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November 30, 2022

Ayokunle "Kunle" Kafi, PE, CEM Transmission Developers, Inc. 1301 Avenue of the Americas New York, NY 10019-6022

Subject: CSX827103; Champlain-Hudson Power Express Project

Reference is made to the submission noted below and received by Bergmann from WSP representing Transmission Developers, Inc. on 11/14/2022. The submission has been marked as follows:

| Submittal 029 | Status |
|------------------------------------|----------|
| Pck 5A-Seg 8_ Pck 5B-Seg 9 - EM&CP | Reviewed |

Utility acknowledges that CSXT owns the property and rights-of-way at issue for the primary purpose of operating a railroad. As set forth in Agreement No. CSX827103, Utility agrees that construction of the project will comply with CSXT's permitting and safety requirements for outside utility installations to minimize interference with and protect the safety of CSXT's operations and the surrounding public.

Utility further acknowledges that CSX has provided initial comments to Utility's preliminary design plans, and that certain comments remain unresolved. By mutual agreement, CSXT and the Utility intend to address these comments during future phases of project development (i.e. detailed design, construction). The Utility retains its obligation to address all comments to CSXT's satisfaction prior to construction. Utility shall also provide comprehensive detailed design plans for CSXT's review and comment prior to the Utility releasing drawings as Issued for Construction (IFC).

CSXT reserves the right to provide additional comments and/or require design changes in accordance with CSXT standards and/or contractual obligations of the Utility. CSXT also reserves the right to revisit or rescind any approvals of previously accepted designs and/or construction methods in its discretion, including if either the actual site conditions vary from the conditions shown in the construction plans or the construction methods do not achieve the anticipated results.

Subject to the above understandings and the coordination already undertaken between CSXT and the Utility, CSXT hereby acknowledges and conditionally accepts the alignment and profile proposed by the Utility and documented herein.

CSXT understands that Utility intends to submit this conditional approval to the New York State Public Service Commission (PSC) in support of its request for regulatory approval to proceed to construction. This conditional approval by CSXT does not apply to any portion of the proposed project located outside of CSXT property or rights-of-way.

| Recommended by Bergmann: | _ Com Cegin | Date: | 11/30/2022 |
|--------------------------|-------------|-------|------------|
| | an Q | | |
| Acknowledged by CSXT: | Alex Dan | Date: | 12/01/2022 |



Subject to the terms of the conditional acceptance, please address the following comments on the EM & CP narrative:

| Page | Comments | | | |
|-----------|--|--|--|--|
| 14 | Confirm or revise the proposed schedule, especially for starts of construction. | | | |
| 20 | This example of repeated table header row should be implemented throughout the document. | | | |
| 145 | In Table 4-2, the Utility shall provide details for structures noted as owned by CSXT. | | | |
| 149 | In Section 4.4.4, regarding the statement that "For land installation, the typical length of trench that will be open per day is 200 feet." CSXT takes no exception to this statement when the Utility is located at or greater than 50 ft from CSXT tracks. However, any trench within 50 ft of CSXT tracks or access road is subject to approval by CSX or its representative and may be limited to less than 200 ft if the trench presents a potential obstacle to access by or operations of CSXT. | | | |
| 152 | Section 4.4.7.1 describes accurately the expectations of CSXT in terms of depth of cover to the Utility based on horizontal offset. However, the typical trench details in the drawing package do not reflect these parameters. | | | |
| 152 | Add to Section 4.4.7.1 that the Utility will provide or exceed 6 ft of cover between the Utility and the projection of CSXT culverts when the Utility is located within 50 ft horizontal offset from the existing culvert inlet/outlet and is located within 75 ft longitudinally from the centerline of an existing culvert. | | | |
| 154 - 161 | Repeat the header row on every page of Table 4-4. | | | |
| 161 | Two encroachments upon CSXT property are referred to in Table 4-4. What are these encroachments? | | | |
| 229 | In section 12.3, consider if the statement that "the Segment is completely within the CSX Rail ROW" is accurate. Revise accordingly. | | | |
| 232-233 | Repeat the header row on every page of Table 13-1. | | | |
| 232 | In Table 13-1, provide more information about the electric/fiber co-located infrastructure on CSXT property. | | | |
| 235 | Utility shall provide updated Table 13-2 prior to CSXT sign-off on the EM&CP. | | | |
| 236 | In Section 13.2.2, Item 4. Why is NYSDOT to be notified about proposed crossings of CSXT by the Utility? | | | |
| 236 | In Section 13.2.2, Item 7. Clarify if the reference to AREA is intended to refer to AREMA. | | | |
| 237 | Section 13.2.4, Item 3 shall be revised to coordinate with Section 4.4.7.1 | | | |
| 244 | Section 14.2.3, CSXT objects to the statement "The ground cover will be returned to pre- existing conditions, by revegetating the ballast or stabilizing with ballast stone." Ballast shall not be revegetated. Revise this text. | | | |



Subject to the terms of the conditional acceptance, please address the following comments on the EM&CP Appendix C Plans:

| Page | Dwg | Comments |
|---------|------------------|---|
| 5 | G-004 | See comments on the Notes sheet. |
| 12 | G-011 | typo: "RAILROAD" |
| 163 | C-502 | LANE CLOSURE FLAGGING OPERATION – ADJACENT TO CSX RAILROAD: The flaggers shown on this typical detail will not be CSX employees. The detail shall not show a CSX flagger. Label the other roadway flaggers properly. |
| 163 | C-502 | LANE CLOSURE FLAGGING OPERATION – ADJACENT TO CSX RAILROAD: Not all atgrade crossings will include crossing gates, however the roadway WZTC details shall be similar regardless of the form of crossing devices employed, if any. |
| 163 | C-502 | LANE CLOSURE FLAGGING OPERATION – ADJACENT TO CSX RAILROAD: Indicate that the temporary work zone traffic control features shall be located no closer to the centerline of track than 12 ft |
| 170 | C-510 | Do not show a CSX flagger on the site-specific work zone traffic control plan. The form of track protection to be determined by CSX based on review of the proposed construction activity means and methods. |
| 172 | C-621 | Provide a typical detail that reflects trenching in CSX ROW as described in the EM&CP Narrative section 4.4.7.1 |
| 174 | S-711 | Handholes shall be buried minimum 24" below ground surface and located on field side of splice. |
| 185 | C-801 | typo: "DRILLING" |
| 186 | C-808 | Handholes shall be buried minimum 24" below ground and located on field side of splice. |
| 188 | C-811 | Note 8 indicates that the maximum design life of the (steel support) structure is 30 years. What is the required service life of the structure? Compare the service life of the steel support structure to the service life of the overall project. |
| 193-200 | Various C-8XX | These appear to be repeated drawings. Please review and eliminate from the drawing set if redundant. |

Sincerely, BERGMANN

C. Michael Cooper, PE Senior Railroad Engineer November 30, 2022

CSX827103; Champlain-Hudson Power Express Project Submittal 029 – Pck 5A-Seg 8_ Pck 5B-Seg 9 - EM&CP



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Bergmann File 11705.01



Submittal Documents: Segment 8 – Package 5A

Reviewer availed themselves of the following documents, provided by Utility. Only the Cover Letter and Appendix C (with markups) are returned. All other documents are incorporated by reference.

- CHPE-SUB-0181-00-00 COVER LETTER Pkg 5a Draft Final Submittal.pdf
- Segment 8 Package 5A CSX: Rotterdam Selkirk
 - Segment 8 Package 5A EM&CP Narrative (Draft)
 - Segment 8 Package 5A EM&CP Appendices (Draft)
 - Appendix A Agency Correspondence
 - Appendix B EM&CP Filing Notices
 - Appendix C Design Plans:
 - Plan and Profile Sheets
 - Access and Construction Staging Plans
 - HDD Trenchless Plans
 - Maintenance and Protection of Traffic Plans
 - Splice Vault Plan & Elevation
 - Link Box Handhole Plan & Elevation
 - Bridge Attachment Plan & Elevation
 - Design Details
 - Appendix D Compliance Cross Walk
 - Appendix E Justification for Deviation Zone Exclusions
 - Appendix F Compliance Assurance Plan
 - Appendix G Stormwater Pollution Prevention Plan (SWPPP)
 - Appendix H Construction and Safety Policies and Procedures
 - Appendix I Public Involvement Plan and Compliant Resolution Plan
 - Appendix J HDD Preliminary Site Investigation and Planning Report & Inadvertent
 - Release and Contingency Plan (HDD)
 - Appendix K Spill Prevention Control & Countermeasures Plan (SPCC)
 - Appendix L Soil and Materials Management Plan
 - Appendix M Waterbody Inventory & Wetland Delineation Report
 - Appendix N Invasive Species Control Plan
 - Appendix O Cultural Resources Management Plan
 - Appendix P Corrosive Effects Study
 - Appendix Q Cable Ampacity and Thermal Calculations
 - Appendix R Documentation of Ongoing CI Consultations
 - Appendix S Overland Rock Removal Plan
 - Appendix T Rare Threatened and Endangered Species Document
 - Appendix U CSXT Policies and Guidelines



Submittal Documents: Segment 9 – Package 5B

Reviewer availed themselves of the following documents, provided by Utility. Only the Cover Letter and Appendix C (with markups) are returned. All other documents are incorporated by reference.

- CHPE-SUB-0182-00-00 COVER LETTER Pkg 5B Draft Final Submittal.pdf
- Segment 9 Package 5B CSX: Selkirk Rail Yard Bypass
 - Segment 9 Package 5B EM&CP Narrative (Draft)
 - Segment 9 Package 5B EM&CP Appendices (Draft)
 - Appendix A Agency Correspondence
 - Appendix B EM&CP Filing Notices
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