,
 17 everything. And solar is the size of a dinner plate,
 18 and water is about the size of a pea. We are eventually
 19 going to have to embrace solar. Solar is going to
 20 create many jobs, which is very needed in this State.

21 I also know that hydraulic is damaging to
 22 rivers, and the environment, and the wildlife. And I

136-02

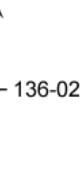
136-02: The potential impacts associated with constructing and operating the transmission line in Lake Champlain are addressed in Section 5.1 of the EIS. Potential impacts on aquatic and terrestrial wildlife in Lake Champlain are discussed in Sections 5.1.4, 5.1.5, 5.1.6, and 5.1.7.

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Comment 137

36

1 would like to know what the impact -- the environmental
2 impact of this is going to be when they lay these power
3 lines under Lake Champlain and how the wildlife will be
4 impacted.



136-02

5 I also would like to see our energy be created
6 locally. If it's going to be more reliable, if it's
7 going to be less maintenance needed, we'll have better
8 resilience against blackouts. And I would just like to
9 see the local economic benefits to be -- to be as best -
10 - I think that if we keep energy local and if we embrace
11 solar energy, the economic benefits of this are going to
12 be much better than embracing this project. Thank you.

136-03

136-03: Comment noted.

13 (Applause.)

14 MS. SMITH: Steven Ludwigson?

15 MR. LUDWIGSON: Good evening. My name is
16 Steve Ludwigson. I'm the Business Manager for the
17 Boilermakers Local 5. I represent the boilermakers in
18 all of New York State, with the exception of the 16
19 counties located around Buffalo, New York. Our members
20 are highly skilled professionals with expertise that
21 comes only with extensive training and years of
22 practice.

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1 I'm here tonight to state on the record that
 2 Boilermakers Local 5 opposes the Champlain Hudson Power
 3 Express Line and the proposed Federal action of granting
 4 a presidential permit to construct, operate, and
 5 maintain, and connect a new electric transmission line
 6 across the U.S.-Canada border in northeastern New York
 7 State.

8 The Champlain Hudson Power Express Line, which
 9 proposes to bring a thousand megawatts of power directly
 10 from Canada to New York City, would do nothing to
 11 strengthen the State's electricity grid. Practically
 12 speaking, the transmission line is a large extension
 13 cord that would bypass all of the State's existing
 14 energy sources and transmission infrastructure, such as
 15 Upstate New York plants that have an excess of available
 16 power instead of enhancing the overall capacity and
 17 stability of New York's power grid. New York will not
 18 be able to benefit from the low cost power that those
 19 upstate plans would be producing. It will instead
 20 become completely reliant on a foreign source of
 21 electricity. Our good friends in Canada will get new
 22 jobs, and New Yorkers will get the bill.

137-01

137-01: The Applicant expects that the proposed CHPE Project would result in an improvement to the overall reliability of the NYISO electricity supply system. In issuing its Certificate, the NYSPSC found that "... as an additional transmission interface into the City of New York, the Project will (1) alleviate existing transmission constraints, (2) protect the security of the transmission network, (3) enhance system reliability, and (4) enhance fuel diversity."

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1 While we support an electricity highway that
 2 improves the State's energy infrastructure and generates
 3 union jobs for New Yorkers, we reject the CHPE proposal
 4 as a jobs killer. For maximum benefits to New York,
 5 especially in job retention and creation, new
 6 electricity infrastructure should support current and
 7 new in-State power generation.

137-02 **137-02:** Comment noted. Also see response to Comment 101-02.

8 New York needs to improve the transmission
 9 grid in the upstate and western regions so that in-State
 10 power could be transported more efficiently, more
 11 economically, and in greater quantity throughout the
 12 State. Investing in our transmission infrastructure
 13 will lead to new jobs being created and new
 14 opportunities for energy development throughout the
 15 State.

137-03 **137-03:** Comment noted. Development of other in-state electric
 power sources or other transmission lines is outside the scope of
 the EIS.

16 We also can't ignore the obvious. New York
 17 already has a very substantial generating capacity that
 18 could be expanded upon to meet our State's needs. New
 19 York can and should keep up with growing demand by
 20 ensuring the continued operation of our in-State energy
 21 sources and constructing new plants both upstate and
 22 downstate as necessary. There are several shovel-ready

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1 sites that are already permitted or pending permits in
2 the Hudson Valley that could meet this demand and keep
3 New Yorkers working and the revenue generated in State.

↑
137-03
↓

4 In order to have a strong 21st century
5 economy, New York needs to build and produce products.
6 We can no longer afford to be viewed as only consumers
7 bearing the brunt of others' profits. Energy and
8 manufacturing provide sustained, long-term, good paying
9 jobs, a large portion of which are skilled union
10 positions. These jobs enable individuals to stay in New
11 York, raise a family, and grow the middle class. They
12 establish the economic infrastructure for many
13 additional jobs -- additional service jobs and power
14 other sectors of the State's economy.

15 The New York economy needs to be energized,
16 and the opportunities are out there waiting to be seized
17 upon. Such is the case with the opportunity of New
18 York's growing demand for electricity and solve
19 transmission congestion problems by investing in our
20 State's electrical infrastructure rather than
21 compounding these issues with a costly outsource to
22 Canada. For jobs and literally a brighter future, we

↓
137-04 **137-04: Comment noted.**

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1 must act now and propose -- oppose the CHPE as an
2 outright detriment to New York.

↑
137-04
↓

3 I've got a letter here from -- an open letter
4 to the New York congressional delegation to protect New
5 York jobs, in-State power generation, and tax dollars,
6 and reject the Champlain Hudson Power Line. It says,
7 "Dear member of Congress, on behalf of tens of thousands
8 of hard-working middle class union families across New
9 York State, we urge our members of Congress to stand up
10 for New York jobs and oppose the Champlain Hudson Power
11 Express Project and any subsidies for this 330-mile
12 transmission line from Quebec to Queens. The developers
13 of this project made a decision to propose a power line
14 that denies access to power plants located within New
15 York State, effectively blocking them from supplying New
16 York City and the surrounding region in in-State
17 produced electricity. As such, the project provides no
18 economic opportunity for New York power generators,
19 particularly those located in economically distressed
20 upstate communities, which would relish the chance to
21 supply electricity in other parts of the State." This
22 letter was signed by the business managers or head

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1 people for Steamfitters Local 638, New York City
2 District Council of Carpenters, Mechanical Contracts
3 Association, Utility Workers Union of America Local 1
4 and 2, myself, and the International Brotherhood of
5 Electrical Workers.

6 And online today it had "Canada-Owned Company
7 Seeks U.S. Dollars for Electric Line." "A hydro power
8 utility company owned by the Canadian government is
9 seeking State taxpayer money to run a transmission line
10 down the Hudson River from Quebec to New York. It
11 recently requested access to State money to help fund a
12 \$2 billion project." The State's pot of money to
13 support renewable energy projects currently comes from a
14 utility bill surcharge on New York residents and cannot
15 be distributed to companies from out of state, let alone
16 out of country. You're paying for this, and they're
17 looking to take your money north.

18 Gavin Donohue, the President of the
19 Independent Power Producers of New York, said, "It's
20 increasingly hard and difficult to compete as it is, and
21 why should we compete with a foreign government? What a
22 bad message this would send to business in New York that

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Comment 138

42

1 we're going to support a foreign government."

2 We oppose this. I was at the meeting last
3 night down in Stony Point. There were a myriad of
4 issues that people brought up, so I'd like to request
5 what they did last night, that they extend the period
6 for comments 180 days. Thank you.

7 (Applause.)

8 MS. SMITH: Lavar Smith?

9 MR. SMITH: Good evening, everybody. Now,
10 this is my opinion. I don't know all the statistics to
11 this project here. I'm a 37-year-old boilermaker, union
12 boilermaker. The power that you all see here, I built
13 with my own hands. A lot of my brothers built these
14 plants. We built them and we maintain them.

15 Us outsourcing our power from another country
16 makes no sense to me. It's like everything else we
17 manufacture, these big corporate American companies go
18 to other countries and manufacture these things for
19 cheaper labor, and bring them back to this country. We
20 don't do anything but making the other countries richer,
21 and making us a weaker economy. And we have -- there's
22 enough technology to satisfy the EPA and everything on

} 137-05

137-05: DOE extended the Draft EIS comment period by an additional 30 days through January 15, 2014. All comments received are addressed in the Final EIS (see EIS Section 1.7.3).

} 138-01

138-01: Comment noted.

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Comment 139

43

1 these power plants that we build. So it's to satisfy
 2 everybody around the board.
 3 We oppose it. I oppose it. And I think the
 4 boilermakers oppose it.
 5 (Applause.)
 6 MS. SMITH: Jurgen Wekerle?
 7 COURT REPORTER: Could you spell your name,
 8 please, for the record?
 9 MR. WEKERLE: J-U-R-G-E-N W-E-K-E-R-L-E.
 10 COURT REPORTER: Thank you.
 11 MR. WEKERLE: Good evening. My name is Jurgen
 12 Wekerle. I'm a member of the Energy Committee of the
 13 Atlantic Chapter of the Sierra Club. The position of
 14 our committee is that the Champlain Hudson Power Express
 15 Project is not in the national interest in its present
 16 configuration. It also would not add to the needs for
 17 electric generation and distribution in New York State,
 18 and would also not be in the interest of job creation,
 19 as mentioned by the prior speaker.
 20 The State has renewable energy credits that
 21 are designed to promote solar and wind and renewable
 22 energy jobs in New York State. The fact that hydro

138-01

139-01

139-02

139-01: As stated in Section 1.4 of the EIS, the proposed CHPE Project would provide an additional source of power to southeastern New York State, which DOE has designated as a Critical Congestion Area. Southeastern New York State is also within an area designated by DOE as the Mid-Atlantic Area National Corridor, which is one of two National Interest Electric Transmission Corridors.

In issuing its Certificate for the CHPE Project, the NYSPSC found that "... as an additional transmission interface into the City of New York, the Project will (1) alleviate existing transmission constraints, (2) protect the security of the transmission network, (3) enhance system reliability, and (4) enhance fuel diversity." Additionally, NYSPSC identified in their Certificate issued for the proposed CHPE Project in April 2013 that "the Project would serve the public interest, convenience and necessity" and "increase the reliability of the Bulk Power System in New York City [and] reduce wholesale market prices."

See response to Comment 101-02 regarding job creation.

139-02: Comment noted. See response to Comment 101-02 regarding job creation.

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1 power from Hydro-Quebec will be introduced into New York
 2 would, in effect, absorb all those credits and, in
 3 effect, make it impossible for those jobs to
 4 materialize. The jobs promised are miniscule and
 5 temporary on top of that.

139-02

6 The basic requirement of FERC and NAFTA and
 7 the members of the grid of which Canada and New York are
 8 a part is reciprocity. Each has to respect, honor, and
 9 trade with each other just as they would with domestic
 10 utilities and power plants. There is no reciprocity in
 11 this case. There is no mutual access to the transition
 12 -- to the transmission lines. There is no ability to
 13 trade back and forth. New York power producers cannot
 14 use the cable to transmit electricity within New York
 15 State. They definitely cannot use the cable to sell
 16 electricity into Canada. The design of the cable is
 17 kind of like exclusionary zoning. It's a one way DC
 18 cable that starts in Canada, crosses the border, and has
 19 an exit converter station in Queens in New York City at
 20 this point. And a lot of these arrangements have
 21 changed radically from the initial presentation of the
 22 plan.

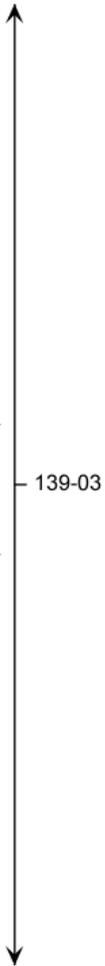
139-03

139-03: In its Certificate authorizing the proposed CHPE Project, the NYSPSC concluded that “The Project satisfies a need by providing additional transmission capacity into the New York City load pocket and an additional source of supply – hydroelectric power – that is both renewable and relatively stable in price, enhancing the fuel diversity in the City. Moreover, by allowing a new entrant into the New York City market, approval of the Project would advance our policy favoring competition. Finally, the Project advances State policies by enabling access to a source of clean energy supply.”

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1 It's a de facto exclusion. It's not legal,
2 but it's just that you can't get access to it. There
3 are no entry points. There are no access points in New
4 York State. The fact that there is a one way cable
5 promotes unfair competition for Canadian subsidized
6 electricity into the New York City metro market. It
7 subsidizes that electricity to the detriment of
8 electricity produced in New York, especially when the
9 New York independence systems operator auction system is
10 accounted for. Their electricity tranches are auctioned
11 off from lowest bid to highest bid, but the highest bid
12 pays all other bids that -- at that level. Subsidized
13 electricity, including Indian Point, by the way, can bid
14 low and they're going to be rewarded three, four, five
15 times of what their bid is just based on the mechanism
16 of that auction system.

17 All transmission systems should be integrated
18 into the existing grid. This cable does not do that.
19 There are constraints. There are congestion corridors
20 in New York, especially where we are here from Utica to
21 Albany to Poughkeepsie. The cable makes no effort to
22 remedy that congestion. It leapfrogs over that



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1 congestion. It doesn't include itself in the grid. It
2 bypasses the problem.

3 There are design changes that could remedy
4 that and could remedy the access for trade back and
5 forth, and that is to construct a converter station
6 right here in the Albany area. This is kind of like the
7 Times Square of transmission corridors from Buffalo,
8 from Messina, to Utica, to Albany, and down the Hudson
9 into the metro market. That is not part of the plan.
10 That was suggested at the initial hearings and was
11 rejected.

139-03

12 The claim of the cable is that it'll improve
13 reliability for consumers and rate payers in New York
14 State. Reliability in this case is really a function of
15 the producer, and the cable does not own or produce the
16 electricity. Hydro-Quebec does. And that is an
17 unreliable source, especially since if Quebec re-routes
18 that electricity or the seasonality factor, if they need
19 it for their own use, if there's a drought and it's not
20 available, there is no ability for New York-produced
21 electricity to make up the deficit if that changes or if
22 the contracts change. Who knows?

139-04

139-04: Comment noted. See response to Comment 139-01 regarding the proposed CHPE's effect on reliability. The source of power to be transmitted through the proposed CHPE Project is outside the scope of the EIS.

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1 Part of the flaw is in the NEPA EIS to begin
 2 with, which only evaluates the project from the Canadian
 3 border to the exit point in New York. It doesn't
 4 include the entire project, just at mid-point south, so
 5 the problem of the supply of electricity, which is
 6 really paramount. You know, we focus here on the
 7 engineering of the -- of the cable itself, the physical
 8 cable. The big issue, though, is what the cable is used
 9 for, and that's to transmit electricity. We should be
 10 focusing on the electricity. It's kind of like having a
 11 great computer system. We're evaluating that, except
 12 we're only going to evaluate half the computer system,
 13 and we're going to totally ignore the software that
 14 controls the whole thing. That's what we're facing with
 15 here.

139-05

139-05: See response to Comment 133-01 regarding analysis of potential impacts in Canada.

16 The converter station in Albany, for instance,
 17 and other converter stations in between the line would
 18 actually ensure the reliability, and would also remedy
 19 all of the problems with the cable as it currently is.

139-06

139-06: Comment noted. Construction of additional converter stations in Albany or other locations along the transmission line route are not consistent with the Applicant's objectives (see EIS Section 1.4).

20 NEPA requires need evaluations. That was not
 21 done in the EIS. There are four power plants in the
 22 lower Hudson that are closed. They were producing full

139-07

139-07: As presented in Section 1.2 of the EIS, the purpose of and need for DOE's Proposed Action is whether to issue a Presidential permit for the proposed transmission line crossing of the U.S. international border (i.e., proposed CHPE Project). Continued operation or development of other new in-state power sources or transmission lines is not the subject of the application for a Presidential permit and, therefore, is outside the scope of this EIS.

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1 power. We were using that power. They are not needed.
2 They are not pumping out electricity. The Lovett Power
3 Plant has been bulldozed. There are two power plants
4 upstate, Cayuga and Dunkirk. They were petitioned --
5 the Public Service Commission was petitioned to mothball
6 those two plants by the owners because they were losing
7 money. They're selling no more than 25 percent of their
8 capacity, and the two utilities, NYSEG and National
9 Grid, both submitted documents that they could replace
10 that power through upgrading the transmission lines
11 themselves.

12 Indian Point is pumping out at full speed, but
13 they're selling three-quarters of their electricity, not
14 to New York, not to New York City, not to Westchester,
15 but to Connecticut. We have this existing capacity that
16 is not used. We really don't need more capacity. Above
17 and beyond that, we have two power plants that are
18 approved, one outside of Middletown in the town of
19 Wawayanda and the other in Cricket Valley in Dover in
20 Dutchess County. They're approved, but they have no
21 funding to build them because there's no customers to
22 buy the electricity and pay for it.

139-07

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1 We have Athens Power Plan right down the road
2 here on the Hudson. It's a new gas fire plant. It's
3 only eight years old. They are in financial trouble
4 because they are not able to sell their electricity.
5 They also are not able to get through the blockages in
6 the congestion zone I previously mentioned. They have
7 put in an application for a cable from Athens down to
8 Buchanan to hook into the Con Ed lines on the other side
9 of this congestion area. That is not taken into
10 consideration in this EIS. The two new power plants are
11 not mentioned in the EIS. The four power plants that
12 are out of commission are not mentioned in the EIS.

13 Not mentioned also is the role of the Marcy
14 South power line owned by the New York Power Authority.
15 That brings all kinds of renewable energy -- Niagara
16 Falls, Messina Energy -- into the metropolitan area
17 right now. And the big thing is the energy highway
18 blueprint that we talk about that the Public Service
19 Commission staff indicates when they reviewed the
20 application of the cable, that that would only be a
21 promise, not a reality. They indicated that the cable
22 would not improve the grid. It would leapfrog over it,

139-07

139-08

139-08: Comment noted.

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1 but at least it would supply it with their money, and
 2 that's changed also, supply electricity into the metro
 3 area that is not currently available. And
 4 theoretically, the extra supply would lower the cost to
 5 consumers, and that isn't going to happen either.

139-08

6 The big news that never made headlines, or
 7 reported on, or press releases was in -- on September 18
 8 in the legal section was announced the first step of the
 9 energy highway implementation. Applications had been
 10 made to the Public Service Commission by the big five
 11 utilities that control the transmission lines from
 12 National Grid, Central Hudson, NYSEG, Con Ed, Orange and
 13 Rockland, plus the Power Authority, to do a combined
 14 joint upgrade of this whole transmission corridor. The
 15 efficiencies on an industry-wide, utility-wide scale
 16 would diminish the need for new generation and diminish
 17 the need for existing generation, including the obsolete
 18 plants. And there's a cost benefit to that.

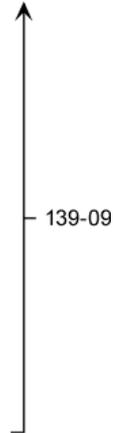
139-09

139-09: See response to Comment 139-07.

19 What that would do is unblock this congestion
 20 that's here and would obviate the need for the power
 21 plant at Athens and definitely obviate the need for the
 22 cable from Montreal down into the city. The blockages

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1 would disappear. The energy would be available that
2 isn't available in a free flow capacity now, and the
3 price would be diminished twofold: the price based on
4 the efficiencies of the new technology that would take
5 place, including the new substations, would lower the
6 price, and the ability of getting the lower price hydro
7 power from Messina, Niagara Falls, in quantity into the
8 lower New York region would also diminish the prices.
9 The cable would not do any of that, nor would new
10 construction.



11 An example that we have of efficiencies on a
12 utility-wide scale is what happened with the Lovett
13 Power Plant in Rockland County. Lovett was under a
14 consent decree because of non-compliance with air
15 emissions. And they instead, because they're losing
16 money, they would never be able to recoup any capital
17 investment to improve the emissions. They petitioned to
18 go out of business. They had to show replacement power.
19 The replacement power, just by chance unrelated, was
20 the upgrade that Con Ed did to the Orange and Rockland
21 utilities, which they had just purchased, including a
22 new substation the -- with state-of-the-art digital

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1 computer electricity flow management systems.
 2 That efficiency made up for the production
 3 loss of Lovett. Lovett was replaced not with new
 4 generation, but with efficiency. And that's what we're
 5 looking forward to with all of the major transmission
 6 upgrades. The grid modernization that's been talked
 7 about for the last 20 years as a priority is starting to
 8 take place. And Lovett has since been bulldozed.

9 The issue last night that was mentioned in
 10 Rockland was the change in the design of the cable
 11 itself. Initially, the electricity was to have been
 12 generated by the free-flowing stream in Labrador, the
 13 lower Churchill Falls Project. That was changed to
 14 Hydro-Quebec, which has an uneven flow and currently
 15 does not have existing capacity to satisfy the full need
 16 of -- if they sold all their electricity to the city or
 17 the Lower Hudson.

18 Another major change was the overland route
 19 through Rockland County. It's confusing why that route
 20 was chosen other than to satisfy the need of some of the
 21 interveners, who were protective of the fish habitat in
 22 Haverstraw Bay. It seems that both could be satisfied

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139-10

139-10: The source of the electrical power to be transmitted through the proposed CHPE Project is outside the scope of the EIS.

139-11

139-11: The Haverstraw Bay Alignment, a previously proposed component under which the transmission line would have been installed in the Hudson River through Haverstraw Bay rather than on land in Rockland County, was initially proposed by the Applicant in its 2010 Article VII application to the NYSPPSC. Based on consultations with applicable regulatory agencies and other stakeholders including the NYSDEC and the NYSDOS's Coastal Zone Management (CZM) Program, a terrestrial route through Rockland County that avoided Haverstraw Bay was selected for approval as part of the NYSPPSC Certificate and the CZM Consistency Determination issued for the proposed CHPE Project (see EIS Section 2.3.1). Therefore, this previously proposed component is not part of the proposed CHPE Project route as approved in the NYSPPSC Certificate, and was not analyzed further in the EIS.

1 by relocating that project. However, the overland route
 2 is going to create all kinds of cumulative impacts in
 3 Rockland County, which were never revealed, never
 4 studied, never evaluated in the EIS. Not only should
 5 the EIS deadline for comments, or the draft EIS, be
 6 extended six months, there should be a supplemental EIS
 7 to include the change of the plans, the routes. There's
 8 a three-mile change in Queens that hasn't really been
 9 covered in the EIS. There's been no input. There's
 10 been no scoping on any of that.

11 There should be a supplemental to include
 12 that, including the entire power needs generation
 13 consumption patterns in New York, the fact that
 14 electricity has been in decline in terms of consumption.

15 We know that electricity is coming into New York from
 16 importation. We know that the energy service companies
 17 are supplying over a million households in New York, and
 18 that doesn't reveal itself on the -- on the books of
 19 where that's coming from or what impact, but we do know
 20 that power produced by New York State power plants has
 21 gone down, and we're not totally sure why.

22 And we know that there are efficiencies in

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139-12: Section 5.3 of the EIS provides a full analysis of the potential environmental impacts associated with installing the buried transmission line on land through Rockland County. Chapter 6 of the EIS presents a cumulative impact analysis that addresses the potential impacts associated with implementation of the proposed CHPE Project in combination with other proposed projects in Rockland County within the CHPE Project's region of influence.

139-13: See response to Comment 137-05.

139-14: The approximately 3-mile underground HVAC transmission line segment that would connect the Astoria Annex Substation to the Rainey Substation in Astoria, Queens was approved as part of the NYSPSC Certificate issued in April 2013, and is addressed in Section 5.4 of the EIS.

139-15: The NYSPSC determined there is a need for the proposed CHPE Project through the issuance of the Certificate of Environmental Compatibility and Public Need for the CHPE Project, which identified that "the Project would serve the public interest, convenience and necessity" and "increase the reliability of the Bulk Power System in New York City [and] reduce wholesale market prices." See also responses to Comments 139-03 and 806-01. Evaluation of electricity consumption patterns in New York State is outside the scope of the EIS.

1 place. We know net metering and remote net metering
 2 have an impact. We know that the renewables are the
 3 future with job creation in the State. We know that the
 4 absorption of the renewable energy credits is a
 5 detriment to our own job supply here. We know that the
 6 impact of the energy highway actually being implemented
 7 is probably the biggest single event regarding energy
 8 generation, and distribution, and efficiency that will
 9 be on an industry-wide, utility-wide scale that we can't
 10 comprehend. We talk about efficiency. Normally it's
 11 replacing light bulbs. We're not talking about that.
 12 We're talking about transmission systems that replace
 13 whole power plants.

14 Lovett is our example. Cayuga and Dunkirk
 15 Power Plants are next in line. The utilities have done
 16 their engineering studies, the electricity production
 17 flow. And the \$30 million to replace and realign the
 18 power lines that are required would no longer require
 19 \$600 million each for two plants. Those are the
 20 realities that we have to deal with. We are in a whole
 21 new energy world. We have to adapt to that.

22 This cable -- the technology of the cable is

139-16

139-16: Use of conservation, demand management, or other power generation sources, and development of other in-state electric power sources or other transmission lines is outside the scope of the EIS.

See response to Comment 139-01 regarding the reason that the New York City metropolitan area is the end-user for the CHPE Project as proposed by the Applicant.

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1 excellent, by the way. This is the one thing. It's the
2 wrong project, but the right technology. And that
3 technology should be employed if we are really future
4 looking in not just New York State, but the Federal
5 government has released information that they want a
6 whole grid upgrade in the whole east of the Mississippi.
7 And the DC cable underground system, this would be a
8 good example for a backbone system from Buffalo, to
9 Albany, from Messina to Utica, for both down into the
10 metropolitan area, which would also service Connecticut
11 and New Jersey and eastern Pennsylvania. We're all part
12 of that same economic and use configuration. A DC
13 current perhaps owned and operated by the New York Power
14 Authority, our single largest utility, in conjunction
15 and partnership with the utilities, the five that I
16 mentioned before, who have jurisdiction within their
17 service territories.

18 But I think that is the thing. This cable has
19 too many deficits as it's -- as it is currently
20 presented. And again, the biggie is there is no access.
21 There is no ability to use it. There's no grid
22 improvement. But the grid improvement is taking place

139-17

139-17: Comment noted. See responses to Comments 139-01 and 814-02.

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1 anyway. When that happens, the cable will not be
2 needed. Thank you very much.

3 Also I submitted comments at the scoping
4 sessions. It's been over three years; I can't believe
5 it. And almost all of the comments submitted were
6 ignored in the EIS. So what I'd like to do is resubmit
7 those same comments. I'd like to give you a map. This
8 is the map from the developer, from TDI. And it shows
9 the initial plan and the initial source of the energy.

10 And it shows how easy it would be to put that converter
11 station right here in the Albany area on ground that
12 would service the whole State, and the ability of
13 hooking up an east-west connection, which was also
14 discussed. And the developers are very good at bringing
15 that to their financial supporters as a possibility.

16 But the object of the cable is not to improve
17 our grid, is not to increase the flow of commerce within
18 New York State. It's to provide a one-way protected
19 route of Hydro-Quebec electricity into the largest
20 consumption market in North America. That is the goal,
21 not to help the grid and the distribution.

22 Also I'm including a public notice. There has

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139-17

139-18

139-19

139-20

139-18: The comments referenced in this comment were submitted during the initial public scoping for the proposed CHPE Project in 2010, and are included in Comment 712. These scoping comments were considered during development of the EIS. The comments raised have been either addressed in Section 2.5 of the EIS (Alternatives Analysis) or regard use of conservation, demand management, or other power generation sources, and development of other in-state electric power sources or other transmission lines, which are outside the scope of the EIS.

139-19: See response to second paragraph in Comment 139-06.

139-20: Comment noted.

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1 been no press release. I'm surprised the Governor has
2 not taken full credit for his energy highway blue print
3 plan. But in here it shows all various projects that
4 the big five utilities are doing jointly with NIPA.
5 There are three or four other transmission -- merchant
6 transmission companies with their own projects above and
7 beyond what's in here. But this gives a real good idea
8 of how comprehensive this grid upgrade is going to be,
9 and unblock all of the congestion that's been bedeviling
10 us, raising prices, and preventing the free flow of sale
11 and consumption of electricity.

139-21 **139-21:** See response to Comment 139-07.

12 The NYSEG, for instance, New York State
13 Electric and Gas, needs electricity supply in their
14 Kingston service area. They're dependent on National
15 Grid and Central Hudson for the transmission lines.
16 They have put a proposal in for a 58-mile buried cable
17 down the throughway, just like Athens has put their
18 submarine cable proposal in because they cannot access
19 the current grid themselves, and they cannot access the
20 Champlain Hudson Power Express cable either, which would
21 solve both of their problems if the connectivity were
22 put in place.

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Comment 140

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1 So let me give that to you with the initial
2 comments from August 2nd of 2010. The criticisms of
3 then are as valid today as they were when they were
4 originally written. Thank you very much.

5 (Applause.)

6 MS. SMITH: Susan Lawrence?

7 MS. LAWRENCE: I want to thank Jurgen Wekerle
8 who has great expertise in this area for speaking in
9 such detail and so eloquently about what the issues are
10 and what needs to be done. I'm Susan Lawrence. I'm the
11 Conservation Chair of the Atlantic Chapter, which is New
12 York State, of the Sierra Club, and work closely with
13 Jurgen and other people so concerned about this.

14 First of all, Jurgen said it, and I think
15 others may have asked for it. We'd like to have a 180-
16 day extension of the time to make comments on this EIS.
17 It's very complex and very lengthy. And I think people
18 need to have time to have -- themselves to look it over
19 and to have experts look it over for their
20 recommendations about what needs to be done.

21 I'd just emphasize again the line -- this
22 proposed line is not in the U.S. national interest. It

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140-01: See response to Comment 137-05.

140-02: As stated in Section 1.4 of the EIS, the proposed CHPE Project would provide an additional source of power to southeastern New York State, which DOE has designated as a Critical Congestion Area. Southeastern New York State is also within an area designated by DOE as the Mid-Atlantic Area National Corridor, which is one of two National Interest Electric Transmission Corridors. Additionally, NYSPSC identified in their Certificate issued for the proposed CHPE Project in April 2013 that “the Project would serve the public interest, convenience and necessity” and “increase the reliability of the Bulk Power System in New York City [and] reduce wholesale market prices.”

See response to Comment 139-07 regarding in-state power sources and transmission lines.

1 displaces New York State jobs that provide -- that
 2 produce, transmit, and provide electricity. It would
 3 only create 26 long-term jobs in New York State. We
 4 need to have jobs for greatly increased renewable energy
 5 produced within New York State and transmitted within
 6 New York State. We need to be sustainable for our
 7 national security in terms of energy, and we don't need
 8 this one-way line coming down from Canada that we can't
 9 hook into.

140-02

10 Our emphasis for the future has to be on
 11 conservation and efficiency, and including efficiency
 12 with our electricity production and transmission, and
 13 that's all -- New York State is working on this now.
 14 There are a lot of plans in the work, a lot of work that
 15 has been done, a lot for the future. And this proposal
 16 is, to me, out of line with what New York State needs to
 17 do. We need a long-term sustainable economy, and we
 18 shouldn't rely on flooding vast lands of native people
 19 in Canada to produce our electricity. Thank you very
 20 much.

140-03

140-03: As presented in Section 2.5.3 of the EIS, conservation, demand management, or use of other power generation sources by themselves were not considered reasonable alternatives to the proposed CHPE Project.

21 (Applause.)

22 MS. SMITH: I wanted to invite Mr. Ramon

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Comment 141

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1 Figueroa again, if he would like to speak.

2 (No response.)

3 MS. SMITH: Okay. Is there anyone else here
4 that either has walked in or while you're sitting has
5 considered speaking? Please step forward and you'll
6 have the opportunity to speak now. And please give us
7 your name.

8 MR. WILCOX: Sure. I'm Phil Wilcox. I'm with
9 the International Brotherhood of Electric Workers Local
10 97. Most of what I have to say is redundant. We are
11 part of a group of 15,000 IBW utility workers, and we
12 feel a significant threat from the Champlain Hudson
13 project. And we feel that the project --

141-01

141-01: Comment noted.

14 COURT REPORTER: Could you use the microphone?

15 MR. WILCOX: Sure. The project was initiated
16 prior to the Governor's energy highway initiative, and
17 we think that that process renders this obsolete. So we
18 are totally opposed to CHP. Thanks.

141-01

19 (Applause.)

20 MS. SMITH: Are there any other interested
21 speakers?

22 (No response.)

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1 MS. SMITH: All right. With that, we thank
2 you for your time, and this hearing is adjourned.

3 (Whereupon, at 7:13 p.m., the meeting was
4 adjourned.)

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CHAMPLAIN HUDSON EXPRESS TRANSMISSION
TRANSMISSION LINE PROJECT

DOE EIS PUBLIC HEARING

Wednesday, November 20, 2013

West Side Ballroom
253 New York Road
Plattsburgh, New York 12903

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PARTICIPANTS

AGENCY REPRESENTATIVES/HEARING OFFICERS:

- BRIAN MILLS
- JULIE SMITH
- JODI MCDONALD

PUBLIC PARTICIPANTS:

- WILLIAM WELLMAN
- JEFFREY KELLOGG
- JOHN DONOGHUE
- BEN MAINVILLE

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1 Engineers, will be the hearing's officers today.

2 The reason that we are here is the Champlain

3 Hudson Power Express is proposing to construct an

4 international transmission line. They've asked the

5 Department of Energy for a presidential permit. A

6 presidential permit is needed before any transmission

7 line can be built across the U.S. international border.

8 DoE determined that an environmental impact statement

9 would be the appropriate level of analysis for this

10 presidential permit.

11 This is a public hearing on the Champlain

12 Hudson Power Express Transmission Line Project draft

13 Environmental Impact Statement. Now, that's a mouthful,

14 so I'm going to shorten that and say draft EIS. Once we

15 begin the hearing, we will hear from you in the order

16 that you've signed up. If you wish to speak but haven't

17 signed up, you can sign up at the registration table in

18 the back of the room.

19 For those of you who may not be familiar with

20 the process we go through in preparing an environmental

21 impact statement or EIS and where we are for this

22 particular project in that process, I'll cover some

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1 steps for you. Although I'm sure you've all read the
2 draft EIS available on our EIS website, you can also
3 find more detailed information for the process and this
4 project on that website.

5 The first step in the process, we start
6 public participation by issuing a Notice of Intent to
7 Prepare an EIS. For this project, DoE issued our Notice
8 of Intent on June 18th, 2010, and an amended notice on
9 April 30th, 2012. The Notice of Intent begins a process
10 we call scoping, which is an opportunity for the public
11 to tell us their issues and concerns related to the
12 project. We use this input to help us prepare the draft
13 EIS. If you commented during the scoping period, we
14 used your scoping comments to determine which
15 alternatives and issues we needed to address.

16 The next step in the process is then to
17 prepare a draft EIS. The draft EIS analyzes the
18 foreseeable environmental impacts that might result from
19 DoE granting the permit. The draft EIS also identifies
20 steps that might be needed to mitigate impacts. For
21 this project, we issued the draft EIS on October 21st,
22 2013. After we issue a draft, we ask the public to

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1 comment on it during a public comment period. The
2 Environmental Protection Agency, or EPA, opens the
3 comment period by publishing a Notice of Availability in
4 the *Federal Register*. The EPA Notice of Availability
5 for this draft EIS was in the *Federal Register* on
6 November 1st, 2013.

7 Since this is where we are at in the process,
8 I'm going to cover the public comment period a little
9 bit more thoroughly. The comment period gives you an
10 opportunity to tell us any changes that you would like
11 to see in the draft EIS, what you think is wrong about
12 the document and how you think we should fix it. We are
13 also looking for issues that you think we missed or
14 didn't cover as well as we should.

15 If you ask questions as part of your
16 comments, we will not be able to answer your questions
17 today, but we will do so in the final Environmental
18 Impact Statement. It's also very helpful for your
19 comments to cite specific sections or page numbers from
20 the document itself. None of this is required, but it
21 will help us to understand your comments.

22 During the hearing, the hearing's officers

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1 may ask you questions to allow you to clarify points
2 you're making. Whether you choose to speak or not, you
3 are invited to submit written comments. Instructions to
4 do so are provided on the board at the back of the room
5 or are available on the registration table. All
6 comments, whether written or oral, are treated the same
7 and have equal weight.

8 For this draft EIS, we will continue to
9 accept comments until December 16th, 2013. To the
10 extent that we can, we will also consider your comments
11 submitted after that date. After the close of the
12 comment period, we will write the final Environmental
13 Impact Statement, which considers your comments. The
14 final EIS will contain a comment response document that
15 addresses comments that we receive on the draft EIS.
16 When completed, the EPA will issue a Notice of
17 Availability of the final EIS in the *Federal Register*,
18 and again, we will post the document on the EIS website
19 and send it out to the mailing list. No sooner than 30
20 days after the EPA lets all of you *Federal Register*
21 readers know the final EIS is out there, DoE may issue a
22 Record of Decision on the presidential permit

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1 application. I hope that this overview -- this very
2 general overview of the process is helpful.

3 I'd also like to mention a couple of other
4 things about the draft EIS and this project. The
5 Department of Energy has the authority to permit the
6 border crossing. The U.S. Army Corps of Engineers
7 issues Clean Water Act permits. The State of New York
8 has authority to cite transmission lines in New York
9 State. Several other Federal and State agencies are
10 working with DoE and the Corps in preparing the draft
11 EIS, including the U.S. Environmental Protection Agency,
12 the U.S. Fish and Wildlife Service, U.S. Coast Guard,
13 the New York State Department of Public Service, and New
14 York State Department of Environmental Conservation.
15 These are all cooperating agencies in the preparation of
16 the draft EIS.

17 While that's a lot to remember, so what you
18 need to remember for this hearing are the following
19 three points. First, comments received on the draft EIS
20 will be included in the final EIS, and we will respond
21 in the document to the comments received. Two, comments
22 expressed at one of our hearings or provided to us by

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1 email or letter will all be considered equally. And
2 three, the comment period for the draft EIS closes on
3 December 16th, 2013.

4 I'll now turn this over to our hearing's
5 officer, Jodi McDonald, from the U.S. Army Corps of
6 Engineers.

7 MS. MCDONALD: Thank you, Julie. I am Jodi
8 McDonald, Chief of the Regulatory Branch for the New
9 York District of the United States Army Corps of
10 Engineers. I will be the presiding officer on behalf of
11 the Corps of Engineers at today's public hearing.

12 The Corps of Engineers is here today to
13 collect evidence and information, ensure coverage of
14 core concerns, to assist in the regulatory review of a
15 permit application by Champlain Hudson Power Express,
16 Incorporated for the installation and construction of a
17 336-mile power cable from the Canadian border through
18 waters of the United States, including Lake-- including
19 wetlands, as well as Lake Champlain, the Hudson River,
20 Harlem River, and East River. The U.S. Department of
21 Energy as lead Federal agency will make a decision
22 whether to issue a presidential permit to allow for the

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1 border crossing -- the U.S. border crossing to
2 facilitate operation of this power cable.

3 The Corps of Engineers is neither a proponent
4 for nor an opponent of the proposed work. Our role is
5 to determine whether the proposed activity-- in this
6 case the installation of a power line in waters of the
7 United States -- is in the overall public interest.
8 This hearing will play an important part in that
9 determination.

10 Please understand that we do not expect to
11 answer questions from the dais in this hearing related
12 to the proposal as we are here to obtain information and
13 your comments. Questions on the regulatory process in
14 general can be directed to my staff in the back of the
15 room today.

16 The New York District has issued a public
17 notice for this project with the comment period closing
18 on December 16th, 2013. That public notice is currently
19 posted on my -- on the New York District website. The
20 website address is www.nan.usace.army.mil, as in
21 "military." We do have some copies available on the
22 registration table as well. If you are not currently on

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Comment 142

11

1 our public notice email distribution list and would like
2 to receive an announcement for public notices from my
3 office, please provide your email address to one of our
4 staff members at the registration table today.

5 And with that, I will open the public
6 hearing.

7 (Pounding of gavel.)

8 MS. SMITH: Our first speaker this evening is
9 William Wellman.

10 MR. WELLMAN: Good evening. I'm Bill
11 Wellman. I live in Plattsburgh, and I am the New York
12 State Council of Trout Unlimited's representative to the
13 Champlain Hudson Mitigation Committee, Governance
14 Committee. And in that role, I have been part of the
15 proceeding before the Public Service Commission in New
16 York State, I think, since the inception of this
17 project, at least in its proceedings there.

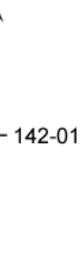
18 The EIS drafted by the Department of Energy
19 mirrors in large part the findings that took place
20 before the Public Service Commission. In that
21 proceeding, the parties to the proceeding evolved a very
22 comprehensive, detailed, and systematic look at all of

142-01 **142-01:** Comment noted.

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12

1 the environmental concerns that this project would bring
2 to New York State. We looked at everything from
3 sturgeon to snails as far as the impact on the
4 environment, and Lake Champlain, the passage around
5 Albany, and the Hudson River. As I say, that was a very
6 comprehensive and detailed review.



7 That review was conducted by a number of
8 parties, including the New York State Department of
9 Environmental Conservation, the Department of State,
10 other New York State agencies, the proponents of the
11 project, and conservation organizations, such as Trout
12 Unlimited, Hudson River Keeper, and Scenic Hudson.

13 At the conclusion of our review, we drafted a
14 paper, which became known as the JP, and that was
15 submitted to the Public Service Commission and detailed,
16 in great extent, the best management practices, the
17 timing, the environmental protections, all of the things
18 that would go into protecting the environment while this
19 project was being built; not only while it was being
20 built, but in its subsequent operation.

21 That joint proposal also included and
22 includes the provision of a mitigation fund of \$117

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1 million, which will be paid during the 35-year lifespan
2 of this project. That mitigation fund will be used to
3 correct any things that were overlooked in this
4 proceeding, and will be used for the general well-
5 keeping of the environment and Lake Champlain, the
6 Hudson, and all the waters surrounding New York City
7 where the project will have an impact.

8 As I said earlier, the findings in the EIS
9 mirror this project that we went through with the Public
10 Service Commission and resulting in the joint proposal.

11 Therefore, I must say that environmental protections
12 contained therein and in the EIS appear to Trout
13 Unlimited not only to be sufficient, but to be
14 comprehensive, and will protect New York State's
15 environment.

16 So in conclusion, I would state that I think
17 the project, and my organization does, is good for New
18 York State. It's good for the employees and people of
19 New York State that get electricity from the project,
20 and it will protect the environment. Thank you.

21 (Applause.)

22 MS. SMITH: Jeffrey Kellogg?

142-02 **142-02:** Comment noted.

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Comments 143 and 144

14

1 MR. KELLOGG: Good evening, folks. My name
2 is Jeff Kellogg. I represent the Operating Engineers,
3 which are heavy equipment operators. This project
4 covers probably two-thirds of our territory. It will
5 put a lot of our men and women to work. And we want to
6 go on record stating that we fully endorse this project.
7 That's it.

143-01 **143-01:** Comment noted.

8 MS. SMITH: Thank you.
9 (Applause.)

10 MS. SMITH: John Donaghue?

11 MR. DONOGHUE: Good evening. John Donoghue,
12 Business Manager, Labor's Local 186. Our territory goes
13 from the Canadian border all the way down to the Hudson
14 River in Warren County. The 300 members, some of which
15 my brothers and sisters are here tonight in the
16 audience, we fully support this. We're looking forward
17 to the jobs created by it, tax savings, environmentally
18 friendly like we heard before. And the rest of the
19 members that couldn't be her tonight wish to endorse
20 this also. Thank you.

144-01 **144-01:** Comment noted.

21 (Applause.)

22 MS. SMITH: Thank you. Ben Mainville?

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Comment 145

15

1 MR. MAINVILLE: Hi. I'm Ben Mainville, and
2 I'm representing the Local Union 186, and if it creates
3 jobs for us, I don't see why-- and it doesn't destroy
4 the environment. I'm all for this project. As long as
5 we keep the environment the way it is and it doesn't
6 disturb it, there's not a problem. And I hope it
7 creates more jobs that we need in this area and for a
8 long period of time. Thank you very much.

9 (Applause.)

10 MS. SMITH: That actually concludes the list
11 of folks that have registered to speak here at the
12 public hearing tonight. But I would like to open it up
13 to the folks on the floor. If you have not signed up to
14 speak, but you feel compelled to do so at this time,
15 please come forward and make your comment.

16 (No response.)

17 MS. SMITH: All right. Well, with that, this
18 hearing is adjourned.

19 (Whereupon, at 6:21 p.m., the meeting was
20 adjourned.)

21

22

145-01 **145-01:** Comment noted.

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