



PERMIT WRITING FORM – P# 2019-0074

Assigned EPS: **Devan Korn (57)** Reviewed by: /s/JMB Date: 9/22/20

APPLICANT

Project Sponsor: **National Grid**
Landowner: **National Grid**
Authorized Representative: **Tracy Miller (National Grid)**

PROJECT SITE

Town/Village: **Moriah, Crown Point, Ticonderoga, Putnam, Dresden**
County: **Essex, Washington**
Road and/or Water Body: **NYS Routes 9N and 22, various County and Town roads: Project site crosses over Lake George in Ticonderoga and over South Bay of Lake Champlain in Dresden**

Tax Map #s: **As follows:**

Moriah: 97.13-2-4.000, 97.17-5-2.000, 97.17-2-18.000, 107.1-2-1.000 and 107.3-8-1.000;
Crown Point: 117.2-5-1.000, 107.3-2-11.000, 117.20-1-16.000 and 128.2-1-29.000;
Ticonderoga: 139.4-1-17.000, 150.4-1-6.000, 150.4-4-1.000 and 160.2-2-2.000;
Putnam: 9.-1-23; and
Dresden: 28.-2-19

Deed Ref: **NA**

Land Use Areas: **H MIU LIU RU RM IU**

Project Site Size: **40 ± miles (680 ± acres)**

- Same as Tax Map #(s) identified above
- Only the H / MIU / LIU / RU / RM / IU portion of the Tax Map #(s) identified above
- Other: **Existing utility right-of-way (ROW)**

Lawfully Created? **Yes** Pre-existing subdivision:

River Area: **No** If Yes: Wild - Scenic - Recreational Name of River:

CEAs (include all): **Wetland** - Fed Hwy - **State Hwy** - State Land - Elevation - Study River

PROJECT DESCRIPTION

A rebuild of two segments of the existing 115 kV transmission line, known as the Ticonderoga-Republic #2 and Ticonderoga-Republic #3, extending between the Republic Steel Substation in the Town of Moriah and the Ticonderoga Substation in the Town of Ticonderoga and between the Ticonderoga Substation and the boundary of the Adirondack Park in Dresden. The refurbishment work proposed by National Grid continues outside of the Adirondack Park boundary to the Whitehall Substation in the Town of Whitehall (Washington County).

Within the boundary of the Adirondack Park, a total of 191 existing wooden utility pole structures ranging in height from 39 to 66 feet above grade will be refurbished or replaced with steel utility pole

structures ranging in height from 43 to 74 feet above grade. The project also includes the installation of one new utility pole structure and two new independent poles adjacent to existing structures for osprey nesting purposes. All areas of potential construction activity are located within the existing transmission line right-of-way and existing access routes to each pole structure will be utilized during construction.

The project is shown on the following maps, plans, and reports (Project Plans):

- "SIR Figure 1: Regional Project Location," prepared by EDR, and dated May 15, 2019 (Location Map);
- "SIR Figure 2: APA Land Use," prepared by EDR, and dated July 17, 2020 (Land Use Map);
- "Work List," prepared by National Grid, received by the Agency August 20, 2020 (Work List);
- "Refurbishment Project – Structure and Wire Design Package," prepared by Vanderweil, and dated May 22, 2020 (Design Package);
- "Ticonderoga – Republic 2 & Ticonderoga – Whitehall 3, 115 kV Asset Condition Refurbishment Project," prepared by EDR, and dated August 2020 (Stormwater Pollution Prevention Plan); and
- "APA Project #2019-008 Revised Visibility Assessment," prepared by EDR, and dated July 24, 2020 (Viewshed Analysis).

JURISDICTION (including legal citation)

APA Act Sections 809(2)(a)
810(1)(a)(1): Activities involving wetlands in HA
810(1)(a)(4): Structures >40' in HA
810(1)(b)(1)(b): Activities involving wetlands in MIU
810(1)(b)(5): Structures >40' in MIU
810(1)(c)(1)(b): Activities involving wetlands in LIU
810(1)(c)(5): Structures >40' in LIU
810(1)(d)(1)(b): Activities involving wetlands in RU
810(1)(d)(5): Structures >40' in RU
810(1)(e)(1)(b): Activities involving wetlands in RM
810(1)(e)(8): Structures >40' in RM

APA regulations at 9 NYCRR Part 578

PRIOR PERMITS / SETTLEMENT AGREEMENTS BEING SUPERSEDED

P2008-0300 and P2013-0222

FINDINGS OF FACT – ENVIRONMENTAL SETTING

Lakes, Ponds, Navigable Rivers and Streams

Water Body Name: **Lake George, South Bay Lake Champlain**

Length of Existing Shoreline (feet): **NA**

Minimum Lot Width: **NA**

Check if none []

MHWM determ: **No**

Meets standard: **NA**

Structure Setback (APA Act): **Lake George (MIU 50')** Meets standard: **Yes**
South Bay Lake Champlain (RU 75') Meets standard: **Yes**
 Structure Setback (River Regs): **NA** Meets standard: **NA**
No Cutting proposed within 6 ft of MHWM? If Yes, < 30% vegetation? **NA**
No Cutting proposed within 35 ft of MHWM? If Yes, < 30% trees 6" dbh? **NA**
No Cutting proposed within 100 ft of river area? (If Yes, include under jurisdiction) **NA**

Non-Navigable Streams in proximity to development Check if none
 Permanent Stream Intermittent Stream Classified? **Yes / No**
 DEC Environmental Resource Mapper stream classification: **C, C(T), D**

Wetlands

Yes Jurisdictional wetland on property
 If Y: If Yes, RASS biologist consulted
 → Covertypes: **Palustrine Emergent (PEM), Palustrine Scrub-shrub (PSS), Palustrine Forested (PFO), Lacustrine Open Water (LOW)**
 → Located < 200 ft from proposed development or along shoreline **Yes**
 → If Y, value rating: **Various, isolated wetlands identified in the project area totaling 14.21 acres.**

Wildlife

Yes Rare/threatened/endangered species If Yes, RASS ecologist consulted
Yes R/T/E or other unique species habitat If Yes, RASS ecologist consulted
Yes Northern Long-Eared Bat occurrences in Town If Yes, RASS ecologist consulted
No Forest management plan existing or proposed If Yes, RASS forestry analyst consulted
No Biological Survey required by RASS ecologist If Yes, completed

Ecological / Special Districts

Yes Natural Heritage Sites If Yes, RASS ecologist consulted
No Aquifer If Yes, RASS engineer consulted
Yes Agricultural District

Slopes RASS engineer consulted if structure proposed on >15%, driveway on >12%, or wwts on >8/15%
 Existing slope range: **0 - > 40%** Building area(s) if authorizing development: **< 25%**

Soils

No Deep-hole test pit completed? (Necessary for every building lot) Check if N/A
 If Yes, soil data information determined or approved by RASS soil analyst
 NRCS Mapped Soil Series or Other Comments: **Mapped soils are reported in the SWPPP**

Character of Area

Nearby (include all): **Residential – Commercial – Industrial – Agricultural – Forested**
 Adjoining Land Uses / State Land: **Private; Ticonderoga DEC boat launch site on Lake George**
 Is nearby development visible from road? **Yes.**
 → If Y, name road and describe visible development: **Portions of the existing ROW follows existing roadways, although there are some back-lot sections. The approximately 40 mile corridor includes various private residential, commercial and industrial use development as**

well as undeveloped agricultural and forest use properties. Residential, commercial and agricultural development is visible throughout the landscape.

INDIVIDUAL DEVELOPMENT REVIEW

Existing Development

Structure	Pre-existing (Y/N)?	Lawfully constructed (Y/N)?
115kV Transmission Line (40 miles)	Yes	Yes
Republic Steel Substation	Yes	Yes
Ticonderoga Substation	Yes	Yes
400 Utility Pole Structures (39 - 133 feet in height)	Yes	Yes

Proposed Development

Structure	Footprint	Height	# Bedrooms	Slopes
NA				

Check if portions or all below is nj **[X]**
 Check if proposed as a non-building lot: []
 Have necessary density? **NA**
 # remaining potential principal buildings = **NA** from [] survey or [] estimate

ACCESSORY STRUCTURES

Structure	Footprint	Height	Slopes
191 Replacement Utility Pole Structures	NA	43 to 74 feet above existing grade	< 25%

ACCESS *Consult RASS engineer for driveway > 12% slope / *consult RASS ecologist for driveway > ¼ mile

Driveway is **[X]** existing / [] proposed Length: Width:

Sight distance evaluated? **NA** Slopes: **< 15%**

Need Clearing/Grading? **Yes**

Comments: **Some sections of existing access within the ROW will require temporary and permanent improvements for construction access. Stabilized construction entrances will be required. Timber matting will be used in areas that have been delineated as wetlands.**

Need hwy access permit? **Yes**

Need easement? **No new easements required**

Need signs? **NA**

VISUAL AESTHETIC

Yes Proposed development visible from public areas (list): **NYS Rtes. 9N and 22, County and Town roads**

Yes Existing topography / vegetation will screen, if retained

Yes Planting plan proposed: **Construction staging and access improvements will be removed and disturbed areas will be stabilized where necessary as per the Project Plans.**

[NA] If Yes, RASS forestry analyst consulted

STORMWATER / EROSION & SEDIMENT CONTROL *Consult RASS engineer

Yes Does proposed development maintain existing drainage patterns?

NA < 1 acre disturbance proposed (May need E&S Control Plan if water/slope/soil resources at risk)

Yes > 1 acre disturbance proposed (SWPPP required, which includes E&S Control Plan): **The Project will cumulatively disturb approximately 50.1 acres related to construction/development of work**

pads, stabilized construction entrances, and access roads. Construction activities are not anticipated to result in greater than 5.0 acres of soil disturbance at any one time.

FINDINGS OF FACT – COORDINATED REVIEW

- Yes** Archeologically Sensitive Area, according to OPRHP **[X]** If Yes, OPRHP letter dated 8/5/2020
- Yes** Structures > 50 years old on or visible from site **[X]** If Yes, OPRHP letter dated 8/5/2020
- Yes** Within Lake George Park (Partially) **[X]** If Yes, LGPC consulted /application submitted
- Yes** Greater than 1 acre disturbance / SWPPP required **[X]** If Yes, DEC application submitted
- NA** Public water supply **[]** If Yes, DEC / DOH application submitted
- NA** Greater than 1,000 gpd wastewater **[]** If Yes, DEC application submitted
- NA** Disturbing bed or bank of water body **[]** If Yes, DEC application submitted
- NA** Creating 5 or more lots less than 5 acres each **[]** If Yes, DOH application submitted
- NA** Army Corps involvement **[]** If Yes, ACOE consulted
- NA** Agency-approved Local Land Use Program **[]** If Yes, Town/Village consulted

PERMIT CONDITIONS AND IMPACT ANALYSIS

Merger

Justification if merger required: **NA**

Deed Covenant

Non-building lot being created? **No**
 If yes and lot is not being merged by condition, no PBs? Or no structures at all? Justification: **NA**

Easement

Easement proposed or required? **No**
 If Y, consult with Legal for conditions. Justification: **Existing**

Construction Location and Size (may be different for each subdivision lot)

Is new development (other than oswts) being authorized without further Agency review? **Yes**
 → If Y: Structure height limit and justification: **74 feet; As proposed and reviewed; Agency will review any changes.**

Structure footprint limit and justification: **As proposed and reviewed; In addition to the base of the utility pole, temporary 25-foot x 25-foot construction pads will be required for each structure replacement. The existing pole and temporary construction pads will be removed once work is complete. Agency will review any changes.**

→ If N:
 → Acceptable development sites identified for all subdivision lots with PB allocation? **NA**
 → Review of future development required? **Yes**
 → If Y, justification: **Minimize potential increase in impacts from any further increase in height or activity involving wetlands.**

Guest Cottages (if authorizing a dwelling) **[X]** Check if NA
 Proposed and reviewed? **Y N**

- Formatted: Font: Not Bold
- Formatted: Font: Italic
- Formatted: Font: Not Bold, Italic

If N, guest cottages potentially allowed? Y N
→ Justification for any conditions:

Boathouses (if project site contains shoreline) Check if NA
Proposed and reviewed? Y N
If N, boathouses potentially allowed? Y N
→ If N, justification:
→ If Y, review required (beyond definition limits)? Y N
→ If Y, justification:

Formatted: Font: Not Bold

Formatted: Font: Bold

Docks (if project site contains shoreline) Check if NA
Proposed and reviewed? Y N
If N, docks potentially allowed? Y N
→ If N, justification:
→ If Y, review required (beyond definition limits)? Y N
→ If Y, justification:

Formatted: Font: Not Bold

Formatted: Font: Bold

Outdoor Lighting (if authorizing development) Check if NA
Plan proposed and reviewed? Y N

Formatted: Font: Not Bold

Formatted: Font: Bold

Structure Color (if authorizing development)
If color condition required, justification: **Reduce potential visual impacts.**

Formatted: Font: Not Bold

Tree Cutting / Vegetation Removal

Town with Northern Long-Eared Bat occurrences? **Yes**
If Y, consult with RASS for conditions. Justification: **As proposed and reviewed; Agency will review any additional cutting.**

Vegetative cutting restrictions required? **Yes**
If Y, restrictions required (choose all that apply):
[] within _____ feet of limits of clearing
[] within _____ feet of road
[] within _____ feet of river/lake/etc
[**X**] Other: **As proposed and reviewed. No herbicides shall be applied within 100 feet of any wetland boundary.**
OR [**X**] on entire site outside limits of clearing

Extent of cutting restriction necessary within the area noted above:
[] Cutting of all vegetation prohibited
[] Cutting of trees of _____ diameter dbh prohibited
[**X**] Other: **As proposed and reviewed.**
Justification: **Minimize visual impacts and protect wetlands. Vegetative cutting and maintenance within an existing utility line right-of-way that is necessary for compliance with utility laws, regulations, safety requirements, and/or company specifications does not require further Agency review.**

Plantings

Plan proposed and reviewed? **Yes**

If N, plantings required? **NA**
→ If Y, species, number, location, and time of year: **Noninvasive seed mix will be used to restore disturbed upland areas. Wetland soils will be maintained to promote regeneration from the existing seed bank.**
Justification: **Minimize erosion and wetland impacts.**

Wetlands

Consult with RASS for conditions. Justification: **Protect wetlands within and adjacent to the ROW.**

Density (may be different for each subdivision lot)

Located in Town with ALLUP? **No** (If Y, stop. Town oversees density.)
Authorizing PB on substandard-sized lot created pre-2000 with no permit? **NA**
If N and N, list existing PBs, including whether they are pre-existing/year built: **NA**
Mathematically available # of new PBs (in addition to existing or replacement): **NA**
Extinguishing PBs? **No** If Y, number: **NA**

Wastewater (if authorizing construction of a new PB without further review)

Municipal system connection approved? **NA**
Community system connection approved by RASS? **NA**
Proposed on-site system designed by engineer and approved by RASS? **NA**
If N, has RASS field-verified location for conventional standard trench system? **NA**
If N, has RASS field-verified location for conventional shallow trench system? **NA**
Suitable 100% replacement area confirmed for existing / proposed system? **NA**
Consult with RASS for additional conditions.

Stormwater Management (if authorizing development)

Consult with RASS for conditions. Justification: **Greater than one acre of disturbance is proposed not including temporary structures for construction and access.**

Erosion and Sediment Control (if authorizing development)

Consult with RASS for conditions. Justification: **SWPPP will minimize impacts to resources and provide adequate erosion and sediment control.**

Infrastructure Construction (if authorizing development)

Construction necessary before lot conveyance: **NA**
Justification: **NA**

For permits that will not include conditions related to Structure Color, Vegetation Removal, or Plantings

Explain why no condition is needed: **NA**

Additional Site / Project-Specific Concerns / Conditions Needed

Invasive Species Control/Sanitizing Equipment

Justification: **Will minimize spread of invasive species in upland and wetland areas within and adjacent to the ROW.**

Reports

Agency may request: ~~Yes~~

Justification: ~~Allows for future review of development concerns if necessary or if project becomes significantly delayed.~~

Yes **Public comments received** If yes, #: 1*

No **Applicant submitted response**

No **Staff replied to comments.**

**One comment letter received concerning visual impacts.*