



Agriculture and Markets

ANDREW M. CUOMO
Governor

RICHARD A. BALL
Commissioner

April 22, 2015

Via E-Mail

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

RE: Case 12-T-0502 – Proceeding on Motion of the Commission to Examine Alternating Current Transmission Upgrades

Case 13-E-0488 – In the Matter of Alternating Current Transmission Upgrades – Comparative Proceeding

Case 13-T-0454 – Application of North America Transmission Corporation and North America Transmission, LLC for a Certificate of Environmental Compatibility and Public Need Pursuant to Article VII of the Public Service Law for an Alternating Current Transmission Upgrade Project Consisting of an Edic to Fraser 345 kV Transmission Line and a New Scotland to Leeds Pleasant Valley 345 kV Transmission Line

Case 13-T-0455 – Part A Application of NextEra Energy Transmission New York, Inc. for a Certificate of Environmental Compatibility and Public Need Pursuant to Article VII of the Public Service Law for the Marcy to Pleasant Valley Project

Case 13-T-0456 – The Part A Application of NextEra Energy Transmission New York, Inc. for a Certificate of Environmental Compatibility and Public Need Pursuant to Article VII for the Oakdale to Fraser Project

Case 13-M-0457 – Application of New York Transmission Owners Pursuant to Article VII for Authority to Construct and Operate Electric Transmission Facilities in Multiple Counties in New York State

Case 13-T-0461 – Application of Boundless Energy NE, LLC for a Certificate of Environmental Compatibility and Public Need Pursuant to Article VII for Leeds Path West Project

Dear Secretary Burgess:

The New York State Department of Agriculture and Markets respectfully submits the following comments on the Applicants' Part A Submittals as set forth in the Commission's Order Establishing Modified Procedures for Comparative Evaluation relative to the above-referenced cases.

General Comments:

The Order Establishing Modified Procedures for Comparative Evaluation, page 6 of Appendix D sets forth a requirement that the applicants must provide information on Land Cover and Land Use. With respect to agricultural land, the applicants were required to provide a table identifying impacted lands using specific categories. One of the categories to be included in the table is farm woodlands. None of the applications included information for this category. The applicants should amend or supplement their applications to address farm woodlands.

Based on staff's field review, the information concerning agricultural land use for each project does not accurately reflect the current land use. Information for similar projects is significantly different in some cases. For example, the NY Transco filing shows .94 miles (46.2 acres) of cropland and 0 miles HOW CAN 0 MILES BE 1.3 ACRES? (1.3 acres) of hayland/pasture impacted by the Oakdale to Fraser transmission line, while the Nextera filing shows .89 miles of cropland (10.86 acres) and 20.98 miles (257.8 acres) of hayland/pasture impacted. The applicants need to re-evaluate the agricultural land use for their projects to provide accurate information.

Project Specific Impacts:

- The Boundless Project has the least impact, as it only involves reconductoring of 2 transmission lines with no new structures being installed.
- The NY Transco and Nextera Oakdale to Fraser projects are very similar and both have temporary impacts from construction and permanent impacts from the addition of new structures adjacent to existing structures. The additional structures create more obstacles for the farmers who work the land.

- The NY Transco Edic to New Scotland removes two existing transmission lines between Edic and Princetown and replaces them with one transmission line, reducing the number of structures in the fields. However, the section between Princetown and New Scotland adds new structures to an already congested ROW which will have a negative impact on agriculture.
- The NY Transco Knickerbocker to Pleasant Valley project removes existing lattice structures and replaces them with monopoles, which will result in less impacts on agriculture.
- The NY Transco New Scotland to Leads Reconductoring and Leads to Pleasant Valley Transmission Line project removes lattice structures and replaces them with monopoles, again lessen the impact on agriculture.
- The NY Transco Leads to Pleasant Valley Reconductoring Project would have minimal impact because it only involves reconductoring of two transmission lines with no new structures being installed.
- The Nextera Marcy to Pleasant Valley project alternatives have varying impacts on agriculture.
 - The Thruway Route has minimal impact on agricultural land.
 - The Marcy South Route 2 Alternative removes one 765 kV line between Princetown and Greenbush and replaces it with two 345kV lines. The two new lines have a slightly larger footprint, however, there is not a significant amount of farmland crossed by this alternative. The Marcy South Routes 1 and 2 between Marcy and Princetown are slightly more favorable than the NY Transco Edic to New Scotland because Nextera proposes to use monopoles instead of H Frame structures.
 - The Marcy North Route would impact substantially more farmland because it requires a new line adjacent to an existing transmission line between Marcy and New Scotland. This results in additional structures for the farmers to avoid and significantly impacts large dairy operations in Montgomery County. For these reasons, this route should be rejected.
 - The Knickerbocker Route has minimal impact because one existing line is retired and lattice structures are replaced with monopoles, reducing the footprint of the structures.
- The North America Edic to Fraser transmission line should be rejected because it involves a new transmission line, adjacent to an existing line, and requires 100-160 feet of new ROW.
- The North America Transmission New Scotland –Leeds-Pleasant Valley proposed route should be rejected because it results in a new set of structures adjacent to an existing line and requires 80-100 feet additional ROW width.
 - The Alternative 1 I-87 ROW would have minimal impact because the new transmission line is adjacent to the highway.
 - Alternative 2 removes lattice structures and replaces them with structures with a similar footprint, resulting in a slight improvement for agriculture.

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Thank you for consideration of the Department's comments concerning these projects.

Sincerely,

A handwritten signature in black ink, consisting of a stylized, flowing line that starts with a small loop and ends with a horizontal stroke.

Tara B. Wells
Senior Attorney

Cc: Active Parties (via email)