

# Young / Sommer LLC

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December 23, 2022

Hon. Michelle Phillips, Secretary  
NYS Public Service Commission  
Three Empire State Plaza  
Albany, NY 12223-1350

**Re: Case 10-T-0139: Application of Champlain Hudson Power Express, Inc. for a Certificate of Environmental Compatibility and Public Need Pursuant to Article VII of the PSL for the Construction, Operation and Maintenance of a High Voltage Direct Current Circuit from the Canadian Border to New York City**

Dear Secretary Phillips:

Enclosed please find the Environmental Management and Construction Plan (EM&CP) for Segment 3 of the electric transmission project known as Champlain Hudson Power Express (the "Project"). This EM&CP is submitted by CHPE LLC and CHPE Properties, Inc. (together "CHPE" or the "Certificate Holders") in accordance with the requirements of CHPE's April 18, 2013 Certificate of Environmental Compatibility and Public Need ("Certificate") issued pursuant to Article VII of the Public Service Law ("PSL") by the New York State Public Service Commission (the "Commission").

The CHPE Project is a buried, High Voltage, Direct Current ("HVDC") transmission line extending approximately 339 miles from the New York/Quebec border to a converter station in Astoria, Queens. The Segment 3 EM&CP includes installation of approximately 20.8 miles of buried overland cable running from the Town of Whitehall (Washington County) to the Town of Kingsbury (Washington County), primarily along railroad and highway rights-of-way. The EM&CP<sup>1</sup> provides detailed information regarding how this Segment will be constructed; the specific location of the proposed permanent right-of-way, Construction Zones, and temporary work areas; as well as descriptions of work to be performed, plan and profile drawings depicting the Project, and protocols to be used during construction to protect the community and the environment, and to comply with the CHPE Certificate. A revised schedule of EM&CP Segment submissions is included as Table 1.1 in the attached EM&CP Narrative.

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<sup>1</sup> Appendix L to this EM&CP has been intentionally omitted at this time. The Certificate Holders are currently working with Canadian Pacific Railroad on the details necessary to complete this Appendix. Certificate Holders will submit Appendix L as soon as it becomes available.

The Certificate Holders have circulated notices related to this filing and will serve this EM&CP filing in accordance with the Certificate. Notices have been published in the official newspapers for each of the Towns in which the proposed Segment 3 is located. Notices have also been mailed to landowners near the proposed Segments; posted to the project website; and circulated to Parties to this proceeding via upload to DMM. Notices to nearby structure owners were mailed as required by the Certificate. Proofs of service for notices and for dissemination of the EM&CP documents, including affidavits of publication in local newspapers, will be submitted under separate cover as soon as they are available.

Lastly, these EM&CPs include documents which are submitted under confidential cover—specifically Appendix O, Cultural Resources Management Plan, which is confidential because it identifies the location of sensitive cultural resources which are protected from disclosure by law, and Appendix T, CHPE Overland RTE Species and Significant Natural Communities Report, which contains confidential locational information regarding rare, threatened and endangered species and their habitats, which is protected from release under the NY Environmental Conservation Law.

Please feel free to reach out to my office with any questions regarding this filing.

Sincerely,

/s/ ***Laura Bomyea Darling***  
Laura Bomyea Darling, Esq.  
Young/Sommer LLC  
*Attorneys for CHPE*

Enclosures