

**Submission of Indicated New York Transmission
Owners
For Authority to Construct and Operate Electric
Transmission Facilities in Multiple Counties in
New York**

Case 13-M-0457

Part B Scoping Statements

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SCOPING DOCUMENTS

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Case 13-M-0457

Preliminary Scoping Statement

**Exhibit 3
Alternatives**

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EXHIBIT 3: ALTERNATIVES

3.1 Introduction

Exhibit 3, to be provided with Part B of the final Article VII Application, will address the requirements of 16 NYCRR §86.4 by providing, “A description of any reasonable alternate location or locations for the proposed facility, a description of the comparative merits and detriments of each location submitted, and a statement of the reasons why the primary proposed location is best suited for the facility.” In addition, technical or system alternatives (such as overhead vs. underground configuration, AC versus DC, or tie-in to a different substation) are also typically included and evaluated. Alternate methods to fulfill energy requirements would also be discussed briefly, including consideration of the “no-action” alternative and the feasibility of demand-side management and distributed generation.

For figure preparation, the Exhibit will use recent edition topographic maps, such as the United States Geological Survey (USGS) aerial-based topographic maps or the New York State Department of Transportation (NYSDOT) maps, as base maps. The Exhibit 3 maps will be prepared at a scale of 1:24,000.

3.2 Scope

Exhibit 3 will provide a statement explaining what consideration, if any, was given to any alternative route, the expansion of any existing right of way and any alternative methods which would fulfill the energy requirements with comparable costs. Minor variations and deviations along primary corridors will likely be identified and evaluated to demonstrate avoidance and minimization of potential impacts and to address specific engineering constraints. Exhibit 3 will also describe and present the results of the siting studies for any new substations that are included as part of the proposed Project(s).

3.3 Schedule

The Applicant will produce the Exhibit 3 information described above in a timeframe sufficient to be included in its Part B submittal, on the date yet to be established by the Administrative Law Judges, but in any event will be no earlier than November 2015 according to the most recent schedule included in the Commission’s December 2014 Order.

3.4 Sample Table of Contents

A sample Table of Contents for Exhibit 3 is included as Attachment 1.

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Attachment 1

Sample Exhibit 3 Table of Contents

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(SAMPLE)

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Case 13-M-0457

Preliminary Scoping Statement

Exhibit 4

Environmental Impacts

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EXHIBIT 4: ENVIRONMENTAL IMPACTS

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EXHIBIT 4: ENVIRONMENTAL IMPACTS

4.1 Introduction

Exhibit 4, to be provided with Part B of the final Article VII Application, will present the final results of technical studies designed to identify potential environmental impacts associated with the construction and continued maintenance of the proposed Project.

As requested in the Commission Order Establishing Modified Procedures for Comparative Evaluation issued and effective December 16, 2014, and the Commission's subsequently authorized extension, "Additional information to be included in the Part A" (pages 6 through 10), will be provided on March 2, 2015.

Exhibit 4 will address the requirements of 16 NYCRR §86.5. As provided in the Article VII amendments issued under the 12-T-0502 proceeding, in complying with 16 NYCRR §86.5, the Applicant will include further environmental impact analyses including an assessment of impacts on ecological, land use, cultural and visual resources. Land use impact analysis will include: Noise analysis; and analysis of consistency with existing, planned and proposed uses and adopted land use plans along with demonstrations of consistency with Coastal Zone policies, Local Waterfront Revitalization Programs, and designated Inland Waterway areas as applicable. Exhibit 4 will state what efforts, if any, have been taken by the Applicant to minimize the emissions of greenhouse gases during the construction, operation and maintenance of the Project, and will set forth plans to ensure the Project's resilience to rising water tables, flooding, ice storms, coastal storm surges, and extreme heat. The specific scope of the various technical studies and anticipated content of Exhibit 4, by resource area, is included in the following Article VII Preliminary Scoping Statement.

The Project will be designed, constructed and operated in a manner that avoids or minimizes impacts to environmental resources. Extensive field investigations, literature reviews, and agency consultations will be conducted to identify and assess existing environmental conditions within the Project area. The impact studies will describe existing conditions, methodologies used in the investigation, the anticipated environmental effects of the Project and, where appropriate, identify measures to avoid, minimize or mitigate for any adverse impacts.

4.2 Scope

This preliminary scoping statement summarizes the environmental impact studies that will be prepared under the following categories:

- Land Use;
- Visual Resources;
- Cultural Resources;
- Terrestrial Ecology and Wetlands;
- Topography and Soils;
- Water Resources;
- Noise;
- Transmission Line Electric and Magnetic Fields (EMF); and
- Design and Mitigation Efforts.

4.2.1 Land Use

The land uses within a one-mile corridor for the proposed transmission line will be inventoried to characterize the area to be traversed. Data sources will include existing U.S. Geological Survey (USGS) maps, available aerial photographs, and local planning documents. Sensitive land uses would be identified within the study corridor to assess certain potential impacts such as construction noise. Potential land use impacts from construction and operation of the transmission line would be identified and evaluated for presentation in the Article VII Application.

4.2.1.1 Local Land Use Planning and Policies

Local land use plans will be obtained and reviewed, and the Project's compatibility with these plans will be discussed. The use of existing corridors will substantially reduce the impact on land use as compared to new rights-of-way.

4.2.1.2 Floodplains

A review of floodplain mapping, as derived from the Flood Insurance Rate Maps (FIRMs) published by the Federal Emergency Management Agency (FEMA), will be conducted.

4.2.1.3 Agricultural Districts

Agricultural districts associated with the Project will be identified. Article 25-AA of the Agriculture and Markets Law authorizes the creation of local agricultural districts pursuant to landowner initiative, preliminary county review, state certification, and county adoption. The designations encourage improvements of agricultural land and the continued use of agricultural land for the production of food and other agricultural products.

4.2.2 Visual Resources

A visual resource assessment will be conducted as required by 16 NYCRR §86.5(b) (2) (i) - (ii) and (8) to evaluate the potential visibility of the proposed Project and objectively determine the difference in the visual character of the landscape before and after the Project is in place (visual impact). The process to be used will follow the New York State Department of Environmental Conservation (NYSDEC) Program Policy “Assessing and Mitigating Visual Impacts” (NYSDEC Visual Policy). The evaluation includes both quantitative (how much is seen) and qualitative (what it will look like) aspects of potential visual impact. The procedure employed relies on objective criteria based upon the relevant laws, rules, regulations, and applicable government policies. The process to be used includes the following procedural steps:

- Define the existing landscape character/visual setting to establish the baseline visual condition from which visual change is evaluated;
- Conduct a visibility analysis including viewshed mapping and road crossing studies that define the geographic area surrounding the proposed facility from which portions of the Project might be seen and where exposure may be greatest;
- Identify sensitive aesthetic resources to establish priority places from which further analysis of potential visual impact is conducted;
- Select key/representative viewpoints from which detailed impact analysis is conducted;
- Illustrate the visual character of the proposed facility as it would appear from key/representative viewpoints, such as the crossings of the New York State Thruway and Hudson River and potential Project locations with designated Scenic Areas of Statewide Significance, through the preparation of 10 visual simulations, as described below;
- Evaluate the nature of visual change (qualitative analysis) resulting from Project construction and completion and the public’s probable reaction to the visual change; and
- Identify opportunities for effective avoidance, mitigation, or offsets of potential adverse visual impacts.

Site photography will be used as the basis for the visual simulations that will be prepared to illustrate the anticipated appearance of the proposed Project. A typical visual simulation is produced by combining site photography with accurate, rendered computer models of Project facilities to predict what would be seen if the proposed Project were built in the photographed setting. Creation of visual simulations to illustrate the potential appearance of the proposed Project facilities, based on the selected structure type and preliminary design is broken into the following four primary steps:

- Step 1: Design Data Preparation/ Site Photography;
- Step 2: Computer 3D Digital Modeling / Terrain Modeling / Materials Texturing;
- Step 3: View-Matching / Lighting / Rendering; and
- Step 4: Digital Painting / Compositing.

4.2.3 Cultural Resources

The term cultural resources, as used here, includes archeological sites, objects, and places, as well as historic buildings, structures, districts, and objects. As required by Parts 16 NYCRR §86.3(a)(1)(iii) and 16 NYCRR §86.5(b)(2)(i), potential impacts on cultural resources from the construction and operation of the proposed Project will be evaluated by conducting a Phased Archeological Investigation and performing a Historic Architectural Survey. Cultural resources studies will be performed in conformance with the New York State Historic Preservation Act of 1980 and Section 106 of the National Historic Preservation Act of 1966, as amended (triggered by the United States Army Corps of Engineers (USACE) permit that will be required for this Project). The cultural resources studies that may be required for permitting this Project will most likely follow the sequence of phased study outlined in the New York State Standards for Cultural Resource Investigations (1994) and the Advisory Council on Historic Preservation's (ACHP) implementing regulations found at 36 CFR 800.

4.2.3.1 Archeological Investigation

The first step in evaluating cultural resources for this Project will be to initiate consultation with the New York Office of Parks, Recreation and Historic Preservation (OPRHP) that functions as New York's State Historic Preservation Office (SHPO). A letter will be sent to OPRHP that describes the Project and approach to accomplishing a Phase I investigation. A Phase IA cultural resources study will then be performed that includes a background literature review of a defined study area; that will contain the Project Area of Potential Effect (APE) and a reasonable radius around the Project. The task would involve checking archeological and architectural site files maintained by the OPRHP and the New York State Museum (NYSM), and reviewing Internet, published, and non-published materials located in libraries and at local historical societies. In addition, cultural resources specialists will perform a field reconnaissance (i.e. walk over the Project APE) and note observations of cultural resources, obvious disturbances, and other relevant factors such as slope and field conditions. In combination with the information generated from the SHPO, NYSM, and library research, these data will be used to assess the relative archeological sensitivity of the Project APE. A Phase 1A report will then be written to summarize the results of the literature review and field reconnaissance, note potential culturally sensitive areas within the APE, and recommend future steps and/or studies that may be appropriate.

Following completion of the background research and field reconnaissance, a Phase IB archeological survey work plan will be prepared for review by the OPRHP. Once consensus has been reached on the details of the field strategy, the Phase IB survey will be conducted of the proposed Project. The survey will focus on those portions of the alignment identified as having a moderate to high archeological sensitivity and where substantial ground disturbance will take place. Shovel testing will conform to OPRHP standards. Shovel test locations will be recorded using a submeter field-grade handheld Global Positioning System (GPS) unit, such as a Trimble© GeoXT™ or GeoXH™ model unit. Surface archeological features, such as building foundations and historic dumps, will be noted in field records and recorded using GPS. Representative digital photographs of field conditions and find locations will be taken. If artifacts are recovered as a result of field investigations, these will be cleaned, examined, and summarily described in the associated Phase 1B report. After a letter of comment is received from OPRHP, the results of the Phase IB field survey will be combined with the Phase IA background research to prepare the relevant section of the Article VII Application.

If cultural resources are identified, then a subsequent examination (Phase II) may be needed to evaluate the potential of the identified resources to be eligible to the State Register of Historic Places (SRHP) and/or the National Register of Historic Places (NRHP). If significant sites are to be affected by the Project, a Phase III investigation may be required to address data recovery or other alternative forms of mitigation of effects.

4.2.3.2 Historic Architectural Survey

The following survey approach is contingent upon consultation with, and agreement of, the OPRHP.

The potential direct and indirect impacts on historic architectural resources within the defined APE will be evaluated. The work consists of a multi-phase process that includes:

- Phase 1: Establishment of APE;
- Phase 2: Identification of historic properties;
- Phase 3: Assessment of effect of the Project on historic properties; and
- Phase 4: Mitigation of adverse effects, if needed.

Establishment of Area of Potential Effect

As this Project primarily involves the construction of new 345 kV lines within existing transmission lines, an APE limited to areas of new visibility within one mile on either side of the right-of-way centerline, based on a topography-only computer model is proposed. The APE will be determined by comparing

areas where a computer model shows the current line is visible and one where the new line will be visible. The difference between these two areas (the area of new visibility) will be the APE. Concurrence from the OPRHP regarding the proposed APE will be obtained before field work is initiated.

Identification of Historic Properties

At the same time that approval of the APE is being pursued, work will be undertaken to identify properties previously listed in, or determined eligible for, the SRHP and/or the NRHP. The majority of this information is filed by town rather than exact location. Therefore, this information should be obtained based on the towns included within a three mile buffer from the Project (as indicated by the Article VII guidelines), with the understanding that some of the properties initially identified may not be located within the final APE. NRHP and OPRHP listed properties and information for properties previously determined eligible for the NRHP should be readily compiled.

Assessment of Effect of the Project on Historic Properties

A report will be submitted to the OPRHP that provides historical and architectural contexts for the documented buildings in a form consistent with their standards. In addition, the results of the field work will be presented to the OPRHP in a table that provides a small photograph, locational data, and a summary of key architectural features and materials. Finally, an assessment of the effect of the Project on properties previously listed in, determined eligible for, or recommended as potentially eligible for the NRHP will be assessed.

Mitigation of Adverse Effects

If the OPRHP determines that the Project presents an adverse effect to historic resources, then potential mitigation will be discussed with the OPRHP.

4.2.4 Terrestrial Ecology and Wetlands

The potential effects to biological and natural resources from the construction and operation of the proposed Project will be reviewed and methods to avoid or minimize these potential impacts will be identified. A desktop analysis will be conducted, based on an overlay of Project facilities, using existing information from federal and state agency database searches, and a literature review of published data and state agency correspondence to ascertain the presence of biological and natural resources likely to occur within the Project vicinity.

Terrestrial resources along the right-of-way will be identified based on aerial photographs and reconnaissance surveys. The total area and relative percentage of each community type will be quantified for presentation in the Article VII Application. In addition, the New York State Department of

Environmental Conservation (NYSDEC) and the U.S. Fish and Wildlife Service (USFWS) will be consulted with regard to rare, threatened or endangered species in the Project area. A list of all mammals and birds identified in the Project area will be compiled, as well as those expected to use the area based upon the types of habitats present. Common vegetation and wildlife species that would typically be found within the study area will also be identified and listed.

In conjunction with other required field surveys, general terrestrial wetland and upland vegetative cover type information along the proposed right-of-way and at proposed new substation and switching station sites will be collected. The information will be used to characterize general wildlife usage along the transmission corridors, substation and switching station sites, in addition to any specific habitats associated with endangered and threatened species that may have been identified by the NYSDEC and the USFWS.

4.2.4.1 Vegetation

The presence and distribution of vegetation communities associated with the Project corridor will be evaluated. Vegetation communities will be analyzed using vegetation cover types as defined by the USGS Gap Analysis Program (GAP) Level 3 New York land cover data. GAP land cover data is developed using a combination of Landsat imagery from the Multi-Resolution Land Characteristics (MRLC) Consortium land cover data available in the National Land Cover Database (NLCD) which is then field verified. GAP integrates a variety of other datasets to help with the land cover classification process including:

- Digital elevation model-derived data sets;
- Digital data on soils, geology, stream, and wetlands;
- Point locations for rare plant communities; and
- Fire and tree harvest information.

A review of current aerial photography in comparison to GAP data will be conducted to detect large changes over time, especially in respect to vegetation structure and density associated with forest clearing, development, and changing cultivation strategies. Predominant vegetation communities will be characterized, according to the classification scheme presented in the Ecological Communities of New York State, Second Edition. A cumulative summary of ecological communities (i.e., agricultural lands and wetland communities) identified within the Project corridor will be generated and potential Project-related impacts in terms of vegetation communities will be evaluated.

4.2.4.2 Invasive Species

Proposed activities associated with the Project will conform to the requirements of the Environmental Energy Alliance of New York's (EEANY) Best Management Practices (BMP) for Preventing the Transportation of Invasive Plant Species, dated Apr. 26, 2012. The EEANY BMP was developed by representatives from the PSC, NYSDEC and NY Transco.

4.2.4.3 Wetlands

The USACE and the NYSDEC have the authority to protect wetlands and surface waters through regulation and permitting activities. New York state's freshwater wetlands are protected under Article 24 of the Environmental Conservation Law, commonly referred to as the Freshwater Wetlands Act (6 NYCRR §663). Pursuant to Article 24, New York regulates wetlands greater than 12.4 acres or wetlands of any size that possess unique qualities. In addition, New York regulates areas of land or water that are outside a wetland and within 100 feet of the wetland boundary. Article 15 of the Environmental Conservation Law preserves and protects New York's lakes, rivers, streams, and ponds. Rules and regulations to protect wetlands and waters of the United States are administered by the USACE under Section 10 of the Rivers and Harbors Act, Section 404 of the Clean Water Act, and Section 401 Water Quality Certification (WQC).

The location and extent of wetlands and surface water resources along the proposed Project rights-of-way and associated substation and switching station sites will be determined by conducting a preliminary information review of state and federal GIS data sources followed by a formal field delineation. The results of the wetland mapping and delineation efforts, anticipated wetland impacts, and potential construction methods to minimize or avoid wetland impacts resulting from the proposed Project will be summarized in the subsequent Article VII Application.

Preliminary Information Review

The presence of potentially jurisdictional waters of the United States, including wetlands, and waters of the state, will be determined based on compilation of existing information from the NYSDEC Freshwater Wetland database, the USFWS NWI wetland database, current aerial imagery, the USGS National Hydrography Dataset (NHD), and the Natural Resources Conservation Service (NRCS) soil survey database. Compiled information will be geo-referenced with USGS 1:24,000 scale quadrangle maps and current aerial imagery. An evaluation of previously mapped wetlands and hydrography, hydric mapped soils, and photo interpretation will determine wetland areas. The information will be used to prepare a map product depicting the extent of wetlands and surface waters mapped in the proposed rights-of-way identified by cover type. The information will be assembled in a summary table, which will accompany

the map product. The product will provide a baseline of potential resources identified in the proposed right-of-ways and will be used to supplement the field delineation effort. The preliminary evaluation of existing resources is designed to enhance efficiency of the fieldwork by identifying known resource locations. The information will also be valuable during the planning and construction phases of Project development to assist in identifying access points and potential crossings of large wetlands and/or surface water systems.

Field Delineation of Wetlands and Surface Waters

Formal wetland delineation will be completed using the 1987 Corps of Engineers Wetland Delineation Manual and the 2012 Regional Supplement to the Corps of Engineers Wetland Delineation Manual: North-central and Northeast Region. The survey area will be field assessed for the presence of hydric vegetation, soil, and hydrology indicators. Initially, the presence or absence of a wetland will be determined by a visual assessment of vegetation, hydrology, and geomorphic position. In locations where potential wetlands may be present, soil profiles will be examined along a transect perpendicular to the perceived wetland boundary. Positive indicators of all three parameters are normally present in wetlands and will serve to distinguish between upland and transitional plant communities.

Hydric vegetation, soil, and hydrology indicators at selected sampling station locations will be recorded on the USACE regional data forms for each delineated wetland. Wetland communities will be characterized using the USFWS Classification of Wetlands and Deepwater Habitats of the United States hierarchy to classify wetland cover types. Dominant plant species and estimated aerial cover will be recorded by stratum, including tree, sapling/shrub, herbaceous and woody vine. Multiple soil borings will be extracted and evaluated to define the wetland boundary. However, only one pair will be recorded for each delineated wetland and corresponding upland. Soil borings will be collected to a depth of 20 inches, where possible, to confirm the presence or absence of hydric indicators, and observations will be recorded in standard log form. Hydrologic indicators or lack thereof will also be recorded as well as observations supporting a wetlands potential functions and values. Wetland features that have implications for transmission line construction including structure placement, access road locations, unstable soil, hummocks, and degree of saturation will also be identified.

Wetland boundaries will be marked with sequentially numbered pink surveyor flagging labeled “Wetland Delineation” at 50- to 75-foot intervals, depending on line of sight. The location of each flag will be recorded using a Trimble© GeoXT™ or GeoXT™ handheld GPS. These units generally provide sub-meter accuracy. However, accuracy can range within three to five meters. Information on surface water and deepwater systems will also be obtained during the field surveys. Characteristics of surface waters

including flow regime, depth, substrate, bank vegetation, and fish or wildlife observations will be collected during the wetland delineations. Waterbody data will be entered into the Project GIS database and will be presented in the narrative and/or tabular format in an appropriate format necessary to support the Article VII Application.

Wetland biologists will also prepare field sketches showing wetland boundary configurations, relationships to streams and other water resources, and other landmarks including poles or towers, roads, railroad tracks or other physical features. Photographs will be collected from each delineated resource. A GPS waypoint will be collected from a fixed reference point such as power poles or road intersections for quality assurance measures of field collected data. Once the data points have been downloaded, post-processed and corrected for the highest possible accuracy, the GPS data will be converted into a GIS data layer and plotted onto Project plans.

A formal Wetland Delineation resource report will be generated in support of the preparation of the Article VII Application and any related federal permitting. The report will include the following information:

- USACE Wetland Determination Data Forms;
- Stream Data Forms;
- Wetland sketch forms;
- Representative site photographs; and
- Figures illustrating delineated features.

4.2.4.4 Wildlife

A literature review will be conducted to identify the status and distribution of resident and transient wildlife species likely to occur within the Project corridor. Information resources will include published literature, previously recorded survey data, and NYSDEC database searches. Wildlife habitats associated with the Project area are expected to include suburban, rural residential and agricultural areas.

4.2.4.5 Threatened and Endangered Species

Federal and state protection of threatened and endangered species, as well as their habitat, requires certain procedures be followed during Project planning. Section 7(a) of the Endangered Species Act (ESA) establishes a national program, administered by USFWS for the conservation of threatened and endangered species of fish, wildlife, and for terrestrial species and the ecosystems on which they depend.

The NYSDEC regulates endangered and threatened species of animals and plants in New York under Articles 3, 9 and 11 of the Environmental Conservation Law and 6 NYCRR §182 and §193.3.

The USFWS Federally-listed Threatened and Endangered Species and Candidate Species County Lists for the Project will be evaluated, and data request letters will be submitted to the New York Natural Heritage Program (NYNHP) to assess potential effects to documented species as well as sensitive habitats potentially occurring within the Project rights-of-way. The current information will be necessary to comply with Section 7 of the Endangered Species Act regarding the presence of state- and federal-listed threatened and endangered species, ecologically significant areas, and federal or state species of concern. Several species of concern may occur in the Project area, including but not limited to the timber rattlesnake (*Crotalus horridus*), bog turtle (*Glyptemys muhlenbergii*), and Indiana bat (*Myotis sodalists*).

The information will be utilized to indicate areas with potential suitable habitat for threatened or endangered species and corroborate the locations of ecologically significant areas where surveys can be focused.

4.2.5 Topography and Soils

Descriptions of the topography, geology, and soils associated with the proposed Project will be provided as part of the Article VII Application. Subsurface conditions will be evaluated based on a review of existing documents (e.g., USDA Soil Conservation Service soil surveys and topographic maps). The overview will identify areas of steep slope, areas of potential shallow bedrock, hydric soils that may indicate the presence of shallow groundwater or wetlands. Areas of potential geologic hazards such as karst topography and soils subject to liquefaction will also be identified. The long-standing presence of transmission facilities within the existing corridors associated with the proposed Project indicates that potential geologic hazards along these right-of-ways can be overcome. Subsurface investigations (i.e., soil borings) and groundwater testing are typically not warranted for the preparation of an Article VII Application but if geotechnical investigations are conducted to support the engineering and design, available information will be incorporated in the Article VII Application.

4.2.6 Water Resources

The characteristics of, and potential impacts to, the aquatic communities traversed by the proposed rights-of-way will be evaluated in this section of the Article VII Application. The assessment will consider surface water quality and the proposed method of access road crossing, if required. The effort will rely on existing documentation, correspondence with the resource agencies (i.e., NYSDEC, USFWS), and field

reconnaissance surveys. Typical erosion and sedimentation control measures will be outlined in the Article VII Application.

This section of the Article VII Application will provide an assessment of the potential effects to local water resources resulting from construction and operation of the proposed Project. It will identify efforts undertaken to avoid or minimize potential impacts, as well as mitigation measures to address unavoidable impacts. To complete this assessment, a desktop geospatial analysis will be conducted using the proposed Project layout, existing information from federal and state agency data sources, and a literature review of published data to determine likely presence and extent of water resources in the Project corridor.

4.2.7 Noise

Noise impacts from most transmission facilities are expected to be limited to construction activities and from the operation of new substations, but corona noise from 345 kV lines can be raised as a nuisance impact if residences are nearby. Construction activities are expected to be short-term, during daytime hours only, and conducted in accordance with local ordinances (unless considered unduly restrictive). Accordingly, potential noise impacts from construction of transmission lines will be addressed qualitatively, and no noise monitoring or modeling is anticipated for these Project components. Ambient noise monitoring and modeling will be conducted for the new substations that will be developed as part of this proposed Project.

4.2.7.1 Noise Monitoring and Impact Analysis

A noise impact assessment (NIA) will be completed to determine the potential for adverse noise impacts associated with the construction and operation of the Project. The NYSDEC has issued guidelines under the State Environmental Quality Review Act (SEQRA), which are defined as an allowable incremental increase, relative to existing acoustic conditions. The NYSDEC provides this suggested guideline to determine the threshold for the onset of potential of adverse noise impacts. There are no other State of New York noise standards applicable to the Project. Local noise ordinances will also be considered for the purposes of assessing regulatory compliance. The permanent noise sources associated with the Project include noise generated by substation transformers, corona noise from transmission lines produced generally during foul weather conditions, and the comparatively minor source of routine inspection and maintenance. Noise generated during Project construction will also be addressed.

The overall study objectives are to:

- Identify Project sound sources and estimate sound propagation characteristics;

- Computer simulate sound levels using internationally accepted calculation standards; and
- Determine the feasibility of the Project to operate in compliance with applicable noise guidance, as defined by the NYSDEC Program Policy guidelines and other local noise ordinances and requirements.

Baseline Sound Survey

A baseline sound survey will be conducted, including:

- Collection of baseline sound data at one location at each of the proposed new substation sites over a 24-hour period, using an unattended acoustic data collection system; and
- Collection of daytime and nighttime short-term measurements (30 minute minimum) with a real-time sound level analyzer at up to five offsite locations within the study area for each proposed substation site, focusing on residential property lines and existing residential or other noise-sensitive receptor locations within the acoustic study areas.

Sound level measurements will be made with ANSI Type 1 (precision) real-time sound level analyzers calibrated per ANSI specifications to ensure the highest data accuracy possible. Baseline sound monitoring data will be measured and data-logged continuously in one-minute and 10-minute intervals. The equivalent sound level (Leq), L10 (intrusive noise level), L50 (median), and L90 (residual sound level) metrics will be data-logged to fully characterize the ambient acoustic environment in the Project area. The analyzers will simultaneously measure broadband A-weighted (dBA) sound levels, full and one-third octave band frequency components. The results of the baseline sound survey will be presented in a technical report which will be used to complete the existing conditions section in the Article VII Application.

4.2.7.2 Acoustic Modeling Analysis

The propagation and attenuation of sound from the proposed substations will be modeled using sound power data provided by the equipment manufacturers. Modeling of maximum sound pressure levels will be done using the three-dimensional Cadna/A acoustic model, in accordance with International Standard ISO 9613-2 "Acoustics - Attenuation of Sound During Propagation Outdoors." The results of the acoustic modeling analysis will be presented in color-coded broadband dBA isopleths projected onto scaled aerial photographs or USGS topographic mapping at a height of 1.52 meters above grade (approximate height of the ears or a person standing).

4.2.7.3 Compliance Assessment and Technical Report

A regulatory review of noise requirements will be completed that may be applicable to the Project at the local, county, state, and federal levels. A regulatory review of each town along the proposed 345 kV lines will be performed. Compliance will be assessed at noise sensitive receptors in accordance with NYSDEC guidelines and/or other applicable requirements. The NIA will provide Project background information, regulatory criteria overview, discussion of the acoustic modeling methodology, modeling results, and conclusions, along with an executive summary. Sound level contour figures and tabulated results at noise sensitive receptor locations will be provided as an appendix.

4.2.7.4 Transmission Line Construction and Operation

Noise generated during Project construction and line operation will be described along with specific sound source characteristics using a construction vehicle/equipment sound source library. Sound levels resulting from construction activities and transmission line operation will be provided at a reference distance and far-field distance from the transmission line or construction activity. General construction noise mitigation measures will be presented, as necessary.

4.2.8 *Electric and Magnetic Fields*

A study will be performed through the use of computer models to assess the expected electric and magnetic field (EMF) effects using Winter Normal Ratings as required by the New York State Public Service Commission. The results of the study will be included in the Article VII Application.

4.2.9 *Design and Mitigation Efforts*

Exhibit 4 will describe what design and mitigation measures have been employed to minimize greenhouse gas emissions, and to ensure system resilience to rising water tables, flooding, storm surges, and extreme temperatures, including ice storms and heat waves.

As noted in the September 19, 2013 Order, the PSC is requiring parties to this proceeding to submit information additional to that required for other Article VII proceedings. The additional items are provided below as they are contained in that Order:

1. What efforts, if any, have been made to minimize the emissions of greenhouse gases during the construction, operation and maintenance of the proposed facility;
2. If any portion of the proposed facility is to be constructed underground, the applicant shall state what, if any, plans have been made to ensure system resilience to rising water tables, including potential salt water intrusion in coastal areas;

3. If any portion of the proposed facility is to be constructed in the 0.2 (1 in 500 year storm) percent floodplain, the applicant shall state what, if any, plans have been made to ensure system resilience to flooding, including enhanced storm surge in coastal areas;
4. What, if any, plans have been formulated to ensure that the proposed facility is resilient to severe snow and/or ice storms; and,
5. What, if any, plans have been formulated to ensure that the proposed facility is resilient to periods of extreme heat.

Responses to these requirements are provided below.

4.2.9.1 Greenhouse Gases

The September 19 Order by the Commission requires that the information required to comply with 16 NYCRR §86-5 include identification of the efforts, if any, that have been made to minimize the emissions of greenhouse gases during construction, operation and maintenance of the proposed facility. Given that neither detailed engineering nor construction for the Applicant's facilities have started, no efforts have been made to date.

However, the Applicant's Article VII Projects will incorporate the following actions into the engineering design criteria to minimize emissions of greenhouse gases during operation and maintenance and into planning for construction activities:

The Applicant's Article VII projects will develop a plan to provide for an inspection and maintenance program for motorized equipment and vehicles used during the construction of the proposed facility, to ensure that associated engines and exhaust systems are in proper working condition (this program will also be focused upon preventing/minimizing gaseous emissions from fuel and fluid releases from such equipment and vehicles);

The Applicant's Article VII projects will avoid unnecessary idling of motorized construction equipment and vehicles during construction thereby minimizing emissions of greenhouse gases;

The Applicant's Article VII projects will procure, install and maintain SF6-containing electric substation equipment in accordance with current engineering standards to avoid/minimize releases of SF6. ;

The Applicant's Article VII projects will comply with NYSDEC regulations in performing periodic testing of emergency diesel generators at the proposed substations, such as NPCC Regional Reliability

Reference Directory 8 System Restoration specifically NPCC D8 ST-5 Emergency Gen Run test and NPCC D8 ST-6 Emergency Gen Transfer test; and

The Applicant's Article VII projects will evaluate electric conductors for application on the Project that will minimize electricity losses during transmission and thereby indirectly minimize GHG emissions.

4.2.9.2 Resilience to Rising Water Tables

Currently, the applicant proposes to construct the entire facility above ground. However, alternatives will be considered that include underground transmission components. Exposure to water for underground alternatives considered will include appropriate design measures to account for water submersion. Actual design measures will be determined for the specific underground locations. Design criteria for an underground installation under the Hudson River will assess potential impacts related to salt water intrusion, and appropriate mitigation measures will be made should any concerns be noted.

4.2.9.3 Resilience to 500-year Flood Event

Where possible, structures will be designed to avoid placement in a known 500-year floodplain. If any structures are required to be constructed in the 500-year floodplain, they will be designed to minimize the potential impacts of flooding on that specific structure. Mitigation measures will be analyzed on an individual structural basis once structure locations have been determined in relation to the 500-year floodplain.

4.2.9.4 Resilience to Severe Winter Weather

The National Electric Safety Code (NESC) identifies several weather and loading conditions that must be designed for, including high winds and combinations of ice and wind. The requirements identified in the NESC, in addition to the applicant's own ice and wind loadings, will be included in the design. A detailed discussion of the loading criteria used for design will be included in Part B.

4.2.9.5 Resilience to Extreme Heat

The types of facilities proposed by the applicant have an established record of successful operation in many different climates and temperature ranges throughout the State of New York. Extreme heat is not expected to have any impact on the proposed facilities based on past experience using these materials in New York.

4.2.10 Additional Exhibit 4 Content

Exhibit 4 will also include a concluding statement, references and a summary of environmental impacts, a concise listing of impacts in each resource category. It is anticipated that attachments or links to public documents may be included, such as: agency correspondence, delineation reports, EMF studies, and/or long-range ROW management plans. A list of references utilized will be included.

4.3 Schedule

The Applicant will produce the Exhibit 4 information described above in a timeframe sufficient to be included in its Part B submittal, on the date yet to be established by the Administrative Law Judges, but in any event will be no earlier than November 2015 according to the most recent schedule included in the Commission's December 2014 Order.

4.4 Sample Table of Contents

The Table of Contents for Exhibit 4 is expected to be similar to the Table of Contents used for this Exhibit 4 preliminary scoping statement.

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**Exhibit 6
Economic Effects of Proposed Facility**

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EXHIBIT 6: ECONOMIC EFFECTS OF PROPOSED FACILITY

6.1 Introduction

Exhibit 6, to be provided with Part B of the final Article VII Application, will address the requirements of 16 NYCRR §86.7 by stating any anticipated effects that the construction and operation of the Project may induce in the residential, commercial or industrial land-use patterns of any area adjacent to any portion of the proposed facility.

The Project is not anticipated to cause major changes to residential, commercial, or industrial land use patterns of any area adjacent to the Project or within the Project area.

6.2 Scope

Exhibit 6 will also include a description of the study methods utilized and a summary of the findings for each of the following subject areas.

6.2.1 Demographics

Exhibit 6 of the Article VII Application will provide an overview of the demographic characteristics of the towns and counties in which proposed facilities are located. The data will include basic socioeconomic statistics such as population, population density, per capita income, unemployment rate, and the composition of the workforce in table form that will be attained from the United States Census Bureau and the New York State Department of Labor. Additional information derived from the study will be included as a part of this discussion.

6.2.2 Impacts and Mitigation

Exhibit 6 will identify and evaluate the impact that construction of the Project may have on major changes to residential, commercial, or industrial land use patterns of any area adjacent to the Project or within the Project area. This section of Exhibit 6 will describe efforts to avoid major land use pattern alterations and how designs will minimize impacts.

6.2.3 Construction Effects and Mitigation

Typically, construction would progress linearly along the rights-of-way with the exception of special crossings. However, work may proceed simultaneously with multiple crews to expedite the overall construction effort. The construction workforce will be required to carry out the process of right-of-way and substation site preparation, foundation installation, structure fabrication and erection, conductor stringing, equipment installation, testing and commissioning, and site restoration. The aforementioned study will provide the basis of this exhibit, and will describe any potential secondary effects regarding

induced changes in land use patterns, including affected businesses and agricultural land, resulting from the temporary construction work areas.

Variables, such as large changes in local infrastructure, changes in the regulatory environment, or major employment and/or income growth trends in the local economy, will be reviewed to determine socioeconomic effects. The section described of Exhibit 6 will also determine if changes will occur that may enhance land available for development, increase construction, or otherwise change land use patterns. Although it is anticipated that existing ROWs will be utilized for the Project, any proposed changes in land use will be identified and described.

6.2.4 Operational Effects

Operational effects resulting from the Project will be based on the workforce required for the operation and maintenance of the proposed facilities and any potential secondary effects regarding induced changes in land use patterns from the Project footprint.

It is not anticipated that additional staff would be expected for operation and maintenance of the Project. This evaluation will consider if there are any anticipated effects of increasing the potential for employment in and around the Project area regarding increasing the potential growth of industries and businesses attracted to the area in the future due to the reliability of the electric system in the Project area.

6.2.5 Available Construction Force

Section 6.2.5 of Exhibit 6 will determine if construction of the Project would significantly affect employment in the Project area. To identify potential construction effects on the area economy, the Applicant will identify the construction schedule and the size and character of the required construction work force for the proposed facilities in relation to the available construction work force and the Applicant's ability to obtain workers for the Project from within and outside the Project area. Such information will be made available from the aforementioned study.

6.3 Schedule

The Applicant will produce the Exhibit 6 information described above in a timeframe sufficient to be included in its Part B submittal, on the date yet to be established by the Administrative Law Judges, but in any event will be no earlier than November 2015 according to the most recent schedule included in the Commission's December 2014 Order.

6.4 Sample Table of Contents

A sample Table of Contents for Exhibit 6 is included as Attachment 1.

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Attachment 1

Sample Exhibit 6 Table of Contents

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(SAMPLE)

EXHIBIT 6: ECONOMIC EFFECTS OF PROPOSED FACILITIES

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**Exhibit 7
Local Ordinances**

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EXHIBIT 7: LOCAL ORDINANCES

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EXHIBIT 7: LOCAL ORDINANCES

7.1 Introduction

In the Exhibit 7 provided in Part A of its Article VII Application being filed contemporaneously with this Preliminary Scoping Statement, the Applicant is submitting Project route maps showing zoning and flood zones.

The Exhibit 7 to be provided in Part B of the Article VII Application will address the requirements of 16 NYCRR §86.8 by identifying, for each of the jurisdictions in which the Project is proposed to be sited (each a “Locality”), the substantive local ordinances, resolutions, regulations, standards and other requirements applicable or potentially applicable to the Project (“Local Ordinances”). The Applicant will comply with the substantive requirements of these Local Ordinances, and the location of the Project and its construction and operation will be in accordance with such Local Ordinances, except for those substantive requirements of Local Ordinances that the Applicant identifies as being unreasonably restrictive in view of: (i) the existing technology, (ii) factors of costs or economics, or (iii) the needs of consumers. Exhibit 7 will contain justification statements in support of any requests that the Commission not apply those Local Ordinances identified as unreasonably restrictive.

As provided in the rule modifying and clarifying the Article VII regulations issued in the Commission’s April 22, 2013 Order in Case 12-T-0502 (“April 22 Order”)¹, Exhibit 7 of the Part B Application will contain the following:

- A statement describing the Applicant’s consultation with the Localities whose requirements are the subject of this exhibit to: determine whether all such requirements have been identified correctly; and to determine whether any potential request that the Commission refuse to apply any Local Ordinance could be obviated by design changes to the Project, or otherwise (“Consultation Statement”);
- A statement identifying an agency qualified by the Secretary of State to review any applicable building plans and to certify compliance with: (i) the New York State Uniform Fire Prevention and Building Code, (ii) Energy Conservation Construction Code of New York State and (iii) applicable local, electrical, plumbing or building codes;

¹ Order Establishing Procedures for Joint Review Under Article VII of the Public Service Law and Approving Rule Changes, effective April 22, 2013.

- A summary table of all Local Ordinances in two columns (listing the provisions in the first column and providing a discussion or other showing demonstrating the degree of compliance with the substantive provision in the second column) and copies of or links to all such Local Ordinances (“Compliance Summary Table”);
- An identification of the zoning designation, if any, of all lands constituting the site of the Project and a statement of the language in the applicable Local Ordinance which indicates that the Project is a permitted use at the proposed site; if the language of the Local Ordinance indicates that the Project is a permitted use at the proposed site subject to the grant of a special exception, the exhibit will also contain a statement of the criteria in the Local Ordinance by which qualification for such a special exception is to be determined (“Zoning Designation Identification”); and
- A list of all substantive State approvals, consents, permits, certificates, or other conditions for the construction or operation of the proposed facility; and a statement that the Project as proposed conforms to all such State substantive requirements (“State Law List”).

7.2 Scope

To provide meaningful consultation with the Localities, the Applicant is conducting a preliminary review of local ordinances, laws, resolutions, regulations, standards, and other requirements, including those it would request that the Commission refuse to apply, to assess their applicability to the specific facilities and locations proposed as part of the Project. This information is being obtained through desktop research and Freedom of Information Law (“FOIL”) requests submitted to the Localities.

As part of this preliminary review, the Applicant is examining the existing zoning maps and local regulations of all Localities as they relate to the specific facilities and locations proposed as part of the Project. For the Localities that have adopted zoning, the Applicant will identify the zoning designation of all lands constituting the site of the proposed Project. It will identify the language in the Local Ordinance indicating that the proposed Project is a permitted use at the proposed site and whether or not such use is subject to the grant of a special exception under such Local Ordinance. If the use is subject to the grant of a special exception, the Applicant will identify the criteria in the Local Ordinance by which qualification for such a special exception is to be determined. The Applicant will provide such information in the Zoning Designation Identification to be included with Exhibit 7.

Localities were sent a letter in September 2013 proposing a meeting for the purpose of making the determinations required in the Consultation Statement to be included with Exhibit 7.² A letter in form substantially similar to that which was sent to the Localities is attached hereto as Attachment 1.

As of January 1, 2015, the Applicant has met with representatives from the following Localities: the towns of Bethlehem, Coeymans, Duanesburg, Princetown, Guilderland, New Scotland, Marcy, Deerfield, Schuyler, Frankfort, German Flatts, Stark, Minden, Canajoharie, Root, Glen, Charleston, Florida, Schodack, Stockport, Ghent, Livingston, Milan, Clinton, Pleasant Valley, Delhi, Franklin, Bainbridge and Afton, and counties of Albany, Herkimer, Montgomery, Oneida, Rensselaer, Schenectady, and Delaware. The Applicant also met with State Senators representing the 41st, 44th, 46th, 47th and 51st Senate Districts and met with members of the State Assembly representing the 101st, 102nd, 106th, 107th, 109th, 118th, and 119th Assembly Districts.

The meetings held with the Localities were intended to provide preliminary information regarding the project that was proposed in the Applicant's October 1, 2013 filing. These meetings were often attended by local officials and were often open to the public. After consultation and coordination with DPS Staff, the Applicant proposes to contact the Localities to schedule meetings with them regarding the Project components proposed in this January 20, 2015 filing. At those meetings, the Localities will be provided with information regarding: (i) the Project components proposed by Applicant in this January 20, 2015 filing, (ii) how these Project components differ from what was proposed in October 2013, and (iii) the Applicant's preliminary review of Local Ordinances.

The Applicant will prepare a Consultation Statement with respect to each Locality following its meeting(s) with the appropriate representatives of that Locality. If the Applicant, despite good faith efforts, is unable to consult with a Locality, that will be noted in the Part B filing.

The Applicant will include with the Exhibit 7 it files with its Part B application the Compliance Summary Table with links to (or copies of) the Local Ordinances, and the State Law List.

7.3 Schedule

The Applicant will produce the Exhibit 7 information described above in a timeframe sufficient to be included in its Part B submittal, on the date yet to be established by the Administrative Law Judges, but in

² All Localities to be crossed by the project proposed in the Applicant's October 2013 filing were sent such a letter. No letter was sent to the towns of Athens, Coxsackie, Greenport, Hyde Park, New Baltimore and Village of Athens, which were not Localities to be crossed by the project proposed in the Applicant's October 2013 filing.

any event will be no earlier than November 2015 according to the most recent schedule included in the Commission's December 2014 Order.

7.4 Sample Table of Contents

A sample Table of Contents for Exhibit 7 is included as Attachment 2.

Attachment 1

Sample Letter to Localities

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[SAMPLE FORM OF LETTER TO LOCALITIES]

Dear <Government Official Name>:

I am writing to you today on behalf of ____ to offer to meet with you to discuss a proposed electric transmission project that may traverse your community. For your convenience, I have enclosed a copy of a June 21, 2013 letter sent to you by the New York State Public Service Commission (NYPSC) which outlined the Article VII proceeding the NYPSC initiated (Case 12-T-0502) to solicit and consider project proposals to help relieve congestion between Upstate New York and Southeast New York. The project we propose is one of a number of proposals the “New York Transmission Owners,” a consortium of New York electric transmission owners (including ____), will submit for consideration by the NYPSC in that proceeding.

This project, known as the _____ Project, comprises a new 345-kilovolt electric transmission line to be constructed along existing electric transmission rights of way running from _____ in the Town of ____ (____ County) to _____ in the Town of ____ (____ County), a distance of approximately ____ miles. We are interested in discussing with you the purpose and benefits of the project and how it may affect your community. It is important to ____ that we contact you as part of our overall effort to properly identify and assess the project’s ability to comply with all substantive local law requirements that may be applicable.

The New York Transmission Owners anticipate filing initial Article VII application materials with the NYPSC by January 20, 2015. A copy of the application will be provided to your municipality. After the filing, the initial application materials will be available for public review in municipal buildings and public libraries in communities along the proposed route and on the NYPSC’s website.

In addition, because we are dedicated to keeping you and your constituents fully informed about the project, after the filing we will send a letter to all property owners adjoining the _____ Project to provide an overview of the project and instructions on how they can be fully involved in the project’s review. A number of public input and information events will be held in the future to allow you and your constituents to gather more details and ask questions about this important project.

Finally, by October 1, we will establish a project website, freely available to the public, that will contain specified project information, including the time, date, and location of all future public input and information events as they are scheduled.

Please contact me at _____ or email me at _____ at your earliest convenience if you would like to discuss the Project, either in person or over the phone. On behalf of _____, I look forward to hearing from you and to discussing this important project.

Sincerely,

[Name]

[Title]

Attachment 2

Sample Exhibit 7 Table of Contents

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(SAMPLE)

EXHIBIT 7: LOCAL ORDINANCES

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**Exhibit 8
Other Pending Filings**

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EXHIBIT 8: OTHER PENDING FILINGS

8.1 Introduction

The Applicant will prepare materials suitable for addressing the requirements of 16 NYCRR §86.9, “Exhibit 8: other pending filings” as provided above. The Applicant will identify any current or pending filings or applications and describe how the granting or approval of these documents could affect the granting or denial of the Article VII Application for the Project selected for the Part B process. Likewise, the Applicant will discuss how the granting or denial of the Article VII Certificate would affect these pending filings.

8.2 Scope

Anticipated permits and approvals that the Applicant intends to seek in connection with the Project, in addition to the Article VII Certificate, are discussed in the following sections.

8.2.1 Federal Filings

Typically required Federal-level filings are summarized in the following sections.

8.2.1.1 U. S. Army Corps of Engineers - Sections 10 and 404 Permits

As required under Section 10 of the Rivers and Harbors Act by the U.S. Army Corps of Engineers (USACE), the Part B application will review and identify work in, over, or under navigable waters of the United States. The NYSDEC-mapped stream crossings and the results of the wetland and stream delineation for the Project facilities will be provided in Exhibit 4. Stretches of some of these waters may be identified as navigable waters of the United States regulated under the Rivers and Harbors Act of 1899. The Applicant will pursue pre-application consultations with the applicable USACE Districts to determine the applicable clearance requirements for each navigable waterway.

All wetlands that meet the criteria for federal wetlands, regardless of size, are regulated under Section 404 of the Clean Water Act by the USACE. All wetland areas associated with the Project will be identified and reviewed as part of the Part B Application development. This will include identification of any wetlands areas that are regulated by the USACE anticipated to be crossed by the proposed transmission line.

8.2.1.2 Federal Aviation Administration- Review of System Component Height Impacts on Aviation

This section of Exhibit 8 will include a review of system component height impacts on aviation, as regulated by the Federal Aviation Administration (FAA). The applicants will provide the FAA with locational and height information via Form FAA 7460-1 - Notice of Proposed Construction or Alteration.

8.2.1.3 US Coast Guard – Approval for work within navigable waters

As required under Section 9 of the Rivers and Harbors Act, any work performed within certain navigable waters needs prior approval from the U.S. Coast Guard. Information will be provided to the US Coast Guard as part of EM&CP preparation.

8.2.2 State Filings

Typically required State-level filings are summarized in the following sections.

8.2.2.1 New York Department of Transportation - Utility Work Permit

As required by 17 NYCRR Part 131, this section of Exhibit 8 will examine and identify the construction activities associated with identified State highways crossed by the Project. The study will include review of available NYSDOT maps as well as data collected from field surveys throughout the Project. During preparation of Exhibit 8 the Applicant will determine and report the necessity to seek to obtain UWP(S) from NYSDOT for any applicable road crossings. Following final design and preparation of the EM&CP for the Project, the Applicant will seek to obtain UWP(s) from NYSDOT for all applicable road crossings.

8.2.2.2 New York Department of Environmental Conservation - State Pollutant Discharge Elimination System (“SPDES”) General Permit for Stormwater Discharges from Construction Activities

As required by 6 NYCRR § 750-1.21(b)(2), this Section of Exhibit 8 will identify if construction activities are anticipated to involve disturbance of one or more acres of land to determine if the Project requires a State Pollutant Discharge Elimination System (“SPDES”) General Permit for Stormwater Discharges from Construction Activities from NYSDEC. This examination will identify the need to develop a Stormwater Pollution Prevention Plan (“SWPPP”) to address stormwater management, temporary soil erosion and sediment controls and spill-prevention control measures as identified in this study. The SWPPP will be prepared following final engineering of the Project and concurrent with preparation of the EM&CP.

8.2.2.3 *New York Public Service Commission - Section 401 Water Quality Certification*

The Project will require a Section 401 Water Quality Certificate under Section 401 of the Clean Water Act and Commission regulations. The Applicant anticipates through the Article VII process that the New York State Public Service Commission in consultation with the NYSDEC will issue for the Project a Water Quality Certificate.

8.2.2.4 *New York State Department of State – Coastal Management Program*

The New York State Coastal Management Program (“CMP”) provides a framework for government decision-making which affects New York’s coastal area. The CMP was established in 1981 by the Waterfront Revitalization and Coastal Resources Act (Article 42 of the Executive Law) and is administered by the New York State Department of State (“NYSDOS”) Division of Coastal Resources, under the Authority of the Federal Coastal Zone Management Act of 1972 (“CZMA”) (16 U.S.C. §1451 *et seq.*). Some of the proposed segment routes are located within CMP boundaries.

In addition, coastal municipalities have the authority to develop and implement a state-approved Local Waterfront Revitalization Program (“LWRP”). An LWRP is a refinement of the state’s coastal policies, developed jointly by the state and the locality. Article 42 of the Executive Law requires state agency actions within the coastal zone to be undertaken in a manner that is consistent with the state’s coastal area policies or the LWRP.

Under the CZMA, the NYSDOS must determine federal consistency with the enforceable policies of the CMP and any LWRP prior to the issuance of any federal permit, license, or any other type of authorization. The Applicant will submit to the NYSDOS and applicable federal agencies a Federal Consistency Assessment Form and will identify coastal policies affected by the activity, assess the effects of the activity on the applicable policies, and provide a statement indicating how the activity is consistent with each applicable policy.

8.2.3 *Other Filings*

This section will include information on any other required filings not covered above.

8.3 Schedule

The Applicant will produce the Exhibit 8 information described above in a timeframe sufficient to be included in its Part B submittal, on the date yet to be established by the Administrative Law Judges, but in

any event will be no earlier than November 2015 according to the most recent schedule included in the Commission's December 2014 Order.

8.4 Sample Table of Contents

A sample Table of Contents for Exhibit 8 is included as Attachment 1.

Attachment 1

Sample Exhibit 8 Table of Contents

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**Exhibit 9
Cost of Proposed Facility**

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EXHIBIT 9: COST OF PROPOSED FACILITY

9.1 Introduction

Exhibit 9, to be provided with Part B of the final Article VII application, will address the requirements of 16 NYCRR §86.10 by providing the capital cost estimate for the Project. This will include, per 16 NYCRR §86.10: land acquisition, surveys easement and rights-of-way agreements; licensing and permitting fees; engineering; vegetation management; construction materials; access roads (including matting); sales tax; construction labor and equipment; testing and commissioning; fees for legal and other services; applicant management and support including administrative overhead, removal costs and allowance for funds used during construction; contingencies, interest accrued during construction, and other indirect charges.

Capital cost estimates for the projects under consideration during the Part A Comparative Evaluation process were included as Attachment 3 to the “Information Required for NYISO Analysis” submitted by the Applicant on January 7, 2015. In addition, detailed cost information consistent with what would similarly be required to satisfy the provisions in the NYISO tariff³, will be submitted by March 2, 2015. The Part B filing will include updated capital cost estimates.

9.2 Scope

The costs that will be presented will be based upon the experiences with similar transmission and substation projects in New York and the Northeast region. The established project team has extensive experience successfully delivering large scale transmission projects. That track record comes, in part, as the result of reliable cost estimating. That same experience also results in an abundance of data points from all aspects of project work for use when developing cost estimates for large scale projects.

The estimating methodology will consist of a multiple-step method that considers many factors and involves the assessment of both quantitative and non-quantitative data in formulating the final cost. The first step is to breakdown the work into logical components. These items include either major materials needed, certain tasks that require distinct phases of the work, specialized crews, and a breakdown by major contract. After establishing the major components of work, quantities are estimated after making field observations or measurements and making calculations from preliminary drawings or maps. The unit prices for each major project component are adjusted for size and based primarily on information from

³ NYISO OATT, Attachment Y, Section 31.4.8.1.

past experience, construction contractors, published sources such as RSMeans, and professional experience of the project team.

Contingency is added to account for known unknown's and unknown items that cannot be quantified during a project's life cycle (from conception, to detailed engineering design, to contract award, to construction and finally to energization). Unknown factors that must be accounted for at this stage of the project that may be difficult to quantify include final engineering design; subsurface conditions; weather impacts; market conditions; labor costs; commodities and material escalation costs; equipment and cable costs; currency fluctuations; and construction related impacts.

The final step of the estimating process is establishing the project support costs such as engineering, outside services, project management, overheads, land and escalation.

9.3 Schedule

The Applicant will produce the Exhibit 9 information described above in a timeframe sufficient to be included in its Part B submittal, on the date yet to be established by the Administrative Law Judges, but in any event will be no earlier than November 2015 according to the most recent schedule included in the Commission's December 2014 Order.

9.4 Sample Table of Contents

A sample Table of Contents for Exhibit 9 is included as Attachment 1.

Attachment 1

Sample Exhibit 9 Table of Contents

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(SAMPLE)

EXHIBIT 9: COST OF PROPOSED FACILITIES

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PRELIMINARY SCOPING STATEMENT

Exhibit E-1

Description of Proposed Transmission Facilities

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EXHIBIT E-1: DESCRIPTION OF PROPOSED FACILITIES

E-1.1 Introduction

Exhibit E-1 included in Part A of the Article VII Application addresses the requirements of 16 NYCRR §88.1(a) through §88.1(d). The remaining requirements, 16 NYCRR §88.1(e) and 16 NYCRR §88.1(f) will be addressed with Part B of the final Article VII Application by identifying the construction material of the towers along with the design standards for each tower and foundation type.

E-1.2 Scope

All of the traditional transmission materials commonly used in the northeast region for high voltage transmission lines will be considered including natural wood, laminated wood, steel lattice, and steel poles. The proposed structure material will be determined by evaluating several key criteria including the engineering properties of the material, cost, operation & maintenance of the material, and large scale availability.

The tower, foundation, and grounding designs for the Project will be developed in accordance with the Applicant's standards developed through decades of experience constructing, maintaining, and operating transmission lines in the region in addition to applicable national and state codes and regulations. To the extent not already provided in Part A, those standards, codes, and regulations will be specifically identified as they relate to the design of the proposed facilities with Part B of the final Article VII Application.

E-1.3 Schedule

The Applicant will produce the Exhibit E-1 information described above in a timeframe sufficient to be included in its Part B submittal, on the date yet to be established by the Administrative Law Judges, but in any event will be no earlier than November 2015 according to the most recent schedule included in the Commission's December 2014 Order.

E-1.4 Sample Table of Contents

A sample Table of Contents for Exhibit E-1 is included as Attachment 1.

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Attachment 1

Sample Exhibit E-1 Table of Contents

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(SAMPLE)

**EXHIBIT E-1: DESCRIPTION OF PROPOSED TRANSMISSION
FACILITIES**

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**Exhibit E-2
Other Facilities**

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EXHIBIT E-2: OTHER FACILITIES

E-2.1 Introduction

Exhibit E-2, to be provided with Part B of the final Article VII application, will address the requirements of 16 NYCRR §88.2 by identifying the necessity for proposed switching stations and/or substations and furnish a description of the equipment to be installed.

E-2.2 Scope

The Applicant will conduct a thorough review for each substation to be built or modified for the proposed Project.

The Applicant will consult with system planning personnel from a reliability perspective and a load flow perspective. Substation configurations will be decided upon based on reliability concerns and contingency concerns to maintain expected load flows during system contingency durations. Equipment ratings will be based off of study information provided to the team.

Once substation configurations have been determined, a design team will make a site visit to the substation location to determine the feasibility of the Project at that specific location. For brownfield substations consideration will be given to future bays already planned for during earlier phases of the station. If space is not available then expansion within the existing fence line is desirable. The last resort will be to expand the fence line to accommodate the new substation equipment.

The location of each site will be determined based on the location of the facilities for the Project as well as the location of existing facilities that are planned to terminate at the specific substation. Optimum substation locations will be proposed for each new substation location.

Coordination with the transmission line design team will be necessary to depict transmission line entrances into the substations. The purpose will be to limit the transmission line crossings external to the substation by locating terminals in the substation in logical terminal positions.

Drawings will be generated for each substation to aid in describing the substation plans. A site plan will show property borders, existing and/or proposed fence locations, general transmission line routing near the station, and substation general arrangement. The general arrangement drawing will focus more on the substation equipment (existing and/or new) and location of that equipment to each other.

A scope document will further explain the substation layouts and specifically what equipment is to be installed in the substation. This includes description of the substation configuration and possibly the protection and control devices to be installed inside the control house.

E-2.3 Schedule

The Applicant will produce the Exhibit E-2 information described above in a timeframe sufficient to be included in its Part B submittal, on the date yet to be established by the Administrative Law Judges, but in any event will be no earlier than November 2015 according to the most recent schedule included in the Commission's December 2014 Order.

E-2.4 Sample Table of Contents

A sample Table of Contents for Exhibit E-2 is included as Attachment 1.

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Sample Exhibit E-2 Table of Contents

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(SAMPLE)

EXHIBIT E-2: OTHER FACILITIES

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Exhibit E-3

Underground Construction

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EXHIBIT E-3: UNDERGROUND CONSTRUCTION

The Applicant does not currently propose to construct any portion of the Projects underground.

Schedule

Complete

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Preliminary Scoping Statement

**Exhibit E-5
Effect on Communication**

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EXHIBIT E-5: EFFECT ON COMMUNICATION

E-5.1 Introduction

Exhibit E-5, to be provided with Part B of the final Article VII Application, will address the requirements of 16 NYCRR §88.5 by providing a statement describing the anticipated effects of the Project and related facilities on television, radio and other communications systems. An analysis of existing communications facilities in the Project area and the potential effects of the Project on existing communication facilities will be provided as follows.

E-5.2 Scope

E-5.2.1 Existing Communication Facilities

The location of existing communications facilities within five miles of the corridors affected by the project will be located. Existing data will be collected from publically available data, including the Federal Communication Commission (“FCC”) on-line Antenna Structure Registration Search database, and other facilities identified during field surveys. The results of these searches will be presented in narrative, tabular and/or mapped formats. Information will include: tower identification, call sign, tower type and the licensed entity. During final design of the Project, any additional communication facilities will be identified.

E-5.2.2 Transmission Effects on Communication Facilities

This exhibit will examine communication interference generally associated with transmission lines is attributed to two phenomena of electronic frequencies called gap noise and corona. Gap noise can occur on transmission lines of any voltage and is caused by loose connections or broken insulators that create an electrical arc or spark. Corona is the ionization of the air near the surface of a conductor and is generally a concern for transmission lines at 230 kV and higher. Radio noise from transmission lines is a complex function of conductor size, surface conditions, spacing, operating voltage, and meteorological conditions, such as variations in humidity, air density, wind speed, and precipitation.

E-5.2.2.1 AM Radio Interference

Amplitude Modulated (“AM”) radio signals can be susceptible to transmission line interference.

AM radio interference is generally experienced near the transmission line and decreases rapidly as the distance from the transmission line increases. Utilizing IEEE modeling methods, the Applicant will provide corona and field levels associated with the proposed transmission lines. The models will be based upon typical tangent structures, utilizing the proposed conductor and structure configurations.

E-5.2.2.2 FM Radio Interference

Frequency Modulated (“FM”) radio signals are not known to be affected by corona interference, therefore no modeling will be required.

E-5.2.2.3 Television Interference

Analog television signals are generally broadcast using AM for video and FM for audio. Video signals can be subject to transmission line corona interference if the receiver is within close proximity to transmission lines. Audio signals are not known to be subject to corona interference. Since 2009, all television signals are required to be broadcast as digital signals. Because digital signals are not subject to corona interference, this significantly minimizes the potential for the Project to affect television interference in the Project area. Cable and satellite signals for television are not known to be subject to corona interference. The lines will be modeled for corona levels as indicated in section 5.3.1, otherwise no additional modeling should be required.

E-5.2.2.4 Telephone Interference

Generally, telephone cables are manufactured with shielded copper wire designed to minimize the potential for transmission line interference. Digital and fiber optic telephone communications are not known to be subject to transmission interference. However, the Applicant will identify communication facilities that parallel the proposed transmission facilities within the corridor.

E-5.2.2.5 Railway Signaling System Interference

As transmission lines have been known to cause interference with railway signaling and communication facilities, the Applicant will identify Railroads that parallel the transmission corridor closer than 300 feet for a distance of 500 feet or more. Railroad crossings will also be identified.

E-5.2.2.6 Mobile Phone Interference

Digital phones are not known to be subject to interference from transmission lines. However, cellular antennas within 300 feet of the corridor will be identified.

E-5.2.2.7 Microwave and Other Communication Interference

In general, microwave communication is not known to be subject to transmission line interference provided none of the structures are installed in the middle of a microwave path. The Applicant will identify microwave structures within the Project area.

E-5.2.3 Mitigation Standards

While the Project is not expected to result in any interference with radio, television, or cell reception. The Applicant will comply with applicable provisions of the National Electrical Safety Code (“NESC”)

related to appropriate spacing between the proposed transmission lines and communication facilities. However, during final design of the proposed facilities and the development of the Project Environmental Management and Construction Plan (“EM&CP”), the Applicant will contact potential third party underground communication cable operators to reconfirm that there are no underground communication facilities within or crossed by the Project ROWs. In addition, with the assistance of Dig Safely New York, the Applicant will conduct ground surveys for all existing underground facilities, including communication cables, to verify whether there are underground communication facilities within the Project ROWs at road crossing locations. If underground communication facilities are found within the Project ROWs, the Applicant will ensure that the location of the communication facilities is accurately shown on construction drawings and that appropriate clearances and interference protection are verified.

E-5.3 Schedule

The Applicant will produce the Exhibit E-5 information described above in a timeframe sufficient to be included in its Part B submittal, on the date yet to be established by the Administrative Law Judges, but in any event will be no earlier than November 2015 according to the most recent schedule included in the Commission’s December 2014 Order.

E-5.4 Sample Table of Contents

A sample Table of Contents for Exhibit E-5 is included as Attachment 1.

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Sample Exhibit E-5 Table of Contents

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(SAMPLE)

EXHIBIT E-5: EFFECT ON COMMUNICATION

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**Exhibit E-6
Effect on Transportation**

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EXHIBIT E-6: EFFECT ON TRANSPORTATION

E-6.1 Introduction

Exhibit E-6, to be provided with Part B of the final Article VII Application, will address the requirements of 16 NYCRR § 88.6 by providing a statement describing the anticipated effects of the Project and related facilities on transportation. As with any linear project of similar length to those proposed, airports, railroad crossings, road crossings, and pedestrian paths must be enumerated and considered and the analysis will be provided as follows.

E-6.2 Scope

E-6.2.1 Airports

Airports within five miles of the Project rights-of-way (ROWs) will be identified and an obstruction evaluation will be performed pursuant to the Federal Aviation Administration (FAA) criteria enumerated in CFR Title 14 Part 77.13. The obstruction evaluation will be performed in accordance with the Notice Criteria Tool on the FAA's Obstruction Evaluation website, <https://oeaaa.faa.gov>.

E-6.2.2 Railroads

Because the Project ROWs already contain existing circuits, it is expected that new railroad crossings, if required, will occur adjacent to existing crossings, limiting the permanent impact to the railroad operation. However, the railroad crossing locations will be identified and the final designs for the Project will incorporate appropriate transmission facility design criteria, line clearance requirements, railroad safety clearances, and required permits will be acquired. The final Project designs will be reviewed with the railroad companies prior to the commencement of construction of the Project. Construction activities will also be coordinated with the railroad companies to ensure that construction activities do not conflict with railroad operations and freight movements and to ensure that appropriate railroad safety precautions are implemented.

E-6.2.3 Roads and Traffic

A transmission project of this scale inevitably crosses many roads. To minimize potential conflicts with traffic patterns and lane usage, where practicable, transmission structures will be located outside of road ROWs and as far from road crossings as feasible.

Permanent impacts to roads and traffic are expected to be minimal; however, roads will likely be utilized for construction access points. As such, all road crossing will be identified and appropriate plans will be developed to promote safe traffic operation at construction access points. Identifying all road crossings will also allow for the application of required road crossing permits.

E-6.2.4 Pedestrian

Pedestrian paths or multi-purpose trails that cross the Project ROWs will be identified to implement appropriate construction safety practices and mitigation measures during construction.

E-6.3 Schedule

The Applicant will produce the Exhibit E-6 information described above in a timeframe sufficient to be included in its Part B submittal, on the date yet to be established by the Administrative Law Judges, but in any event will be no earlier than November 2015 according to the most recent schedule included in the Commission's December 2014 Order.

E-6.4 Sample Table of Contents

A sample Table of Contents for Exhibit E-6 is included as Attachment 1.

Attachment 1

Sample Exhibit E-6 Table of Contents

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(SAMPLE)

EXHIBIT E-6: EFFECT ON TRANSPORTATION

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