FINAL
ENVIRONMENTAL IMPACT STATEMENT

for the

TRI-LAKES RELIABILITY PROJECT

February 17, 2006

New York Power Authority

February 3, 2006

Mr. Mark Sengenberger
Deputy Director – Regulatory Program
Adirondack Park Agency
P.O. Box 99
New York State Route 86
Ray Brook, New York 12977

Dear Mr. Sengenberger:

The New York Power Authority thanks you for your Agency's timely and thorough review of its Draft Environmental Impact Statement for the Tri-Lakes Reliability Project. We received your comments dated January 9, 2006 and have prepared responses accordingly. Please find enclosed three copies of those responses.

We would greatly appreciate your timely review of this material. If you or your staff have any additional questions, please feel free to contact me at 914-287-3971 or Mr. Walt Bakowski at 617-457-8263.

Sincerely yours,

John J. Suloway
Executive Director
Licensing Division

cc: John Quinn, APA
Walt Bakowski, TTECI

VOLUME I

Comment 1:

Section 1.1.3 (page 1-7): The word "Use" should be deleted from "Adirondack Park State Land Use Master Plan".

Response 1:

"Use" will be removed from the "Adirondack Park State Land Use Master Plan". This type of deletion will be noticed in an Errata Sheet (see Attachment 1).

Comment 2:

Table 1.4-4 (Pg. 1-16): The lengths of the routes and amount of "Wetland – Permanent Fill" are inconsistent with other figures provided elsewhere in the DEIS and its Appendices and in the application materials. This must be clarified by providing accurate and consistent figures for the route lengths and the amount of wetland filling. It is imperative that these inconsistencies be corrected and that the Agency fully understand exactly how much loss of wetland area is to result from this project, since this information is necessary to determine the amount of compensatory wetland mitigation needed.

Response 2:

The lengths for the Preferred Route and Alternate Route are 26.8 and 28.2 miles, respectively. Errors appear on pages ES-1, 1-1, 4-14, 9-3 of the DEIS; and 36 and 37 of Appendix A.

The permanent wetlands impacts for the Preferred and Alternate Routes are 0.18 and 0.32 acres, respectively. Errors appear on Table 1.1-4 page 1-16, pages 4-7, 4-8, 6-2 in the DEIS and Table 4-1 page 32 and page 33 of Appendix A.

Distances for Land Use Categories and length of Overbuild and New ROW were confirmed in Table 1.1-4 page 1-16 in the DEIS and Table 4-1 page 32 of Appendix A. Some of the lengths were re-measured and changed. The errors in the text appear on pages ES-1 and Table 4.10-1 on page 4-19 and page 5-9 of the DEIS and pages 34 and 36 of Appendix A.

The two tables have been added to the Errata Sheet as page replacements. All other changes have been added to the Errata Sheet (see Attachment 1).

Comment 3:

Section 1.14.6 (Page 1-18): In areas where existing electric distribution lines are to be replaced, describe replacement pole locations in relation to existing poles in terms of the typical separation distance and the maximum separation distance.

Response 3:

The following two paragraphs will be placed in the Errata Sheet as a new second paragraph in Section 1.1.4.6:

In those areas where National Grid performs a pole for pole replacement, the replacement pole will be placed within a distance of 6 feet (on average) away from the existing pole when there are three over-head conductors involved. This distance is based upon working clearances necessary for line crews to place the new pole between overhead conductors and to allow for making the distribution line transfers. Where a single overhead conductor is involved, line crews will attempt to cut this distance down as much as possible, with the ideal situation being trying to place the new pole along side of the existing pole. In either case we do not anticipate a replacement pole being set further than 10 feet away from the existing pole.

Where poles currently are located in wetlands, National Grid will make all efforts to avoid the wetland condition. Subsequently, we cannot predict where the pole will be placed in these circumstances at this time. Our final design will address these conditions along with any other specific conditions where a direct pole for pole replacement cannot be done.

Comment 4:

Figures 1.1-10. It appears that by careful pole and guying placement final siting of the transmission line could more closely follow snowmobile trail and logging road alignments to take advantage of existing clearing along those existing improvements. By doing so, excessive vegetative clearing and related adverse open space impacts can be minimized while still providing for safe travel by snowmobiles and log trucks.

Response 4:

It is necessary to provide enough space to install guy wires adjacent to the snowmobile trails. Sufficient separation between the guy wires and snowmobilers and loggers using the trails need to be provided for safety reasons. Optimal guy distance is 30-50 feet from the pole base, therefore, clearing the full 75 foot ROW only allows a minimal space between a guy anchor and the snowmobile trail.

Comment 5:

Figures 1.1-10 and 1.1-11. Since maintaining the integrity of undisturbed vegetative buffers will be critical to minimizing project visibility in offset sections, explain how these buffers will be maintained and protected during both construction and operation.

Response 5:

The vegetative buffer will be maintained during construction by marking the edge of the ROW and limiting the areas of construction using fencing or other physical barriers.

In addition, this comment has been responded to as part of the January 9, 2006 Notice of Incomplete Permit Application (NIPA) submission Response to Comment 12. See response below.

"Transmission line offsets and maintenance of wooded buffers are a major component of the Newton Falls alternative but form only a minor part of the Preferred Route. Much of the Preferred Route occurs adjacent to the travel corridor, and is a pole for pole replacement of the existing utility.

The significant protective function of the APA Critical Environmental Area along the state travel corridors should not be under estimated. Some or all of the offset areas exist in the CEA and are identified below:

Offset P2	**Most of the offset is in the CEA**
Offset P11	**This is an overbuild in the Piercefield Hamlet.**
Offset P10-P11	**Cross-country offset screened by topography and some of the offset is in the CEA**
Offset S1.5	**Large offset that is perpendicular to major roads, therefore, it has very minimal visibility**
Offset S13	**Most of the offset is protected by the CEA**
Offset S14	**Large offset that avoids camps and homes in the area. This offset is nearly perpendicular to the travel corridors which limits visibility.**

While use of vegetative buffers is a benefit, it falls far short of being "critical to minimizing project visibility" in the above areas, since more of the visual setting includes existing utilities. The project applicant does not have the capacity to control, maintain, preserve, or enhance these off ROW buffers post construction since the lands utilized by the applicant will be occupied as an easement. Project applicant is not proposing to take scenic easements over adjacent buffer lands not taken for construction and maintenance of the project. In many cases, the visual

separation and screening is amply provided by intervening landforms as identified in the above chart for segments at P10-P11, S1.5, and S14."

Comment 6:

Figures 1.1-16 and 1.1-18. Minimum undisturbed vegetated buffers should graphically be shown between the two proposed substations and existing cleared public road rights-of-way. Buffers of only 25 to 30 feet in width between substations and public roads will provide inadequate visual screening, as is evidenced in the photo simulations (See Photo Simulations for Newton Falls Substation and Stark Falls Substation in Appendix D). More substantial buffers (such as wider buffers or planting evergreen trees in the buffers) that would provide for increased visual screening should be employed. Since maintaining the integrity of undisturbed vegetative buffers will be critical to minimizing visual impact of the substations, explain how these buffers will be maintained and protected during both construction and operation.

Response 6:

This has been responded to as part of the January 9, 2006 NIPA submission Response to Comment 13. See response below. Figures are not reattached to this submission but are included in the January 9, 2006 NIPA submission.

"Attached please find revised substation landscaping plans which provide additional in-fill evergreen plantings. The nature of the substation is such that screening under the transmission wires is impractical, because there can be no plantings within the wire security or priority zone. At a substation, wires must enter and leave, creating two locations at each substation that cannot have screening. New security concerns eliminate the ability to construct berms at the front of the substation, and turning movements of large trucks limit the space for berms. The Stark Falls substation must be located adjacent to the existing 115 kV line. The substation has been sited to be placed on a natural shelf, just before the topography falls away from the road.

The 30-foot undisturbed buffer is a balance between minimizing impacts to woodlands and steep slopes and maintaining the maximum practicable undisturbed buffer.

The Stark Falls substation is proposed for a location that is not heavily traveled. Visibility and visual impact assessment must consider the number of potential viewers (there are few), and receptor activity during view opportunity (driving by)."

Comment 7:

Section 1.1.4.3 (Page 1-15). The discussion of open space resources which makes the Adirondack Park unique and how this project may affect same is too cursory and discussion of protection of such resources is limited to only the area of the preferred route along roadways.

This discussion should be expanded to also address areas of the transmission line routes which are not located adjacent to public roads (i.e., the offset areas) and the substations.

Response 7:

This has been responded to as part of the January 9, 2006 NIPA submission Response to Comment 11. See response below.

"Discussion of open space was included in the DEIS Section 1.1.4.3 "Preferred and Alternate Route Identifications and Evaluation". In addition to that discussion, the following must also be included.

For a project to have an open space impact, the change in the environment must be perceivable and at a level of impact that is readily apparent to the public. Commitment of the land to a wider utility corridor or to a new utility corridor does not change the open space characteristics of the area. Open space, or the image of open space, is a development pattern that preserves greenspace to an extent that the undeveloped landscape is the dominant portion of the setting. Open space can range from untouched forest to an agricultural setting that includes necessary agriculturally related buildings or facilities. The transition from developed lands to undeveloped properties is an important component of open space, as these areas show the changes in the environmental conditions. The development of a wider ROW that involves pushing the wood line back from the roadway does not change the transition from developed to undeveloped land. The new wood line edge will remain a definitive beginning of the undeveloped land and will not alter the overall context of the mixed forest tree species.

The ROW as it enters a forested setting will be detected by the public as a brief interruption in the forest. The ROW can only be seen briefly from the ground level and does not traverse slopes or hillsides that allow viewing of the ROW for long distances. This low visibility results in only minor changes to open space character. Vegetation beyond the 75 foot cleared ROW provides screening without jeopardizing the reliability of the transmission line. The single wood pole structure will blend in with the natural environment.

According to the Adirondack Park Agency's "Development in the Adirondack Park, Objectives and Guidelines for Planning and Review", (1977, updated 1991), Section I, "Resources – Open Space" A.9., "proposed roads and utility corridors should follow existing topographic contours and avoid perpendicular crossings of contour lines". In general, where the proposed transmission ROW will be built as an offset, the route doesn't run perpendicular to existing topographic contours. In this way, the proposed project is in compliance with the APA's Development Guidelines.

Offset locations will not be visible from the ground, except for the potential visibility where they enter a forested location. Generally, an offset utility ROW would only have any substantial potential visibility from the air.

Although a new cut is being made through the forest, visibility of the proposed corridor is reduced by the existing topography and vegetation. This is supported by the results of visual surveys from nearby high points and fire towers that were thought to have potential visibility of the proposed corridor location. The result of that fieldwork was the conclusion that existing topography and dense vegetation blocks any potential views of the proposed line and ROW. From a regional vista perspective, the proposed transmission ROW will not change the vista and will not change the open space character of the region."

In addition, with regard to the substations, Piercefield is a hamlet land use area and major public utilities are a compatible land use. Although there will be clearing involved and there will be a local visual change, this does not amount to an overall regional open space resource impact. The new substation will be located in a lowland area near the Raquette River which is not visible to many viewers. In Stark, the substation will create a local visual impact, but that does not amount to an overall regional open space impact. In addition, it is on a rural road (Raquette River Road) where there is already a power line. Therefore, the substation would not create a large increase in the visual impact.

Comment 8: (This is a summary of the comment)

Section 1.3.1 (Page 1-45). A copy of the New York State Public Service Commission (PSC) order issued to New York state utilities (PSC Case 04-E-0822, June 20, 2005) should be included as an appendix in the DEIS. Reference to "Appendix G" should read "Appendix J." Also, the issue of herbicide use needs clarification, particularly where such use will be in or adjacent to wetlands....Clarification on the permissibility of herbicide use within 100 feet of wetlands as it relates to the PSC order needs to be provided. Please note that if herbicides are to be used in or adjacent to wetlands as part of the construction and maintenance of this project, then specific details will be required as part of a permit application including the specific chemicals to be used, amounts, application methods and rates and documentation demonstrating that the proposed herbicide use will not degrade or destroy wetlands and their associated values. (See also Agency comments on Section 4.8 and Volume III, Appendix E, Section 4.3.1.1 below).

Response 8:

The January 9, 2006, comment letter on the DEIS for the Tri-Lakes Reliability Project has three separate comments (Volume I Comment 8, Volume I Comment 20, and Volume IV Comment 8) on the Applicant's plans for use of herbicides.

This response builds upon the information submitted by NYPA on January 9, 2006, to the APA responding to the NIPA for the same Project.

Two additional items are included in this response since these issues are relevant to operation of the 46 kV line and jurisdiction of the APA over the use of herbicides near wetlands.

The Applicant will use herbicides in upland areas well removed from wetlands or water resources as described in Response 15 in the January 9, 2006, NIPA submittal.

The APA comments show the need to make assumptions on the intent for the establishment of buffers around wetlands when using herbicides. The following is the Applicant's literal reading of the APA rules as they relate to the use of herbicides.

The APA defines the adjacent area as 100 feet. The APA rule identifying specific regulated activities is definition 578.3(n) (1) (i), (ii), (iii), (iv), (v) and (2) (i), and (ii). These sections do not identify herbicide application, but identify septic tanks (578.3 (n) (2) (i)) and drainage from septic tanks entering wetlands as a regulated activity. Section 578.8, "Impacts of Certain Regulated Activities", of the rule identifies specific impacts associated with regulated activities: subsection (g) identifies septic effluents as a nutrient contaminant source to the wetlands and the adjacent areas. In Section 578.8 (i), "Other Regulated Activities", identifies both construction of utility corridors and application of herbicides as types of "other regulated activities." The structure of Section 578.8 identifies specific impacts of the regulated activity which in the case of utility ROW development would be the clearing of land as identified in 578.8 (i). The same Section 578.8 (i) stipulates that these "other regulated activities" may introduce or increase toxins and other forms of pollution, however this section does not identify an adjacent areas, nor does it identify runoff as an impact. Use of an herbicide in accordance with the label is a regulated activity and cannot be considered a form of pollution. Therefore, given the structure of the rule that invokes adjacent areas in specific sections or subsections, it was assumed that use of herbicides outside of the wetland in accordance with PSC's long standing Order 27605, and subsequent studies that show the stump and basal treatment are safe at the distances specified in the rule, that the use of herbicides outside of the wetland was not an APA regulated activity.

The above does not state that herbicide use around a wetland has a buffer. If the regulation were going to require a buffer, it would have specifically called for a buffer as is the case in the fixed buffer provision associated with the discharge of sewage effluent. Based on the lack of a specific buffer zone for the application of herbicides, it was assumed that there was not a regulated buffer, therefore, the PSC restriction would apply (see Appendix J of the DEIS and the attachment for Response to Comment 6 in the January 9, 2006, NIPA submittal).

The simplified description found on Pages 4-41 through 4-45 of the EWP was included to provide contractors with a warning that rules on the use of herbicides that may apply within 100 feet of wetlands.

Following extensive analysis of the applicable rules, the applicant has selected a 100-foot adjacent area buffer as the non-treatment area around wetlands. In the future, National Grid will request authorization to use herbicides in accordance with the PSC Order 27605.

This order is founded on State-wide practices, specific research, and demonstration projects that show that herbicides can be safely utilized near wetlands. The selective use of herbicides is an environmentally compatible practice which avoids or reduces the need to use non-selective mechanical brush cutting that can have the secondary impact of disturbing soils, leading to rutting and erosion. Overall, it is more important to recognize the role of herbicide use in the long-term management of the ROW rather than to continue to evaluate the imprecision of the existing rules on the width buffer zone around wetlands. This would be consistent with the existing agency general permits for use of herbicides within 100 feet of wetlands utilized by NYSDOT for the management of road ROWs.

The use of herbicides during construction will occur as cut stump treatment or basal treatment. Cut stump treatment involves the application of herbicide to the woody stump. Basal herbicide treatment is applied to the base of the tree or shrub at the interface between woody stem and soils. In either case, hand spray application is by low volume backpack spray or by handheld/quart spray application. Wick or sponge application may also be used, but tends to clog with debris so it is not a preferred method.

Two other products are routinely used by Niagara Mohawk for stump treatment and basal treatment of brush or tree species found in a ROW. The chart below identifies the products and estimates the volume of working solutions and amount of active ingredients to treat the 72 acres of upland area.

Product Name	Active Ingredient(s)		Working Solution (gallons)	Active Ingredient (gallons)
Accord XRT (1.48 quarts/acre)	Glyphosate	53.6%	106.6	57.1
Tordon RTu or Pathway (1.48 quarts/acre)	Picloran 2, 4D	5.4% 20.9%	106.6	5.7 22.3
Garlon 4 (1.48 quarts/acre)	Triclopyr	61.6%	106.6	65.7

The use rate is in accordance with the label (see Attachment 2- Herbicide Specimen Labels) and past practices by Niagara Mohawk. Higher concentrations can be used based on the label restrictions.

A Brown Brush Monitor mower will not be utilized and was described to be consistent with the Niagara Mohawk documents. A Brown Brush Monitor is a brush mower that cuts vegetation and applies herbicides simultaneously. A full description of the Brown Brush Monitor is found on Page 98 and 99 of the National Grid Transmission ROW Management Program, November 2003 found in Appendix J of the DEIS. This is a non-selective vegetation clearing method that is not applicable to forested land to utility ROW.

The APA guidelines referenced on Pages 4-42 and 4-43 of the EWP is the PSC order for the establishment of buffers around wetlands in the Adirondack Park.

Comment 9:

Section 2.1 (Page 2-1). The number of hotel and housing units currently scheduled to be constructed in Lake Placid, Saranac Lake and Tupper Lake should be quantified. Also, reference is made in this section to Section 3.14.4 which does not exist. Please correct.

Response 9:

The numbers of new housing and hotel units are described in Section 3.14.1 and 3.14.2. Specifically, Lake Placid anticipates 136 new hotel units and 247 new housing units in the near future. The Adirondack Club and Resort, if permitted, would add 699 time share units to Tupper Lake. Otherwise, Saranac Lake and Tupper Lake have shown little demand for new home construction. The reference in Section 2.1 will be addressed in an Errata Sheet (see Attached).

Comment 10:

Section 2.3.1.3 (Page 2-16): In addition to summarizing public comment as has been done in Appendix I, copies of all actual written comments should also be included in this appendix.

Response10:

Copies of the letters, email correspondence, telephone inquiries, the June 10th, 2005 Open House sign in sheet, and the January 11th Public Meeting transcripts are included as Attachment 3 – Public Participation.

Comment 11:

Section 3.11.5 (Page 3-92). The discussion of Rural Use and Resource Management areas should state that one of the basic purposes for these areas pursuant to NYS Executive Law Section 805 (3) (f) and (g) is the need to protect and preserve open space resources which are essential to the unique character of the Adirondack Park.

Response 11:

Discussion of open space was included in the DEIS Section 1.1.4.3 "Preferred and Alternate Route Identifications and Evaluation." In addition, see Response to Comment 7 of this document, which was previously addressed in the "Responses to Comments dated 12/15/05, submitted January 9, 2006, Comment and Response 11."

Comment 12:

Section 3.12 (Page 3-94). Although related somewhat to visual resources, open space resources should be addressed as a separate heading especially since much of the transmission lines' routes and both substations are located in either Rural Use or Resource Management areas where open space protection and preservation is crucial to maintaining the unique character of the Adirondack Park.

Response 12:

Comment noted. Open space resources will not be addressed as a separate heading; rather, they were addressed in the "Responses to APA comments dated 12/15/05, submitted January 9, 2006, Comment and Response 11."

Comment 13:

Section 3.14.1 (Page 3-102). The discussion of the Adirondack Club and Resort ends with the statement: "In its fourth year of operation the Club and Resort is anticipated to attract over 500,000 people." This figure is incorrect and appears substantially higher than figures being mentioned by the Adirondack Club and Resort's project sponsor for inclusion in that permit application. A more accurate figure should be provided based upon consultation with that project sponsor's representative.

Response 13:

The number of visitors to the Adirondack Club and Resort should be approximately 50,000 people, not 500,000. This will be documented in an Errata Sheet (see Attachment 1).

Comment 14:

Section 3.14.3 (Page 3-104). The 1990 report, "The Adirondack Park in the Twenty First Century," was not produced by the Adirondack Park Agency. It was instead the product of the NYS Commission on the Adirondacks in the 21st Century, a temporary study commission having no formal relationship to the Agency.

Response 14:

Reference will be changed to the NYS Commission on the Adirondacks in the 21st Century, not the Adirondack Park Agency (see Attachment 1 - Errata Sheet).

Comment 15:

Section 3.14.3 Employment (Page 3-106). The project currently under review by the Agency is the Adirondack Club and Resort, not the Adirondack Park and Resort. Also, while projected job generation figures were provided for the Natural History Museum of the Adirondacks, no such projection was made for the Adirondack Club and Resort project which is another significant future project in impact area. Projected job generation figure(s) should be provided based upon consultation with that project sponsor's representative.

Response 15:

Name change of the Adirondack Club and Resort will be addressed in the Errata Sheet (see Attached). Initial job projections for the Adirondack Club and Resort at full buildout consist of approximately five hundred and thirty six (536) seasonal, part-time and full-time ski area and resort employees. This number equates to two hundred and forty (240) full-time equivalent (FTE) employees.

Comment 16:

Section 4.3 (Page 4-4). While rock excavation may not be extensive, it is inconclusive as to how such excavation will proceed, regardless of how limited it will be. If blasting is to be used, a blast plan and noise (and ground vibration) impact assessment and mitigation should be addressed.

Response 16:

Blasting will not be required to install the utility poles or develop the access work trails for the transmission right-of-way. The utility poles in ledges or bedrock will be drilled by specially equipped auger trucks as shown in Attachment 4 – Photo of Auger Truck. The rock dust is heavy and settles quickly. Areas of steep ledges will require access to be developed from either side of the steep slope as is the case on the Route 3 portion of the ROW.

On the route around the Raquette Boreal Forest soils found are Adams, Colton Duxbury, and Adirondack Tughill and none of these soils have shallow depth to bedrock conditions. Therefore special access to avoid steep bedrock slopes will not be required for this portion of the Route. Only the Lyman Tunbridge soils found along Route 3 have shallow depth to bedrock. Adequate access to pole sites by use of the road ROW and prior developed access will be used to get to the pole sites and avoid steep slopes.

Comment 17:

Section 4.6.4 (Page 4-8). More specific compensatory mitigation measures for loss to wetland area and function need to be identified and discussed. A specific compensatory mitigation plan, prepared in accordance with the Agency's "Compensatory Wetland Mitigation Guidelines," including a statement of goals, reference wetlands, grading, planting and seeding plans, invasive species prevention methods, permanent and temporary erosion control plans, contingency plans and triggers, and monitoring protocols and schedule is requested.

Response 17:

A specific Compensatory Wetland Mitigation Plan was submitted to the APA as part of the January 9, 2006, NIPA submittal, Response to Comment 19.

Comment 18:

Section 4.6.4.1.2 (Page 4-9). Mitigation Approach B (Raquette River) should be eliminated, since Agency staff is aware of no existing impact to or destabilization of the river shoreline at the Natural History Museum of the Adirondacks site which would warrant mitigation.

Response 18:

See Volume I Response to Comment 17 of this document.

Comment 19:

Section 4.6.4.1.3 (Page 4-9): Mitigation Approach C (Sevey Bog Road Reclamation): Specific mitigation measures should be given priority and pursued at this location, given its proximity to the wetland areas to be impacted. The proposed detour route would take the work trail around the northerly end of the wetland. The feasibility of locating both the work trail and the new transmission line to the north of the wetland which would allow for restoration of that portion of Sevey's Bog, keep the transmission line in a totally upland position, and avoid all wetland impacts associated with clearing should be assessed.

Response 19:

This has been responded to as part of the January 9, 2006, NYPA submission Reponse to Comment 19.

The plan is an expansion of Tupper Lake Substation Plan (Mitigation Approach A). Mitigation Approach B has been dropped. Mitigation Approach C, to remove the roadfill on the north side of Sevey Bog, will continue to be investigated by the applicant. An earlier evaluation of possible routes on the south side of the Raquette Boreal Forest showed that it would be difficult to fit the right-of-way (ROW) between the Forest Preserve lands wetland area to the south and private cabins to the north. The applicant will further explore routing opportunities for both the road and the ROW at the south side of the Raquette Boreal Forest. Removing the roadfills from the wetland is the most likely mitigation option since it would allow for improved wetland hydrology with minimal impingement on adjacent property owners. The transmission line would span the wetlands with poles placed outside the wetland boundaries adjacent to the newly constructed road. This arrangement would allow reliable access for maintenance. The restored area would recover as conifer wetlands, which are generally compatible with operation of the utility ROW.

Comment 20: (This is a summary of the comment)

Section 4.8 (Pages 4-15 and 16). The issue of herbicide use in proximity to wetlands needs to be further addressed (See also Agency comment regarding Section 1.3.1 above and Agency comment regarding Volume III, Appendix E, Section 4.3.1.1 below)....A copy of the Empire State Electric Energy Research Corporation's (ESEERCO) report entitled "Determination of the Effectiveness of Herbicide Buffer Zones in Protecting Water Quality on New York State Powerline Rights-of-Way" referenced in this section should be included in a appropriate DEIS appendix. The discussion in this section seems to suggest that wetlands within the Adirondack Park are somehow deserving of less protection than those outside of the park which the Agency wholeheartedly rejects.

Response 20:

See Volume I Response to Comment 8 of this document for discussion of herbicide use.

A copy of the document is included as an Attachment 5- ESEERCO Report.

Comment 21:

Section 4.9.1 (Page 4-9): Cultural resource surveys should be conducted and copies included as appendices. All written agreements, correspondence and meeting notes between the applicant and New York State Office of Parks Recreation and Historic Preservation (OPRHP) should be

included as an appendix. Impact assessment and mitigation measures should be prepared in consultation with OPRHP and either a determination from or agreement with OPRHP provided.

Response 21:

NYPA met with the New York Office of Parks, Recreation and Historic Preservation Field Services Bureau staff (SHPO) on August 22nd, 2005 to discuss a draft Phase 1A report and to discuss further review activities for the Project. A copy of the Notes of Meeting are attached to this document (see Attachment 6). NYPA has also submitted the following reports to the SHPO as drafts for their review:

- ***Draft, Phase 1A Cultural Resources Investigation Tri-Lakes Reliability Project, Towns of Clifton, Colton, Parishville, and Piercefield, St. Lawrence County, New York.*** **July 2005. Prepared by Tetra Tech for NYPA.**

- ***Draft, Phase 1A Cultural Resources Investigation Tri-Lakes Reliability Project, Towns of Clifton, Colton, Parishville, and Piercefield, St. Lawrence County, New York Report Addendum No. 1.*** **November 2005. Prepared by Tetra Tech for NYPA.**

- ***Draft, Phase 1A Architectural History Investigation Tri Lakes Reliability Project, Towns of Clifton, Colton, Parishville, and Piercefield, St. Lawrence County, New York.*** **December 2005. Prepared by Tetra Tech for NYPA.**

NYPA anticipates receipt of a written determination or agreement with OPRHP upon completion of OPRHP's review of the cited documents currently anticipated to be complete on February 3, 2006. This will be made available to APA once received from OPRHP.

NYPA expects that the SHPO will recommend additional field work in certain areas, which NYPA will undertake as soon as weather conditions allow. No construction work will begin in those areas that require additional testing and or analysis until the additional assessment is complete, SHPO has reviewed the findings, and SHPO determines that the work proposed for that area will not have an adverse effect on resources on or eligible for inclusion on the State or National Registor of Historic Places.

Comment 22:

Section 4.9.2 (Page 4-9): All written agreements, correspondence and meeting notes between the applicant and New York State Office of Parks, Recreation and Historic Preservation Office (OPRHP) should be included as an appendix. Impact assessment and mitigation measures should be prepared in consultation with OPRHP and either a determination from or agreement with OPRHP provided.

Response 22:

See Response to Comment 21.

Comment 23:

Section 4.10.2 (Page 4-18): The sentence "The proposed Tri-Lakes Reliability Project will not pass through a NY State Forest Preserve." Should be changed to read "The transmission line route proposed for the Tri-Lakes Reliability Project will not pass through NY State Forest Preserve lands."

Response 23:

This is noticed in the Errata Sheet (see Attachment 1).

Comment 24:

Section 4.10.3 (Page 4-19). The discussion of the involved Adirondack Park Land Use and Development Plan Map land use areas should discuss the extent to which the project will conform to the purposes, policies and objectives of each. In particular, identification and discussion of the extent to which the project will impact open space in the involved Rural Use and Resource Management areas and how those impacts will be mitigated must be provided.

Response 24:

Construction of the Tri-Lakes Reliability Project will conform to the purposes, policies, and objectives of each land use area of the Adirondack Park Land Use and Development Plan as follows:

Hamlet Areas-As a primary use, the Project will conform to the character of the Hamlet Areas and will serve the necessary and natural expansion of the park's housing, commercial, and industrial activities. The placement of the 46 kV line along existing utility corridors will retain the existing visual characteristics of the hamlet and will not cause a loss in surrounding open space lands.

Industrial Areas-As a primary use in Industrial Area, the construction of the 46 kV line will not conflict with existing industrial use and will be placed along existing utility corridors.

Moderate Intensity Areas-As a secondary compatible use in Moderate Intensity Areas, the construction of the 46 kV line will be placed primarily along existing utility corridors and will not significantly harm the relatively tolerant physical and biological resources. Placement of the 46 kV line outside of existing utility corridors such as along the Preferred Route in Sevey Corners in Moderate Intensity Areas has

been done to avoid existing structures, yet remain within the Moderate Intensity Area and avoid disrupting surrounding open space and undeveloped areas.

Low Intensity-As a secondary compatible use in Low Intensity Areas, the construction of the 46 kV line will only be placed in one area of Low Intensity, along Route 3 between Sevey Corners and Childwold. The 46 kV line will be along an existing utility corridor and existing contours which can sustain the placement of a new utility pole. The 46 kV line was kept in the existing corridor to avoid the surrounding Resource Management and Rural Use Areas.

Rural Use-As a secondary compatible use in Rural Use Areas, the Preferred Route of the 46 kV line follows the existing roadway to NY Route 56 and NY Route 3. The removal of trees within the already cleared, existing ROW will have a minimal impact on the sensitive natural resources and open space resources of the Rural Use Area.

Resource Management-As a secondary compatible use in Resource Management Areas, the construction of the 46 kV line will be placed primarily along existing road and utility corridors. In locations where the line will not follow existing ROWs, the 46 kV line has been placed to use the existing topography and vegetation as a visual screen. Also, the Preferred Route was selected in part because it results in less impact to Resource Management lands (i.e., impact of 10.0 linear feet of area affected for the Preferred Route compared to 19.5 linear feet of area affected for the Alternate Route).

See also "Responses to APA Comments dated 12/15/05, submitted January 9, 2006, Comment and Response 11."

Comment 25:

Section 4.11 (Page 4-20). Use of the phrase "as well as 9 NYCRR Part 577 (New York State Wild, Scenic, and Recreational Rivers System)" at the end of the last sentence in the fourth paragraph is not understood and appears to be out of context. The 30 percent clearing restrictions appears to relate to shoreline vegetative cutting restrictions for navigable water bodies contained in §806 of the Adirondack Park Agency Act and not those of 9 NYCRR Part 577 (New York State Wild, Scenic and Recreational Rivers System), which latter restrictions generally preclude the removal of any vegetation within 100 feet of designated rivers. This should be clarified and corrected and the extent to which the project will conform to vegetative cutting restrictions within designated rivers areas explained.

Response 25:

The Preferred Route only impacts one river within 9 NYCRR Part 577, New York State Wild, Scenic, and Recreational Rivers System, the Raquette River. Within the ¼ mile buffer along the Raquette River, the 46 kV line follows the existing New

York State Route 3 roadway as an overbuild along the existing utility corridor. In one location, from Reference Marker P10 to P11 (see EWP Plan Sheets), the utility ROW has been moved away from the roadway to limit visibility along the river corridor. Cutting along the existing corridor will result in the clearing of an additional 37 feet. Clearing methods described in the EWP will be utilized to minimize the impact on the Raquette River.

The proposed construction of the 46 kV line is being done in accordance with procedures identified in Part 579 "Special Provision Relating to Projects By State Agencies". Part 579.1 (1) requires that a state agency "give due regard to provision of the land use and development plan and the shoreline restriction."

Part 575 "Shoreline Restriction of the Adirondack Park Agency" is applicable to lakes, ponds, Wild Scenic and Recreational Rivers and streams or rivers navigable by a canoe. The table below is in the Environmental Work Plan and has been modified to show the Preferred Route only. The table identifies the shoreline areas to be crossed.

Stream Identification Number	Channel Identifier	Waterbody Name	Stream Width (feet)	Bank Height (inches)	Notes
A15P910-610	P9-2B-ST	Trib. Dead Creek	5-6	6-12	Crossing in NYSDOT ROW already cleared
A15P910-610	P9-2E-ST	Dead Creek	30	36	Crossing in NYSDOT ROW
A15P910-488	S3-3K-ST	Trib. Cold Brook	6-10	12-24	Clerical Medical Forest (1,455 ac) 650' frontage
A15P910-572	S9-2G/H-ST	Trib. Carry Falls Reservoir	10-15	36	Lassiter Properties, Inc. (446.5 ac) North Crossing-470' frontage South Crossing-600' frontage
A15P910-582	S11-1E/F-ST	Trib. Raquette River	5	5	No crossing-out of study

Based on the above chart the project complies with the shoreline rules even when all large vegetation is cleared from a shoreline parcel in accordance with 575 (3).

Comment 26:

Section 4.12.1 (Page 4-22). Further description of the extent of and both short-term and long-term visual impacts to be created by additional vegetative clearing along existing public roads is needed. The short-term visual effects caused by the loss of branching on the side of trees and removal of under story vegetation needs to be explained and more accurately depicted graphically on representative photo simulations in the Visual Impact Assessment (Appendix D).

Response 26:

The overbuild condition warrants increasing the clearing width to conform to current utility maintenance standards to accommodate the line upgrade. The visual character of that edge shall change over time.

Our existing conditions photos depict a recovered ROW edge that still shows signs of the cut back to ROW limits and has not been softened by significant regrowth which has a more irregular appearance. This recovered edge is characterized by low branching trees or undergrowth which fills in the edge. This condition was used in our photo simulations to depict the built condition (see Attachment 7).

Initially however, the clearing edge (short term condition simulation) will not be consistently vegetated immediately following the clearing operation. Stems, stalks, trunks, and branches shall be visible, affording views into the wooded understory. Over time, growth stimulated by pruning of trees to remain and colonization of the wooded edge by succession species and undergrowth shall effectively restore the edge to its pre-construction edge character.

Additional simulations have been prepared (see Attachment 7) to represent the visual character of the few years immediately following construction. The short term condition will last one or two growing seasons and will be replaced by recovered or long term vegetation. The visual impact associated with the widening of the ROW which may be more noticeable immediately after clearing since the evidence of the new edge may be apparent to the casual observer.

Comment 27:

Section 4.12.3 (Page 4-22). A detailed description of visual impacts created by the two substations and the regulating station and mitigation measures to address these impacts is needed.

Response 27:

See Volume I Response to Comment 6 of this document.

Comment 28:

Section 4.12.4 (Page 4-25). While it is understood that there could be variety in wood and pole classes which would allow for color variation, discuss whether it is possible to have contract specifications require dark color poles so that they would standout less against the darker background vegetation. Also, weathering of lighter poles would result in even lighter poles that would contrast with the darker background vegetation.

Response 28:

The variation in pole color is due to wood type, pole length, and variations in the production process, which are beyond the applicant's control. That being said, darker poles may not necessarily blend with the background.

For example, in Photo S1EN where the existing pole is backdropped by deep deciduous vegetation, a darker color on the pole would allow it to blend in. The pole in photo S1FS would benefit from a lighter color. In photo simulation S13CE, a lighter colored structure would blend with standing dead pines.

The wood poles are a natural material and will weather to a light medium grey. One characteristic of a natural material is a variation in color. Consistent color can only be obtained by using metal or painted poles (which are not proposed). While particular poles in individual photos could be made less visually intrusive by lightening or darkening the color, that contrast would only be reduced from that angle and under those particular lighting conditions and time of day. The applicant has little or no control over pole color.

Comment 29:

Section 5.6 (Page 5-4). The issue of herbicide use in proximity to wetlands needs to be further addressed (See comment regarding Sections 1.3.1 and 4.8). Also, additional detail describing how all-terrain vehicle use in wetlands will be precluded needs to be provided.

Response 29:

See Response to Volume I Comment 8 of this document for response to issue of herbicide use. See the response to the Ernest Hutchins letter dated December 9, 2005 regarding all-terrain vehicle use (see Attachment 3- Public Participation).

Comment 30:

Section 5.10.1 (Page 5-9). The reference to the density restriction for "Resource Management" areas should be changed to read "42.7 acres." Instead of 42.5 acres.

Response 30:

Comment accepted.

Comment 31:

Section 5.10.2 (Page 5-10): The second sentence should read "the Raquette Boreal Wild Forest Area of the State Forest Preserve"

Response 31:

Comment accepted.

Comment 32:

Section 5.10.4 (Page 5-10): The cross reference to section 5.11 should read 5.12.

Response 32:

Comment accepted.

Comment 33:

Section 9.6 (Page 9-2): The term "minimal placement of fill in wetlands" is vague. Please Quantify and clarify.

Response:

Replace the sentence with "It is anticipated that there will be approximately 0.18 acres of fill in wetlands to provide permanent access to the 46 kV line.

VOLUME II-APPENDIX A

Comment 1:

Section 2.4.2 (Page 18): Add to end of fifth sentence in the first paragraph "....; it became effective on January 1, 1895." In the second paragraph, third sentence, delete comma [","] after "(APA)" and add "Environmental" after "Department of". Also, add " and their rights-of-way" after "Highways" in the fourth sentence of this paragraph. After the word "administration: **delete the words "specified that there" in the second sentence of the Footnote 1.**

Response 1:

Comment accepted.

Comment 2:

Section 2.4.3 (Pages 18 and 19): The second sentence of the first paragraph should read: "Route 56 is also a designated travel corridor for which management guidelines and criteria are established by the Adirondack Park State Land Master Plan (2001) ("Master Plan") promulgated by APA and approved by the Governor." The beginning of the third sentence in this paragraph should read: "The Master Plan defines..." instead of the APA defines..." The fourth and fifth sentences of this paragraph should be replaced with: "The APA Act requires DOT to comply with section 814 review procedures for new land use or development activity in areas of Travel

Corridors under DOT jurisdiction. Portions of the Travel Corridor under the jurisdiction of DEC are administered according to DEC's "care and custody" authority in the ECL and guidelines for management and use from the Master Plan (Master Plan, p. 98, 49, 46)." In the first sentence of the second paragraph, replace "APA" with "Master Plan". Reference to APA permits should read "APA Permits 86-1036 and 86-1036A" in the last sentence of the fourth paragraph.

Response 2:

Comment accepted.

Comment 3:

Section 2.4.4 (Page 19): In the last portion of the first sentence in the third paragraph replace "concerning the Adirondack Park." With "concerning classification and management of State-owned lands within the Adirondack Park." Replace "Park Lands" with "State-owned lands" in the second sentence of this paragraph and change reference to 2.4.8 to 2.4.7. Change the reference from 2.4.8 to 2.4.7 in the fourth paragraph.

Response 3:

Comment accepted.

Comment 4:

Section 2.4.7 (Page 20): Suggest after "NYS Chapter Laws" inserting a new section entitled "Statutory Authority" as follows:

NYS Transportation Law, section 14 et seq. (authority of NYS DOT)

NYS Environmental Conservation Law, Article 3, section 3-0301 (1) (d) (authority of NYS DEC)

NYS Executive Law, Article 27 (authority of NYS APA)

Response 4:

Comment accepted.

Comment 5:

Section 2.4.7 (Page 21): Replace "APA Master Plan" with "Adirondack Park State Land Master Plan".

Response 5:

Comment accepted.

Comment 6:

Section 2.4.8.3 (Page 23): Delete the word "be" form next to last sentence of the first paragraph on this page.

Response 6:

Comment accepted.

VOLUME II-APPENDIX C

Comment 1:

A copy of the November 2005 Report Addendum No. 1 Phase 1A report should be included in this appendix. Further, a report containing the results of Phase 1B testing as recommended in the Phase 1A report should also be included in this appendix.

Response 1:

A copy of the Phase 1A Cultural Resources Investigation Tri-Lakes Reliability Project St. Lawrence County, New York Report Addendum No. 1 November 2005 was sent to the APA with the understanding that it would not be released for public distribution. Therefore, it would not be included as Appendix C of the DEIS.

The Phase 1B testing has not begun yet. The results of this testing will be made available in a Phase 1B Report which will be sent to the APA under separate cover and with the understanding that it also will not be available for public distribution.

VOLUME II-APPENDIX D

Comment 1:

Photo Simulations provided appear to accurately represent future or long-term conditions after adjoining trees have branched out and under story vegetation has become reestablished. However, additional photo simulations depicting and representative of more immediate or short-term effects of vegetative clearing should be provided (See also comments on Section 4.12.1).

Response 1:

See Volume I Response to Comment 26 of this document.

VOLUME IV-APPENDIX E

Responses to Comments made in the January 9, 2006 by the APA on the DEIS which are related to the EWP and EWP Sheets will be integrated into a final document, including new plan sheets, after the Agency has approved the Responses. The finalized copy of the EWP will be provided to National Grid with the revised/approved changes.

Comment 1:

Section 1.5.1.1 (Pages 1-4 and 1-5): This discussion of Agency jurisdiction is flawed. It is incomplete and mixes elements of the laws administered by the Agency, the rules and regulations implementing them and interpretations. At a minimum the first bulleted item on Page 1-4 should be changed to read "All wetlands that are 1.0 acres in size or larger or located adjacent to a body of water, including a permanent stream, with which there is free interchange of water at the surface, in which case there is no size limitation."

Response 1:

Comment accepted to the extent of incorporating the additional language for the first bulleted item on Page 1-4.

Comment 2:

Section 1.6.3 (Page 1-7): An Environmental Inspector will manage environmental compliance associated with the project. Explain how frequently this person will be on site. Will this person be present on a daily basis or periodically visit the site? Also, a compliance mechanism should be developed for situations where field conditions dictate a deviation from the approved plans.

Response 2:

An Environmental Inspector will be on site on a daily basis. The applicant is coordinating with the APA to develop a field protocol when field conditions dictate a change from the approved plans. The results of this coordination will be available as soon as it is complete.

Comment 3:

Section 2.4 (Page 2-9): Explain why it is stated that it is Niagara Mohawk's responsibility and not the applicant's (NYPA) to insure the cultural resources investigation is complete or that SHPO approval to proceed is obtained in each area prior to construction.

Response 3:

As described in Section 1.2, NYPA is the applicant for all permits and approvals required for siting and construction of the new 46 kV line. Niagara Mohawk is responsible for design, engineering, procurement, construction, installation, testing and overall project management. Niagara Mohawk will construct the new line and operate and maintain the line after it is energized. Since Niagara Mohawk is responsible for the construction of the line, it is Niagara Mohawk's responsibility to insure the cultural resources investigation is complete or that SHPO approval to proceed is obtained in each area prior to construction.

Comment 4:

Section 2.7 (Page 2-9): Wetland filling of 8,256 square feet along the Preferred Route is inconsistent with 7,930 square feet stated in Table 1.4-4 and other amounts included in the applications. Also, 0.18 acre equals 7,841 square feet and not 8,256 square feet. It is imperative that these inconsistencies be corrected and that the Agency fully understands exactly how much loss of wetland area is to result from this project.

Response 4:

The wetland fill amounts in the EWP and the applications have been corrected so that they are consistent. The wetland fill amount estimated for the Preferred Route is 0.18 acres.

Comment 5:

Table 4-2 (Page 4-2). The list includes at least two species that, although having desirable growth habits for right-of-way use, are invasive and should as a matter of course be discriminated against during right-of-way vegetation maintenance activities. The two species are multiflora rose (Rosa multiflora) and privet (Ligustrum spp.). In additional, the list of scientific names should be reviewed for misspellings.

Response 5:

Multiflora rose and privet have been removed from Table 4-2. Misspellings of scientific names have been corrected (see Attachment 8 – Desirable Plant List.

Comment 6:

Table 4-3 (Page 4-22). The use of chemical dust inhibitors should be discouraged. Water should be the dust inhibitor of choice. Other selections may be suitable but only upon review on a case by case basis.

Response 6:

Chemical dust inhibitors have significant long term advantages over use of water as a dust suppressor. The need for chemical dust suppressants will be greatest at the substation and regulator stations. In the woodlands area the lack of strong wind forces will nearly eliminate the creation of fugitive dust. Therefore, dust suppression along the ROW may only be required at the construction entry.

Poly pavement, DirtGlue, Envirotac II, Soiltac, and Soil Sement are all modern materials that are not based on salt (magnesium chloride or calcium chloride) therefore do not present a risk of chloride contamination to waterways. A table comparing these dust inhibitors and Material Safety Data Sheets are included in Attachment 9.

Comment 7:

Section 4.3.1 (Page 4-33): All parts of all abandoned poles should be routinely removed whether they occur in wetlands or uplands. The minor, temporary disturbance to wetlands caused by removal activities is well worth the removal of pole ends even though not technically considered to be hazardous waste. The wetland disturbance can be mitigated by proper construction practices.

Response 7:

It is Niagara Mohawk's intention to pull all pole butts and parts of abandoned poles in wetland and upland areas, unless it is determined that pulling the pole part will cause more damage to the environment than leaving them in place.
Comment 8:

Section 4.3.1.1 (Pages 4-41 and 4-42). As previously discussed, the insertion of "[NYSDEC wetland]" and "[APA and ACOE wetlands]" changes the meaning of the original text of what appears to be NYSPSC Case 27605 Ordering Clause 1.e....Reference to "jurisdictional buffers" in the first paragraph on Page 4-42 is incorrect. Even though the APA Act, the FWA or the implementing Rules and Regulations do not specify a set buffer distance from wetlands and other water bodies, it is clear that the intent is a broad view of wetland protection which includes review over activities occurring outside wetlands which substantially impair their functions or benefits. It has always been the Agency's interpretation that any activity requires a permit if it is likely to substantially impair the wetland, regardless of its distance from the wetland in question....This entire section should be re-written (See also Agency comment regarding Volume I, Sections 1.3.1 and 4.8 above)....High Volume Stem Foliar on Page 4-42 and Low Volume Backpack Stem Foliar on Page 4-43 both refer to "APA guidelines." It is unclear what guidelines are being cited. Please provide the appropriate "APA guidelines."....Provide the specifications for the "Brown Bush Monitor" mower unit with herbicide application attachment mentioned under Mowing and Cut Stubble Herbicide Treatment on Page 4-44....Section 6.2.1 (Page 6-4). The discussion under F. APA Permit Requirements is a much simpler and more

accurate statement regarding use of herbicides in proximity to wetlands....The information elsewhere in the DEIS should be reviewed and brought into conformance. Also, explain why Niagara Mohawk's Environmental Department is responsible for obtaining APA permit and not NYPA, the applicant.

Response 8:

See Response to Volume I Comment 8 of this document.

Comment 9:

Section 6.2.5 (Page 6-10): Does this list include all herbicides specified for use on this transmission line? If not, revise to include all others. Under what circumstances will each identified herbicide by used (i.e. treatment methods, clearing methods, right-of-way maintenance, etc.)? Will they be used as single chemical applications or in tank mixes? Provide MSD sheets for each herbicide to be used in conjunction with this project and during continued maintenance.

Response 9:

The prior response to this issue identified Accord as a typical product used as a stump treatment. Accord's active ingredient is glyphosate and variations of glyphosate products can be used for low volume foliar application in the future.

Additional products currently used by Niagara Mohawk for stump treatment are Pathway (Tordon) and Garlon. Labels for all of these products are presented in Attachment 2

Comment 10:

The symbol for off ROW Existing Work Trail Location does not appear in the legend of the reduced-scale Environmental Work Plan Sheets included in this appendix. Unless full-scale drawings have been provided to the public and other interested and involved agencies, the locations of these trails will be difficult to understand. Also, it is unclear whether wetlands were delineated for both existing and new Off ROW Work Trail Locations. Either confirm that all wetlands within 100 feet of these trails have been field delineated and are shown on these drawings or revise the drawings to depict all such field delineated wetlands.

Response 10:

The symbol (open circles) for "Off ROW Existing Work Trail Location" <u>does</u> appear in the legend of the reduced-scale Environmental Work Plan Sheets. These appear in the November 30, 2005 copy of the DEIS, Appendix E and subsequent printings of the plan sheets for Public Review. The symbol is an open circle and clearly shows up on both sections of the plan sheets (the aerial and the land use) and

in the legend, for example see EWP Sheet 1. Some sheets, such as EWP Sheet 3, do not have any "Off ROW Existing Work Trails". Therefore, the symbol does not show up on the map sections, but still appears in the legend.

This symbol and its locations on the reduced-scale EWP Sheets is not difficult to understand and should be readily apparent to the public and other interested and involved agencies.

Wetlands were not field delineated for Existing ROW Work Trail Locations. These are existing roads and trails that, if in or near wetlands, have prior fills and crossings.

All field delineated wetlands are shown on the EWP Sheets.

Comment 11:

Environmental Work Plan Sheets should all include stormwater management devices and erosion and sediment control measures. The plans should clearly depict the appropriate measure or device and the location of each on the plans. Protection of wetlands and waterbodies should be clearly addressed.

Response 11:

The Environmental Work Plan Sheets include stormwater management devices and erosion and sediment control measures on the Detail Sheets. Because the EWP Sheets are at 1" = 200 feet, it is not practical to add every stormwater device at all locations. Management practices and their uses and locations are explained in the EWP text.

Protection of wetlands and waterbodies is clearly addressed in the text of the EWP in Sections 4.1.2.6, 4.1.2.7, 4.3.2, and Section 5.

Comment 12:

Detail Sheet 3 of the Environmental Work Plan Sheets does not provide a cross-section for the rock check dam detail. The setting of the lip invert lower than the attachment to the surrounding grade at either end of the check dam is critical. Provide a detail showing the rock check dam cross-section.

Response 12:

A cross-section for the rock check dam detail, showing the lip invert lower than the attachment to the surrounding grade at either end of the check dam, is provided as a Attachment 10. This detail will be added to the EWP Detail Sheet upon Agency approval.

Comment 13:

Details of any wetland or stream crossings should be provided on more detailed (1 inch equals 50 feet) Environmental Work Plan Sheets.

Response 13:

50 scale details of the wetland impact locations between Alt 2 and Alt 3 on the Preferred Route have been provided as part of the Wetland Mitigation Plan submitted to the Agency on January 9, 2006. These details have also been included on the Environmental Work Plan Detail Sheets, also submitted to the Agency on January 9, 2006 (3 full size sets).

VOLUME IV-APPENDIX I

Comment 1:

In addition to the summary of public comments received which are contained in this appendix, copies of all actual written comments themselves should be included in the appendix. The Agency also requests that it be provided with copies of all written comments received in response to the DEIS through the formal comment period which ends January 31, 2006. Also, the Agency has received six letters to date commenting on this proposal. Copies of these letters are enclosed. It is expected that NYPA's response to all pertinent public comment will be provided to the Agency and included in the Final Environmental Impact Statement.

Response 1:

All public comments and responses to comments will be published in the Final Environmental Impact Statement.