

# Hudson Valley Smart Energy Coalition

Town of Clinton  
Clinton Concerned Citizens  
Columbia Land Conservancy  
Dutchess County Government  
Dutchess Land Conservancy  
Town of Claverack

Farmers and Families for Claverack  
Town of Livingston  
Farmers and Families for Livingston  
Town of Milan  
The Olana Partnership  
Omega Institute

Pleasant Valley Concerned Citizens  
Preservation League of New York State  
Scenic Hudson  
Town of Pleasant Valley  
Walnut Grove Farm  
Winnakee Land Trust

The HVSEC is a broad-based collaboration of community groups and officials partnered with Scenic Hudson to advocate for strategies that will strengthen the state electric grid without damaging Hudson Valley ratepayers and key assets. See our Supporting Organizations at [www.hvsec.org/supporting-organizations](http://www.hvsec.org/supporting-organizations).

July 6, 2015

Hon. Kathleen H. Burgess  
Secretary, Public Service Commission  
Three Empire State Plaza  
Albany, New York 12223-1350  
[secretary@dps.ny.gov](mailto:secretary@dps.ny.gov)

**Re: Case 14-E-0488: In the Matter of Alternative Current Transmission Upgrades – Comparative Proceeding and other AC Transmission Cases: 12-T-0502, 13-T-0454, 13-T-0455, 13-T-0456, 13-T-0457 and 13-T-0461  
Submission of HVSEC Expert Reports: Interim Environmental Review and Landscape Analysis**

Dear Secretary Burgess:

The Hudson Valley Smart Energy Coalition (“HVSEC”) submits for filing in the above-referenced matters, the following two expert reports:

- 1) Interim Environmental Review of Proposed Transmission Alternatives, prepared for HVSEC by CC Environment & Planning, 23 Jackson Street, Batavia, NY on behalf of Asbestos & Environmental Consulting Corporation 6308 Fly Road, East Syracuse, NY; and
- 2) Landscape Analysis for Competing Proposals in the PSC AC Transmission Lines Comparative Proceeding (Case No. 13-E-0488), prepared by Richard Smardon, MLA, PhD, CEP, Visual Consultant.

The filing of these expert reports regarding the potential environmental and visual impacts of the AC transmission proposals under consideration in this proceeding is not in any way an endorsement of the need for new transmission through the Hudson Valley. Whether new transmission is needed is a threshold issue that must be addressed before these proceedings continue to Part B, and HVSEC looks forward to submitting its expert reports on need at a future date.

The Hudson Valley Smart Energy Coalition is a group of municipalities, environmental, historic and land preservation organizations, citizen groups and businesses that are committed to preserving and restoring the scenic, agricultural, cultural, health, environmental and economic assets of the Hudson Valley Region. HVSEC’s purpose in participating in these proceedings is to protect the special and

scenic, historic, agricultural, economic, tourist, and natural resources crucial to the Hudson Valley's ongoing success and viability; minimize the cost burdens and community impacts on residents, farms, businesses and municipalities; and promote sustainable energy solutions in the Hudson Valley that don't damage priceless natural assets.

HVSEC members are concerned with the aesthetic, environmental and economic impacts of expanding existing transmission rights-of way, including any increase in transmission tower height. The proposed new transmission lines – as well as existing lines – have a negative impact on property values. Potential buyers of lands affected by transmission lines and their right-of-way may refuse to even look at such properties, or their purchase price may be reduced and they can take longer to sell. The lowered property values may in turn have a negative impact on the tax base of a municipality. Visual impacts will occur not only to the directly adjacent properties, but on those that have the transmission lines in their line of sight, or viewshed. These aesthetic impacts result from the introduction of new overhead transmission structures, as well as cutting vegetation in new or expanded rights of way.

New lines may also negatively impact the value of agricultural property based on the effects of stray voltage; health risks to livestock and cattle; diminished heritage; use of herbicides which may affect crops and organic certifications; limited land use from interrupted irrigation, drainage and fragmented cropland; diminished lease value; and lessened aesthetic appeal. The impacts of new transmission lines are not necessarily a one-time event, either. Even transmission line right-of-way maintenance and reconductoring, which may require upgraded or new access roads and entail additional vegetation clearing, can impact property values.

Keeping farmland in production in the Hudson Valley is a vital goal, important to local and regional economies and endorsed at all levels of government, from municipalities to the state. For example, several counties have adopted Agriculture and Farmland Protection Plans, and the recently approved state budget earmarked \$20 million for farmland protection in the Hudson Valley. Where farmland has been protected with a conservation or agricultural easement, expanding the right-of-way threatens a protected resource. Farms that lose land to transmission developers will be directly affected, and their losses ripple through the local economy. Agricultural areas in Columbia County are particularly vulnerable to any increase in height or number of transmission towers, due to the significant distance over which lines can be seen on the agricultural landscape. Farms are a major part of the local economy in Columbia County. Agriculture and tourism in Columbia County are responsible for more than 1,400 jobs, and \$115 million in spending annually.

The Commission must consider the larger economic impact of the proposed transmission projects on the ratepayers, property owners, communities, concerned citizens, businesses and overall economic development in the Hudson Valley. The burdens on the Hudson Valley that come with being the only corridor for the transmission of energy from upstate to New York City, exceed both quantitatively and qualitatively the claimed benefits. Again and again, the residents of the Hudson Valley have borne the costs of these transmission lines in the form of higher and higher energy rates, loss of property through takings for rights-of-way, loss of property value through adjacency of power lines, impacts on sales prices, impacts on the tourism economy, impacts on agricultural lands, and numerous other financial consequences. These impacts will only be exacerbated by these unneeded, expensive, and outdated projects.

A number of the proposed transmission lines could be visible from the Olana State Historic Site and the Omega Institute for Holistic Studies, both of which are facilities attracting tens of thousands of visitors per year—and contributing strongly to the local economy—in part due to the scenic beauty of their natural surroundings.

FDR Home and Library, Farm Lane and Val-Kill, all National Historic Sites, are traversed by or adjacent to North America Transmission’s Thruway Alternative. These sites are key destinations of the regional tourism economy in Dutchess County. They bring in \$475 million in spending yearly and are linked to more than 8,400 jobs. New transmission lines towering over 100 feet above the bucolic Roosevelt historic sites would destroy the beauty and integrity of these sites. In 2007, when Scenic Hudson transferred the 334-acre Farm Lane site which connects the FDR site and Val-Kill to the National Park Service, then-U.S. Secretary of the Interior Dirk Kempthorne termed it “the most important expansion of the Roosevelt National Historic Site that will ever happen.”

The Hudson Valley is one of 40 National Heritage Areas designated by Congress, and the Hudson River is one of only 14 Presidentially-designated American Heritage Rivers. The National Trust for Historic Preservation also named the Hudson Valley one of America’s “Eleven Most Endangered Historic Places” in 2000. When announcing its selection, the National Trust characterized the region as “a mix of scenery and history that is unmatched anywhere else in the country”. Governor Cuomo’s Mid-Hudson Regional Economic Development Council has also identified preservation of the scenic, historic and agricultural resources as the foundation of its strategic plans.

The areas of the Hudson Valley through which the transmission lines are proposed also contain a rich biodiversity of plant and animal species including several federally listed endangered and threatened species, such as Atlantic sturgeon, shortnose sturgeon, Karner blue butterfly, Indiana bat, northern long-eared bat, bog turtle, dwarf wedge mussel and more. In addition, numerous state-designated Significant Coastal Fish and Wildlife Habitats, Significant Natural Communities and New York State Department of Environmental Conservation classified wetlands could be permanently compromised by one or more of the proposals. Both NextEra and North America Transmission’s Thruway alternatives involve entirely new transmission rights-of-way that would impact the state-recognized Illinois Mountain Biologically Important area in Ulster County.

### **HVSEC’s Position**

HVSEC’s participation in this Proceeding is directed at ensuring a balanced, complete and fully vetted record on the issues presented in order to achieve a 21<sup>st</sup> century energy system that meets energy needs while protecting the resources and quality of life in the Hudson Valley. Our view is that the new transmission lines through the Hudson Valley proposed in this proceeding are not needed. HVSEC’s ultimate goal is the creation of a 21<sup>st</sup> century energy system for New York that meets energy needs, enhances cost effectiveness, performance, reliability, and system security and minimizes external threats, while protecting the resources and quality of life in the Hudson Valley.

HVSEC looks forward to submission of additional expert reports on the issue of need and discussion of DPS Staff’s treatment of the issue at an additional, upcoming technical conference.

Assuming *arguendo* that the Commission determines there is a need for new transmission and the proceeding continues, HVSEC's concerns and positions with regard to the proposed projects are summarized as follows:

- 1) the taking of more land for additional right of way should be avoided, and only those projects which require no new right-of-way acquisition should be allowed to move forward for consideration in Part B;
- 2) only those projects that have no or minimal impacts on environmental and visual resources, including historic and cultural resources, should move forward for consideration in Part B;
- 3) projects which present a positive benefit to cost ratio for ratepayers should be given preference; and
- 4) given the potential for negative economic and environmental impacts of new transmission lines cutting through the Hudson Valley, HVSEC urges the PSC to fully and seriously consider alternatives to new, overhead transmission lines, as well as alternatives to transmission itself, to minimize those effects.

The expert reports submitted here are especially relevant to Number 2 above: only those projects that have no or minimal impacts on environmental and visual resources, including historic and cultural resources, should move forward for consideration in Part B. Particularly in the Hudson Valley, the density of invaluable natural and scenic resources is so great, that if any project is to move forward to Part B, it must represent the minimum possible environmental and visual impact to these resources.

## **Report Summaries**

*Interim Environmental Review of Proposed Transmission Alternatives, prepared for HVSEC by CC Environment & Planning, 23 Jackson Street, Batavia, NY on behalf of Asbestos & Environmental Consulting Corporation 6308 Fly Road, East Syracuse, NY*

The purpose of this report is to review, summarize, and evaluate proposed transmission routes in the Hudson Valley in regards to environmental and ecological impacts, specifically land use, wetlands, streams, critical habitats, and wildlife. Methodology included review of the Part A application submissions of the four applicants followed by a desktop review of potential environmental impacts using existing GIS datasets. Based on the desktop review, accessible priority sites consisting of mapped intersections of the proposed transmission projects with sensitive resources were identified for site visits to confirm the presence of mapped ecological attributes and collect data. This information will be used for analysis of potential impacts in a Final Ecological Assessments Report, to be submitted later in the proceeding.

Based on the preliminary information and desktop review, and taking into consideration the transmission technology proposed by the various alternatives, i.e., new transmission lines, replacement lines, reconductoring, trenching, and HDD, the Interim Report provides a relative spatial and qualitative ranking of the potential environmental impacts (low, medium and high) of each proposed alternative. In addition, the report provides commentary on additional information the applicants should provide for clarity on their proposals, as well as the completeness of the scoping documents provided as a basis for Part B submissions.

*Landscape Analysis for Competing Proposals in the PSC AC Transmission Lines Comparative Proceeding (Case No. 13-E-0488), prepared by Richard Smardon, MLA, PhD, CEP, Visual Consultant.*

This report provides an overview of potential impacts to visual resources and landscapes in the Hudson Valley from the proposed transmission projects. Methodology included a review of applicants' Part A submissions, with particular attention to cultural and historic visual resource study documents and maps. Using Google earth satellite maps, the routing of existing transmission corridors proposed for use in the various alternatives was confirmed, and driving routes were established in order to collect a windshield photo inventory of key scenic resources and viewpoints.

Dr. Smardon found that there is potential for increased visual impacts in the Hudson Valley from some of the project proposals. Agricultural areas in Columbia County are particularly vulnerable to any increase in height or number of transmission towers, due to the significant distance over which lines can be seen on the agricultural landscape. A number of designated Scenic Areas of Statewide Significance would be traversed by the proposed projects, and one would create a new transmission right-of-way directly adjacent to the FDR Home and Library and through the Farm Lane property and Val-Kill – all National Historic Sites and key destinations of the regional tourism economy.

Ranking was done for specific alternatives affecting particular landscape corridors, and based on proposed transmission technologies, i.e. construction of new lines in new or expanded right-of-way, replacement of existing structures with new, different or taller structures, or reconductoring. In addition, an overall ranking of all alternatives based on total potential visual impact on sensitive scenic and historic resources within the Hudson Valley is provided.

Thank you for the opportunity to submit this information, and we look forward to discussion at the technical conference.

Respectfully submitted,



Hayley Carlock, Esq.,  
Scenic Hudson, Inc.

on behalf of the  
**Hudson Valley Smart Energy Coalition**