

BENJAMIN SWETT  
1185 County Route 22  
Ghent, NY 12075  
518-828-6394

September 6, 2012

Mr. Jim Salmon  
Regional Manager  
Outreach & Development  
New York State Gas & Electric  
6 Werner Road  
Clifton Park, NY 12118

Dear Mr. Salmon,

Thank you for your e-mail (attached below) in response to my comments to the Public Service Commission regarding the Columbia County Transmission Proposal. Although I am new to Ghent—I moved here less than two years ago—I am astonished at the speed with which a utility company, which is supposed to serve our community by providing a needed energy source in an efficient and environmentally friendly manner, has instead managed to alienate our town, frighten our citizens, and unnecessarily threaten to ruin our landscape by creating an unneeded industrial corridor through historic woods and fields at our expense. Since, as I will show below, I believe that serious questions remain unanswered about your proposal—questions that are also unanswered in your letter to me—I think that it would be premature for the PSC to accept your Article VII application as it currently stands.

As I understand it, your company originally came to Ghent with a proposal for a six-mile-long transmission line whose purpose was to act as a redundant power source for another line serving a different township than Ghent. In good faith, the Town of Ghent tried to work with you to develop a route that would accomplish your objectives with a minimum impact on the town. A specially-appointed committee of the town, working with qualified engineers, proposed changes to your plan that would have used existing transmission lines and rights of way to add the redundancy you sought without opening up a new corridor through forests, pastureland, hayfields, cornfields, wetlands, and streams. Rather than work with the town to explore these alternatives and protect the rural character of the land, your company instead withdrew from contact with the town and developed a new plan lengthening the proposed transmission line from 6 to 11 miles, allowing it to bypass the town and apply directly to the Public Service Commission for approval. This new plan affected many more acres of land and many more numbers of residents than the earlier six-mile plan would have, and must be more costly not only than the original plan but than the alternatives proposed by the town. I cannot understand,

therefore, why you say in your letter that this 11-mile line would have less of an environmental impact than a 6-mile one would. In the sketch of alternatives attached to your application as “Exhibit 3-Alternatives,” you barely glance at the town’s carefully considered suggestions. For example, no mention is made of the solution of making use of existing transmission lines along County Route 22. And as the document itself states, no effort was made to explore the simple alternative, far preferable for all, of burying the line.

As you may be aware, on August 2, 2012, my neighbors and I experienced a dangerous chemical fire at a facility operated by TCI, Inc, not far from the location of your proposed new Ghent switching station. Aside from serving as a warning on the risk of NYSEG’s placing such an important new facility at such a potentially dangerous site (the TCI facility has experienced previous fires yet TCI is hoping to rebuild), the TCI fire raises the larger question about who is looking after the welfare of citizens in the oversight and planning of new industrial-type facilities such as the one you are proposing for our town. As I understand it, in the case of TCI, the Town of Ghent and the federal Environmental Protection Agency had responsibility for protecting citizens from commercial organizations improperly handling dangerous chemicals within town borders. But in the case of your proposed transmission line, a state agency would now become the only resource to protect local citizens from any effects your project might have on our lives. By bypassing the authority of Ghent’s elected officials and turning to this state authority, which has no prior relationship with our town, your company is making use of the type of jurisdictional confusion that has led to the loss of historic landscapes and a reduction of the quality of life for citizens all across New York State. Unless a much more careful approach to planning is taken, in which, not an energy authority such as the PSC, but a planning authority with expertise on a greater range of concerns, is able to look at the project in relation to other important functions of the landscape (such as transportation, recreation, esthetics, and, yes, quality of life), and to help shape the project accordingly, it is impossible not to see your proposal as just another way of slicing and dicing the land with more overlapping mixed industrial uses approved by separate authorities with no obligations to each other. Lacking an Albany-area regional plan that could fit your proposed project into a larger framework for land-use, it is my hope that the PSC would not accept your proposal until you had addressed the legitimate concerns and alternatives suggested by the specially-appointed committee of the Town of Ghent that labored hard to develop a project that the town could live with.

In terms of your paragraphs about the timing of a stormwater runoff plan and descriptions of proposed access roads, you still haven’t explained how the Public Service Commission can responsibly accept a proposal for, let alone certify, a plan that is incomplete in details so important not only to the proposed project but to the people across whose lands these access roads and stormwater would run. Is there a specific paragraph in the Article VII procedures that spells out that plans for Stormwater Runoff and Access Roads can be presented only during the EM&CP phase?

In terms of noise, obviously transmission lines are quiet once they are constructed, but, as the Department of Environmental Conservation points out in its

August 8 letter, construction itself is noisy. It would be useful for neighbors to have a baseline against which to measure construction noise, and NYSEG's unwillingness to provide one, if only as a courtesy, would seem a warning of the company's potential future indifference to other needs of the community.

I appreciate your clarification about the width of the proposed right-of-way. By my calculations, a right of way of 10 miles at 100' wide and 1 mile at 150' wide would cover approximately 140 acres of land. These 140 acres would be transformed from private pastoral to public industrial use as you created an unnecessary corridor of 70-foot utility poles through private lands with no benefit to the taxpayers of Ghent. This new quasi-public corridor would invite trespassers including poachers and snowmobile, motorcycle and ATV drivers to pass unlawfully across private property.

In conclusion, I understand your concern that "DEC's request for information not required to be included in an article VII would only delay and confuse matters at this time." However, since the matters involve the imposition of these 11 miles of 70-foot transmission poles and wires down a 100-foot-wide corridor through an historic rural landscape, any slight delays caused by an effort to improve the proposal and help people understand it would seem only to clarify and improve matters rather than to confuse them. In this case, it is to be hoped that the Public Service Commission will not accept your proposal as it currently stands, but will, at the very least, ask you to explain more fully the matters referred to above, and, much better, refer you back to the town which, as I understand from its Resolution of June 21, 2012, stands ready and willing to continue discussions of its viable alternatives.

Sincerely,

Benjamin Swett  
1185 County Route 22  
Ghent, NY 12075

On Aug 28, 2012, at 4:13 PM, Salmon, James wrote:

Dear Mr. Swett:

As NYSEG's regional community outreach and development manager, I am responsible for the Ghent/Chatham area where we are proposing to build the Columbia County Transmission Project.

I received a copy of the comments you filed with the Public Service Commission (PSC) regarding this project, and I am writing to address some of those comments.

First, please understand the nature of our comments regarding the Department of Environmental Conservation's (DEC) request for additional information about the project. Our application for permission to construct the new transmission facilities was presented, as required by Public Service Law, in an Article VII application. There are procedures established to ensure that Article VII cases proceed in an orderly manner. We believe DEC's request for information not required to be included in an Article VII would only delay and confuse matters at this time. There will be ample opportunities for DEC to request additional information after the PSC accepts our Article VII application as complete and before the PSC issues a certificate of environmental compatibility and public need for the project.

In response to your concerns:

- The route for the proposed transmission line is based on a conceptual design. After the PSC issues a certificate for the project, detailed design will be done. At that stage, we will determine locations for individual structures,

methods of construction and locations of any necessary access roads. The proposed location of the access roads is presented in an Environmental Management and Construction Plan (EM&CP), which must be filed once the PSC has issued a certificate. The EM&CP must be approved by the PSC before we can begin construction.

- We will certainly prepare a storm water pollution prevention plan. It will be included in the EM&CP and provided to DEC.
- As for the length of the proposed transmission line, an attempt to select a route by drawing a straight line from where the transmission line must begin to where it must end would not result in a route that would be environmentally acceptable. Because the proposed route for this project is more than 10 miles long, under Public Service Law, we are required to obtain a certificate of environmental compatibility and public need from the PSC to construct the facilities.
- Regarding the noise from a 115-kilovolt transmission line: it is a known entity. After our Article VII application is accepted as complete by the PSC and before the line is certified, the PSC has the authority to direct us to measure ambient noise levels in various locations, if the PSC believes such testing is warranted.
- We will conduct an invasive species survey along the transmission line route. Based on this survey, procedures will be established to prevent the transport of invasive species.
- The right of way for the vast majority of the proposed

transmission line will be 100 feet. Where two transmission lines run in parallel (for 6,450 feet between National Grid's Trunk 115 and our new Ghent Switching Station and where the new facility will share a right of way with the existing Circuit 984) the total width of the right of way for both lines will be 150 feet.

I hope this information is helpful. Please contact me if I can be of any further assistance.

## **Jim Salmon**

**Regional Manager**

**Outreach & Development**

**6 Werner Road**

**Clifton Park, NY 12118**

**Tel: 518.664.9534 ext 353**

**Cell: 518.527.8594**

**[jssalmon@nyseg.com](mailto:jssalmon@nyseg.com)**

**<image001.gif>**