

Case No.: 10-T-0139

CHAMPLAIN HUDSON POWER EXPRESS, INC.

STIPULATION AMONG SIGNATORY PARTIES TO THE JOINT PROPOSAL
ENTERED INTO FEBRUARY 24, 2012 TO ADD OFFICE OF PARKS,
RECREATION AND HISTORIC PRESERVATION TO THE GOVERNANCE
COMMITTEE OF THE TRUST

SEPTEMBER 7, 2012

Hudson”), the City of Yonkers, the New York State Council of Trout Unlimited (“Trout Unlimited”), the City of New York (“CNY”), the New York State Office of Parks, Recreation and Historic Preservation/the Palisades Interstate Park Commission (“OPRHP”) respectfully submit this stipulation amending the Joint Proposal dated February 24, 2012 (“JP”) at paragraph 145 and Proposed Condition 165(c)(ii) of Appendix C to add OPRHP as a member of the Governance Committee of the Trust (“Governance Committee”).

WHEREAS, the Joint Proposal was prepared for filing before February 24, 2012 and filed on that date; and

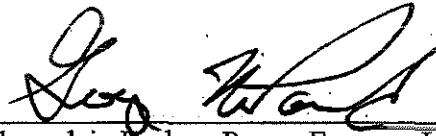
WHEREAS, the signature page for the Office of Parks, Recreation and Historic Preservation and the Palisades Interstate Park Commission that was provided on February 24, 2012 evinces that their representative signed the Joint Proposal on their behalf unconditionally, and also evinces OPRHP’s agreement to serve on the Governance Committee; and

WHEREAS, the list of parties signing the Joint Proposal without reservation who had agreed to serve on the Governance Committee (as shown in paragraph 145 of the Joint Proposal and in condition 165 (c)(ii) of Appendix C to the Joint Proposal) did not include OPRHP solely due to timing;

NOW, THEREFORE, the parties signing this stipulation agree that paragraph 145 of the Joint Proposal and condition 165(c)(ii) of Appendix C to the Joint Proposal are amended by adding OPRHP to the list of those who have agreed to serve on the Governance Committee.

**CASE 10-T-0139-
Amendment to JP at Par. 145 and App.C Proposed Condition 165(c)(ii)**

IN WITNESS WHEREOF, Parties hereto this day signed and executed this Amendment.



Champlain Hudson Power Express, Inc. and
CHPE Properties, Inc.

By:
George M. Pond
Partner
Hiscock & Barclay, LLP

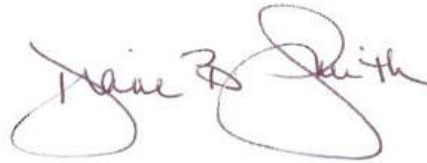
DATE: Sept 4, 2012

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**CASE 10-T-0139-
Amendment to JP at Par. 145 and App.C Proposed Condition 165(c)(ii)**

The Department of Agriculture and Markets' endorsement of this Stipulation Amending the Joint Proposal is limited to those terms and conditions that impact agricultural resources.

IN WITNESS WHEREOF, Parties hereto this day signed and executed this Amendment.

A handwritten signature in dark ink, appearing to read "Diane Smith", written in a cursive style.

New York State Department of Agriculture
and Markets

By:
Diane Smith
Associate Attorney

DATE: September 4, 2012

CASE 10-T-0139-

Amendment to JP at Par. 145 and App.C Proposed Condition 165(c)(ii)

IN WITNESS WHEREOF, Parties hereto this day signed and executed this
Amendment.



New York State Adirondack Park Agency

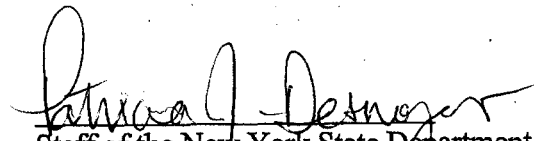
By: fdv
Terry deFranco Martino
Executive Director

DATE: 9/5/12, 2012

CASE 10-T-0139-

Amendment to JP at Par. 145 and App.C Proposed Condition 165(c)(ii)

IN WITNESS WHEREOF, Parties hereto this day signed and executed this Amendment.



Staff of the New York State Department
of Environmental Conservation

By:

Patricia Desnoyers

Senior Attorney

Office of General Counsel

DATE: Aug 31, 2012

CASE 10-T-0139-

Amendment to JP at Par. 145 and App.C Proposed Condition 165(c)(ii)

IN WITNESS WHEREOF, Parties hereto this day signed and executed this Amendment.



Cesar Perales
Secretary of State
New York State Department of State

DATE: Sept 5, 2012

CASE 10-T-0139-

Amendment to JP at Par. 145 and App.C Proposed Condition 165(c)(ii)

IN WITNESS WHEREOF, Parties hereto this day signed and executed this Amendment.



New York State Department of
Transportation*

By:

Roderic Sechrist

Robert L. Sack, P.E.

Director, Operations Division

DATE: 9/4, 2012

*The New York State Department of Transportation is signing this Stipulation Amending the Joint Proposal in support of only those provisions thereof that address issues related to the use and protection of the highways, roads, streets, or avenues and other transportation facilities that are owned by, operated by or under the jurisdiction of the New York State Department of Transportation.

CASE 10-T-0139-

Amendment to JP at Par. 145 and App. C Proposed Condition 165(c)(ii)

IN WITNESS WHEREOF, Parties hereto this day signed and executed this Amendment.



Staff of the New York State Department
of Public Service

By:

Anthony Belsito

Assistant Counsel

DATE: 8/30, 2012

CASE 10-T-0139-

Amendment to JP at Par. 145 and App.C Proposed Condition 165(c)(ii)

IN WITNESS WHEREOF, Parties hereto this day signed and executed this Amendment.



New York State Office of Parks, Recreation
and Historic Preservation and the
Palisades Interstate Park Commission

By:

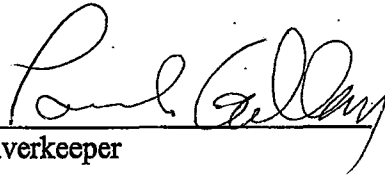
Kathleen L. Martens
Associate Counsel

DATE: August 30, 2012

CASE 10-T-0139-

Amendment to JP at Par. 145 and App.C Proposed Condition 165(c)(ii)

**IN WITNESS WHEREOF, Parties hereto this day signed and executed this
Amendment.**



Riverkeeper

By:

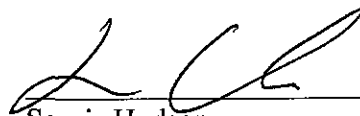
Paul Gallay

President and Hudson Riverkeeper

DATE: 8/31, 2012

CASE 10-T-0139 – Joint Proposal

IN WITNESS WHEREOF, the Parties hereto this day signed and executed this Joint Proposal.

A handwritten signature in black ink, appearing to read 'H. Carlock', written over a horizontal line.

Scenic Hudson


By:

Hayley Carlock, Esq.

Environmental Advocacy Attorney

**CASE 10-T-0139-
Amendment to JP at Par.145 and app. Proposed Condition 165(c)(ii)**

IN WITNESS WHEREOF, Parties hereto this day signed and executed this
Amendment.


New York State Council of Trout Unlimited
By: William H. Wellman, Region 5 Vice President

DATE: 30 August 2012