



Part 102 Report
69kV TV Transmission Line Replacement
Central Hudson Gas & Electric

Town of Wappinger and Village of Wappingers Falls
Dutchess County, New York



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LIST OF ACRONYMS AND ABBREVIATIONS

Central Hudson	Central Hudson Gas and Electric
CRIS	Cultural Resources Information Systems
DBH	Diameter at Breast Height
DPS	Department of Public Service
EDR	Environmental Design & Research, Landscape Architecture, Engineering & Environmental Services, DPC
FEMA	Federal Emergency Management Agency
FIRM	Flood Insurance Rate Maps
GIS	Geographic Information System
IPaC	Information, Planning and Consultation
LIDAR	Light Detection and Ranging
LRVMP	Long Range Vegetation Management Plan
MS4	Municipal Separate Stormwater Sewer Service
NHP	New York Natural Heritage Program
NWI	National Wetlands Inventory
NYCCR	New York Codes, Rules and Regulations
NYS	New York State
NYSDEC	New York State Department of Environmental Conservation
NYSDOT	New York State Department of Transportation
NYSOPRHP	New York State Office of Parks, Recreation, and Historic Preservation
OPGW	Optical Ground Wire
PEM	Palustrine Emergent Marsh
PSC	Public Service Commission
PSS	Palustrine Scrub-Shrub
ROW	Right-of-Way
SEQRA	State Environmental Quality Review Act
S/NRHP	State/National Register of Historic Preservation
SPDES	State Pollution Discharge Elimination System
SWPPP	Stormwater Pollution Prevention Plan
USACE	United States Army Corps of Engineers
USFWS	United States Fish and Wildlife Service
USGS	United States Geological Survey

1.0 INTRODUCTION

Central Hudson Gas and Electric Corporation (Central Hudson) is proposing to replace the 6.3-mile, existing 69kV TV Transmission Line (TV Line), within an existing 82 acre right-of-way (ROW) in the Town of Wappinger and Village of Wappingers Falls, Dutchess County, New York (i.e., the Project) (see Figures 1 and 2). The entire Project right-of-way (ROW) has been appropriated to public utility use since the 1920s. The TV Line ROW varies from 60 feet to 125 feet wide and will not be increased. The TV Line extends from the North Chelsea Substation on New York State (NYS) Route 9D to the Myers Corners Substation on Myers Corners Road. Both substations and approximately 5.9 miles of the TV Line are within the Town of Wappinger; and approximately 0.4 miles of the TV Line is within the Village of Wappingers Falls. Except for conductor and optical ground wire (OPGW) terminations, no work is proposed within the substations. No additional ROW is required for this Project.

The Project is a replacement project. There will be no increase in the number of structures on the ROW. The TV Line currently includes 108 structures. These existing structures will be removed and replaced by 107 self-weathering steel structures that will be brown-colored and have a uniform appearance. The replacement structures will be installed in the same general location as the existing structures. The existing aged copper conductors that span much of the TV Line will be replaced by new conductors and ground wire. The voltage for the Project will remain at 69kV.

The existing structures are direct-embedded wood and steel poles, and include H-Frame, Post, Vertical Dead-end, and Swing Angle types. The replacement structures will be made of self-weathering steel with composite braced post or toughened glass bell insulators and will include Braced Post, Vertical Dead-end, and Swing Angle structure types. The replacement structures will primarily be direct buried. No substantial modification will be made to existing vegetative cover on the ROW, and no tree clearing is required.

The replacement pole heights meet current National Electric and Safety Code (NESC) standards for conductor ground clearance and applicable design requirements. The overall profile of the replacement poles is comparable to the existing poles in the ROW. The average height of all (108) existing poles is approximately 50 feet, whereas the average height of all (107) replacement poles would be approximately 59 feet. Of the 108 poles being replaced, 88 poles will experience an average height increase of approximately 11 feet. The remaining 19 poles will experience an average height decrease of about 3 feet. The visibility of the TV Line will continue to be limited to areas along the ROW that currently view poles, with the added benefit of improved pole aesthetics, functionality, design and storm-hardening.

The existing TV line is comprised of both a single-circuit / single-pole configuration running on a dedicated pole line and a double-circuit / single-pole configuration that conveys a portion of the distribution circuits. The proposed TV Line

configuration will consolidate infrastructure by removing several electrical distribution poles associated with the 8056 and 8044 distribution circuits, which are currently located within the TV Line ROW, and placing these distribution circuits on the proposed TV Line replacement poles. The existing distribution poles and conductors for these two circuits will be permanently removed from the ROW once replacement of the TV Line is complete.

2.0 PROJECT DESCRIPTION

2.1 Purpose and Need

The purpose of the Project is to replace and reconstruct aging and deteriorated electric transmission infrastructure that has reached the end of its useful life, and to provide a comprehensive replacement of the line that meets current electric utility design standards, ensures safe and efficient service, and provides enhanced storm hardening. Public utilities exist on the ROW and have for almost 100 years. The TV Line was constructed in the 1920's, with required maintenance and repair performed since its initial installation. Field inspections of the TV Line have revealed that multiple defects exist, primarily related to age, that require complete replacement of all structures, along with conductors and overhead ground wires.

2.2 Description of Proposed Work

The Project entails the replacement of 108 existing wood and steel structures with 107 self-weathering (brown) tubular steel structures. New conductor and OPGW static wire will be installed, as well as new insulators. The new insulators will be gray polymer, except for dead-ends and some tangents, which will have toughened glass insulators (blueish tint). The existing transmission voltage rating of 69 kV will be maintained with the reconstructed Line. The distribution conductor will be reused and transferred from the old to the new structures.

The rebuilt transmission line will be generally constructed such that each new structure will be installed in the designed and approved location (near the existing structure), following which the existing wires will be transferred. Once all structures are replaced and the existing wires have been transferred, the new wire will be pulled in and installed. The line will be de-energized for portions of the work, but this is not expected to result in any customer outages. The existing structures will be removed shortly after the replacement poles are functional.

The existing structures vary in height from approximately 39 to 75 feet above grade. The replacement structures will vary from approximately 46 to 73 feet above grade. The proposed Project will increase the average structure height

from approximately 50 to 59 feet above grade. In general, the proposed structure replacements will involve only minimal excavation and grading.

After the Project is complete and the rebuilt TV Line is successfully placed into service, all disturbed areas will be seeded and mulched, with the exception of a few stone entrance pads that will stay in place, as indicated on the Environmental Management & Construction Plans (see Attachment A).

A comparison of the existing and proposed components on the TV Line is provided in Table1 below:

Table 1. Comparison of Existing and Proposed TV Line Components

Component	Existing Line	New Proposed Rebuilt Line
Conductor	1/0 Cu 7 Strand	795 ACSR 45/7 Tern
Static Wire	101.8 ACSR 18/1 Petrel	DNO-10322 OPGW
Structure Types	H-Frame, Post, Vertical Dead-end, Swing Angle	Braced Post, Vertical Dead-end, Swing Angle
Insulators	Primarily porcelain or ceramic, some polymer	Polymer and Toughened Glass
Structure Foundation	Direct embed	Direct embed, Concrete Caisson
Structure Material	Wood and self-weathering steel	Self-weathering steel

2.3 Access and Staging

Construction access to the ROW is proposed in the locations depicted on the Project Plan and Profile Drawings (see Attachment A). These locations existing access points to the ROW and are accessible from public roads that are crossed by or adjacent to the TV Line. As necessary, minor improvements will be made to these access points to comply with Stormwater Pollution Prevention Plan (SWPPP) requirements and/or ensure that construction vehicles and equipment can be safely accommodated.

Disturbance will be confined within the existing cleared ROW primarily in previously disturbed areas, and is associated with construction access, replacement pole installation, temporary marshaling yards (i.e., temporary material storage, parking area, personnel trailer) and wire pulling sites. During construction, a decentralized staging approach will be

utilized to temporarily place equipment and materials as needed throughout the Project ROW near the locations where the work will be performed. This approach minimizes equipment movement and traffic accessing the ROW. On-site staging will only occur in upland (non-wetland) locations. After completing construction, there will be minimal to no traffic generation from the Project. The Project Site is unoccupied. The duration of any impacts in a particular location along the 6.3-mile line will be short. The limited period of Project construction may result in some temporary increase in vehicular traffic, as construction vehicles and personnel travel to and from portions of the 6.3-mile linear Project Site.

Temporary closures and flagging will be conducted in accordance with New York State Department of Transportation (NYSDOT) Maintenance and Protection of Traffic (MPT) standard details as shown on the provided Plan & Profile drawings. The traffic control/safety plan(s) are anticipated to include posting of flaggers, regular road inspection and repair as necessary, coordination with the school district (to avoid conflicts with school buses), placement of temporary maintenance and protection of traffic signs advising drivers to reduce speed, and possible temporary re-direction of traffic to alternate routes. The entire construction process for the Project is anticipated to take less than 12 months (weather depending).

2.4 Part 102 Summary

This Report has been prepared in accordance with 16 New York Codes, Rules and Regulations (NYCRR) Part 102 of New York State's Public Service Commission's regulations related to the installation of Non-Article VII Electric Transmission Facilities. The Project requires the preparation of this Part 102 report because 60 of the structure replacements along this 6.3-mile 69kV transmission line are proposed with height increases in excess of 10 feet (16 NYCRR §§102.1(c) and 102.2(a)(2)(v)). As noted above, however, the replacement structure heights are designed to comply with current NESC standards for conductor ground clearance and applicable design requirements, and the overall profile of the TV Line replacement structure is comparable to the existing poles in the ROW.

An Advantage-Disadvantage analysis pursuant to Part 102.4 is not included because the Project **will not** traverse the following classes of areas identified in Part 102.3(a) (see also Attachment B).

- National and State parks, preserves, reservations, landmarks, and monuments formally so designated and acquired for their natural, scenic or cultural value by appropriate State and Federal agencies. (Included would be historic landmarks, national landmarks, national monuments and trails, and wild and scenic rivers.);
- Historic sites formally so designated by National or State agencies but without acquisition of rights or ownership sufficient for the purpose of preservation;
- Central business districts in cities and villages; or

- Developed and partly developed residential areas with an existing density of one or more dwelling units per acre, as shown on approved subdivision maps, occupying a minimum contiguous area of 20 acres, all or a portion of which would be traversed by the proposed transmission facility right-of-way.

Part 102.3(b) identifies the following classes of areas that, if applicable, must be addressed in the Part 102 Report:

- Areas of outstanding natural or scenic value which are preserved by non-profit private agencies, but which have not been formally so designated by National or State agencies.
- Areas of outstanding cultural value (e.g., attractive pastoral scenes, locations of noteworthy architectural and/or social import both within and outside specific sites) that have been formally designated by the appropriate governmental authority.
- Existing local (city, town, village and county) parks and open space areas that have been formally established by governmental or private authorities.
- Public and semi-public facilities such as cemeteries, educational, correctional and medical facilities and military installations.
- Existing light industrial and commercial areas (e.g., industrial parks, shopping centers, office building complexes).
- Partially developed residential areas where the subdivision will have an eventual population density of one or more dwelling units per acre, as shown on approved subdivision maps, comprising a minimum contiguous area of 20 acres or a portion of which is traversed by the proposed transmission facility ROW.
- Residential areas with less population density than those specified in preceding categories.
- Planned and zoned undeveloped light industrial, commercial and residential areas.
- Managed woodlands (e.g., commercial and other productive forests).
- Agricultural districts established in accordance with Article 25-AA of the Agriculture and Markets Law, and other farmlands.
- Existing and planned heavy industrial areas.
- Woods and open lands other than those included within areas specified in any priority area above.

Of the classes of areas listed above, only the following occurs on or adjacent to the Project ROW:

- Residential areas with less population density than those specified in preceding categories.
- Agricultural districts established in accordance with Article 25-AA of the Agriculture and Markets Law.

As described in Section 3.1 below, Project-related construction activities within the existing ROW will occur near and adjacent to a few existing residential homes. However, the entire ROW is appropriated to the public utility use, and the

existing TV Line has been in service at its current location for approximately 100 years. Replacement TV Line infrastructure will be reconstructed in generally the same locations within this cleared and developed utility corridor. And, given that the Project is located within an existing transmission line ROW, and will not require additional expansion of ROW, the type and intensity of perceived land use will remain unchanged. The Visual Report, discussed further below, demonstrates that the presence of existing forest vegetation will continue to significantly screen the Project from public vantage points and neighboring properties, and the proposed natural dark brown color of the replacement poles will generally blend well with the surrounding landscape. The local permitting agencies agreed that the TV Line replacement structures' visibility will have minimal to imperceptible change in visibility and will not result in an adverse visual effect. As such, no change in community character at these residential properties will occur.

Likewise, land in an Agricultural District will not be adversely affected by this replacement project. Approximately 6.8 acres of the Project Site are located within Dutchess County Agricultural District 22. However, no farming operations are readily apparent on the Project Site. Please note, the land within this location is mostly surrounded by forests and, as determined from site visits and aerial review, does not appear to be easily farmed without significant tree clearing. Adverse effects to agricultural uses will not occur, see Section 3.1.1 below for additional information.

3.0 ENVIRONMENTAL RESOURCES EVALUATION

A review of the proposed Project was conducted in accordance with the criteria specified in Section 102.3(b). Existing environmental, cultural, and community resources within and adjacent to the Project ROW are described below, along with a summary of the analysis completed to address these resources, and confirmation that the Project will not result in any adverse impacts..

3.1 Land Use and Zoning

3.1.1 Land Use

The proposed Project Site is an "unoccupied" utility ROW that has contained electric infrastructure since the 1920s, and which must be maintained to serve the community. General land use surrounding the Project ROW is predominately undeveloped woodlands with nearby single-family residential development. Public utilities are present within and in the vicinity of the Project ROW. As previously stated in Section 2.4 (above), the Project ROW does not traverse any Part 102.3(a) priority land use areas.

The single-family residential areas proximate to the Project ROW are considered low or moderate density (i.e., greater than one- or two-acre lots) per local zoning and only partially developed. This is based on the existing zoning regulations, which generally require residential lots to be a minimum of one to two acres in size and confirmed by

reviewing aerial photographs (see Section 3.1.2, Zoning). Therefore, none of the classes of priority areas specified by Part 102.3 (a) (1), (2), (3) or (4) will be affected by the proposed Project, and the advantage-disadvantage analysis required by Section 102.4 is neither applicable to, nor required for, this Project.

The Project Site (i.e., the existing ROW) is approximately 82 acres in size and varies in width from 60 feet to 125 feet. It will not be expanded by this Project. The Project Site crosses ninety-six tax parcels located in the Town of Wappinger and four tax parcels located in the Village of Wappingers Falls (See Attachment C).

The Project will not affect community character. The TV Line Project Site is a public utility ROW that has been appropriated for such utility use since the 1920s. The environmental analysis completed for this Project includes a visual analysis, which is summarized further below. The reconstructed TV Line will be visible from the same areas from which the existing line is visible. While there may be isolated instances where a change in structure height is proposed, the proposed changes will be apparent only from a very limited number of points, nearly all of which have existing views of the existing line and utility ROW. The change in some of the heights is required to meet utility design standards and requirements, and will not create an adverse impact to community character given the longstanding existence of the TV line.

The Project will also not have an adverse effect on agricultural resources, woods, or open lands. Approximately 6.8 acres of the Project Site ROW are located within Dutchess County Agricultural District 22. However, no farming operations are readily apparent within the Project Site, and the land adjacent to the Project Site is primarily forested¹ and could not be easily farmed without significant tree clearing. A total of 6 of the 107 replacement structures are located within Agricultural District 22. Approximately 1.1 acres within this Agricultural District will be temporarily disturbed as a result of construction access, pole removal, and pole installation. The above-ground transmission line replacement installation minimizes disturbance to the lands in the District. The replacement structures will be located in generally the same existing locations, installed adjacent to the existing structures and all impacts will be temporary. No permanent changes to land use or cover type will occur. Further, the Project Site, which is an existing ROW, is not available for designated or authorized for open space. Considering these factors, the Project will not result in adverse impacts to agricultural resources, woods, or open lands.

Existing land uses may be temporarily affected by construction activities, primarily at locations that provide access to the ROW. However, construction of the Project is anticipated to take less than 12 months subject to weather conditions. Further, specific land disturbance activities (i.e., site preparation, grading etc.) will only last for a limited portion of that period. For this linear transmission line reconstruction, the work will generally occur in stages as the crews move down

¹ As determined from -ROWvisits and a review of aerial imagery.

the ROW in sections to work on the replacement of poles, and such work will only as in an area for a few weeks in total. To further avoid potential impacts of this short-term disturbance, Central Hudson will provide timely information to property owners and tenants regarding the planned construction activities and schedule. In addition, Central Hudson will coordinate with the Town of Wappinger, Village of Wappingers Falls, Dutchess County, and the New York State Department of Transportation (NYSDOT) to develop and implement traffic control measures to ensure safe and adequate traffic operations along construction access routes.

3.2 Zoning

As shown in Figure 3, the Project ROW in the Town of Wappinger is located primarily within various residential and commercial use zoning districts. Zoning districts traversed by the Project ROW within the Town include: R80, R80/40; R40; R4-/20; R20; R10; CC; SC; and HB. Within the Village of Wappingers Falls, the Project ROW is in the CMU district. The TV Line was constructed prior to the adoption of zoning laws, however, both the Town and Village zoning regulations allow utility use within these districts subject to municipal approval. On May 6, 2019, the Town of Wappinger Planning Board adopted a State Environmental Quality Review Act (SEQRA) Negative Declaration resolution, a Site Plan Approval resolution, and a Town Wetland Permit for the Project. On June 6, 2019, the Village of Wappingers Falls Planning Board issued a Site Plan Approval resolution for the Project.

3.3 Water Resources and Hydrology

3.3.1 Wetlands and Streams

Wetland and streams within the Project ROW were field delineated in the Fall 2017 and are identified and described in the Wetland Delineation Report prepared by EDR dated June 2018 (see Attachment D) and reviewed by the municipal agencies. A total of 24 wetlands and 5 streams were delineated within Project ROW. Four of these wetlands correspond with wetlands mapped by the State and protected under Article 24 (see Table 2). The extents and boundaries of these resources will not change as a result of the Project, nor will a reclassification of wetlands or floodplains occur. Further, no new permanent fill or long-term impacts to surface waters will result from the Project. Any work within State-mapped wetlands or regulated adjacent areas will be conducted in accordance with Central Hudson's General Permit #0-000-01151/00015. Central Hudson will notify NYSDEC prior to commencement of construction in state-regulated resources.

As shown in Tables 2 and 3 below, construction access in wetlands will be limited to matted areas, and temporary bridging will be used to avoid impacts at all stream crossings. No clearing of forested wetlands will result from Project construction. Therefore, the area of potential disturbance to wetlands is limited to those areas where pole replacements are planned in wetlands. In total, 55 replacement structures are located in wetlands. Given an approximate pole diameter of 2 feet, permanent wetland impacts per pole would total approximately 3.14 square feet. Temporary impacts

at each replacement site would be avoided through matting. Accordingly, permanent wetland impacts across the Project would total approximately 165 square feet. This amount is less than the 1/10 of an acre threshold for permitting and notification under the U.S. Army Corps of Engineers (USACE) Nationwide Permit 12 for Utilities.

Table 2. Wetland Impacts

Field ID	Municipality	NYSDEC Wetland ID	Stream Present	Structure Span	Wetland Type ¹	Proposed Structures Located within Each Wetland	Potential Impacts	P&P Sheet No.
A	Wappinger	-	-	TV 102-TV 104	PFO	-	Avoid, No Impacts	7
B	Wappinger	-	-	TV 101-TV 102	PEM	-	Matting	7
C	Wappinger	-	Yes	TV 95-TV100	PEM POW	4	Matting	7
D	Wappinger	-	-	TV 90-TV 93	PEM PFO	2	Matting	7
E	Wappinger	-	-	TV 83-TV 87	PSS	2	Matting	6
F	Wappinger	-	-	TV 80-TV 82	PEM	1	Matting	6
G	Wappinger	-	-	TV 77-TV 78	PSS	-	Matting	6
H	Wappinger	-	Yes	TV 75-TV 76	PEM	-	Matting	6
I	Wappinger	-	-	TV 66-TV 69	PEM	1	Matting	5
J	Wappinger	-	-	TV 63-TV 66	PEM	2	Matting	5
K	Wappinger	-	Yes	TV 57-TV 63	PSS	5	Matting	5
L	Wappinger	-	-	TV 56-TV 57	PEM	-	Matting	5
M	Wappinger	WF-3	Yes	TV 47-TV 56	PSS PEM	9	Matting	4 & 5
N	Village of Wappingers Falls	-	-	TV 37-TV 47	PEM	9	Matting	4
O	Village of Wappingers Falls	-	-	TV 36-TV 37	PSS	-	Matting	3
Q	Wappinger	-	-	TV 32-TV 34	PSS	1	Matting	3
R	Wappinger	-	-	TV 23-TV 25	PEM	1	Matting	3

Field ID	Municipality	NYSDEC Wetland ID	Stream Present	Structure Span	Wetland Type ¹	Proposed Structures Located within Each Wetland	Potential Impacts	P&P Sheet No.
S	Wappinger	-	-	TV 17-TV 23	PEM	-	Avoid, No Impacts	3
T	Wappinger	WF-1	-	TV 12-TV 16	PSS PEM	2	Matting	2 & 3
U	Wappinger	WF-34	-	TV 7-TV 11	PSS	3	Matting	2
V	Wappinger	WF-25	Yes	TV 5-TV 8	PEM	2	Matting	2
W	Wappinger	-	-	TV 1-TV 4	PSS	2	Matting	2
X	Wappinger	-	-	-	PFO	-	Avoid, No Impact	2
Y	Wappinger	-	-	-	PSS	-	Avoid, No Impact	2
Total		4				55		

¹ Wetland community types noted are based upon the Cowardin et al classification system: PFO = Palustrine Forested, PSS = Palustrine Scrub-Shrub, PEM = Palustrine Emergent, and OW = Open Water. PFO communities are located off-ROW and are not located within existing cleared ROW.

Table 3. Stream Impacts

Field ID	Stream Type ¹		NYSDEC Stream Class	Potential Impacts	P&P Sheet No.
C	R2		C	Impacts avoided through temporary bridging	7
H	R2		C	Impacts avoided through temporary bridging	6
M	R2/R4		C	Avoid, No Impact	5
V	R2		C	Avoid, No Impact	2
Z	R4		C	Impacts avoided through matting	4

¹Stream types noted are based upon the Cowardin et al classification system: R2 = Riverine Lower Perennial, R3= Riverine Upper Perennial, R4=Intermittent

The Project will not cause soil erosion or create a source of stormwater discharge that could lead to degradation of water bodies. Furthermore, potential impacts to wetlands and streams resulting from temporary disturbances (i.e., vehicle access, pole removal, pole installation, etc.) will be avoided and/or minimized completely by:

- Installing construction matting at temporary crossings, if required. If suitable soil conditions exist, such that no visible rutting or alteration of the hydrology of the wetland would result, then crossing the wetland may occur

without matting. Should visible rutting occur, the affected access route(s) will be upgraded to include construction matting;

- Restoring disturbed areas to original grade and profile;
- Seeding disturbed areas with native wetland seed mix;
- Mulching or covering exposed soil to limit erosion and sedimentation; and
- Conforming to the NYS Standards and Specifications for Erosion and Sediment Control as outlined in the Project SWPPP.

Construction activities will also be monitored by Central Hudson Environmental Affairs staff and/or qualified contractors to ensure that environmental protection measures and SWPPP protocols are enforced. Furthermore, the Project does not involve or result in any new or additional use of ground water, nor does it require or generate wastewater sources. For these reasons, and others discussed in the SEQRA Negative Declaration the Project will not have an adverse impact with respect to wetlands, other surface water bodies, or ground water sources.

3.3.2 Floodplains

A review of the 2015 FEMA floodplain data indicates that floodplains and floodways are present within the Project ROW at tributaries to Wappinger Creek at various locations (see Figure 4).

A total of 27 replacement poles are located in the FEMA-mapped 100-year floodplain, with an additional 10 replacement poles located within the mapped floodways, as identified below in Tables 4 and 5. Proposed replacement pole locations cannot be moved to avoid these floodplains/floodways as they replace existing poles in these areas and are needed to maintain required clearances and design standards. No new fill is proposed within the floodplain.

Table 4. Town of Wappinger, Existing Poles in FEMA Floodplains

Remarks/Location	No. of Poles in Floodway ¹	No. of Poles in 100-Year Floodplain ¹
East of North Chelsea Substation	-	6
South-west of Ketchamtown Rd.	-	3
South of Myers Corner	-	3
East of Dorothy Heights	-	3
South of Cross Court Tennis Club	-	2
East of Wolmer Rd.	-	3
South of Pleasant Lane	5	-
West of Old State Road	5	-
Total	10	20

¹Poles in floodway noted are based upon FEMA-National Flood Hazard, 2015

Table 5. Village of Wappingers Falls, Existing Poles in FEMA Floodplains

Remarks/ location	No. of Poles in Floodway¹	No. of Poles in 100-Year Floodplain¹
East of Route 9	-	7
Total	-	7

¹Poles in floodway noted are based upon FEMA-National Flood Hazard, 2015

Replacing poles within the floodplain/floodway will not result in adverse impacts to flooding. Indeed, the proposed overhead replacement Project will avoid disturbance to the floodplains and conserve resources.

As stated previously the TV Line was originally constructed in the ROW in the 1920s. There is no indication of any existing or past concerns regarding flooding, blockage, and/or debris collection in any floodplain location. The replacement poles will be located the same general locations as the existing poles. The width of the proposed replacement poles (i.e., 2' diameter per pole) matches the existing poles. These narrow poles are considered minimal when compared to the width of the overall floodplain. Thus, no cross-sectional area will be lost and the available floodplain capacity will not be adversely affected. Further, these poles will not adversely affect flood flow or drainage patterns and are consistent with the existing landscaping, fences, and/or wooded areas alongside Wappinger Creek and/or its tributaries. In addition, no new grading, fill, or changes to impervious cover within the floodplain areas are proposed, thus further minimizing potential hydraulic or hydrological impacts.

Although no adverse impacts on flooding are anticipated from the proposed action, Central Hudson has proceeded conservatively and developed a contingency plan for any potential on-site flooding resulting from large storm events during construction. The following measures will be implemented for work at the Project Site:

- In anticipation of a storm event, all construction equipment will be stored outside of the 100-year floodplain.
- In anticipation of a storm event, all erosion and sediment control materials will be reinforced and work areas will be stabilized in accordance with the SWPPP.

For the reasons indicated above, the Project will not adversely impact flooding.

3.4 Stormwater and Erosion Control

A SWPPP has been prepared for the Project in accordance with the NYSDEC State Pollution Discharge Elimination System (SPDES) General Permit for Stormwater Discharges from Construction Activity General Construction Permit

Number GP-0-15-002. The purpose of the SWPPP is to maintain existing drainage patterns and prevent soil erosion and sedimentation resulting from stormwater runoff generated both during and after construction.

Disturbance will be primarily confined to the existing cleared ROW in previously disturbed areas, and is associated with contraction access, replacement pole installation, temporary marshaling yards and wire pulling. The only off-ROW disturbance will result from temporary construction access points, which mainly consist of existing driveways and access roads. There will be no change in land use, impervious surfaces, or ecological cover type from this Project.

Runoff from the Project ROW eventually discharges to Wappinger Creek, which is not included in the NYSDEC Section 303(d) list of impaired waters. The SWPPP identifies temporary and permanent erosion and sediment control measures that are incorporated into the design of the Project. These measures will be implemented during construction, to minimize soil erosion and control sediment transport off-site, and after construction, to control the quality of stormwater runoff from the site. Temporary and permanent erosion and sediment control measures that shall be applied during construction generally include:

- Temporary and permanent stabilization measures for disturbed areas during construction to minimize soil erosion and sedimentation from construction site stormwater discharges.
- Minimizing the area and duration of soil disruption and preserving existing vegetation to the greatest extent practical. Following the completion of construction activities seed and mulch shall be applied to all exposed soils.

Erosion control measures have been developed in accordance with the following documents and reviewed and approved by the local municipal reviewing authorities:

- NYSDEC SPDES Construction General Permit;
- New York State Standards and Specifications for Erosion and Sediment Control, NYSDEC (November 2016) (the Blue Book); and
- Town of Wappinger and Village of Wappingers Falls municipal stormwater regulations.

This Project is located within the Town of Wappinger and Village of Wappingers Falls Municipal Separate Stormwater Sewer System (MS4). Review of the SWPPP and signing of the MS4 SWPPP Acceptance Form by the Town and Village was required to accompany the Notice of Intent (NOI) submitted to the NYSDEC. Copies of these signed documents are provided in Attachment E.

3.5 Ecological Communities

Ecological communities within the Project ROW were evaluated based on interpretation of aerial photography and field verification. Written requests for documentation of unique or significant natural communities were sent to the New York Natural Heritage Program (NHP) on October 17, 2017. NHP's response, dated November 3, 2017 indicated that they had no record of any significant natural communities within the Project ROW (see Attachment E). This is consistent with field observations and likely reflects use of the Project ROW as a managed utility ROW since 1920s.

Cover types occurring on the TV line ROW are described below.

- Impervious surfaces: 13.2 acres
- Forested: 9 acres
- Meadows/Old Fields: 28.9 acres
- Agricultural: 0.8 acres
- Surface waters: 0.3 acres
- Wetlands: 30.1 acres

The Project is not anticipated to result in any changes to cover types within the Project ROW and no tree clearing is currently anticipated. However, if any clearing of trees is required for construction activities, the clearing will be conducted in accordance with applicable NYSDEC and United States Fish and Wildlife Service (USFWS) clearing protocols to avoid impacts to potential bat habitat (described in Section 3.5). Any cutting of tree limbs to accommodate safe vehicular access along off-ROW access routes will not impact bat roosting habitat, and therefore will not have seasonal restrictions.

The existing Project ROW is maintained by the Applicant in accordance with their New York Public Service Commission (PSC) approved Long Range Vegetation Management Plan (LRVMP), dated September 2019. As part of this Plan, and in accordance with PSC requirements, the Applicant performs routine tree and vegetation clearing within the ROW as well as clearing/removal of danger trees along the edge of the ROW. Routine vegetation management of the ROW during operation of the rebuilt line will continue in accordance with the approved Plan.

3.6 Endangered, Threatened and Rare Species and Significant Natural Communities

Information regarding occurrence of listed endangered, threatened and rare species, and significant natural communities on the Project ROW was solicited from the NHP and the USFWS. Agency correspondence is included in Attachment E. There are no state-listed Critical Environmental Areas (CEAs) along the Project Site.

There will be no impact, or a small impact, on plants and animals. The proposed Project is located within an existing cleared ROW. Correspondence from the New York Natural Heritage Program (NHP), dated November 3, 2017, indicates that three State-listed threatened/endangered species *may* occur at or in the vicinity of the Project Site:

- Indiana bat (*Myotis sodalis*) (endangered)
- Bald eagle (*Haliaeetus leucocephalus*) (threatened)
- Pied-billed grebe (*Podilymbus podiceps*) (threatened)

In addition, a web-based review of the USFWS Information, Planning, and Conservation (IPaC) decision support system indicates the possible presence of the following federally listed species in the vicinity of the proposed Project Site or in Dutchess County:

- Dwarf wedgemussel (*Alasmidonta heterodon*) (endangered)
- Indiana bat (endangered)
- Northern long-eared bat (*Myotis septentrionalis*) (threatened)

No impacts to state or federally threatened or endangered species will occur from the proposed Project, as discussed for each species below. Copies of NHP and IPaC correspondence are provided in Attachment E.

Indiana Bat and Northern Long-eared Bat

Indiana bat is a State and federally listed endangered species that hibernates in caves during the winter and roosts in hardwood forests in the summer months. Potential impacts to this species must be considered for any Project in New York State that is located at or below an elevation of 900 feet above mean sea level and in a county where the species is known to occur (USFWS, 2010). Of particular importance are projects that involve clearing of trees greater than four inches in diameter at breast height (DBH) with loose or exfoliating bark, as these trees are suitable for a majority of roosting requirements by this species (USFWS, 2010). Per NHP records, a known Indiana bat maternity roost has been identified 0.4 mile from the Project Site.

The northern long-eared bat, whose range encompasses all of New York State, is listed as threatened by the USFWS and New York State. Habitat for the summer period may include day roosts in buildings, under tree bark or behind shutters, or in caves during the night. In the winter, hibernation sites are typically in mines or caves (USFWS, 2015). Foraging habitat includes forest openings, forested hillsides and ridges, and small ponds or streams (NHP, 2017a). According to the USFWS, clearing of trees is generally considered to have no effect on the northern long-eared bat provided the trees are not cut within a 0.25-mile radius of a known northern long eared bat hibernaculum, and tree clearing does not occur within a 150-foot radius of a known

occupied maternity roost during the pup season (June 1 through July 31) (USFWS, 2016). Per NHP records, there is no known hibernaculum or maternity roost for this species at or near the Project Site.

Vegetation at the Project Site is maintained by the Applicant in accordance with the requirements of their existing New York Public Service Commission (PSC) approved LRVMP. As part of the LRVMP, and in accordance with PSC requirements, the Applicant performs routine vegetation maintenance to trim and/or remove trees/brush that pose a danger to utility infrastructure. Maintenance pursuant to the LRVMP is separately required and independent from the Proposed Action. Although the majority of the existing Project Site is maintained by the Applicant in accordance with the LRVMP, it is possible that removal of danger trees may be required to facilitate construction of the Project. As indicated above, there are no records of Indiana or northern long-eared bat occurring within the Project Site. There is a known Indiana bat roost tree located 0.4 miles from the Project Site. Therefore, in order to avoid and minimize any potential adverse impact to these species, required tree clearing will be scheduled to take place within the USFWS-approved tree clearing period of November 1 to March 31, which encompasses the period of hibernation for both species. Clearing of trees within this period is found to have little to no effect on these bat species. Additionally, indirect or other long-term adverse impacts to bat habitat are not anticipated since the clearing is limited in scope. The Project is located in a predominately cleared and already disturbed public utility ROW. The Project will not fragment existing forest and is not anticipated to create an impassable barrier for any bats that may use habitats within the Project Site, including those known to roost in the vicinity. As such, adverse impacts to Indiana and northern long-eared bats are not anticipated to result from the Project.

Bald Eagle

The bald eagle is a state-listed, threatened species in the State of New York, and is also federally protected under the Bald and Golden Eagle Protection Act of 1940. Preferable habitat for this species includes forested regions along the shorelines of oceans, lakes, or rivers throughout much of North America (NYSDEC, 2016). Bald eagle populations declined drastically in the mid 1900's but bald eagle numbers have been increasing since the early 1980's and reached a record of 323 pairs in New York State in 2017 (NYSDEC, 2017).

Per NHP records, bald eagle has been documented within one mile of the Project Site. The Project will not result in permanent impacts to forest regions along the Hudson River, preferred habitat of the bald eagle. The Project Site is currently cleared, and the Project does not involve tree clearing. Further, there are no bald eagle nests or roosts in the vicinity of the Project. Therefore, no impacts to bald eagle will result from the Project.

Pied-Billed Grebe

The pied-billed grebe is a migratory waterbird that is listed as threatened in New York State. Preferred breeding habitat consists of ponds and slow-moving streams that have a sufficient mix of open water for foraging, and deep emergent vegetation for cover and nesting (NYSDEC, 2018). Breeding pairs appear to favor wetlands of intermediate size (0.6–7.0 hectares) over small or large wetlands (NHP, 2017b).

Per NHP records, pied-billed grebe is known to breed within 0.5 mile of the Project Site. However, there are no open-water wetlands within the Project Site, and no open-water wetlands will be impacted by the Project. Therefore, the Project is not anticipated to have any impact on the pied-billed grebe.

Dwarf Wedgemussel

Dwarf wedgemussel is a species that inhabits small cool water streams and larger rivers with muddy sand, sand, or gravel substrate. The species embeds in the fine sediment that accumulates between cobbles in slow to moderate current within relatively shallow water (40 cm or 16 inches) (NHP, 2017c). Streams within the Project Site that could potentially be considered suitable habitat will not be disturbed by the Project. Therefore, the Project is not anticipated to have any impact on the dwarf wedgemussel.

No impacts to state or federally threatened or endangered species will occur from the proposed Project, as discussed for each species above.

3.7 Cultural Resources

The Applicant has consulted with the New York State Office of Parks, Recreation, and Historic Preservation (NYSOPRHP) regarding the Project's potential effects on cultural resources, including historical and archeological. On December 5, 2017, the Applicant submitted an information request to the NYSOPRHP via the Cultural Resources Information System (CRIS) online repository. On March 19, 2018, NYSOPRHP responded via their CRIS indicating the Project "will have no impact upon cultural resources in or eligible for inclusion in the National Registers of Historic Places". A copy of this correspondence is included in Attachment E.

3.8 Visibility and Visual Character

EDR has completed a thorough assessment of the potential visual impacts associated with the Project (see Attachment F), which assessment was reviewed and considered by the local municipal agencies as part of the SEQRA process and local permitting review. The analysis of the potential Project visibility and visual impact:

1. Identified visually sensitive sites located within one mile of the TV Line ROW (the visual study area);
2. Determined the availability of open views of the Project, if any (as determined through field evaluation);
3. Illustrated typical views of the proposed Project that will be available from representative distances, directions, landscape settings and viewer/user groups within the visual study area; and
4. Documented the extent of Project visibility and visual change, if any that will occur with the Project in place.

Based on this analysis, the proposed Project will not result in an increase in the area where the transmission line is visible when compared to existing conditions. Open or partially screened views are generally confined to areas immediately adjacent to the Project Site, and consistent with existing conditions. Views of the Project will predominately be limited to the areas at which the existing infrastructure is already visible.

The entire ROW is appropriated to the public utility use, which has existed since the 1920s. Replacement structures will be constructed in generally the same locations as the existing structures within the ROW. Given these factors and because the Project is located within an existing transmission line ROW and will not require additional expansion of ROW, the type and intensity of perceived land use will remain unchanged.

The presence of existing forest vegetation will continue to significantly screen the Project from public vantage points (see viewshed maps) and neighboring properties. The minor increase in average structure heights is estimated to result in a net 0.2% increase in visibility. However, the creation of the uniform appearance of brown-colored poles (replacing situations of poles of various types, appearance and degradation, see Attachment F), and consolidation of distribution poles along the transmission route will result in a notable visual improvement of the reconstructed line, more notable than any individual height changes (which have limited discernibility in the outdoor context in which they are viewed). Further, proposed changes in height, as indicated on the Plan and Profile drawings, are required to meet applicable public utility design standards, such as NESC separation and clearance requirements. In short, the visibility of replacement poles will continue to be limited to areas along the transmission line that currently have visibility of these poles under existing conditions, with the added benefits of improved design, functionality, and storm-hardening. Therefore, the Project will have a minimal to imperceptible change in visibility and will not result in an adverse visual effect.

Overall, the Proposed Project will not result in any significant adverse impacts on any aesthetic or historic resources, scenic views, residential properties or natural or man-made resources. In conclusion, the visual assessment confirms that visibility of the Project is very limited and consistent with existing conditions, and further, that the Project will not have an adverse visual or aesthetic effect on the environment.

3.9 Avoidance and Minimization of Impacts

Adherence to the proposed SWPPP practices, which includes ongoing environmental monitoring, will help avoid and minimize potential impacts relating to stormwater, erosion and sediment, particularly in wetlands and areas of lower elevation. The Project requires both a town and state highway work permit for access during construction. Temporary traffic management and safety measures (i.e. highway flag crews, warning signs) will be utilized to limit potential short-term traffic related impacts. Some unavoidable noise will occur from construction vehicles and equipment usage; however, these impacts will be temporary and short-term, and are not expected to be significant.

3.10 Public Notice

To further minimize potential construction impacts to adjacent landowners, Central Hudson will provide timely information to adjacent property owners and tenants regarding the planned construction activities and schedule. They will send pre-construction notifications to owners of property which adjoin the TV Line ROW in compliance with Central Hudson's notification and communication process for transmission line replacement projects. The letters will notify the owners of the upcoming work and will provide a telephone number for a contact at Central Hudson. Central Hudson will also coordinate with NYSDOT, Dutchess County, the Town of Wappinger and the Village of Wappingers Falls as appropriate to develop and implement traffic control measures to ensure safe and adequate traffic operations along roadways to be used by construction vehicles.

3.11 Permits, Approvals, and Permissions

Table 6 identifies the required permits and approvals for the Project.

Table 6: Required Permits/Approvals

Agency	Permit/Approval/Review	Schedule
Town of Wappinger	SWPPP MS4	Issued November 2019
	SEQRA Determination	Issued May 2019
	Site Plan Approval	Issued May 2019
	Wetland Permit	Issued May 2019
	Floodplain Development Permit (Zoning Admin.)	Pending Receipt
	Highway Work Permit	Pending Receipt

Village of Wappingers Falls	SWPPP MS4	Issued March 2020
	Site Plan Approval	Issued June 2019
	Floodplain Permit (Zoning Admin.)	Pending Receipt
NYS Department of Environmental Conservation	SPDES General Permit GP-0-15-002	NOI to be submitted at least 5 business days in advance of the start of Construction
	Article 24 - Wetlands	Notification to NYSDEC will occur per Central Hudson work under General Permit #0-000-01151/00015 prior to Construction
NYS Department of Transportation	Highway Work Permit	Preconstruction
NYS Office of Parks, Recreation, and Historic Preservation	Section 106 and 14.09 Review	Issued No Effect letter March 2018
NYS Public Service Commission	Part 102 Report	60 days prior to construction
United States Army Corps of Engineers	Section 404 Nationwide Permit #3, or #33	Non-reporting under Nationwide Permit (below 1/10-acre threshold)