


**THIS IS A TWO-SIDED DOCUMENT**

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|  <p><b>Adirondack<br/>Park Agency</b></p> <p>P.O. Box 99, 1133 NYS Route 86<br/>Ray Brook, New York 12977<br/>Tel: (518) 891-4050<br/><a href="http://www.apa.ny.gov">www.apa.ny.gov</a></p> | <p>APA Permit<br/><b>2020-0138R</b></p>  |
| <p>In the Matter of the Application of</p> <p><b>NEW YORK STATE<br/>ELECTRIC AND GAS (NYSEG)<br/>Permittee</b></p> <p>for a permit pursuant to § 809 of the Adirondack<br/>Park Agency Act and 9 NYCRR Part 578</p>   | <p>Date Issued: <b>May 21, 2025</b></p> <p>To the County Clerk: Please index<br/>this permit in the grantor index<br/>under the following name(s):</p> <ol style="list-style-type: none"><li><b>1. New York State Electric<br/>and Gas</b></li><li><b>2. NYSEG</b></li></ol> |

**SUMMARY AND AUTHORIZATION**

This permit authorizes the rebuilding and upgrade of a public utility transmission line in areas classified as Hamlet, Moderate Intensity Use, Low Intensity Use, Rural Use, Resource Management and Industrial Use on the Adirondack Park Land Use and Development Plan Map within an existing right-of-way in the Town of AuSable, Clinton County and Chesterfield and Willsboro, Essex County.

This authorization shall expire unless recorded in the Clinton and Essex County Clerk's Offices within 60 days of issuance of a signed and notarized permit. The signed and notarized permit shall be recorded in the names of all persons listed above and in the names of all owners of record of any portion of the project site on the recordation date.

The project shall not be undertaken or continued unless the project authorized herein is in existence within five years of the date the permit is recorded in both county clerk's offices. The Agency will consider the project in existence when the permit has been recorded.

The project shall be undertaken in compliance with all conditions stated herein. Failure to comply with this permit is a violation and may subject the permittee, successors, and assigns to civil penalties and other legal proceedings.

This permit does not convey any right to trespass upon the lands or interfere with the riparian rights of others in order to undertake the authorized project, nor does it authorize the impairment of any easement, right, title or interest in real or personal property.

Nothing contained in this permit shall be construed to satisfy any legal obligations of the permittee to comply with all applicable laws and regulations or to obtain any governmental approval or permit from any entity other than the Agency, whether federal, State, regional or local.

## **PROJECT SITE**

The project site is an existing utility right-of-way located within the Town of AuSable, Clinton County and Chesterfield and Willsboro, Essex County in areas classified Hamlet, Moderate Intensity Use, Low Intensity Use, Rural Use, Resource Management and Industrial Use on the Adirondack Park Land Use and Development Plan Map.

The project site is partially located within the AuSable River Recreational River area and within 150 feet of the edge of the right-of-way for NYS State Routes 9 and 22.

Wetlands of various covertypes, sizes, and values exist within and adjacent to the right-of-way. Additional wetlands not described herein or depicted on the Project Plans may be located on or adjacent to the project site.

The project site is improved by an existing 46kV transmission line including utility pole structures ranging in height from approximately 30 feet to 65 feet above existing grade.

## **PROJECT DESCRIPTION**

The project as conditionally approved herein involves the rebuilding of the existing 15.4-mile 46kV Line 880 electric transmission circuit between the existing Rainbow Falls substation located near AuSable Chasm and the existing Cabot Minerals Substation in the Town of Willsboro, including the maintenance of the existing vegetation along the right-of-way.

A total of 314 existing utility pole structures will be replaced by new structures that will range in height from 56 feet above existing grade to 88 feet above existing grade. 233 existing utility pole structures will be replaced with traditional single-pole round wood structures, 46 existing poles will be replaced with single-pole laminated wood structures and 35 existing poles will be replaced with single-pole steel structures. New conductor will be installed with the addition of a single 72-fiber optical ground wire and the under build facilities will be transferred to the new utility pole structures.

The project will result in temporary and permanent impacts to wetlands, as depicted and described in the Project Plans listed below.

The project is shown on the following maps, plans, and reports herein referred to as the Project Plans:

- "New York State Electric and Gas, Line 880 Rebuild, 46kV Transmission Line, Rainbow Falls Station – Cabot Station," prepared by Avangrid Engineering, and dated May 29, 2020 (Plan Set);
- "L880 Project Design Criteria, Exhibit A, Exhibit B," prepared by Avangrid Engineering, dated May 29, 2020 (Design Criteria);
- "Visual Impact Simulation Report, Line 880 Rebuild Project, New York State Electric and Gas Corporation, prepared by AECOM, dated June 2020;
- "Stormwater Pollution Prevention Plan for Compliance with NYSDEC General Permit GP-0-20-001 for Stormwater Discharges from Construction Activities," prepared by AECOM, dated April 2020 (SWPPP); and
- "NYSEG Transmission Line 880 Rebuild Project, Wetland and Stream Delineation Report," prepared by AECOM, dated June 2019.

A reduced-scale copy of the Cover Sheet of the Plan Set and Exhibit A and Exhibit B of the Design Criteria are attached as a part of this permit for easy reference. The original, full-scale maps and plans described in this paragraph are the official plans for the project, with copies available upon request from Adirondack Park Agency headquarters in Ray Brook, New York.

### **AGENCY JURISDICTION**

Pursuant to Section 809(2)(a) of the Adirondack Park Agency Act, a permit is required from the Adirondack Park Agency prior to the construction of any structure in excess of 40 feet in height on Hamlet, Moderate Intensity Use, Low Intensity Use, Rural Use and Resource Management lands in the Adirondack Park.

Pursuant to Section 809(2)(a) of the Adirondack Park Agency Act and Adirondack Park Agency regulations at 9 NYCRR Part 578, a permit is required from the Adirondack Park Agency prior to any deposit of fill in or excavation of a wetland in the Adirondack Park.

### **CONDITIONS**

#### **THE PROJECT IS APPROVED SUBJECT TO THE FOLLOWING CONDITIONS:**

1. The project shall not be undertaken until this permit has been recorded in both the Clinton and Essex County Clerk's Offices.
2. This permit is binding on the permittee, all present and future owners or lessees of the project site, and all persons undertaking all or a portion of the project, for as long as the rebuilt transmission line remains on the site. Copies of this permit and Project Plans shall be furnished by the permittee to all subsequent owners or lessees of the project site prior to sale or lease, and by the permittee and/or any subsequent owner or lessee to all persons undertaking any development activities authorized herein.
3. In addition to complying with all terms and conditions of this permit, all future activities on the project site shall be undertaken in compliance with the requirements of New York State's Adirondack Park Agency Act, Freshwater Wetlands Act, Wild, Scenic and Recreational Rivers System Act, and the Adirondack Park Agency's implementing regulations [9 NYCRR §§ 570-588].
4. This permit amends and supersedes Permit 2020-0138 issued September 2, 2020 in relation to the project site. The terms and conditions of Permit 2020-0138 shall no longer apply to the project site.
5. All deeds conveying all or a portion of the lands subject to this permit shall contain references to this permit as follows: "The lands conveyed are subject to Adirondack Park Agency Permit 2020-0138R, issued May 21, 2025, the conditions of which are binding upon the heirs, successors and assigns of the grantors and all subsequent grantees."

**Development**

**Construction Location and Size**

6. This permit authorizes the rehabilitation of the 46kV transmission circuit, Line 880 in the location shown and as depicted on the Project Plans. Any change to the location, height, vegetative cutting, wetland mitigation or other aspect of the rehabilitation project shall require prior written Agency authorization.
7. Pursuant to Section 809(2)(a) of the Adirondack Park Agency Act and 9 NYCRR § 577.4, the undertaking of any new land use or development not authorized herein within one-quarter mile of the AuSable River or within 150 feet of the right-of-way of Route 9 or Route 22 will require a new or amended permit.

**Structure Color**

8. All non-wood replacement structures shall have a non-reflective or matte finish.

**Tree Cutting/Vegetation Removal**

9. All tree cutting and vegetation removal necessary for construction and ongoing maintenance shall be undertaken as described in the Project Plans and following practices outlined in Appendix C of NYSEG's PSC-approved Long Range Right-of-Way Management Plan.
10. No herbicides shall be applied within 100 feet of any wetland boundary.

**Plantings**

11. All upland seed mixes used for site restoration and soil stabilization shall be as described in the Project Plans and in no case shall species identified as invasive be used.

**Wetlands**

12. Any work within wetlands shall be scheduled and conducted during drier periods (not during major storm events, spring runoff, and thawing conditions) to avoid and minimize erosion of soils and to prevent silting and muddying of wetlands or surface waterbodies.
13. The undertaking of any activity involving wetlands not specifically authorized herein shall require a new or amended permit. All temporary impacts to wetlands shall be mitigated by utilizing matting for accessing poles in wetlands and by removing the matting and restoring the impacted wetland to its original condition, including but not limited to its size, shape and function. Any poles and/or anchors removed from wetlands shall be completely removed. No portion of the poles shall remain in wetlands.

14. Temporary construction access, detour and work pad facilities shall be entirely removed following completion of construction activities, and the affected and adjacent area successfully restored to its preconstruction condition, including replacement vegetation as described in the Project Plans.

#### **Invasive Species Control/Sanitizing Equipment**

15. When brought from off-site, all equipment, including but not limited to trucks, excavators, tractors, etc., and hand excavation tools such as shovels, rakes, and picks, to be used on the project site shall be clean and free of soil, mud, or other similar material. If washed on the project site, equipment shall be washed in one location to prevent the distribution of propagules among different wash sites. All construction equipment and vehicles operating in areas that may contain existing invasive species shall be thoroughly cleaned prior to moving to other areas.

#### **Reports**

16. At the request of the Agency, the permittee or the permittee's successor shall report in writing the status of the project, including details of compliance with any terms and conditions of this permit.

#### **Stormwater Management/Erosion Control**

17. The project shall be undertaken in compliance with the Stormwater Pollution Prevention Plan included with the Project Plans.

#### **CONCLUSIONS OF LAW**

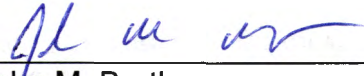
The Agency has considered all statutory and regulatory criteria for project approval set forth in the Adirondack Park Agency Act, the Freshwater Wetlands Act and 9 NYCRR Part 578, the Wild, Scenic and Recreational Rivers System Act and 9 NYCRR Part 577, and 9 NYCRR Part 574. The Agency hereby finds that the project authorized as conditioned herein:

- a. will be consistent with the land use and development plan;
- b. will be compatible with the character description and purposes, policies, and objectives of the Hamlet, Low Intensity Use and Rural Use land use areas;
- c. will be consistent with the overall intensity guidelines for the Hamlet, Low Intensity Use and Rural Use land use areas;
- d. will comply with the shoreline restrictions of § 806 of the Adirondack Park Agency Act;
- e. will meet all of the pertinent requirements and conditions of the approved local land use program of the Towns of Chesterfield and Willsboro;
- f. will not have an undue adverse impact upon the natural, scenic, aesthetic, ecological, wildlife, historic, recreational or open space resources of the Park or upon the ability of the public to provide supporting facilities and services made necessary by the project;
- g. will secure the natural benefits of wetlands associated with the project, consistent with the general welfare and beneficial economic, social, and agricultural development of the state; and
- h. is the only alternative which reasonably can accomplish the applicant's objectives.



PERMIT issued this 21<sup>st</sup> day  
of may, 2025.

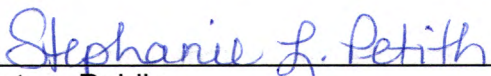
ADIRONDACK PARK AGENCY

BY:   
John M. Burth  
Environmental Program Specialist 3 (EPS3)

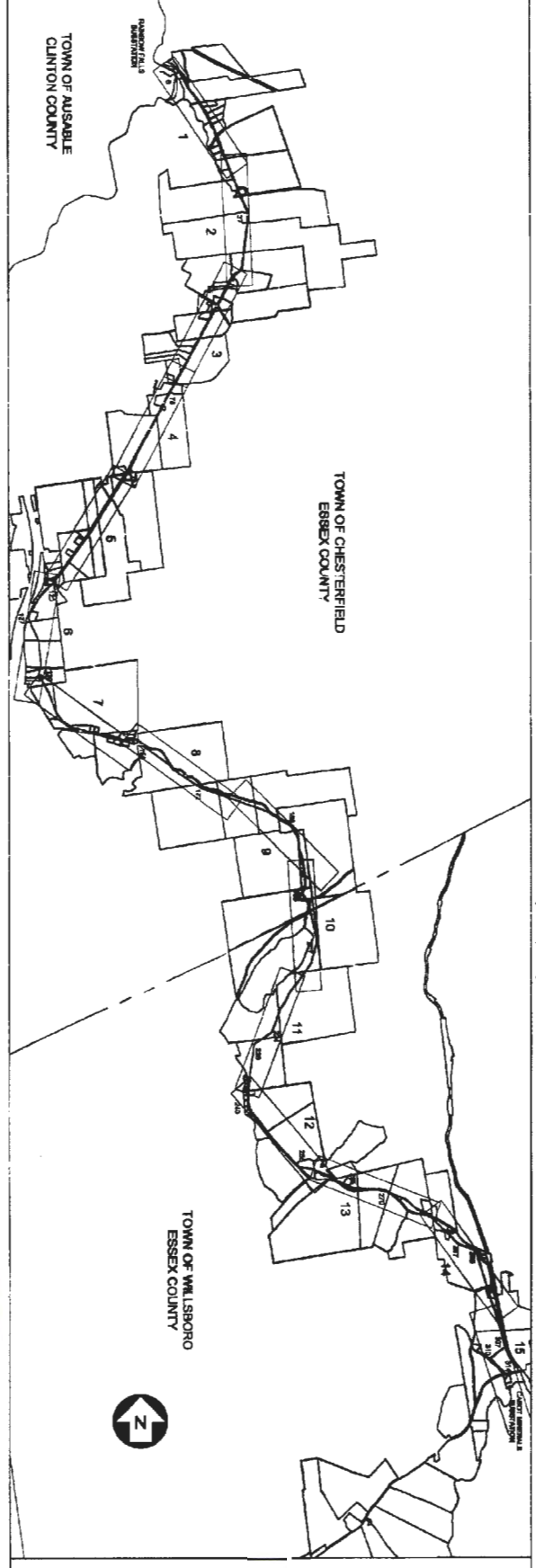
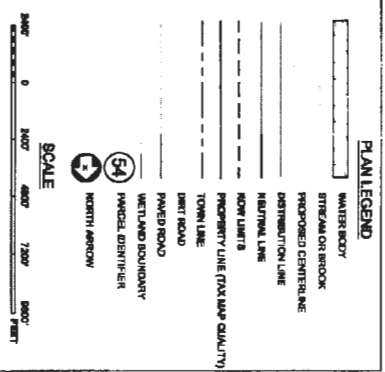
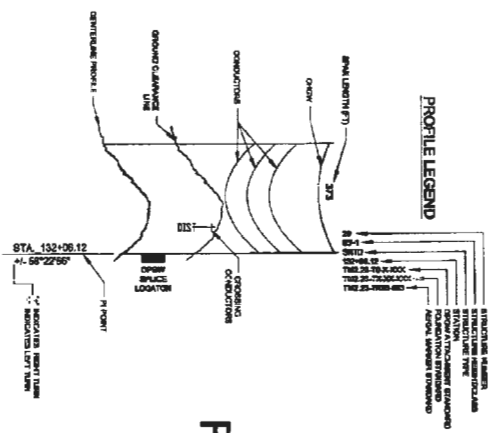
STATE OF NEW YORK  
COUNTY OF ESSEX

On the 21<sup>st</sup> day of may in the year 2025, before me, the undersigned, a Notary Public in and for said State, personally appeared John M. Burth, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that they executed the same in their capacity, and that by their signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Stephanie L. Petith  
Notary Public, State of New York  
Reg. No. 01PE6279890  
Qualified in Franklin County  
Commission Expires April 15, 2029

  
Notary Public

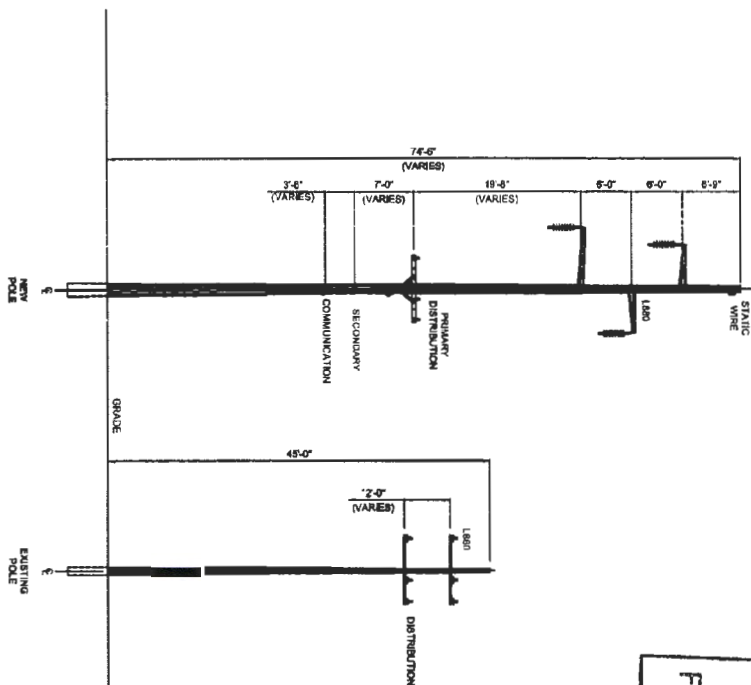
**NEW YORK STATE ELECTRIC AND GAS  
LINE 880 REBUILD  
46KV TRANSMISSION LINE  
RAINBOW FALLS STATION - CABOT STATION**



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| 44NTH STREET ELECTRIC AND GAS<br>LINE 800 REELED<br>44NTH STREET<br>RAINBOW FALLS STATION - CARROT STATION<br>COVER SHEET |  | NEW YORK STATE ELECTRIC AND GAS<br>44NTH STREET<br>RAINBOW FALLS STATION - CARROT STATION<br>COVER SHEET |  |
| PROJECT NO. 1114  |  | PROJECT NO. 1114   |  |
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| CHECKED BY: 1114  |  | CHECKED BY: 1114   |  |
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| PROJECT BENEFITS: 1114  |  | PROJECT BENEFITS: 11   |  |

**REPORT NO.**  
**NO. 7-4007**

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**ADIRONDACK PARK AGENCY**  
**FILE #** \_\_\_\_\_



**FINAL**  
**2020-0138R**

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|---|---|---------|-----|-----------|---|
| LINE 800 RETURN D ABOVE TRANSMISSION LINE | 1 | CEC 814 | 104 | EXHIBIT A | 0 |
| RAINBOW FALLS STATION - CABOT STATION     | 2 | USA 048 | 104 | EXHIBIT A | 0 |
| TYPICAL OPEN WIRE SUBSTATION STRUCTURE    | 3 | USA 048 | 104 | EXHIBIT A | 0 |
| WITH DISTRIBUTION UNIFORM D               | 4 | USA 048 | 104 | EXHIBIT A | 0 |



