



DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, NEW YORK DISTRICT
JACOB K. JAVITS FEDERAL BUILDING
26 FEDERAL PLAZA
NEW YORK, NEW YORK 10278-0090

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REGULATORY BRANCH

SUBJECT: Department of the Army Permit Number NAN-2009-01089 Issued to Champlain Hudson Power Express, Inc. and by CHPE Properties, Inc. for Construction Activities associated with installation of Buried Subaqueous 325kV Submarine Power Cable in Lake Champlain, Mohawk River, Hudson River, Harlem River, East River, and unnamed Wetlands within New York State – Transmittal of United States Coast Guard First District Letter dated 19 June 2017.

Champlain Hudson Power Express, Inc.
and
CHPE Properties, Inc.
C/o Transmission Developers, Inc.
ATTN: William S. Helmer, Esq.
600 Broadway
Albany, New York 12207-2283
(518) 465-0710

Dear Mr. Helmer:

In the enclosed letter dated 19 June 2017, the United States Coast Guard First District (USCG), provided the New York District of the U.S. Army Corps of Engineers with their conditional concurrence with the findings of your Navigation Risk Assessment (NRA), dated 16 June 2016, and supporting supplement document, dated 23 March 2017.

Our review of the USCG concurrence and conclusions in the subject letter has initiated the review of the subject permit to determine if the terms and special conditions of the subject permit are still within the public interest. It should be clearly noted that the work authorized in the subject permit requires that burial depth of the cable be measured from the top-of-cable rather than the bottom (invert) depth of cable trench as indicated in Table 8-2 of the Navigation Risk Assessment. A copy of this letter is being provided to the USCG First District and the New York Public Service Commission.

If you have any questions regarding this matter please contact me at (917) 790-8512.

Sincerely,

Stephan A. Ryba
Chief, Regulatory Branch

Copy To NYS PSC
CASE 10-T-0139

U.S. Department of
Homeland Security

United States
Coast Guard



Commander
First Coast Guard District

408 Atlantic Avenue
Boston, MA 02110-3350
Staff Symbol: dp
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JUN 19 2017

Stephan A. Ryba
Chief, Regulatory Branch
NY District U.S. Army Corps of Engineers (USACE-NY)
26 Federal Plaza, Room 1937
New York, NY 10278

Dear Mr. Ryba,

Thank you for the opportunity to provide feedback on the Champlain Hudson Power Express, Inc, (CHPE) updated Navigation Risk Assessment (NRA), as per Special Condition B of USACE Permit Number NAN-2009-01089. On March 23, 2017, the U.S. Coast Guard (USCG) received a digital copy of the CHPE NRA supplement from Transmission Developers, Inc (TDI). Our feedback builds upon previous USCG comments provided to USACE-NY and U.S. Department of Energy in 2014 letters dated January 15, May 27, September 15, and October 24, and 2016 letters dated September 27 and March 31.

The USCG concurs with the NRA's navigation safety findings. Those findings identified TDI's need to further investigate the considered route and proposed mitigation strategies to reduce the risk of an anchor snag. The USCG concurs with NRA's findings that this is especially necessary in areas where vessels are carrying petroleum (p. 64 of NRA Section 7.1.2.7). Further, the USCG agrees the applicant should undertake effective mitigation strategies to minimize risk to mariners, including using remedial protection methods, burying the cable deeper, and refining the cable's route (p. 58 of NRA Section 7.1.2). The USCG concludes that the installed CHPE cable must not impede the ability of current or future vessel operators to anchor in routine or emergency situations, to the greatest extent possible.

We look forward to participating in and evaluating results of the site-specific New York State Public Service Commission Environmental Management and Construction Plans, a process to finalize the route and burial depths. If you have questions, my point of contact remains Ms. Michele DesAutels, Chief, Maritime Energy and Marine Planning at Michele.E.DesAutels@uscg.mil or 617-223-8068.

Sincerely,

A handwritten signature in black ink, appearing to read "B. L. Black".

B. L. Black
Captain, U.S. Coast Guard
Chief, Prevention Division
By direction of the District Commander

Copy: Commander, Coast Guard Sector Northern New England (spw)
Commander, Coast Guard Sector New York (spw)