



STATE OF NEW YORK
DEPARTMENT OF AGRICULTURE AND MARKETS
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PSC CASE #11-T-0654 NOI; AGRICULTURE COMMENTS AND RECOMMENDATIONS

To: Jaclyn A. Brillling, Secretary; NYS Department of Public Service, Albany

From: Michael Saviola, NYS Department of Agriculture & Markets, Rochester

Date: December 22, 2011

Subject: **PSC Case #11-T-0654 New York State Electric & Gas Corporation [NYSEG], Seneca West Pipeline Interconnect Application for a “Certificate of Environmental Compatibility and Public Need”; Town of Horseheads, Chemung County; agricultural comments.**

As Statutory Party under Article VII of the Public Service Law, The Department of Agriculture and Markets (Ag & Mkts) has conducted a review of the Application for Case #11-T-0654 submitted by NYSEG for the Seneca West Pipeline Interconnect.

On April 13, and August 17, 2011, and prior to the filing of the Application, Ag & Markets conducted field reviews of the proposed pipeline, portions of which are located in active and inactive agricultural land. This review is based upon visual field observations, together with John Strub of the the NYS Department of Public Service (DPS), representatives of NYSEG and their consultants, and a review of the Application document and drawings prepared and submitted to the NYS Public Service Commission (PSC) by NYSEG.

Based on the site review and a review of the Plan and profile drawings contained in the Application document, the proposed pipeline Right-of-Way (ROW) crosses approximately 1,500 LF of active agricultural land; largely comprised of forage crops (corn & grass hay). In addition, the proposed ROW crosses approximately 800 LF of fallow (inactive) agricultural land (as determined in the field by the Department) which was identified along the proposed pipeline ROW whereby topsoil will be stripped and segregated from subsoil during construction activity, but will not be decompacted during restoration.

Agricultural Soils

Prior to ROW clearing and pipeline construction, the topsoil layer on designated agricultural portions of the proposed pipeline route will be “full-width stripped” down to a depth of 12” (topsoil thickness to be determined in the field) and stockpiled along the edge of the right of way (in accordance with NYS Ag & Markets Guidelines for Pipeline Right-of-Way Construction Projects¹).

¹ **Pipeline Right-of-Way Construction Projects: Agricultural Mitigation Through The Stages of Project Planning, Construction/ Restoration And Follow-Up Monitoring.** New York State Department of Agriculture & Markets, Division of Agricultural Protection & Development Services. Albany, New York. Revised 11-97.

According to the *Web Soil Survey of Chemung County, N.Y.* (Feb. 8, 2010), the soil types in this region are of glacial origin; two of which (Mardin & Volusia), identified along portions of the proposed pipeline route have a "fragipan" or an impervious subsoil layer with significantly limited drainage capability. Mardin and Volusia soils are present on the inactive agricultural lands owned by Steven A. Reynolds located west of Chambers Road.

According to the *Web Soil Survey*, the fragipan layer is located between 14" and 26" Below Ground Surface (BGS). This fragipan impedes rooting and vertical soil-water movement. According to the *Web Soil Survey*, the topsoil thickness for both soil types is layer is 8". Full ROW width topsoil stripping should be done down to a maximum depth of 10" (2 inches past the first soil color change) in order to assure full capture of all topsoil from the linear expanse of the ROW, and stockpiled along the uphill side of the ROW. Burial depth of the pipeline in the identified inactive agricultural land shall be a minimum of 48 " BGS. This includes hayland. The sections on burial depth (ii) and right of way width (iv) on pages 15 and 16 of the Application should be revised accordingly.

Due to the poor drainage characteristics associated with the fragipan soils and steepness of the site, it is recommended that NYSEG design and install sandbag trench breakers in the pipeline trench in order to cut off excess water from "piping" adjacent to the buried pipeline within the backfilled trench.

Tioga and Middlebury silt loam soils are comprise the active agricultural fields east of Chambers Road. Tioga and Middlebury silt loams are relatively flat moderately well drained and well drained alluvial soils. According to the *Web Soil Survey*, topsoil thickness for these two soils is 10". Therefore, full width ROW topsoil stripping should occur to a depth of 12". This will ensure full capture of all topsoil from the ROW. Because most of the active agricultural field located east of Chambers Road is located in a FEMA 100 year Flood Hazard Area, the Department recommends a minimum burial depth of 5'.

Right-of-Way Restoration

During the restoration phase of the project when soil moisture conditions permit, in the active agricultural field east of Chambers Road, the subsoil will be decompacted to a minimum depth of 18" BGS using a subsoiler, and rocks greater than 4-inches in diameter, uplifted to the surface as a result of the deep shattering will be "picked" from the right of way prior to topsoil replacement. Final deep shattering shall be performed with a subsoiler through the "restored" soil profile in order to alleviate any additional compaction caused by heavy equipment during final replacement spreading and landfitting activities. Soil compaction shall be tested using an appropriate soil penetrometer other soil compaction measuring device. Soil compaction results obtained within the affected area will be compared with those obtained from the adjacent unaffected portion of the farm field or soil unit. Where representative soil density of the affected area exceeds the representative density of the unaffected areas, additional shattering of the soil profile will be performed using the appropriate equipment. Seed and soil amendments (fertilizer and lime) will follow *Department Guidelines*.

Thank you for the opportunity to provide comments on the Application for the proposed Seneca West Pipeline Interconnect. Please do not hesitate to contact me at (585) 427-0200 if there are any questions.

MJS/ms

cc: Yvette LaBombard, RG&E, Rochester
John Strub, NYS DPS, Albany
Mark Watts, Chemung County Soil & Water Conservation District