

CASE 16-F-0328
NUMBER THREE WIND PROJECT
SECOND APPLICATION SUPPLEMENT

Exhibit 6 – Wind Power Facilities

1. 16 NYCRR §1001.6(c) - Type certification of wind turbine(s): As part of the deficiency response, the Applicant provided a table listing the status of third party design evaluation conformity statements, in accordance with International Electrotechnical Commission (IEC) 61400 regarding type certification of wind turbine models under consideration for the Facility. Footnote [a] of this response indicates the following: “[D]esign Evaluation Conformity Statements are documents issued by an independent certification body that attests conformance with applicable design standards in accordance with IEC 61400. It contains a list of manufacturers, part numbers, and drawings numbers for major components upon which the certification is based. These documents can be made available upon request.” Because 16 NYCRR §1001.6(c) requires “documentation regarding the status and results of third-party review and certification,” the Applicant must provide the documents issued by the independent certification body that attested conformance with applicable design standards in accordance with IEC 61400.

RESPONSE: The requested Design Evaluation Conformity Statements (for the GE 2.3-116, 2.5-116, and Vestas V136) are provided as Appendix 6.c.

2. 16 NYCRR §1001.6(c) - Type certification of wind turbine(s): The table, on page 6, also notes that type approval was issued in 2016 for the Siemens SWT-3.6-130 wind turbine model. As noted above, “documentation regarding the status and results of third-party review and certification” is a requirement of 16 NYCRR §1001.6(c) and as such, documentation supporting certification results should be included in Exhibit 6. To correct this deficiency, the Applicant must provide the type certification documentation (type approval) for the Siemens SWT-3.6-130 turbine model as a supplement to the Application. It should be noted that the Applicant will be required to provide specific type certification upon final selection of turbine model(s) prior to construction of the Facility.

RESPONSE: The SWT-3.6-130 has been eliminated from consideration for this project.

Exhibit 13 – Real Property

1. 16 NYCRR §1001.13(b): The May 2018 Supplement provided basic property, facilities site and access configuration for the proposed electric transmission line. The access configurations appear to be related to the location of support poles for an overhead 115 kV line configuration, rather than for the now-proposed underground configuration between stations 105+00 and 180+00 (as identified at May 2018 Supplement Response to Exhibit 11(h)(2)). Underground configurations generally require more continuous access along a facility centerline. The Applicant must clarify whether the intent is to apply the proposed access configuration for either overhead or underground configuration, and provide any revised construction access road configurations as necessary to support the proposed Facility design.

RESPONSE: Appendix 13.b-2 provides an interconnection right of way access figure for the underground alternative.

Exhibit 15 – Public Health and Safety

1. 16 NYCRR §1001.15: The regulations require an analysis of “all potential significant adverse impacts of the construction and operation of the facility ... on the environment, public health, and safety,” which necessarily includes an analysis of cumulative impacts. The Applicant’s analysis of cumulative noise impacts has only included eight turbines from adjoining wind projects.¹ DPS Staff notes that there are more existing and proposed turbines in close proximity to the Project Area, some as close as the turbines that were included in the cumulative assessment.² The justification provided by the Applicant for including only these turbines is that “Field observations and sound analyses conducted for other wind farms have indicated that the overall sound level at a community receptor is typically controlled by the sound from the nearest one, two, or three wind turbines.” The analysis should, at a minimum, include all existing and proposed turbines from other wind generating facilities with sound emissions that are relevant to the evaluated receptors and sound criteria, which should be determined by computer noise modeling based on the specifics of the Project and its setting. For practicality, the initial cumulative assessment in computer model should include, at a minimum, all existing and proposed turbines from other adjoining wind generating facilities within two miles of any proposed turbine or substation from the proposed Facility (Number Three).

- a. Revise the cumulative noise impact analysis to include at a minimum, all existing and proposed turbines (Maple Ridge Wind Generating Facility Phases I and II³ and Copenhagen Wind Generating Facility) within a 2-mile radius from any generating facility components, interconnections and related facilities of the proposed Number Three Generating Facility. Report results.

RESPONSE: A cumulative noise impact analysis including 194 turbines from the Maple Ridge and 34 turbines from the Copenhagen project is provided as revised Appendix 19.h-2 (Rev. 2 of the Appendix D table of the original noise report). The Maple Ridge turbine locations are based on the source recommended by DPS (U.S. Department of Energy and Geological Survey Online Public Dataset and Viewer).

This data source did not contain information on Copenhagen turbine locations. NTW obtained coordinates from the developer of the Copenhagen project for the

¹ Five turbines from the existing Maple Ridge Wind Generating Facility (Denoted as MRT1, MRT2, MRT3, MRT4 and MRT5) and three turbines from the Copenhagen Wind Generating Facility (currently under construction and denoted as Cope55, Cope56 and Cope57).

² At this time, DPS Staff has not received GIS files with the location of proposed Facility components, boundary lines, and receptors to determine the distances to other existing and proposed turbines in the vicinity. For illustration purposes, see Copenhagen’s proximal turbines number 4; 10 to 14; 20; 23 to 27; 33, 34; 47 to 49 and Maple Ridge’s proximal turbines with FID numbers 388, 414, 376, 434, 387, 431, 409, among others.

³ For information on existing U.S. wind turbine locations and characteristics please consult the U.S. Department of Energy and Geological Survey Online Public Dataset and Viewer.

40 turbines being constructed. GIS files of the Copenhagen and Maple Ridge turbine locations are being submitted electronically along with the other files in response to Deficiency 19-3 below.

The cumulative modeling methodology is the same as described in the previous Application Supplement, except that it includes a total of 228 turbines from Maple Ridge and Copenhagen turbines instead of 8. The results are presented in the 'Max Cumulative ESL' column of the revised Appendix 19.h-2.

- b. Provide the discussion specified in section 9 of the Noise Impact Assessment Protocol (NIAP).⁴

RESPONSE: Existing ambient levels are potentially influenced by operating wind turbines in the south-central portion of the Project Area, where the Maple Ridge turbines are closest to the proposed Project. The nearest ambient monitoring locations are LT#8 and ST-C, which are approximately one mile from the nearest Maple Ridge turbines.

During ambient noise monitoring, field technicians noted that certain locations had audible contributions from the adjacent Maple Ridge wind farm when a westerly wind was present. The Maple Ridge turbines were not the dominant sound source - it took critical listening to be able to pick up the blade pass sound coming from them.

The cumulative analysis provided in the revised Appendix 19.h-2 table shows how noise from NTW and both other projects may combine. The results indicate that for the NTW receptor locations with ESLs above 40 dBA for the NTW project only, ESL increases with the adjacent wind projects also included that range from 0 to 4 dBA, with an average increase of less than 1 dBA.

Exhibit 19 – Noise and Vibration

1. 16 NYCRR §1001.19 (f)(1), f(2), f(3), and f(7), and 16 NYCRR §1001.19(b): In response to these deficiencies, the Applicant reprocessed the 1-second sound information and provided revised Tables C-3, C-4, 4 and 5 with revised pre-construction L90 sound levels. However, the analysis does not include preconstruction sound data collected at wind speeds below turbine cut-in wind speed in calculations results presented in Tables C-4 and 5 [Revised] (See footnotes to Tables C-4 and 5).^{5, 6}

⁴ “The NIAR [Noise Impact Assessment Report] will discuss the existing (i.e., “ambient”) sound levels that may be influenced by operating wind turbines in the area, and how the addition of the proposed Project might combine with these existing sound impacts.”

⁵ Section 3.11 of the NIAP (Data filtering) states: “To help better understand the potential effect of wind speeds on ambient noise levels, the ANR [Ambient Noise Report] will present ambient noise results with and without removal of periods when hub height wind speeds were below the representative cut-in wind speed for turbine operation.”

⁶ 16 NYCRR §1001.19(b) requires an evaluation of ambient pre-construction baseline noise conditions (existing

As requested for 16 NYCRR §1001.19 deficiency (b) (ii) and as stated in section 3.11 of the NIAP, data filtering should be applied with and without removing the periods of time when the wind speed extrapolated at hub height is below the cut-in wind speed selected for the project.

- a. Provide results of analysis in tables C-4 and 5[Revised] without excluding pre-construction sound levels below cut-in wind speed.

RESPONSE: The requested tables are provided below. While producing these tables, NTW has also improved its approach for filtering. Previously, entire days were filtered out if precipitation was present during part of the day. The results below filter out only those portions of the days when precipitation was occurring.

Table C-4 [Revised - No Filtering of Low Wind Conditions]
Overall Averages* of A-Weighted Leq and L% Sound Levels Measured for Filtered Times**

Date	Leq		L1		L10		L50		L90	
	Day	Night	Day	Night	Day	Night	Day	Night	Day	Night
Summer										
LT1	56	53	64	61	56	53	49	48	43	43
LT3	53	52	65	58	53	48	45	43	40	37
LT6	50	50	58	54	48	45	36	34	28	28
LT8	54	54	64	58	55	51	46	45	41	41
Winter										
LT1	54	54	65	69	58	57	48	41	36	30
LT3	52	49	66	67	58	57	40	33	26	23
LT6	54	42	62	64	51	53	35	29	22	23
LT8	54	52	65	64	58	55	48	41	38	35
Summer & Winter										
LT1	55	53	65	66	57	54	48	47	39	32
LT3	52	51	65	65	56	52	43	41	29	25
LT6	53	47	61	62	50	49	36	33	24	24
LT8	54	53	65	63	57	53	47	45	40	36

* Energy average for Leq and arithmetic average for L% measured during 1 second intervals (day 7:00 am to 10:00 pm and night 10:00 pm to 7:00 am)

** Filtered days and nights (times without rain or snow based on <https://www.wunderground.com/history/daily/us/ny/fort-drum/KGTB> or very low temperatures below the sound level meter's limit based on met tower data)

conditions) and does not call for discarding pre-construction sound data collected at wind speeds lower than the cut-in wind speed of a potential turbine model to be selected for the Project. The exclusion of measured existing pre-construction sounds below the proposed cut-in wind speed discards the quietest time periods and generates abnormal results such as the ones observed in Table 5 [Revised], where sound levels after filtering are greater than before filtering.

Table 5 [Rev. 2 – No Filtering of Low Wind Conditions]

Summary of Leq and L90 Sound Levels Measured for Filtered Times* during Summer 2016 and Winter 2017 Ambient Sound Surveys.

Location	Summer & Winter Day		Summer Night**		Winter Night		Description
	Leq	L90*	Leq	L90*	Leq	L90*	
LT#1	55	39	53 / 50	43 / 29	54	30	Backyard of residence along NY Route 26, about 200' to the road and 50' to the southeast corner of the garage.
LT#3	52	29	52 / 49	37 / 25	49	23	Side yard of residential property, about 35' to Number Three Road and about 25' to the southeast corner of the home.
LT#6	53	24	50 / 43	28 / 18	42	23	Woods next to residence about 150' to the southeast corner of the home and removed from major roads.
LT#8	54	40	54 / 52	41 / 37	52	35	Backyard of residence, about 65' to NY Route 12 and 100' to the southeast corner of the home.

* Filtered days and nights (times without rain or snow based on <https://www.wunderground.com/history/daily/us/ny/fort-drum/KGTB> or very low temperatures below the sound level meter's limit based on met tower data)

** dBA/dBAi for summer night.

2. 16 NYCRR §1001.19(g) and 16 NYCRR §1001.19(n): The Applicant has recalculated the Leq-1-year sound levels by using a different methodology (the CONCAWE methodology) than the one already used in the Application (ISO 9613-2 stated in section 6.3 of the NIAP), which was the basis of the identified deficiency.

a. Based on the results of the methodology presented in the Application, as specified in section 6.3. and section 8.2. of the NIAP (ISO-9613-2), report the number of residences and cabins for which the annual Project Leq levels (without the CONCAWE meteorological correction) are expected to exceed 40-dBA.

RESPONSE: These modeling results were provided in Appendix 19.h-2 in the column labeled “Annual Wind ESL.” There are 39 residences and cabins that equal or exceed 40-dBA, of which 21 are participating and 17 are non-participating. However, this methodology significantly overestimates the annual Project Leq levels, because it does not account for meteorological conditions (assuming near-ideal meteorological conditions every hour of the year).

b. In addition, as required by 16 NYCRR §1001.19(n), “The software input parameters, assumptions, and associated data used for the computer modeling shall be provided.” The information provided about the computer noise modeling with the CONCAWE methodology is deficient.

i. Provide the software input parameters, assumptions, and associated data used for the computer modeling with the CONCAWE methodology to include, at a minimum:

1. All weather data collected from the meteorological tower (at a minimum 1 year of wind speed and wind direction data in the same basis used in the assessment (e.g., hourly)).
2. One year of wind speed data estimated at hub height.
3. Percentage of times for each combination of meteorological conditions associated with the CONCAWE methodology stated in Applicant’s response.
4. Any corrections or adjustments applied to the results.
5. The input parameters for computer noise modeling with the CONCAWE methodology (Computer input files are recommended).

RESPONSE: A complete copy of the requested data are included on an Excel spreadsheet labeled “Trade secrets – Confidential Commercial Information” provided to the Department’s Records Access Officer with a request that it be excepted from public disclosure. Responses to items 4 and 5 above are not confidential and those requested data are submitted electronically in Excel format with this Second Application Supplement.

3. 16 NYCRR §1001.19(n) Deficiency (i): Only the GIS file with the 5-foot ground contours was submitted. The remaining GIS files are still outstanding.

RESPONSE: The requested GIS files are submitted electronically with this Second Application Supplement.

Exhibit 21 – Geology, Seismology, and Soils

1. 16 NYCRR §1001.21(q): The revised Figure 21.q, included in the May 2018 response to deficiencies, includes an unidentified symbol. The symbol, a square containing alternating brown and white quadrants, appears to represent the locations of soil borings advanced during the preliminary geotechnical investigations. The symbol must be defined accordingly in the legend.

RESPONSE: The symbol does indeed represent locations of geotechnical borings. A revised Appendix 21.q is attached defining this symbol in the legend.

2. 16 NYCRR §1001.21(j) and (k): The Applicant’s response to the 16 NYCRR 1001.21(m) deficiency states: “Any blasting would be performed in such a way that the disturbance of karst features is minimized, and in such a way that the future performance of an overlying foundation would not be adversely affected.” The March 16, 2018 deficiency letter stated that the response to this deficiency should include a description of potential impacts to existing karst geology from blasting operations. The Applicant’s response inadequately addresses this previously identified informational requirement and, therefore, does not adequately assess the potential impacts to karst features from blasting, as required per 16 NYCRR 1001.21(j), and does not adequately explain how impacts to karst features will be minimized, as required by 16 NYCRR 1001.21(k). The Applicant must provide a generalized description of potential risks and impacts of blasting in karst areas and explain how blasting will be performed in a way that minimizes impacts.

RESPONSE: The primary risk associated with blasting in karst is the potential for vibration to cause the collapse of voids or sinkholes. These risks are proportionate to the scale of blasting. Blasting for foundations involves a relatively small volume of rock removal. Key objectives include breaking and loosening only as much rock as necessary, while minimizing the disturbance of underlying and surrounding rock. The sizes of individual blasts, and the vibrations created by these blasts, are carefully controlled below acceptable levels. For a wind turbine, the effects of any blasting would be limited to the immediate vicinity of the foundation.

Prior to construction, borings will be completed at each turbine location to determine presence of karst, and impacts will be minimized by limiting the size of the blast. If karst features are present, the only significant effect might be the localized collapse of one or more karst-related voids. Even this would not be ultimately significant, however, because any collapsible voids would be bypassed or grouted as noted in the previous response.

Exhibit 22 – Terrestrial Ecology and Wetlands

1. 16 NYCRR §1001.22(i): As identified in the comments of NYSDEC regarding Application completeness, the full extent of wetlands delineation as required by the regulations was not provided. The Application is deficient because it does not comply with the on-site identification requirement for, “all federal, state and locally regulated wetlands present on the facility site and within 500 feet of areas to be disturbed by construction, including the interconnections; and predicted presence and extent of wetlands on the remainder of site properties and adjacent properties within 500 feet of areas to be disturbed by construction.” The Applicant's reliance on aerial photo interpretation, existing databases/previous delineations and estimations to extend field delineated boundaries out to 500 feet for mapping purposes does not satisfy the requirements of the regulation, since the regulation specifically calls for on-site identification. This requirement can be satisfied by documenting that wetland maps were based on on-site identification of wetlands on the facility site and within 500 feet of areas to be disturbed by construction, including the

interconnections. As indicated in general staff guidance provided to wind developers in June, 2018, this requirement may be satisfied by the placement in the field of sequentially numbered pink surveyor's flagging marked "wetland delineation" with the locations of individual flagging points documented using Global Positioning System (GPS) technology with reported sub-meter accuracy. The June 2018 guidance provided general direction on what field work could satisfy regulatory requirements for Exhibit 22. If the applicant intends to use other means of demonstrating compliance with 16 NYCRR 1001.12(i), prior consultation with DPS and DEC staff is advised.

RESPONSE: The additional delineations have been completed according to the DPS guidance, and are shown in the revised Appendix 22.i-2. GIS files are also included on the CD included with this Application Supplement. In the limited areas for which NTW does not currently have access, primarily in the northwestern portion of the Project Area, wetland boundaries continue to be based on desktop delineations.

Exhibit 23-Water Resources and Aquatic Ecology

1. 16 NYCRR §1001.23(a)(2): The Applicant's response to Exhibit 23, deficiency item 1, states that the FOIL response from NYSDOH did not include water well data coordinates and, therefore, the locations of the NYSDOH water wells could not be shown in Appendix 23.a.2. The Applicant must provide a copy of the FOIL request to NYSDOH demonstrating its request for locational data or otherwise provide copies of correspondence from NYSDOH documenting the agency's refusal to provide the information.

RESPONSE: NTW does not possess a copy of the FOIL request, as the request was filed in person at NYSDOH's office. The FOIL response provided in Appendix 23.a-6 of the prior supplement is heavily redacted and provides no locational information which clearly documents the agency's refusal to provide the information. Refer also to the correspondence discussed in the following response.

2. 16 NYCRR §1001.23(b)(3): In its response to deficiency Exhibit 23 item 3, the Applicant indicated that it provided NYSDOH with GIS shapefiles of the proposed Project's limits of disturbance, seeking confirmation that no impacts to public water supplies are expected. The Applicant must provide copies of the correspondence received from NYSDOH in response to this request.

RESPONSE: A copy of the correspondence is attached as Appendix 23.a-7. Following submittal of the first Application Supplement, NYSDOH responded, indicating that they now desire to enter into a confidentiality agreement in order to transmit public water supply information to NTW. The parties are continuing to work to put the confidentiality agreement in place. Final resolution of this issue is not required for application completeness.

Exhibit 25 – Effect on Transportation

1. 16 NYCRR §1001.25(f): In response to the deficiency letter, the Applicant provided a missing document, sheet 2 of the drawing set titled Weather Radar Beams included as Appendix 25.f-3. It should, however, be noted that information included in this updated drawing set (submitted as Appendix 25.f-3) is not consistent with information provided regarding Exhibit 26 and the updated weather radar profile analyses provided as Appendix 26.a-3. Appendix 25.f-3 shows the existing weather radar station 50 feet above the existing noted ground elevation of 1824 feet. Conversely, descriptions of the weather station on pages 54-56 of the deficiency response and Appendix 26.a-3 indicate that the weather station is 100 feet above an existing ground elevation of 1860 feet, giving the radar unit itself an elevation of 1960 feet above mean sea level (AMSL). The Applicant should provide clarification indicating the correct descriptions and diagram(s) of the actual existing ground and weather station elevations. Additionally, to correct the deficiency, an explanation should be provided noting any inaccurate Application references or information on drawings regarding details of the existing weather station.

RESPONSE: The discrepancies noted in DPS’s comments are the result of additional information that NTW has obtained through consultation with Fort Drum and NOAA staff. Exhibit SK-1, submitted as Appendix 25.f-3 with NTW’s original application, was estimated based on Fisher Engineering’s GIS-based elevations database. The height of the radar unit of 50’ was an estimate to give a starting point for refinement through discussion with Fort Drum and NOAA staff.

The exhibit NTW provided in the application supplement was amended with more accurate information provided by NOAA and Fort Drum. Specifically, the weather radar unit itself is 100’ above ground level, which NOAA and Fort Drum agreed upon, and Fort Drum records showed the ground elevation there to be 1860’, resulting in the radar unit having an elevation of 1960’ AMSL.

Exhibit 26 – Effect on Communications

1. The Applicant failed to address possible physical disturbances, due to construction activities, as required by 16 NYCRR §1001.26(c)(3).

RESPONSE: No physical disturbances to communications systems are expected due to construction activities such as excavation for turbine foundations and ECS cables. As established in Appendix 12.b, NTW and its contractors will ensure protection of underground facilities as required by 16 NYCRR Part 753, including coordination with Dig Safely New York prior to commencing any construction activities.

2. The Applicant did not address possible adverse impacts to co-located lines, due to unintended bonding, as required by 16 NYCRR §1001.26(c)(4).

RESPONSE: NTW does not propose to co-locate any buried lines, and therefore unintended bonding will not occur.

Exhibit 31- Local Laws and Ordinances

1. The May 2018 Supplement response regarding requirements of 16 NYCRR §1001.31(e) for showings regarding waivers of local legal requirements refers, at page 57, states: “The requests to and the actions of, respectively, the Town Board of Lowville and the Planning Board of Harrisburg are included in new Appendix 31.e.” The May 2018 Supplement Appendix 31.e includes correspondence from the Applicant’s representative (The Dax Law Firm) to the municipalities dated August 24, 2017. However, despite Applicant’s assertion, there is no responsive correspondence or other representation of action taken by either municipal board included in the May 2018 Supplement Appendix 31.e. The Applicant must provide documentation of the actions of the Town Board of Lowville and the Planning Board of Harrisburg, or otherwise revise and clarify the response to this deficiency in accordance with the requirements of §1001.31(e).

RESPONSE: Copies of the actions taken by both municipalities are included as Appendix 31.e-2. Note that Harrisburg did not grant waivers for turbines 39 and 44 because setback agreements are needed. NTW will continue to work obtain the setback agreements and then waivers from Harrisburg, and does not anticipate requesting the Siting Board to override local law.

Exhibit 32 – State Laws and Regulations

1. The revised Table 32.a requires errata corrections as follows:

a. The NYSDEC is not the issuing agency for Clean Water Act §401 Water Quality Certification; rather the reference should be to NYSDPS (in accordance with the requirements of 16 NYCRR §1000.8).

RESPONSE: Table 32.a is correct as is in this regard. The table indicates the agency that would issue the approval, consent, or permit if Article 10 did not supplant the procedural requirements.

b. Discussion of the NYSDOT Highway Use and Occupancy Permit (17 NYCRR Part 131) should also indicate crossing of NYS State Route 812.

RESPONSE: A revised Table 32.a is provided below correcting this erratum.

Table 32.a State Approvals, Consents, and Permits (procedural requirements supplanted by Article 10)

State Agency	Requirement	Discussion
NYSDEC	Water Quality Certificate (WQC), Section 401 of the Clean Water Act	The Applicant plans to submit a joint application to the U.S. Army Corps of Engineers and NYSDEC within 60 days of the date it submits its Article 10 application. Therefore, the request for WQC is included in this Application.
NYSDEC	Permit for Protection of Waters; ECL Article 15, 6 NYCRR Part 608	This permit would be required for the crossing of protected streams by Project components. Protected streams are particular portions of streams designated by the NYSDEC with one of the following classifications: AA, AA(t), A, A(t), B, B(t) or C(t). The permit is also required for any change, modification, or disturbance of any protected streams, streambeds, or stream banks. Project components will cross NYSDEC-protected streams, requiring this permit.
NYSDEC	Permit for Freshwater Wetlands; ECL Article 24, 6 NYCRR Part 663	This permit would be required for the crossing of regulated freshwater wetlands or adjacent areas by Project components. Regulated freshwater wetlands are designated and mapped by the NYSDEC, and are generally 12.4 acres or larger. Around every regulated freshwater wetland is an adjacent area of 100 feet that is also regulated to provide protection for the wetland. .
NYSDEC	SPDES General Permit for Construction Activity	This permit is required for construction projects that disturb one or more acres of soil.
NYSDOT	Special Use Permit for Oversize/ Overweight Vehicles	Special hauling permits from the NYSDOT are required for loads that exceed legal dimensions or weights and will be needed for the vehicles that deliver wind turbine components to the site. Actual loads and permits will depend on the specific turbine supplier and final route to the Project Area. These permits are typically obtained by the turbine vendor immediately prior to construction. Although these ministerial permits are supplanted by Article 10, the Applicant will request that the Siting Board authorize the NYSDOT to issue these permits because of the timing of these submissions and the likelihood that the information will not be available from the contractor until post-Certificate.
NYSDOT	Highway Work Permit	The use of highway rights-of-way under the jurisdiction of the NYSDOT must be carried out in accordance with terms and conditions of a highway work permit issued by the NYSDOT. The Project will need such permits.
NYSDOT	Highway Use and Occupancy Permit, 17 NYCRR Part 131	Installation of utility infrastructure within NYSDOT rights-of-way requires an occupancy permit from NYSDOT. The Project will require such permits to cross State Routes 26 and 812 with transmission infrastructure and State Route 12 with transmission and collection infrastructure.

Notes:

NYSDOT = New York State Department of Transportation

NYSDEC = New York State Department of Environmental Conservation

Exhibit 35 – Electric and Magnetic Fields

In the first application supplement, the signed PE stamp was inadvertently omitted from the cover of the EMF study for the underground transmission line alternative. While not identified as a deficiency, a stamped copy is included with this second supplement.