

**APPENDIX A**  
**AGENCY CORRESPONDENCE**  
**CASE 10-T-0139**

**APPENDIX A**  
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## NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Fish and Wildlife, New York Natural Heritage Program  
625 Broadway, Fifth Floor, Albany, NY 12233-4757  
P: (518) 402-8935 | F: (518) 402-8925  
[www.dec.ny.gov](http://www.dec.ny.gov)

March 25, 2022

Nicole Frazer  
CHA  
III Winners Circle  
Albany, NY 12205

**Re: Champlain Hudson Power Express - Phase 1 - Packages 1A, 1B, 1C**

County: Washington    Town/City: Dresden, Putnam, Whitehall

Dear Nicole Frazer:

In response to your recent request, we have reviewed the New York Natural Heritage Program database with respect to the above project.

Enclosed is a report of rare or state-listed animals and plants, and significant natural communities that our database indicates occur in the vicinity of the project site.

For most sites, comprehensive field surveys have not been conducted; the enclosed report only includes records from our database. We cannot provide a definitive statement as to the presence or absence of all rare or state-listed species or significant natural communities. Depending on the nature of the project and the conditions at the project site, further information from on-site surveys or other sources may be required to fully assess impacts on biological resources.

The presence of the plants and animals identified in the enclosed report may result in this project requiring additional review or permit conditions. For further guidance, and for information regarding other permits that may be required under state law for regulated areas or activities (e.g., regulated wetlands), please contact the NYS DEC Region 5 Office, Division of Environmental Permits, at [dep.r5@dec.ny.gov](mailto:dep.r5@dec.ny.gov).

Sincerely,



Heidi Krahling  
Environmental Review Specialist  
New York Natural Heritage Program



**The following state-listed animals have been documented  
in the vicinity of the project site.**

The following list includes animals that are listed by NYS as Endangered, Threatened, or Special Concern; and/or that are federally listed.

**For information about any permit considerations for your project, please contact the Permits staff at the NYSDEC Region 5 Office at [dep.r5@dec.ny.gov](mailto:dep.r5@dec.ny.gov), (518) 623-1286.**

**The following species has been documented within 1/2 mile of the project site near Putnam Station.**

| COMMON NAME                          | SCIENTIFIC NAME                 | NY STATE LISTING | FEDERAL LISTING |
|--------------------------------------|---------------------------------|------------------|-----------------|
| <b>Birds</b>                         |                                 |                  |                 |
| <b>Bald Eagle</b><br><i>Breeding</i> | <i>Haliaeetus leucocephalus</i> | Threatened       | 12657           |

**The following species has been documented within 1/3 mile of the project site in the Town of Putnam. Individual animals may travel 1.5 miles from documented locations.**

| COMMON NAME               | SCIENTIFIC NAME          | NY STATE LISTING | FEDERAL LISTING |
|---------------------------|--------------------------|------------------|-----------------|
| <b>Reptiles</b>           |                          |                  |                 |
| <b>Timber Rattlesnake</b> | <i>Crotalus horridus</i> | Threatened       | 8859            |

**The following species has been documented in the Town of Dresden within 2.5 miles of the project site and in the Town of Hague within 4 miles of the project site. Individual animals may travel 5 miles from documented locations. The main impact of concern is the cutting or removal of potential roost trees.**

| COMMON NAME  | SCIENTIFIC NAME               | NY STATE LISTING | FEDERAL LISTING     |
|--|-------------------------------|------------------|---------------------|
| <b>Mammals</b>                                       |                               |                  |                     |
| <b>Northern Long-eared Bat</b><br><i>Hibernacula</i> | <i>Myotis septentrionalis</i> | Threatened       | Threatened<br>14206 |

This report only includes records from the NY Natural Heritage database.

If any rare plants or animals are documented during site visits, we request that information on the observations be provided to the New York Natural Heritage Program so that we may update our database.

Information about many of the listed animals in New York, including habitat, biology, identification, conservation, and management, are available online in Natural Heritage's Conservation Guides at [www.guides.nynhp.org](http://www.guides.nynhp.org), and from NYSDEC at [www.dec.ny.gov/animals/7494.html](http://www.dec.ny.gov/animals/7494.html).



**The following rare plants, rare animals, and significant natural communities  
have been documented at the project site, or in its vicinity.**

We recommend that potential impacts of the proposed project on these species or communities be addressed as part of any environmental assessment or review conducted as part of the planning, permitting and approval process, such as reviews conducted under SEQR. Field surveys of the project site may be necessary to determine whether a species currently occurs at the site, particularly for sites that are currently undeveloped and may still contain suitable habitat. Final requirements of the project to avoid, minimize, or mitigate potential impacts are determined by the lead permitting agency or the government body approving the project.

The following natural communities are considered significant from a statewide perspective by the NY Natural Heritage Program. Each community is either an example of a community type that is rare in the state, or a high-quality example of a more common community type. By meeting specific, documented criteria, the NY Natural Heritage Program considers these community occurrences to have high ecological and conservation value.

| <i>COMMON NAME</i> | <i>SCIENTIFIC NAME</i> | <i>NY STATE LISTING</i> | <i>HERITAGE CONSERVATION STATUS</i> |
|--------------------|------------------------|-------------------------|-------------------------------------|
|--------------------|------------------------|-------------------------|-------------------------------------|

#### **Upland/Terrestrial Communities**

##### **Red Cedar Rocky Summit**

High Quality Occurrence of  
Uncommon Community Type

Documented within 100 yards of the project site in the Town of Dresden. Patches occur on either side of Route 22 in the northern portion of the Town of Dresden. This is a relatively small red cedar rocky summit, near its northern limit for this type, in very good condition within a very large, good quality forested landscape.

12930

#### **Wetland/Aquatic Communities**

##### **Deep Emergent Marsh**

High Quality Occurrence of  
Uncommon Community Type

Enormous marsh complex occupying 50% of the upper portion of Lake Champlain with excellent native species diversity and one or more large cores with minimal disturbances, but with several cores with high concentration of invasive exotics.

3049

##### **Silver Maple-Ash Swamp**

High Quality Occurrence of  
Uncommon Community Type

A narrow strip along the west shore of Lake Champlain near Chubbs Dock in the Town of Dresden. Exotics present, but not abundant.

10514

The following plants are listed as Endangered or Threatened by New York State, and/or are rare in New York State, and so are a vulnerable natural resource of conservation concern.

| COMMON NAME   | SCIENTIFIC NAME           | NY STATE LISTING | HERITAGE CONSERVATION STATUS              |      |
|---|---------------------------|------------------|---|------|
| <b>Hill's Pondweed</b>  | <i>Potamogeton hillii</i> | Threatened       | Imperiled in NYS<br>and Globally Uncommon | 2263 |
| Documented at the project site near Route 22 and B Lane near the border between the Towns of Dresden and Putnam. 1999-08-12: A beaver pond and small streamlets with sluggish water and muddy full exposures.               |                           |                  |   |      |
| <b>Lake Water Cress</b>   | <i>Rorippa aquatica</i>   | Threatened       | Imperiled in NYS                          | 9495 |
| Documented within 1/4 mile east of the project site near Dresden. 1987-07-16: Rock piles along lakeward side of the railroad with loads of Trapa. Rocks and the railroad embankment near emergent marsh covered with Trapa. |                           |                  |   |      |

This report only includes records from the NY Natural Heritage database. For most sites, comprehensive field surveys have not been conducted, and we cannot provide a definitive statement as to the presence or absence of all rare or state-listed species. Depending on the nature of the project and the conditions at the project site, further information from on-site surveys or other sources may be required to fully assess impacts on biological resources.

If any rare plants or animals are documented during site visits, we request that information on the observations be provided to the New York Natural Heritage Program so that we may update our database.

Information about many of the rare animals and plants in New York, including habitat, biology, identification, conservation, and management, are available online in Natural Heritage's Conservation Guides at [www.guides.nynhp.org](http://www.guides.nynhp.org), from NatureServe Explorer at [www.natureserve.org/explorer](http://www.natureserve.org/explorer), and from USDA's Plants Database at <http://plants.usda.gov/index.html> (for plants).

Information about many of the natural community types in New York, including identification, dominant and characteristic vegetation, distribution, conservation, and management, is available online in Natural Heritage's Conservation Guides at [www.guides.nynhp.org](http://www.guides.nynhp.org). For descriptions of all community types, go to [www.dec.ny.gov/animals/29384.html](http://www.dec.ny.gov/animals/29384.html) for Ecological Communities of New York State.

## NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Fish and Wildlife, New York Natural Heritage Program  
625 Broadway, Fifth Floor, Albany, NY 12233-4757  
P: (518) 402-8935 | F: (518) 402-8925  
[www.dec.ny.gov](http://www.dec.ny.gov)

April 1, 2022

Nicole Frazer  
CHA  
III Winners Circle  
Albany, NY 12205

Re: Champlain Hudson Power Express - Phase 2 - Package 2  
County: Washington    Town/City: Fort Ann, Hartford, Kingsbury

Dear Nicole Frazer:

In response to your recent request, we have reviewed the New York Natural Heritage Program database with respect to the above project.

Enclosed is a report of rare or state-listed animals and plants, and significant natural communities that our database indicates occur in the vicinity of the project site.

For most sites, comprehensive field surveys have not been conducted; the enclosed report only includes records from our database. We cannot provide a definitive statement as to the presence or absence of all rare or state-listed species or significant natural communities. Depending on the nature of the project and the conditions at the project site, further information from on-site surveys or other sources may be required to fully assess impacts on biological resources.

The presence of the plants and animals identified in the enclosed report may result in this project requiring additional review or permit conditions. For further guidance, and for information regarding other permits that may be required under state law for regulated areas or activities (e.g., regulated wetlands), please contact the NYSDEC Division of Environmental Permits.

Sincerely,



Nicholas Conrad  
Information Resources Coordinator  
New York Natural Heritage Program



## The following state-listed animals have been documented along the Champlain-Hudson Power Express Phase 2 Package 2 alignment.

The following list includes animals that are listed by NYS as Endangered, Threatened, or Special Concern; and/or that are federally listed.

**For information about any permit considerations for the project, contact the NYSDEC Division of Environmental Permits.**

**The following species has been documented at two locations near the project alignment in the Lake Champlain Canal in the Town of Kingsbury.**

| COMMON NAME  | SCIENTIFIC NAME             | NY STATE LISTING | FEDERAL LISTING |
|--|-----------------------------|------------------|-----------------|
| <b>Fish</b>  |                             |                  |                 |
| <b>Eastern Sand Darter</b>   | <i>Ammocrypta pellucida</i> | Threatened       | 12842           |
| In the Lake Champlain Canal at Smiths Basin and at Lock 9, both within 160 yards of the alignment. |                             |                  |                 |

**The following species has been documented nesting within 1/3 mile of the project alignment.**

| COMMON NAME   | SCIENTIFIC NAME                 | NY STATE LISTING | FEDERAL LISTING |
|---|---------------------------------|------------------|-----------------|
| <b>Bald Eagle</b>   | <i>Haliaeetus leucocephalus</i> | Threatened       | 17280           |
| East of the project alignment and south of Smiths Basin and Big Creek, Town of Kingsbury. |                                 |                  |                 |

**The following species has been documented breeding along Dike Road about 150 yards from the project alignment, northeast of Dunham Basin in the Town of Kingsbury.**

| COMMON NAME                                | SCIENTIFIC NAME         | NY STATE LISTING | FEDERAL LISTING |
|--|-------------------------|------------------|-----------------|
| <b>Northern Harrier</b><br><i>Breeding</i> | <i>Circus hudsonius</i> | Threatened       | 6447            |

**The following species have been documented at the Fort Edward Grasslands, a state significant Raptor Winter Concentration Area. The mapped area extends to within 1/3 mile of the project alignment northeast of Dunham Basin in the Town of Kingsbury.**

| COMMON NAME                                 | SCIENTIFIC NAME         | NY STATE LISTING | FEDERAL LISTING |
|---|-------------------------|------------------|-----------------|
| <b>Short-eared Owl</b><br><i>Wintering</i>  | <i>Asio flammeus</i>    | Endangered       | 2444            |
| <b>Northern Harrier</b><br><i>Wintering</i> | <i>Circus hudsonius</i> | Threatened       | 7292            |

This report only includes records from the NY Natural Heritage database.

Information about many of the listed animals in New York, including habitat, biology, identification, conservation, and management, are available online in Natural Heritage's Conservation Guides at [www.guides.nynhp.org](http://www.guides.nynhp.org), and from NYSDEC at [www.dec.ny.gov/animals/7494.html](http://www.dec.ny.gov/animals/7494.html).







## United States Department of the Interior

FISH AND WILDLIFE SERVICE  
New York Ecological Services Field Office  
3817 Luker Road  
Cortland, NY 13045-9385  
Phone: (607) 753-9334 Fax: (607) 753-9699  
Email Address: [fw5es\\_nyfo@fws.gov](mailto:fw5es_nyfo@fws.gov)



In Reply Refer To:  
Project Code: 2022-0023330  
Project Name: CHPE Segment 3

December 15, 2022

Subject: List of threatened and endangered species that may occur in your proposed project location or may be affected by your proposed project

### To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2)

(c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

<http://www.fws.gov/endangered/esa-library/pdf/TOC-GLOS.PDF>

**Migratory Birds:** In addition to responsibilities to protect threatened and endangered species under the Endangered Species Act (ESA), there are additional responsibilities under the Migratory Bird Treaty Act (MBTA) and the Bald and Golden Eagle Protection Act (BGEPA) to protect native birds from project-related impacts. Any activity, intentional or unintentional, resulting in take of migratory birds, including eagles, is prohibited unless otherwise permitted by the U.S. Fish and Wildlife Service (50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)). For more information regarding these Acts see <https://www.fws.gov/birds/policies-and-regulations.php>.

The MBTA has no provision for allowing take of migratory birds that may be unintentionally killed or injured by otherwise lawful activities. It is the responsibility of the project proponent to comply with these Acts by identifying potential impacts to migratory birds and eagles within applicable NEPA documents (when there is a federal nexus) or a Bird/Eagle Conservation Plan (when there is no federal nexus). Proponents should implement conservation measures to avoid or minimize the production of project-related stressors or minimize the exposure of birds and their resources to the project-related stressors. For more information on avian stressors and recommended conservation measures see <https://www.fws.gov/birds/bird-enthusiasts/threats-to-birds.php>.

In addition to MBTA and BGEPA, Executive Order 13186: *Responsibilities of Federal Agencies to Protect Migratory Birds*, obligates all Federal agencies that engage in or authorize activities that might affect migratory birds, to minimize those effects and encourage conservation measures that will improve bird populations. Executive Order 13186 provides for the protection of both migratory birds and migratory bird habitat. For information regarding the implementation of Executive Order 13186, please visit <https://www.fws.gov/birds/policies-and-regulations/executive-orders/e0-13186.php>.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. **Please include the Consultation Code in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.**

Attachment(s):

- Official Species List

## Official Species List

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

**New York Ecological Services Field Office**

3817 Luker Road

Cortland, NY 13045-9385

(607) 753-9334

## Project Summary

Project Code: 2022-0023330

Project Name: CHPE Segment 3

Project Type: Transmission Line - New Constr - Below Ground

Project Description: CHPE Package 1C alignment

Project Location:

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@43.517481149999995,-73.41196300034875,14z>



Counties: Washington County, New York

## Endangered Species Act Species

There is a total of 3 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries<sup>1</sup>, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

1. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

## Mammals

| NAME   | STATUS     |
|--|------------|
| Indiana Bat <i>Myotis sodalis</i><br>There is <b>final</b> critical habitat for this species. Your location does not overlap the critical habitat.<br>Species profile: <a href="https://ecos.fws.gov/ecp/species/5949">https://ecos.fws.gov/ecp/species/5949</a> | Endangered |
| Northern Long-eared Bat <i>Myotis septentrionalis</i><br>No critical habitat has been designated for this species.<br>Species profile: <a href="https://ecos.fws.gov/ecp/species/9045">https://ecos.fws.gov/ecp/species/9045</a>                                 | Endangered |

## Insects

| NAME   | STATUS    |
|--|-----------|
| Monarch Butterfly <i>Danaus plexippus</i><br>No critical habitat has been designated for this species.<br>Species profile: <a href="https://ecos.fws.gov/ecp/species/9743">https://ecos.fws.gov/ecp/species/9743</a> | Candidate |

## Critical habitats

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

## Laura Darling


---

**From:** Laura Darling  
**Sent:** Thursday, March 3, 2022 2:28 PM  
**To:** Behnke, Heather (DPS); chris.hogan; sita.crounse; Corey.Strub; Josh.Bagnato; leigh.walrath; elizabeth.phillips; david.drexler; matthew.smith; ayokunle.kafi; bob.harrison; scott.salmon; william.sharp@dos.ny.gov  
**Subject:** Case 10-T-0139, CHPE Segment 1 Wetland Delineation Report and Waterbody Inventory

Dear DPS, DEC, DOS, and APA Staff,

Pursuant to Certificate Conditions 113(a) and 114(a), below is a link to files included in the Wetland Delineation Report for Segment 1 of the Champlain Hudson Power Express (CHPE) transmission line. These conditions require that, at least 30 days prior to filing of a proposed Segment Environmental Management and Construction Plan (EM&CP), the Certificate Holder must share these documents with DPS, DEC, DOS and, for wetlands in the Adirondack Park, the APA.

Please note that the geographic scope of wetlands included in this report is somewhat larger than what will be included in the Segment 1 EM&CP, which CHPE anticipates filing in April 2022. The Segment 1 EM&CP will cover an upland segment of the line within the Towns of Dresden, Putnam, and Whitehall, with a short portion in the Village of Whitehall, ending at the railroad right of way. A future Segment EM&CP will cover the remaining areas delineated in connection with this report which go beyond that geographic scope.

 [Case No. 10-T-0139 TDI Wetland Delineation Report](#)

If you have questions or difficulty accessing the document, please contact my office.

Sincerely,

Laura Bomyea Darling  
Associate Attorney  
**Young / Sommer LLC**  
ATTORNEYS AT LAW  
office: 518.438.9907 Ext. 249  
fax: 518.438.9914  
[ldarling@youngsommer.com](mailto:ldarling@youngsommer.com)  
Executive Woods, Five Palisades Drive, Albany, NY 12205  
[www.youngsommer.com](http://www.youngsommer.com)

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## Laura Darling

---

**From:** Laura Darling  
**Sent:** Thursday, March 3, 2022 2:42 PM  
**To:** matthew.maraglio@dos.ny.gov  
**Subject:** Case 10-T-0139, CHPE Segment 1 Wetland Delineation Report and Waterbody Inventory

Dear DPS, DEC, DOS, and APA Staff,

Pursuant to Certificate Conditions 113(a) and 114(a), below is a link to files included in the Wetland Delineation Report for Segment 1 of the Champlain Hudson Power Express (CHPE) transmission line. These conditions require that, at least 30 days prior to filing of a proposed Segment Environmental Management and Construction Plan (EM&CP), the Certificate Holder must share these documents with DPS, DEC, DOS and, for wetlands in the Adirondack Park, the APA.

Please note that the geographic scope of wetlands included in this report is somewhat larger than what will be included in the Segment 1 EM&CP, which CHPE anticipates filing in April 2022. The Segment 1 EM&CP will cover an upland segment of the line within the Towns of Dresden, Putnam, and Whitehall, with a short portion in the Village of Whitehall, ending at the railroad right of way. A future Segment EM&CP will cover the remaining areas delineated in connection with this report which go beyond that geographic scope.

 [Case No. 10-T-0139 TDI Wetland Delineation Report](#)

If you have questions or difficulty accessing the document, please contact my office.

Sincerely,

Laura Bomyea Darling  
Associate Attorney

**Young / Sommer LLC**

ATTORNEYS AT LAW

office: 518.438.9907 Ext. 249

fax: 518.438.9914

[ldarling@youngsommer.com](mailto:ldarling@youngsommer.com)

Executive Woods, Five Palisades Drive, Albany, NY 12205

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

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## Laura Darling


---

**From:** Laura Darling  
**Sent:** Monday, May 23, 2022 4:00 PM  
**To:** Smith, Matthew (DPS); Behnke, Heather (DPS); chris.hogan; sita.crounse; Corey.Strub; Drexler, David (DPS); Maraglio, Matthew (DOS)  
**Cc:** Josh.Bagnato; Ayokunle KAFI; Michael Main  
**Subject:** Case 10-T-0139, CHPE Segment 3 Wetland Delineation Report and Waterbody Inventory

Dear DPS, DEC, and DOS Staff,

Pursuant to Certificate Conditions 113(a) and 114(a), below is a link to files included in the Wetland Delineation Report for Package 2/Segment 3 of the Champlain Hudson Power Express (CHPE) transmission line, including Shapefiles. These conditions require that, at least 30 days prior to filing of a proposed Segment Environmental Management and Construction Plan (EM&CP), the Certificate Holder must share these documents with DPS, DEC and DOS. This segment is not located in the Adirondack Park, therefore the APA is not included in this distribution.

The geographic scope of Package 2/Segment 3 includes the Town of Whitehall, Town and Village of Fort Ann, and the Towns of Hartford, Kingsbury and Fort Edward. The wetland report picks up where the Package Segment 1 wetland report circulated March 8, 2022 left off. We anticipate filing the EM&CP for this segment in **July 2022**.

The report and related shapefiles can be accessed here:  [CHPE Segment 3 Wetland and Waterbody Report and Shapefiles](#)

Please feel free to reach out with any questions.

Sincerely,

Laura Bomyea Darling  
Associate Attorney  
**Young / Sommer LLC**  
ATTORNEYS AT LAW  
office: 518.438.9907 Ext. 249  
fax: 518.438.9914  
[ldarling@youngsommer.com](mailto:ldarling@youngsommer.com)  
Executive Woods, Five Palisades Drive, Albany, NY 12205  
[www.youngsommer.com](http://www.youngsommer.com)

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**New York State  
Parks, Recreation and  
Historic Preservation**

**KATHY HOCHUL**  
Governor

**ERIK KULLESEID**  
Commissioner

April 6, 2023

Sean Murphy  
Senior Project Manager  
VHB  
500 Southborough Drive, Suite 105B  
South Portland, ME 04106-6928

Re: DOE  
Champlain Hudson Power Express/TDI/Underwater HVdc Transmission Line  
09PR03910

Dear Sean Murphy:

Thank you for requesting the comments of the New York State Historic Preservation Office (SHPO). We have reviewed the provided documentation in accordance with Section 106 of the National Historic Preservation Act of 1966. These comments are those of the SHPO and relate only to Historic/Cultural resources. They do not include other environmental impacts to New York State Parkland that may be involved in or near your project. Such impacts must be considered as part of the environmental review of the project pursuant to the National Environmental Policy Act and/or the State Environmental Quality Review Act (New York Environmental Conservation Law Article 8).

SHPO has reviewed the following documents:

*Supplemental Cultural Resources Management Plan, Champlain Hudson Power Express HVDC Transmission Line Project, Whitehall to Fort Ann, CP Rail (Segment 3, Package 1C), Lake Champlain to New York City, Washington County, New York.*

*Supplemental Cultural Resources Management Plan, Champlain Hudson Power Express HVDC Transmission Line Project, Fort Ann to Kingsbury, CP Rail (Segment 3, Package 2), Lake Champlain to New York City, Washington County, New York.*

We concur with the recommendations for archaeological testing and monitoring in these documents. If you have any questions, I can be reached at [Jessica.Schreyer@parks.ny.gov](mailto:Jessica.Schreyer@parks.ny.gov).

Sincerely,

Jessica Schreyer  
Historic Preservation Program Analyst - Archaeologist