



March 25, 2015

Hon. Kathleen H. Burgess  
Secretary  
New York State Public Service Commission  
Three Empire State Plaza  
Albany, NY 12223-1350

Re: Niagara Mohawk Power Corporation d/b/a National Grid – Part 102 Report  
Gardenville-Dunkirk #141/142 115 kV Structure Replacement Project  
Case 15-T-\_\_\_\_\_

Dear Secretary Burgess:

Niagara Mohawk Power Corporation d/b/a National Grid (“National Grid”), pursuant to 16 NYCRR § 102, submits for filing one paper original, five paper copies and two electronic copies (each on a CD-ROM) of the *National Grid Gardenville-Dunkirk #141/142 Structure Replacement Project* Part 102 Report. The project is located in Erie County, NY (the Towns of West Seneca, Hamburg, Evans and Brant, the City of Lackawanna, the Villages of Blasdell, Angola, and Farnham) and Chautauqua County, NY (the Towns of Hanover, Sheridan and Dunkirk, the Village of Silver Creek, and the City of Dunkirk).

The Project (i.e., replacement of two structures) is necessary to ensure proper conductor clearances necessary to accommodate the construction of a large, new Federal Express (FedEx) distribution center under construction in the Town of Hamburg.

Thank you for your attention to this matter.

Very truly yours,

*Lisa M. Zafonte*

Lisa M. Zafonte  
Senior Counsel  
Attorney for the Applicant,  
Niagara Mohawk Power Corporation d/b/a National Grid

Enclosures

cc: Larry Cobado, National Grid (via email without enclosures)  
Mary Bitka, National Grid (via email without enclosures)

NEW YORK STATE DEPARTMENT OF PUBLIC SERVICE

METHOD OF SERVICE FORM

This form should be filed with all new petitions and applications that require action by the Commission. It will allow us to serve you with the Commission decision using the method you select.

Name:	<u>Lisa M. Zafonte</u>
Your Company/Organization:	<u>Niagara Mohawk Power Corporation</u>
Mailing Address:	<u>175 East Old Country Road</u> <u>Hicksville, NY 11801</u>
Company/Organization you represent, if different from above:	<u>Niagara Mohawk Power Corporation</u>
E-Mail Address:	<u>lisa.zafontemaffei@nationalgrid.com</u>
Case/Matter # (if known)	<u>15-T-</u>

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Signature: <u>Lisa M. Zafonte</u>	Date: <u>March 25, 2015</u>
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**Niagara Mohawk Power Corporation  
d/b/a National Grid  
Gardenville – Dunkirk #141/142  
115kV Structure Replacement Project**

**Report to the State of New York  
Public Service Commission  
on the Installation of  
Non-Article VII Electric Transmission Facilities  
Pursuant to 16 NYCRR 102**

Prepared by:

**nationalgrid**

300 Erie Boulevard West, A-3  
Syracuse, New York 13202

**March 2015**

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## **Contact Information**

*Correspondence and inquiries concerning the Part 102 Report should be directed to the following persons:*

*Larry Cobado, PMP  
Lead Project Manager, Project Management & Complex Construction  
National Grid  
144 Kensington Avenue  
Buffalo, NY 14214  
716-831-7663  
larry.cobado@nationalgrid.com*

*Lisa M. Zafonte, Esq.  
Senior Counsel  
National Grid USA  
175 E. Old Country Road  
Hicksville, New York 11801  
(516) 545-5246  
lisa.zafontemaffei@nationalgrid.com*

*Mary E. Bitka  
Licensing & Permitting Engineer  
National Grid  
144 Kensington Avenue  
Buffalo, NY 14214  
(716) 831-7206  
mary.bitka@nationalgrid.com*

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## **1.0 INTRODUCTION AND PROJECT OVERVIEW**

Niagara Mohawk Power Corporation d/b/a National Grid (“National Grid”) proposes to install two replacement structures in order to increase the vertical clearance of the conductors at two locations (the “Project”) on the T1260/T1270 Gardenville-Dunkirk #141/142 115kV transmission line (“Line”). The Project is necessary to ensure proper conductor clearances necessary to accommodate the construction of a large, new Federal Express (FedEx) distribution center under construction in the Town of Hamburg at the intersection of Lake Shore Road (NYS Route 5) and Bayview Road. The Line’s conductor clearance must be raised at this location to provide adequate safety clearances to the overhead lines for the FedEx site development activities and the resulting truck traffic over the site once the new FedEx facility is completed.

The Line is located between the Gardenville (old) Substation in West Seneca, NY and Dunkirk Substation in Dunkirk, NY. It is approximately 45 miles in length and traverses Erie County, NY (the Towns of West Seneca, Hamburg, Evans and Brant, the City of Lackawanna, the Villages of Blasdell, Angola, and Farnham) and Chautauqua County, NY (the Towns of Hanover, Sheridan and Dunkirk, the Village of Silver Creek, and the City of Dunkirk (*see* Figure 1). The Line, built in the 1930s, is supported on a combination of double circuit flexible steel structures, square based lattice towers and single/double wood pole structures. The line bisects the FedEx site and occupies its present location pursuant to the Right-of-Way (ROW) established by a certain easement dated July 22, 1907. The two structures requiring replacement are steel flex towers, both installed in the 1930s and both located in the Town of Hamburg, NY.

## **2.0 PROJECT INFORMATION**

### **2.1 Project Purpose and Scope of Work**

A review of the Project was conducted in accordance with the criteria specified in 16 NYCRR Part 102. The Project requires preparation of this Part 102 Report because: the Line has a voltage of 65 kV or higher; the proposed work takes place over a distance of one mile or longer; and the proposed work involves the replacement of two (2) structures (Nos. 91 and 92) requiring an increase in structure height by more than 10 feet (*see* Table 1). As noted above, the increase in structure height is required in order to achieve the required conductor clearances for truck traffic at the FedEx facility.

The Project activities will take place completely within the existing managed ROW, which exists as easement property rights currently held by National Grid. National Grid is actively coordinating its activities, as described herein, with the underlying FedEx site owners.

As indicated in Appendix A (the Part 102 Checklist), the Project will impact no priority areas specified in Section 102.3(a); therefore, an advantage-disadvantage analysis is not required as part of this Report. Discussion of “other areas” triggered under Section 102.3(b) is presented in Section 3.0 of this Report.

Construction access to replacement structures will be via Bayview Road and the existing transmission ROW. The new structures will be offset five (5) feet from the existing locations, to permit construction of the new structures and transfer of the conductors prior to removal of the existing structures.

## **2.2 Project Area**

Figure 1 identifies the general location of the area that requires installation of replacement Structure Nos. 91 and 92. As shown on Figure 1, none of the structures associated with this Project are located in agricultural districts, as determined from New York State Department of Agriculture & Markets' agricultural data. No active agricultural areas are impacted by this Project. A detailed aerial map is presented in Figure 2 and shows each structure to be worked on, along with nearby mapped wetlands. It should be noted that there are no impacts to wetlands as a result of this Project.

## **2.3 Transmission Facility**

The existing Gardenville-Dunkirk #141/142 115 kV line is supported on a combination of double circuit flexible steel structures, square based lattice towers and single/double wood pole structures. The proposed structure replacements for this Project will consist of double circuit, wood two-pole, davit arm suspension structures. National Grid's current standard for this type of Project is to use wood poles instead of steel structures, as there is significant lead time associated with steel structures that is incompatible with short-timeline projects such as this. Table 1 identifies the proposed structure type at each work location, and Figure 3 identifies the typical construction standard for the replacement structure type (*i.e.*, double circuit, wood two-pole, davit arm suspension structure). All structures will be direct embed (*i.e.*, no concrete foundation), and no grading work or access improvements will be necessary or proposed. The existing conductor will be transferred to the two new structures. No new mid-span structures are proposed.

Erosion and sediment control measures for all work on ROW shall be in compliance with National Grid USA "Environmental Guidance No. EG-303NY; Natural Resource Protection-ROW Access, Maintenance and Construction Best Management Practices." Best management practices (*e.g.*, silt fencing, timber mats, etc.) will be employed, as needed, while working on this Project and the area will be restored to original conditions.

## **3.0 ENVIRONMENTAL RESOURCES EVALUATION**

National Grid screened for the presence of §102.3(b) classes of areas via the use of desktop GIS analysis, agency consultation and field verification. Additionally, the Town of Hamburg was contacted in order to identify the subject parcel's zoning information, as presented in Table 1. In support of the analysis of the criteria in 16 NYCRR Part 102, §§102.3(b)(1)-(13), the following areas were specifically reviewed:

## **Threatened and Endangered Species**

A written request for information regarding unique or significant natural communities in the Project area was sent to the New York State Department of Environmental Conservation (“NYSDEC”) Natural Heritage Program (NHP) on March 18, 2015 (*see* Appendix B). As of the date of this Report, the agency has not yet responded to the written request. National Grid will comply with any NHP requests received pursuant to NHP’s review; based upon an internally performed review, National Grid is not expecting any impacts to rare or state-listed animals or plants or significant natural communities located in the Project vicinity.

The USFWS Information, Planning, and Conservation System (IPaC) was consulted to determine the potential for occurrences of federally-listed species (*see* Appendix B). According to the USFWS species list, the Northern Long-Eared Bat (*myotis septentrionalis*) (NLEB) is a species proposed for listing as endangered, and also has the potential to occur in the Project vicinity. It should be noted, that a final listing decision for the NLEB is not anticipated until October 2015. However, there are no large trees located in the ROW of the existing transmission line that could provide summer roosting habitat for the NLEB. Therefore, this Project will have no impact upon either species that may be in the vicinity.

## **Historic Resources**

There are no buildings, sites or districts listed on the State or National Registers of Historic Places (“NRHP”) located within one mile of the Project corridor; however, the New York State Historic Preservation Office (“SHPO”) Cultural Resources Information System (CRIS) database indicates that the two replacement structures are located within an archaeologically sensitive area. Therefore, in accordance with Section 14.09 of the State Historic Preservation Act, a consultation letter was sent to the New York State Office of Parks, Recreation, and Historic Preservation (“OPRHP”) on February 10, 2015 requesting an opinion as to the Project’s potential impact on cultural resources. The submission included a description of the proposed Project, site location map, and photographs taken along and adjacent to the Project corridor. A copy of the consultation letter submitted to OPRHP via CRIS is included in Appendix B. As of the date of this report submittal, no correspondence from the SHPO office has been received. National Grid will comply with any additional information requested by SHPO prior to the initiation of project work.

This Project does not involve upgrading of conductors or changing of voltages along the Line, and the Line’s configuration will remain essentially the same. Consequently, National Grid does not intend to conduct an electric and magnetic field strength study as part of this Project.

Structures Nos. 91 and 92 on the Gardenville-Dunkirk #141/142 115 kV line are not located within a Flood Hazard Area (FEMA 2014), compliance with Flood Hazard Area regulations and design requirements are not required.

The Project will require neither full nor partial road closures, as it occurs on National Grid ROWs that are accessed off public roads. Consequently, no maintenance and protection of traffic plan is applicable or required.

In addition to the aforementioned review, and as identified in the Part 102 checklist, an undeveloped light industrial area identified pursuant to §102.3(b)(9).required additional analysis.

### **3.1 Planned and Zoned Undeveloped Light Industrial, Commercial and Residential Areas**

Both Structure Nos. 91 and 92 are located in an area zoned as “Industrial – M3” by the Town of Hamburg. Minimal vegetation trimming will be required to install the two replacement structures. Access to the structure will be from the existing ROW, and work will be completed using National Grid’s best management practices to minimize any potential impacts to the area.

## **TABLES**

**Table 1. Summary of Proposed Work for Gardenville-Dunkirk #141/142  
Structure Replacement Project**

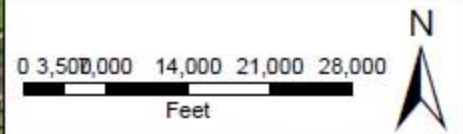
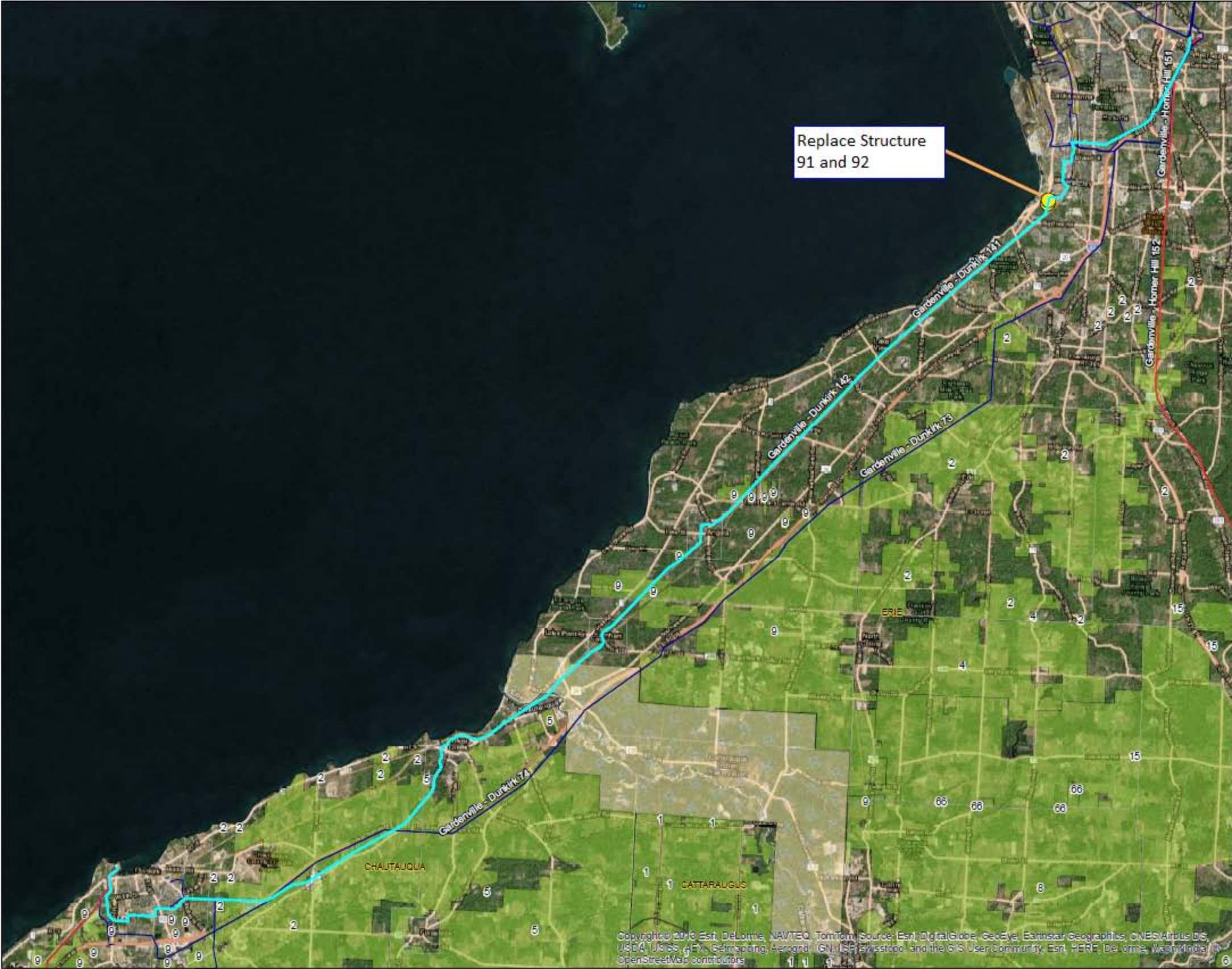
<b>Structure(s) to be Worked</b>	<b>Town</b>	<b>Parcel Zoning Code</b>	<b>Existing Structure Height Above Ground (feet)</b>	<b>Type of Work</b>	<b>Proposed Structure Height Above Ground (feet)</b>	<b>Type of Wood Structure</b>
91	Hamburg	Industrial – M3	59	Replacement	88	Double Circuit Two- Pole Davit Arm Suspension/Figure 3
92	Hamburg	Industrial – M3	59	Replacement	83.5	Double Circuit Two- Pole Davit Arm Suspension/Figure 3

## **FIGURES**

Legend

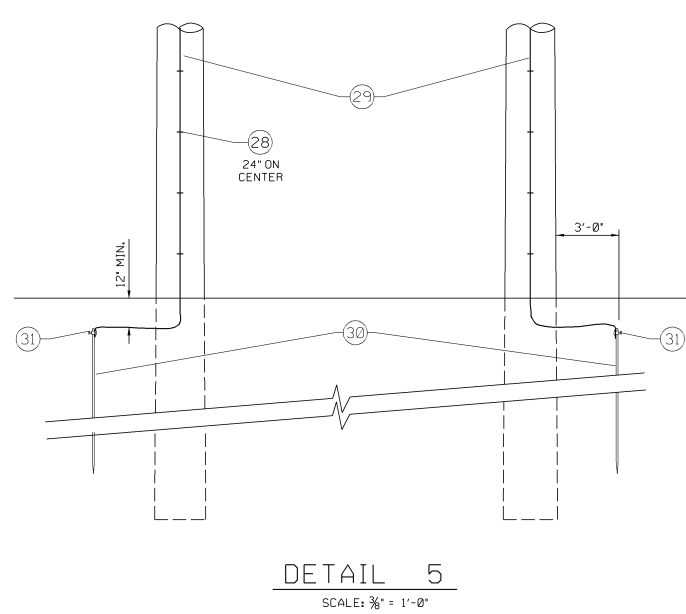
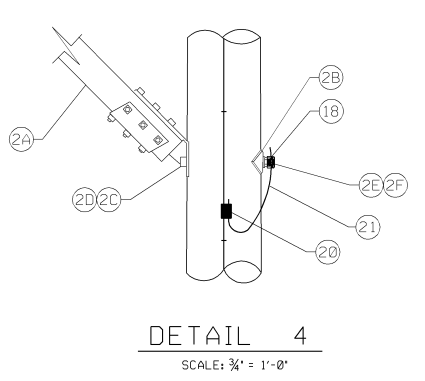
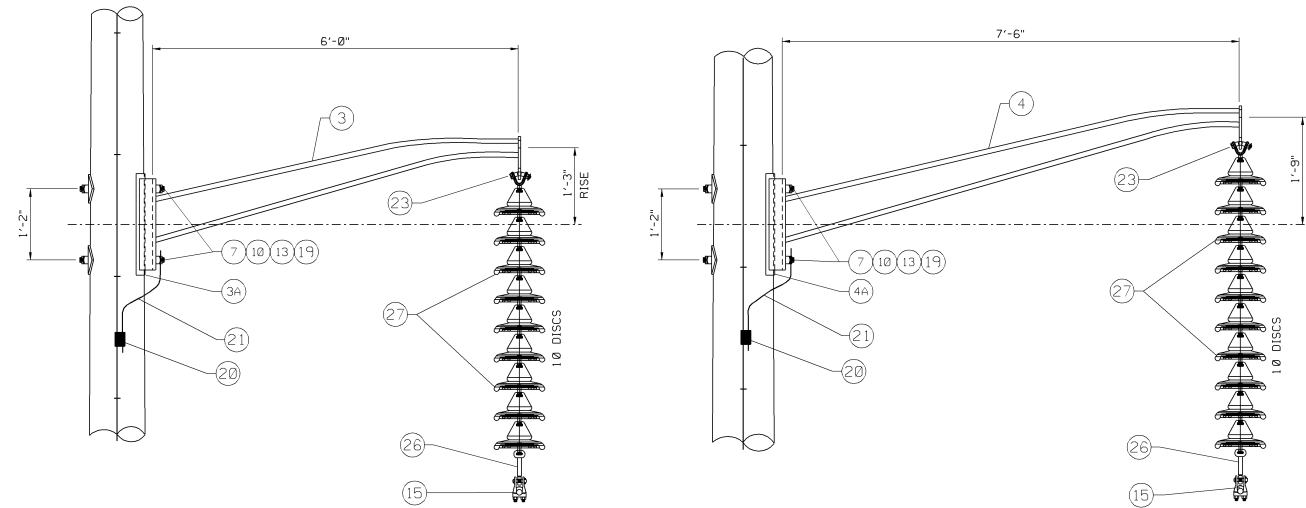
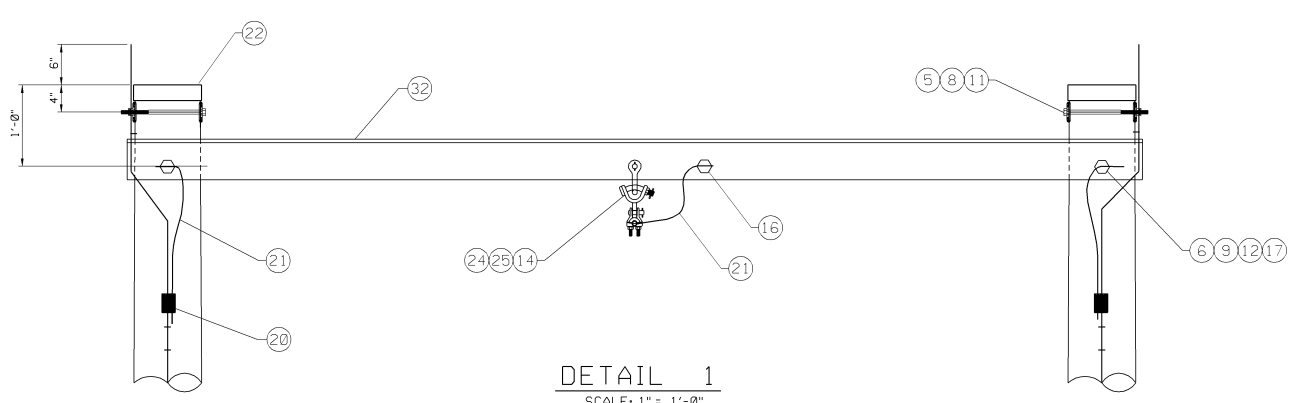
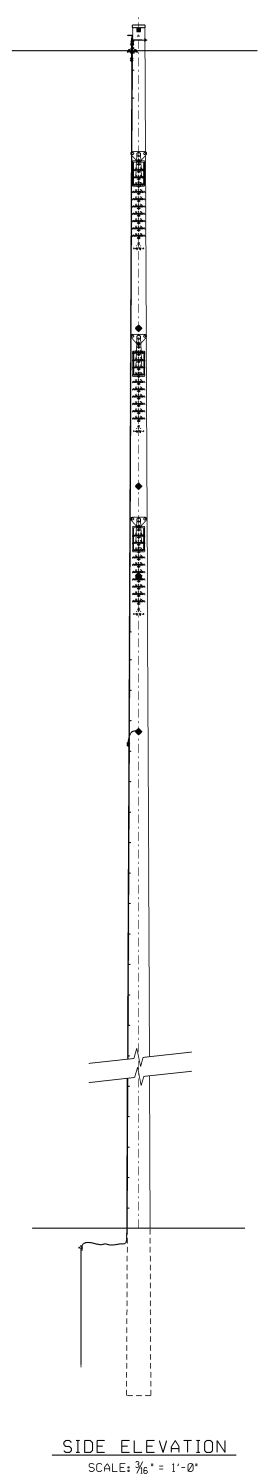
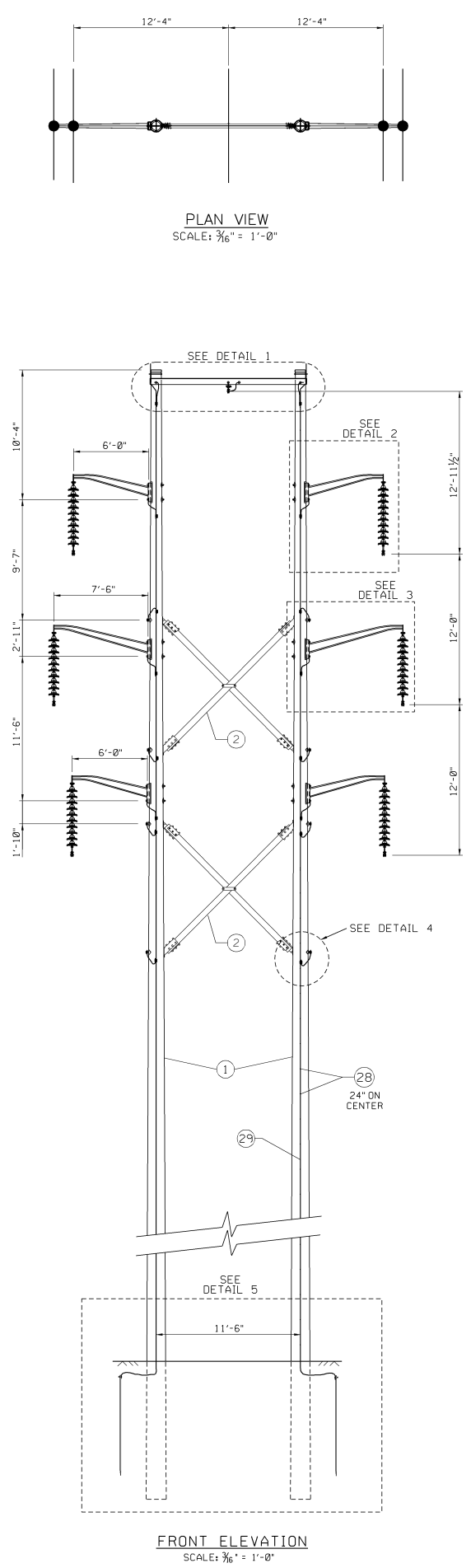
- Transmission Line
- Agricultural Districts

Replace Structure  
91 and 92





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MATERIAL LIST - D1.WD.SU.2P				
TAG	QTY.	DESCRIPTION	PEOPLESOT PART CODE	SAP PART CODE
1	2	Wood Pole, Penta	*	*
2	2	Cross Brace Assembly, Fixed Type	3502891	9311865
3	4	6'-0", Steel Davit Arm Assembly	9202567	9312012
4	2	7'-6", Steel Davit Arm Assembly	9202569	9312010
5	2	Bolt, Mach., Galv. 5/8" x 14" LG.	7001503	9309119
6	2	Bolt, Mach., Galv. 3/4" x 14" LG.	7001520	9319846
7	12	Threaded Double End Rods, 1" x 24" LG.	9202560	9313703
8	4	Washer, Square Curved 3" for 5/8" Bolt	5997820	9306399
9	2	Washer, Square Curved 4" for 3/4" Bolt	5997840	9320428
10	12	Washer, Square Curved 4" for 1" Bolt	9202554	9315953
11	2	Locknut, 5/8"	7024158	9322021
12	2	Locknut, 3/4"	7024155	9322023
13	24	Locknut, 1"	5993386	9307156
14	1	Clamp, Susp., Static Wire	5985160	9307368
15	6	Clamp, Susp., Conductor	3504782	9312481
16	2	Grounding Clamp W/ 1/2" Bolt	5105146	9309820
17	2	3/4" Bonding Clip	5987950	9313173
18	8	5/8" Bonding Clip W/Lock Nut	3503325	9313447
19	6	1" Bonding Clip	9202840	9307959
20	16	Clamp, Parallel Groove, Bronze	5962562	9320554
21	20	Wire, #4 Bare Solid, Copper	4015001	9316523
22	2	Pole Topper, 16" for Pole Top Protection	9202222	9307970
23	6	Y-Clevis, Ball, Tower Fitting	3504441	9312426
24	1	Y-Clevis Eye	5987569	9320282
25	1	Shackle	5987592	9307404
26	6	Eye, Socket, Hot Line, 5 1/2"	5988738	9313210
27	60	Insulator, Disc, B&S, Brown, 20K	2021019	9311629
28	100	Staple, Galv. 2" Each	0811201	9314525
29	170	Wire, 3/8" Common Grade Steel	5998530	9306353
30	2	Ground Rod, Copperclad, 5/8" x 8'-0"	3503013	9313616
31	2	Connector, Ground Cable to Rod	3503390	9313417
32	1	Shieldwire Support Angle - L6 x 4 x 1/2 x 12'-6"		SEE NOTE 4

FIXED TYPE CROSSBRACE SUBASSEMBLY MATERIAL LIST			
TAG	QTY.	DESCRIPTION	SAP PART CODE
2	1	Crossbrace Assembly, Fixed Type	9311865
2A	1	Crossbrace, 3 3/4" x 4 3/4", Lamin.(1pr.)	
2B	4	Washer, Square Curved 4"	
2C	2	Bolt, Mach., Galvanized, 5/8" x 14"	
2D	2	Bolt, Mach., Galvanized, 3/4" x 16"	
2E	4	5/8" Nut	
2F	2	Center Strap, w/ nuts & bolts	

STEEL DAVIT ARM SUBASSEMBLY MATERIAL LIST			
TAG	QTY.	DESCRIPTION	SAP PART CODE
3	1	Davit Arm, 6'-0", 65KSI Weathering Steel	9312012
3A	1	1/4" Bearing Plate	

STEEL DAVIT ARM SUBASSEMBLY MATERIAL LIST			
TAG	QTY.	DESCRIPTION	SAP PART CODE
4	1	Davit Arm, 7'-6", 65KSI Weathering Steel	9312010
4A	1	1/4" Bearing Plate	

\* REFER TO THE "STANDARD MATERIALS" FOR COMPLETE MATERIAL IDENTIFICATION NUMBERS AFTER DETERMINATION OF EXACT LENGTH, RATING, KIND, ETC.

- NOTES**
- FOR STRUCTURE NUMBERING AND WARNING SIGNS REQUIRED ON WOOD POLES, SEE SP.06.01.301.201, SHEET 2 OF 4.
  - SEE DRAWING B-36123-S, SHJ FOR GROUNDING DETAILS OF TRANSMISSION LINE STRUCTURE, DIRECT EMBEDMENT POLES.
  - SEE SP.06.01.301.401 FOR DETAILS OF WOOD POLE INSTALLATION IN CORRUGATED PIPE.
  - L6 X 4 X 1/2 X 12'-6" SHIELDWIRE SUPPORT ANGLE (SEE DWG. B-65501-S, INDEX 6.0-4.1-E32) SPECIAL ORDER FABRICATED ITEM.

Figure 3

PREPARED BY

# nationalgrid

TRANSMISSION SYSTEM  
STRUCTURE DETAILS - D1.WD.SU.2P-115kV  
DOUBLE CIRCUIT, SINGLE SHIELD WIRE  
WOOD SUSPENSION  
2 POLE DAVIT ARM

DES. TGM	DR. TGM	CK. TGM	DATE	01/30/2015	SCALE	AS SHOWN
APP.		APP.			INDEX	6.0-4.1-E31
APP.	D.W. PERLITT	APP.			NL	C-65435-S

SHEET 1

NO.	DATE	BY	DESCRIPTION OF REVISION	CK.	APP.

## **APPENDIX A**

### **Part 102 Checklist**

**Part 102 Checklist**

**Project Name: Gardenville-Dunkirk 141/142 115 kV Structure Replacement Project**

**Date: March 2015**

<b>Triggers:</b>	<b>Yes</b>	<b>No</b>
Are additional rights-of-way required?		<b>x</b>
Are any additional structures to be added to the line?		<b>x</b>
Will the resulting structure carry more than two circuits?		<b>x</b>
Will there be any additional vegetative rights or trimming required?		<b>x</b>
Will the height of the tower increase by 10' or more?	<b>x</b>	

**Project Data Form  
Installation of Non-Article VII Electric Transmission Facilities**

**102.3 Classes of Areas**

<b>(A) For transmission lines in the following areas, the analysis required by Section 102.4 of this Part must be included in the report of the proposed construction:</b>	<b>Will</b>	<b>Will Not</b>
<b>1</b> National and state parks, preserves, reservations, landmarks and monuments formally so designated and acquired for their natural, scenic or cultural value by appropriate state and federal agencies. (Included would be historic landmarks, national landmarks, national monuments and trails, and wild and scenic rivers).		<b>x</b>
<b>2</b> Historic sites formally so designated by national or state agencies but without acquisition of rights or ownership sufficient for the purpose of preservation.		<b>x</b>
<b>3</b> Central business districts in cities and villages.		<b>x</b>
<b>4</b> Developed and partly developed residential areas with an existing density of one or more dwelling units per acre, as shown on approved subdivision maps, occupying a minimum contiguous area of 20 acres, all or a portion of which would be traversed by the proposed transmission facility right-of-way.		<b>x</b>
<b>(B) Other Areas for which reports, but without the analysis required by Section 102.4 of this Part, are required:</b>	<b>Will</b>	<b>Will Not</b>
<b>1</b> Areas of outstanding natural or scenic value which are preserved by non-profit private agencies but which have not been formally so designated by national or state agencies.		<b>x</b>
<b>2</b> Areas of outstanding cultural value (e.g., attractive pastoral scenes, locations of noteworthy architectural and/or social import both within and outside specific sites) that have been formally designated by the appropriate governmental authority.		<b>x</b>
<b>3</b> Existing local (city, town, village and county) parks and open space areas that have been formally established by governmental or private authorities.		<b>x</b>
<b>4</b> Public and semi-public facilities such as cemeteries, educational, correctional and medical facilities and military installations.		<b>x</b>
<b>5</b> Existing light industrial and commercial areas (e.g., industrial parks, shopping centers, office building complexes).		<b>x</b>
<b>6</b> Partially developed residential areas where the subdivision will have an eventual population density of one or more dwelling units per acre, as shown on approved subdivision maps, comprising a minimum contiguous area of 20 acres or a portion of which is traversed by the proposed transmission facility right-of-way.		<b>x</b>
<b>7</b> Areas of outstanding cultural value (e.g., attractive pastoral scenes, locations of noteworthy architectural and/or social import both within and outside specific sites that lend attractiveness to a neighborhood or community) that have not been formally designated by a governmental or private authority.		<b>x</b>
<b>8</b> Residential areas with less population density than those specified in preceding categories.		<b>x</b>
<b>9</b> Planned and zoned undeveloped light industrial, commercial and residential areas.	<b>x</b>	
<b>10</b> Managed woodlands (e.g., commercial and other productive forests).		<b>x</b>
<b>11</b> Agricultural districts established in accordance with Chapter 25-AA of the Agriculture and Markets Law, and other farmlands.		<b>x</b>
<b>12</b> Existing and planned heavy industrial areas.		<b>x</b>
<b>13</b> Woods and open lands other than those included within areas specified in a priority area above.		<b>x</b>

## **APPENDIX B**

### **Agency Correspondence**

**NYSDEC**  
**Natural Heritage Program**

## Bitka, Mary

---

**From:** Bitka, Mary  
**Sent:** Wednesday, March 18, 2015 2:12 PM  
**To:** 'NaturalHeritage@dec.ny.gov'  
**Subject:** Information Request

Good Afternoon,

Niagara Mohawk Power Corporation, d/b/a National Grid ("National Grid"), is proposing to install two replacement structures to increase the vertical clearance of the conductors at two locations (the "Project") on the T1260/T1270 Gardenville-Dunkirk #141/142 115kV transmission line ("Line")(-78.848512, 42.777905). The project is necessary because Federal Express (FedEx) is building a large distribution center in Hamburg, Erie County, NY at Lake Shore Road (NYS Route 5) and Bayview Road. FedEx requires that the conductor clearance of these lines be raised because FedEx is developing the land on the right-of way and also to allow for truck traffic to access the new facility (see Figures 1 and 2).

The property is zoned as industrial-M3 and exists as easement property rights currently held by National Grid.

Construction access to replacement structures will be from Bayview Road and the existing transmission ROW. The new structures are offset 5' from the existing locations so that the new structures can be built and the conductors transferred before the old structure is removed. Minimal vegetative clearing (brush) may be required for the installation of the replacement structures, but no significant ground disturbance or impacts to the ground surface are expected.

Please review the attached site location map and identify any rare, threatened or endangered species and significant habitat that we should be aware of prior to any site access and structure construction.

If you have any questions, please call me at (716) 831-7206 or email me at [mary.bitka@nationalgrid.com](mailto:mary.bitka@nationalgrid.com).



G-D 141\_142  
FedEx Project.pd...

Thank you.

Mary E. Bitka  
Licensing & Permitting Engineer - Western Division  
[nationalgrid](http://nationalgrid.com)  
144 Kensington Ave., Buffalo, N.Y. 14214  
P 716.831.7206  
C 716.984.0664  
E [mary.bitka@nationalgrid.com](mailto:mary.bitka@nationalgrid.com)

**USFWS**  
**IPaC Species List**



U.S. Fish and Wildlife Service

## Trust Resources List

**This resource list is to be used for planning purposes only — it is not an official species list.**

**Endangered Species Act species list information for your project is available online and listed below for the following FWS Field Offices:**

**New York Ecological Services Field Office**  
3817 LUKER ROAD  
CORTLAND, NY 13045  
(607) 753-9334  
<http://www.fws.gov/northeast/nyfo/es/section7.htm>

***Project Name:***

Gardenville-Dunkirk 141/142 FedEx Structure Replacement Project



U.S. Fish and Wildlife Service

## Trust Resources List

### *Project Location Map:*



### *Project Counties:*

Erie, NY

### *Geographic coordinates (Open Geospatial Consortium Well-Known Text, NAD83):*

MULTIPOLYGON (((-78.8475742 42.7812826, -78.8475706 42.7812895, -78.8475646 42.7812945, -78.8475572 42.7812969, -78.8475494 42.7812962, -78.8475425 42.7812926, -78.8475375 42.7812866, -78.8475351 42.7812792, -78.8475358 42.7812714, -78.8480294 42.7795783, -78.848033 42.7795714, -78.848039 42.7795664, -78.8480464 42.779564, -78.8480542 42.7795647, -78.8480611 42.7795683, -78.8480661 42.7795743, -78.8480685 42.7795817, -78.8480678 42.7795895, -78.8475742 42.7812826))))

### *Project Type:*

Transmission Line



## Trust Resources List

### ***Endangered Species Act Species List ([USFWS Endangered Species Program](#))***

There are a total of 1 threatened or endangered species on your species list. Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fishes may appear on the species list because a project could cause downstream effects on the species. Critical habitats listed under the **Has Critical Habitat** column may or may not lie within your project area. See the **Critical habitats within your project area** section below for critical habitat that lies within your project area. Please contact the designated FWS office if you have questions.

#### **Species that should be considered in an effects analysis for your project:**

Mammals	Status		Has Critical Habitat	Contact
northern long-eared Bat ( <i>Myotis septentrionalis</i> ) Population:	Proposed Endangered	<a href="#">species</a> <a href="#">info</a>		New York Ecological Services Field Office

#### **Critical habitats within your project area:**

*There are no critical habitats within your project area.*

### ***FWS National Wildlife Refuges ([USFWS National Wildlife Refuges Program](#))***

*There are no refuges found within the vicinity of your project.*

### ***FWS Migratory Birds ([USFWS Migratory Bird Program](#))***

The protection of birds is regulated by the Migratory Bird Treaty Act (MBTA) and the Bald and Golden Eagle Protection Act (BGEPA). Any activity, intentional or unintentional, resulting in take of migratory birds, including eagles, is prohibited unless otherwise permitted by the U.S. Fish and Wildlife Service (50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)). The MBTA has no provision for allowing take of migratory birds that may be unintentionally killed or injured by otherwise lawful activities. For more information regarding these Acts see: <http://www.fws.gov/migratorybirds/RegulationsandPolicies.html>.

All project proponents are responsible for complying with the appropriate regulations protecting birds when planning and developing a project. To meet these conservation obligations, proponents should identify potential or existing project-related impacts to migratory birds and their habitat and develop and implement conservation measures that avoid, minimize, or compensate for these impacts. The Service's Birds of Conservation Concern



## Trust Resources List

(2008) report identifies species, subspecies, and populations of all migratory nongame birds that, without additional conservation actions, are likely to become listed under the Endangered Species Act as amended (16 U.S.C 1531 et seq.).

For information about Birds of Conservation Concern, go to:

<http://www.fws.gov/migratorybirds/CurrentBirdIssues/Management/BCC.html>.

To search and view summaries of year-round bird occurrence data within your project area, go to the Avian Knowledge Network Histogram Tool links in the Bird Conservation Tools section at: <http://www.fws.gov/migratorybirds/CCMB2.htm>.

For information about conservation measures that help avoid or minimize impacts to birds, please visit:

<http://www.fws.gov/migratorybirds/CCMB2.htm>.

### Migratory birds of concern that may be affected by your project:

There are **15** birds on your Migratory birds of concern list. The underlying data layers used to generate the migratory bird list of concern will continue to be updated regularly as new and better information is obtained. User feedback is one method of identifying any needed improvements. Therefore, users are encouraged to submit comments about any questions regarding species ranges (e.g., a bird on the USFWS BCC list you know does not occur in the specified location appears on the list, or a BCC species that you know does occur there is not appearing on the list). Comments should be sent to [the ECOS Help Desk](#).

Species Name	Bird of Conservation Concern (BCC)	Species Profile	Seasonal Occurrence in Project Area
American bittern ( <i>Botaurus lentiginosus</i> )	Yes	<a href="#">species info</a>	Breeding
Bald eagle ( <i>Haliaeetus leucocephalus</i> )	Yes	<a href="#">species info</a>	Year-round
Black tern ( <i>Chlidonias niger</i> )	Yes	<a href="#">species info</a>	Breeding
Black-billed Cuckoo ( <i>Coccyzus erythrophthalmus</i> )	Yes	<a href="#">species info</a>	Breeding
Black-crowned Night-Heron ( <i>Nycticorax nycticorax</i> )	Yes	<a href="#">species info</a>	Breeding
Blue-winged Warbler ( <i>Vermivora pinus</i> )	Yes	<a href="#">species info</a>	Breeding
Canada Warbler ( <i>Wilsonia canadensis</i> )	Yes	<a href="#">species info</a>	Breeding
Common tern ( <i>Sterna hirundo</i> )	Yes	<a href="#">species info</a>	Breeding



## Trust Resources List

Golden-Winged Warbler ( <i>Vermivora chrysoptera</i> )	Yes	<a href="#">species info</a>	Breeding
Least Bittern ( <i>Ixobrychus exilis</i> )	Yes	<a href="#">species info</a>	Breeding
Pied-billed Grebe ( <i>Podilymbus podiceps</i> )	Yes	<a href="#">species info</a>	Breeding
Red-headed Woodpecker ( <i>Melanerpes erythrocephalus</i> )	Yes	<a href="#">species info</a>	Breeding
Short-eared Owl ( <i>Asio flammeus</i> )	Yes	<a href="#">species info</a>	Wintering
Upland Sandpiper ( <i>Bartramia longicauda</i> )	Yes	<a href="#">species info</a>	Breeding
Wood Thrush ( <i>Hylocichla mustelina</i> )	Yes	<a href="#">species info</a>	Breeding

### ***NWI Wetlands ([USFWS National Wetlands Inventory](#)).***

The U.S. Fish and Wildlife Service is the principal Federal agency that provides information on the extent and status of wetlands in the U.S., via the National Wetlands Inventory Program (NWI). In addition to impacts to wetlands within your immediate project area, wetlands outside of your project area may need to be considered in any evaluation of project impacts, due to the hydrologic nature of wetlands (for example, project activities may affect local hydrology within, and outside of, your immediate project area). It may be helpful to refer to the USFWS National Wetland Inventory website. The designated FWS office can also assist you. Impacts to wetlands and other aquatic habitats from your project may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal Statutes. Project Proponents should discuss the relationship of these requirements to their project with the Regulatory Program of the appropriate [U.S. Army Corps of Engineers District](#).

### **Data Limitations, Exclusions and Precautions**

The Service's objective of mapping wetlands and deepwater habitats is to produce reconnaissance level information on the location, type and size of these resources. The maps are prepared from the analysis of high altitude imagery. Wetlands are identified based on vegetation, visible hydrology and geography. A margin of error is inherent in the use of imagery; thus, detailed on-the-ground inspection of any particular site may result in revision of the wetland boundaries or classification established through image analysis.

The accuracy of image interpretation depends on the quality of the imagery, the experience of the image analysts, the amount and quality of the collateral data and the amount of ground truth verification work



U.S. Fish and Wildlife Service

## Trust Resources List

conducted. Metadata should be consulted to determine the date of the source imagery used and any mapping problems.

Wetlands or other mapped features may have changed since the date of the imagery and/or field work. There may be occasional differences in polygon boundaries or classifications between the information depicted on the map and the actual conditions on site.

**Exclusions** - Certain wetland habitats are excluded from the National mapping program because of the limitations of aerial imagery as the primary data source used to detect wetlands. These habitats include seagrasses or submerged aquatic vegetation that are found in the intertidal and subtidal zones of estuaries and nearshore coastal waters. Some deepwater reef communities (coral or tubercid worm reefs) have also been excluded from the inventory. These habitats, because of their depth, go undetected by aerial imagery.

**Precautions** - Federal, state, and local regulatory agencies with jurisdiction over wetlands may define and describe wetlands in a different manner than that used in this inventory. There is no attempt, in either the design or products of this inventory, to define the limits of proprietary jurisdiction of any Federal, state, or local government or to establish the geographical scope of the regulatory programs of government agencies. Persons intending to engage in activities involving modifications within or adjacent to wetland areas should seek the advice of appropriate federal, state, or local agencies concerning specified agency regulatory programs and proprietary jurisdictions that may affect such activities.

*IPaC is unable to display wetland information at this time.*

**State Historic Preservation Office  
Correspondence**

February 6, 2015

Ms. Ruth Pierpont  
New York State Office of Parks, Recreation and Historic Preservation  
Historic Preservation Field Services Bureau  
Peebles Island  
PO Box 189  
Waterford, NY 12188-0189

Re: Request for Review of Potential Cultural Resources Impacts  
Site Name: National Grid Gardenville-Dunkirk #141/142 115 kV Line  
Two Structure Replacement Project  
USGS Quadrangle Map: Buffalo\_SE

Dear Ms. Pierpont:

In accordance with Section 14.09 of the New York Parks, Recreation and Historic Preservation Law, National Grid is requesting a review of potential impacts to cultural resources that may result from the proposed Gardenville-Dunkirk #141/142 115 kV Line Replacement Project (Figure 1) in the Town of Hamburg, Erie County, NY (the "Project").

The Project involves replacing two (2) steel flex towers (Structures 91 and 92) with two 2-pole wood structures for a new customer in order to allow for construction of a new facility and regrading of the parcel of property. The 2 transmission structures need to be raised in height about 20' to allow for sufficient safety clearances (Figure 2). The Project is subject to review by the New York Public Service Commission pursuant to New York Codes Rules and Regulations (16 NYCRR Part 102) because the Line has a voltage greater than 65 kV and the circuit length is one mile or longer.

The installation of replacement structures 91 and 92 will be offset from the existing structure by ~5' and require the augering of two holes (approximately 3' diameter) to a depth of ~11' to support the installation of a double-circuit 2 pole wood H-frame suspension structure at each location. The resulting area of impact for each new 2 pole wood structure would be approximately 14 square feet.

The existing groundcover and/or land use conditions along the Project corridor are described as being a brush covered – mowed utility right-of-way. Minimal vegetative clearing (brush) may be required for the installation of the replacement structures, but no significant ground disturbance or impacts to the ground surface are expected.

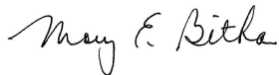
Access to the new structures will be from the public roadway and along the existing right-of-way. No new access roads are required for this Project.

### **Identification and Evaluation of Cultural Resources**

A search of the National Register Information database did not identify any State or National Register of Historic Places (“NRHP”). According to the New York State Historic Preservation Office (SHPO) GIS-Public Access database, the area of the proposed two (2) new structure replacements are located within archaeologically sensitive areas. Minor earth disturbance activities are planned in the areas (7.1 square feet per borehole), however, no impacts to known or unknown subsurface archaeological sites are anticipated. Figure 3 generally characterizes the right-of-way.

Please contact me at (716) 831-7206 or [mary.bitka@nationalgrid.com](mailto:mary.bitka@nationalgrid.com) if you have any questions or require further information.

Sincerely,  
[nationalgrid](http://nationalgrid.com)



Mary E. Bitka  
Western Division L&P Engineer

Enclosure

# **SHPO PROJECT REVIEW COVER FORM**



## The Historic Preservation Review Process in New York State

In order to insure that historic preservation is carefully considered in publicly-funded or permitted undertakings\*, there are laws at each level of government that require projects to be reviewed for their potential impact/effect on historic properties. At the federal level, Section 106 of the National Historic Preservation Act of 1966 (NHPA) directs the review of federally funded, licensed or permitted projects. At the state level, Section 14.09 of the New York State Parks, Recreation and Historic Preservation Law of 1980 performs a comparable function. Local environmental review for municipalities is carried out under the State Environmental Quality Review Act (SEQRA) of 1978. regulations on line at:

<http://nysparks.state.ny.us> then select **HISTORIC PRESERVATION** then select **Environmental Review**

Project review is conducted in two stages. First, the Field Services Bureau assesses affected properties to determine whether or not they are listed or eligible for listing in the New York State or National Registers of Historic Places. If so, it is deemed "historic" and worthy of protection and the second stage of review is undertaken. The project is reviewed to evaluate its impact on the properties significant materials and character. Where adverse effects are identified, alternatives are explored to avoid, or reduce project impacts; where this is unsuccessful, mitigation measures are developed and formal agreement documents are prepared stipulating these measures.

### ALL PROJECTS SUBMITTED FOR REVIEW SHOULD INCLUDE THE FOLLOWING MATERIAL(S).

#### Project Description

Attach a full description of the nature and extent of the work to be undertaken as part of this project. Relevant portions of the project applications or environmental statements may be submitted.

#### Maps Locating Project

Include a map locating the project in the community. The map must clearly show street and road names surrounding the project area as well as the location of all portions of the project. Appropriate maps include tax maps, Sanborn Insurance maps, and/or USGS quadrangle maps.

#### Photographs

Photographs may be black and white prints, color prints, or color laser/photo copies; standard (black and white) photocopies are NOT acceptable.

*-If the project involves rehabilitation, include photographs of the building(s) involved. Label each exterior view to a site map and label all interior views.*

*-If the project involves new construction, include photographs of the surrounding area looking out from the project site. Include photographs of any buildings (more than 50 years old) that are located on the project property or on adjoining property.*

**NOTE: Projects submissions will not be accepted via facsimile or e-mail.**

\***Undertaking** is defined as an agency's purchase, lease or sale of a property, assistance through grants, loans or guarantees, issuing of licenses, permits or approvals, and work performed pursuant to delegation or mandate.

# FIGURES

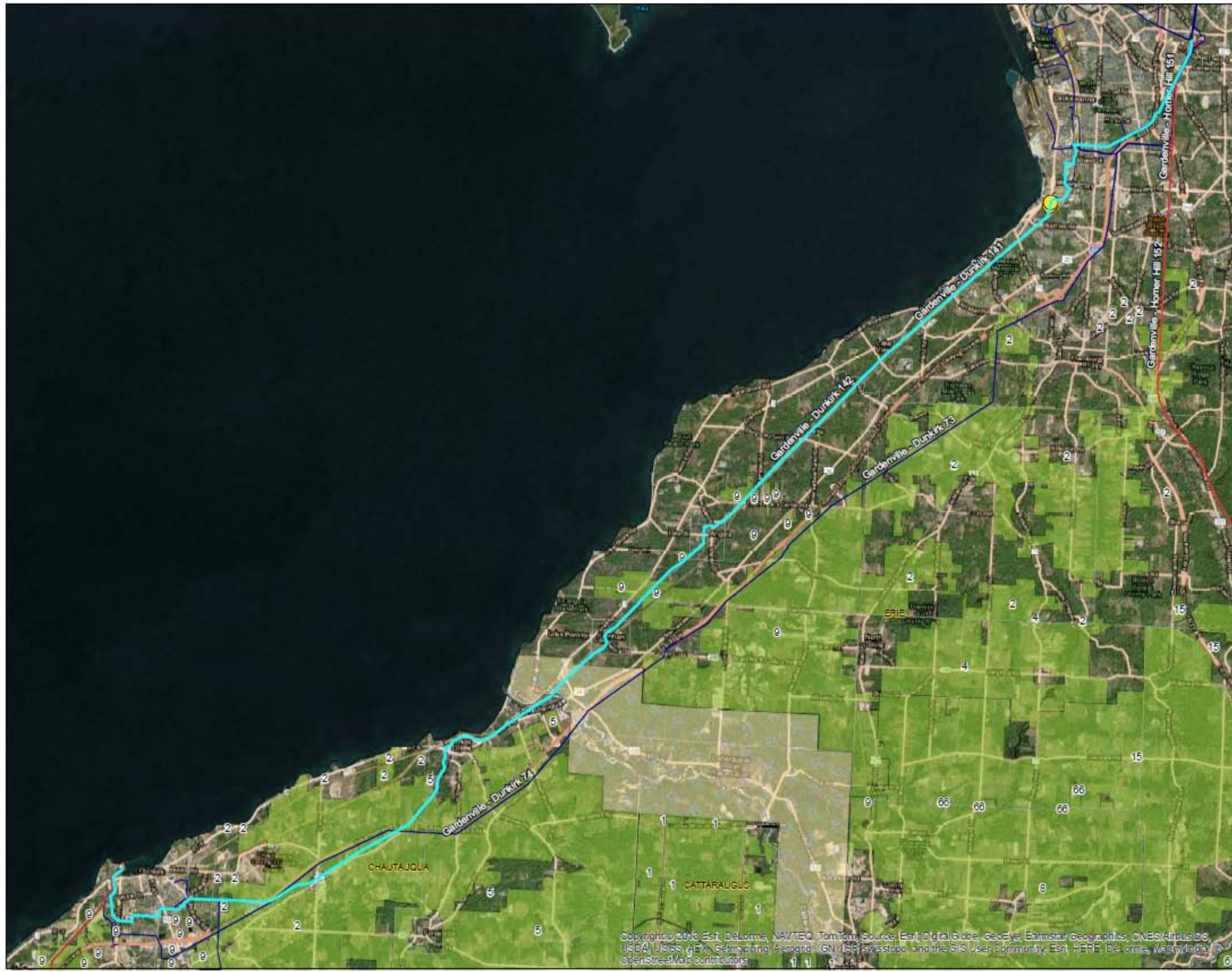
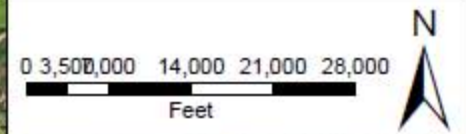
Gardenville-Dunkirk 141/142 115kV  
Transmission Line

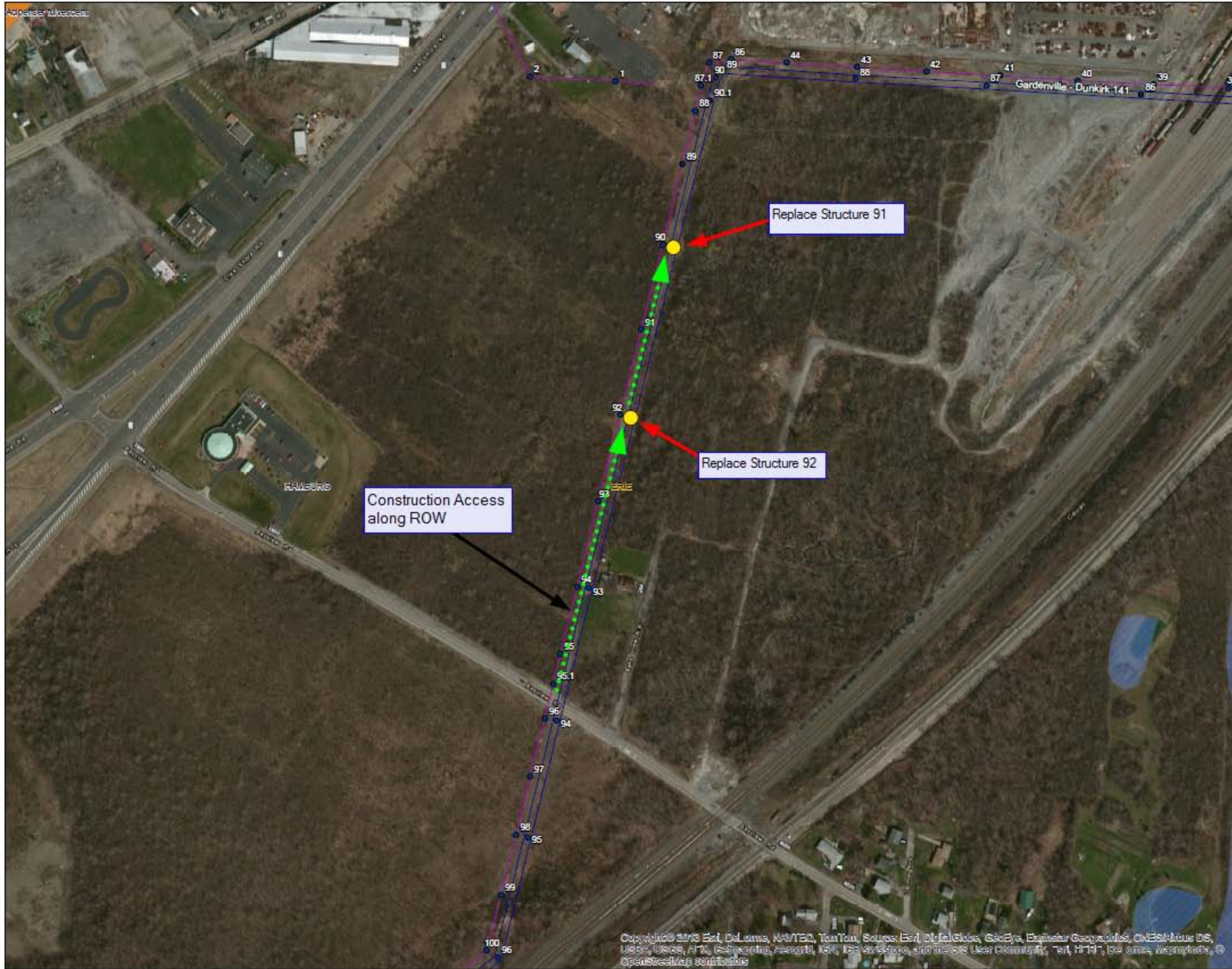
Hamburg, Erie County, NY

Figure 1 - Site Location Map

### Legend

- Transmission Line
- Agricultural Districts





**Environmental Services**  
 300 Erie Boulevard West  
 Syracuse, NY 13202

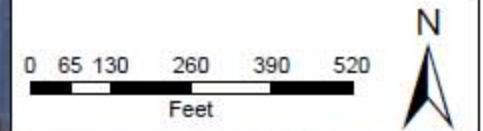
Gardenville-Dunkirk 141/142 115 kV  
 Transmission Line

Hamburg, Erie County, NY

Figure 2 - Replace Structures 91 and 92

**Legend**

- Transmission Structures
- Transmission Line
- NWI Wetlands



# **PHOTOGRAPHIC RECORD**



Structure 91



Structure 92

Ford