



New York State Offshore Wind Cable Corridor Assessment: Siting Principles Overview

10/24 PPTN Information Conference



NYSERDA

PPTN Information Conference

Agenda

- **Introduction (15 minutes)**
 1. Welcome
 2. Role of the Multi-Agency “Cables Working Group” in the ISO process
 3. Overview of the Cable Constraints Assessment Siting Principles
- **Agency Presentations and Q&A Sessions (10 minutes each)**
 1. Department of Public Service (DPS)
 2. Department of Environmental Conservation (DEC)
 3. Department of State (DOS)
 4. Department of Transportation (DOT)
 5. Office of General Services (OGS)
- **Break – 20 minutes**
 1. New York State Office of Parks, Recreation and Historic Preservation (NYS OPRHP)
 2. New York City (NYC)
- **Open Q&A – 60 minutes**

PPTN Information Conference

Objectives

- **Provide information to interested bidders to promote understanding of the siting principles**
- **Identify resources and contacts for bidders to access during bid preparation**

Participating Agencies/Process

- Participating Agencies, expanded from the Cable Working Group, will provide guidance key items of importance and sources of helpful information for responding to the NYISO solicitation
- Participating Agencies will give DPS input on how proposals reflect understanding of the siting principles
- WSP USA will support the Participating Agencies in the proposal evaluation process



Offshore Wind Cable Corridor Constraints Assessment – Background

The combination of constrained waterways and the need to meet the Climate Act targets, as well as consideration for potential future OSW goals, requires an organized approach to optimize the routing of transmission cables in New York State waters.

The siting principles developed as part of the Assessment Report:

- Reflect accepted approaches used in Europe and standard approaches promoted by industry
- Reflect lessons learned from NYS agencies during permitting
- **Do not** reflect the benefit of micro-siting and consideration of site-specific constraints informed by site-specific surveys

Offshore Constraints

Resource	Characteristics Affecting Feasibility
Marine Geology and Hydrology	Shallow bedrock and/or hardbottom structure Cohesive clays in substrate Rocky shoals and boulder fields (e.g., as part of glacial moraines) Strong currents and associated seabed mobility (scour, sand waves) and added complexity for cable installation Steep slopes of the seabed
Aquatic Biological Resources and Sensitive Habitats	Designated critical habitat, seasonal management areas (SMAs) (i.e., for whales), existing or planned artificial reefs, cold-water corals, shellfish beds, Natural Heritage Communities, submerged aquatic vegetation (SAV), designated T&E species habitat, New York City Waterfront Revitalization Program (NYCWRP) designations (Recognized Ecological Complexes [REC] and Ecologically Significant Maritime and Industrial Area), Significant Coastal Fish and Wildlife Habitat (SCFWH), hard and complex seafloor (sensitive habitat indicator)
Waterbody Dimensions	Depth: Draft restriction for installation vessels Width: Physical constraint of landmasses on either side of potential corridor

Offshore Constraints (continued)

Resource	Characteristics Affecting Feasibility	
Recreational and Commercial Fishing	Recreational and commercial fishing with particular attention to bottom-oriented fishing gear such as dredging or trawling	
Vessel Traffic	Density of commercial vessels (as measured by AIS) Designated Areas: Ferry routes	
Navigation Areas	Federally designated navigation channels Shipping lanes/fairways	Anchorage Navigation safety and security zones; danger areas
Other Recreation	Recreational wreck or artificial reef diving sites; sailing race routes/areas; wildlife viewing areas	
Borrow Areas and Ocean Disposal Sites	Dredged material disposal site	Offshore sand borrow areas
Marine Archaeology and Cultural Resources	Shipwrecks, obstructions Federal, state (underwater components), and local parks	Potential Holocene sites
Waterfront Infrastructure	Areas of dense industrial marine activity such as piers or major shipping hubs Resilience projects	Hardened shorelines
Linear Utilities	Transmission cables Pipelines Aqueducts	Telecommunication cables Sewers/outfalls
Tunnels and Bridges	Transportation tunnels	Bridges
Sediment Contamination and UXOs	Contaminated sediment	UXOs

Onshore Constraints

Resource	Characteristics Affecting Feasibility				
Geology and Topography	Steep slopes		Faults		
Surface Water and Wetlands	Federally regulated waters (includes wetlands) State protected Article 15 waters and Article 24 freshwater wetlands and adjacent areas, and locally protected wetlands				
Critical Species and Sensitive Habitats	Federally-or state-listed endangered species or threatened species or associated habitat, designated critical habitat Important Bird Areas (IBAs) Natural Heritage Communities		NYCWRP designations	SCFWH	
Land Use	Federal, state or municipal-owned/managed lands land use		Indigenous Lands	CEHAs	Residential
Environmental Justice Populations and Disadvantaged Communities	Environmental justice populations		Disadvantaged communities		
Cultural Resources	Known archaeological and architectural resource sites		National Register of Historic Places (NRHP) sites/districts		
Linear Utilities	Overhead and underground electric transmission cables Pipelines (gas and hazardous liquid)		Underground telecommunication cables Outfalls Aqueducts		
Transportation	Non-commuter railroads		FHWA-funded parkways and controlled access highways		
Shoreline Protection	USACE Coastal Storm Risk Management (CSRM) projects		Piers, bulkheads, shoreline restoration, rip rap, etc.		
Areas of Contamination	NYSDEC remediation sites		USEPA Superfund Sites		

Cable Siting Principles - Offshore

These principles were adopted from the Cable Assessment and published in the Public Service Commission's June 22, 2023 Order at APPENDIX B: SUPPLEMENTAL CRITERIA:

1. Apply **parallel routing** with existing linear infrastructure.
2. **Avoid sensitive resources to the maximum extent practicable**, including, but not limited to, hard bottom habitat, cold water corals, submerged aquatic vegetation, emergent aquatic vegetation/marshlands, CEHAs, EMF-sensitive species aggregation areas and migration routes, clam beds, historic areas, T&E species habitat, and areas of potentially significant archeological resources.
3. **Limit footprint** of combined linear infrastructure to minimize resource fragmentation in zones without space limitations.
4. **Bundle cables** to minimize number of routes.
5. **Limit crossings** of other infrastructure and cross at right angles.
6. **Avoid anchorage areas and navigation channels.**
7. **Minimize in-water transmission cable length** to the extent that other environmental and anthropogenic resources and use are not impacted disproportionately.

Cable Siting Principles - Onshore

These principles were adopted from the Cable Assessment and published in the Public Service Commission's June 22, 2023 Order at APPENDIX B: SUPPLEMENTAL CRITERIA:

1. Where possible, installation at landfall should be **one horizontal directional drill (HDD)** per bundled High Voltage Direct Current cable.
2. Where possible, **use public ROWs**, transmission corridors, railroad corridors, and/or local, county, and/or State roads or highways that meet the permitting requirements and FHWA approval where applicable.
3. **Minimize crossings** of active infrastructure and when crossings are necessary, use specialized crossing methods, including trenchless methods like HDD and jack-and-bore, at bridge crossings over water, other roadways, or railroads; existing utility crossings; and intersections with major arterial roadway.
4. **Avoid impacts** to residential neighborhoods, environmental justice areas, disadvantaged communities, and underserved communities.
5. **Avoid sensitive resources** to maximum extent practicable, including, but not limited to, state and federally regulated wetlands, federally-or state-listed endangered or threatened species, or associated habitat, designated critical habitat, Important Bird Areas, New York City Waterfront Revitalization Program designations, Significant Coastal Fish and Wildlife Habitat, Natural Heritage Communities, conservation and mitigation sites, and areas of potentially significant archeological resources.

Informing the PPTN Evaluation Process

- The PSC order recognizes the challenges of siting transmission in New York City waterways and requires proposers to consider the Siting Principles “as guidelines for the development of their submissions to the NYISO.”
- PSC stated “Our aim is to enable the NYISO Board, at the end of the evaluation, to select among projects that do not present substantial permitting risk.”
- **And, the objective is NOT to reproduce the permitting processes, such as the review conducted pursuant to Public Service Law Article VII, that will ultimately apply to the selected project but to ensure that proposers understand the siting constraints they are likely to encounter when constructing transmission**

Proposal Evaluation Process

- The participating agencies will evaluate proposals that meet the NYISO's viability and sufficiency threshold requirements on their recognition of and understanding of the siting principles.
- Permit application-level data not required: Proposers should use the publicly available GIS data from Appendix A of the Cable Corridor Assessment, the DOS Gateway Portal, and any additional data available to them when describing their approach to meeting the siting principles.
- Note: Where the siting principles express values that can only be reconciled through a site-specific weighting and balancing exercise, proposers should acknowledge such potential conflicts, discuss why these principles may not be met, and discuss how they intend to balance the competing values.
- Proposers must explain why and how any necessary deviation from a siting principle will affect cost, schedule, or permitting risk. Cost estimates should include the costs of any anticipated resource mitigation.

Thanks

Contact NYSERDA

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Offshore Wind Cable Corridor Constraints Assessment Report

<https://www.nyserda.ny.gov/All-Programs/Offshore-Wind/Focus-Areas/Transmission-NY-Electricity-Grid>



Department
of Public Service

Department of Public Service- Environmental Certification and Compliance

NYISO Public Information Session October 24, 2023

Our Organization

The Public Service Commission (Commission) regulates New York's investor-owned utilities, including six major electric/gas utilities, five major gas utilities, three major water companies, as well as small telephone companies, hundreds of water companies, municipal electric utilities, cable companies, independent power generators, and energy service companies.

The Department of Public Service (DPS) oversees the utilities and other regulated entities and advises the Commission on issues ranging from setting rates and protecting consumers to siting infrastructure and reviewing utility mergers.

The Environmental Certification and Compliance (EC&C) section is responsible for, among other things, siting large scale generation under the State's Article 10 law and gas and electric transmission facilities under Article VII of the Public Service Law.

Public Service Law Article VII

MAJOR ELECTRIC TRANSMISSION FACILITIES SITING

MAJOR ELECTRIC LINES ARTICLE VII APPLIES:

- 125 kV or more & 1 mile or longer
- 100 kV or more & 10 miles or longer

For offshore wind transmission, EC&C will lead the review of terrestrial and marine facility installations within jurisdictional waters, associated substations, interconnections and switchyards.



Article VII Major Electric Transmission Permitting Process

EC&C leads the process and coordinates involved agencies

Certification requirements include, among other things:

- Environmental impact identification and analysis.
- Impacts avoidance and mitigation/minimization.
- Evaluation of Need.
- Multi-party participation, including:
 - State Agencies
 - Host Municipalities
 - Project Developer
 - Public
 - Other Interested Stakeholders

Article VII Major Permitting Milestones

- Pre-application Phase, including informal consultation with Staff and public notices
- An application for a Certificate of Environmental Compatibility and Public Need (Certificate) is submitted to the Public Service Commission.
- Once the application complies Public Service Law §122, a Public Statement Hearing(s) will be scheduled to solicit feedback on the record, and a Procedural Conference will be held to determine the procedural path of the application.
- PSC must issue a decision within 12 months or 9 months for an expediated proceeding, subject to tolling for settlement discussions.

Article VII Certification and Construction

- A Certificate is issued via a PSC Order, which will contain conditions on how the project will be designed, built, and maintained.
- An Environmental Management and Construction Plan (EM&CP) is developed, detailing how the project will be built. The plan is filed with the PSC, is subject to comment, and requires PSC approval.
- Once the EM&CP is approved by the PSC, public notifications are made, and, generally, a Notice to Proceed is issued and construction may begin.
- During construction, the project is monitored by EC&C field compliance Staff until restoration is complete.
- Post-construction monitoring may be required.

Helpful Resources and Contacts

- In preparing bids, transmission developers should be aware of:
 - The Cable Assessment
 - <https://dps.ny.gov/article-vii-major-electric-and-gas-transmission-facilities>
- EC&C contact: Jason.Zehr@dps.ny.gov



Department of
Environmental
Conservation

NYSDEC's Role in Transmission Cable Review

PPTN Information Conference

October 24, 2023

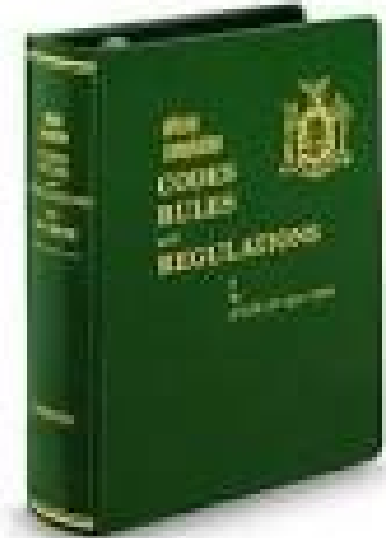
NYSDEC's Mission



"To conserve, improve and protect New York's natural resources and environment and to prevent, abate and control water, land and air pollution, in order to enhance the health, safety and welfare of the people of the state and their overall economic and social well-being."

NYSDEC's Involvement in Offshore Wind Regulatory

- NYSDEC reviews all project elements in New York State, including manufacturing, staging, and assembly areas; transmission cables and points of interconnections; and operation and maintenance facilities.
- NYSDEC ensures that all project activities are consistent with the Environmental Conservation Law (ECL) and its implementing regulations in Title 6 of the New York Codes, Rules and Regulations (NYCRR).



NYSDEC's Involvement in Offshore Wind Planning and Working Groups

- NYSDEC co-chairs NYSERDA's Fisheries Technical Working Group (FTWG) and participates in NYSERDA's Environmental Technical Working Group (ETWG).
- NYSDEC serves as a technical expert in review of NYSERDA studies, proposals and their offshore wind solicitation process.
- NYSDEC participates in several NYS inter-agency working groups which include sister agencies like DOS, DPS, OGS, NYS Parks and NYSERDA.

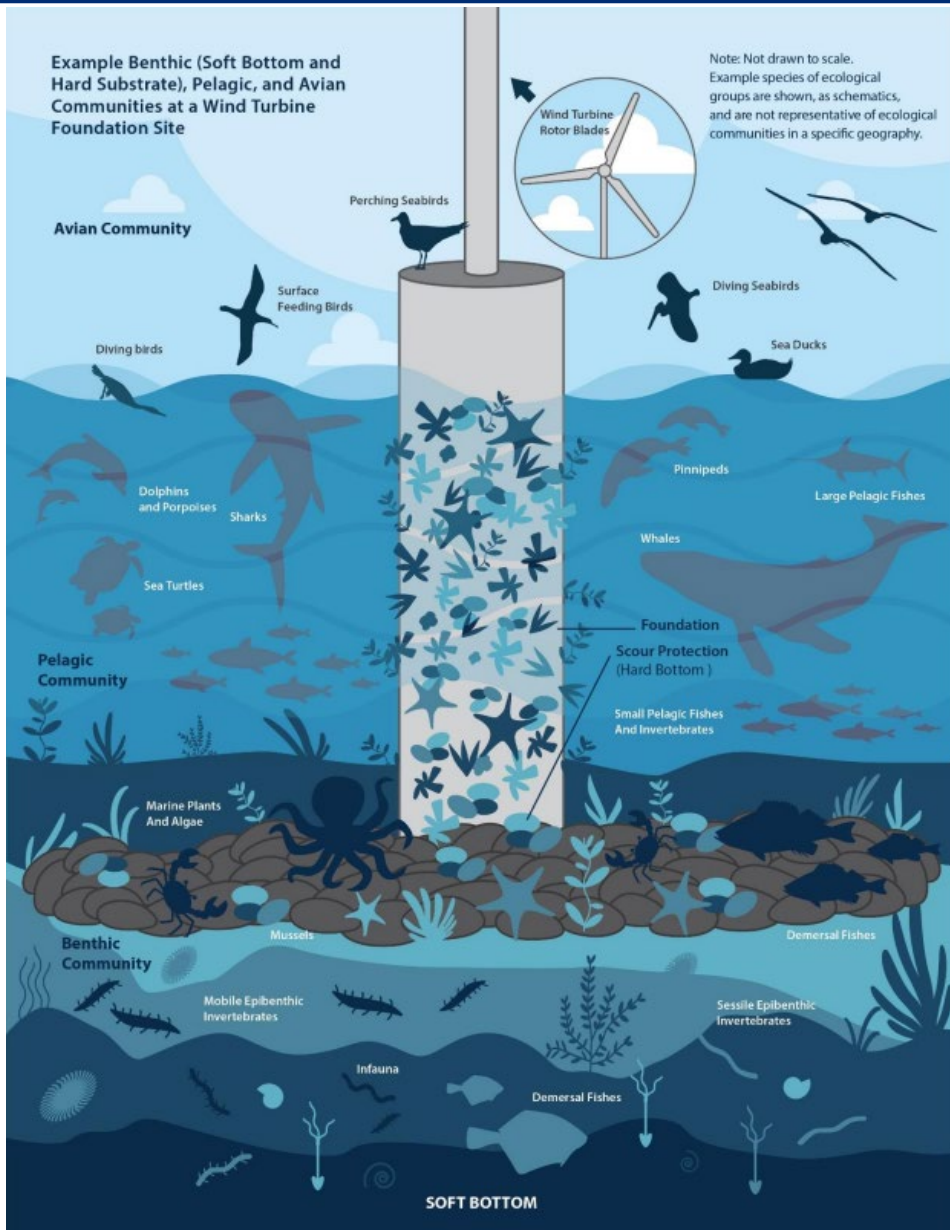
NYSDEC's Involvement in Offshore Wind Project Review

- **BOEM NEPA Reviews** - NYSDEC participates as a NEPA Cooperating Agency for projects that have a connected action in NYS. NYSDEC also works collaboratively with other NYS agencies to develop “one-voice” comment letters to BOEM.
- **Transmission Cables in NYS** – NYSDEC is a statutory party in the Public Service Commission’s Article VII proceedings. In this role, NYSDEC ensures that transmission projects meet the substantive requires of the ECL and its implementing regulations.

Concerns in the Marine Environment

Issues at all stages of development

- Benthic Habitat
- Fisheries
- Marine Protected Species
 - Sturgeon
 - Marine Mammals
- Electromagnetic Fields (EMF)



BOEM: <https://www.boem.gov/sites/default/files/documents/environment/Wind-Turbine-Foundations-White%20Paper-Final-White-Paper.pdf>

Cable Siting Principles

Avoid Sensitive Resources

Offshore - Avoid sensitive resources to the maximum extent practicable, including, but not limited to, hard bottom habitat, cold water corals, submerged aquatic vegetation, emergent aquatic vegetation/marshlands, CEHAs, EMF-sensitive species aggregation areas and migration routes, clam beds, historic areas, T&E species habitat, and areas of potentially significant archaeological resources.

Onshore - Avoid sensitive resources to the maximum extent practicable, including, but not limited to, state and federally regulated wetlands, Federally- or state-listed endangered or threatened species or associated habitat, designated critical habitat, Important Bird Areas, New York City Waterfront Revitalization Program designations, Significant Coastal Fish and Wildlife Habitat, Natural Heritage Communities, conservation and mitigation sites, and areas of potentially significant archaeological resources.

Available Resources



A partnership between SUNY College of Environmental Science and Forestry and NYSDEC. NYNHP facilitates the conservation of rare animals, rare plants, and natural ecosystems, and the reduction of the threat of invasive species to native ecosystems.

<https://www.nynhp.org/>

Available Resources (cont.)

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

DECinfo Locator

DECinfo Locator is an interactive map that lets you access DEC documents and public data about the environmental quality of specific sites in New York State, as well as outdoor recreation information.

With more than 80 data layers available, this is the first application that shows both environmental quality monitoring and natural resource information together in one place.

<https://gisservices.dec.ny.gov/gis/dil/>

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Environmental Resource Mapper

The Environmental Resource Mapper is an interactive mapping application that can be used to identify some of New York State's natural resources and environmental features that are state or federally protected, or of conservation concern.

<https://gisservices.dec.ny.gov/gis/erm/>



Department of
Environmental
Conservation

NYSDEC Contacts

Division of Marine Resources

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Pre-application meetings are highly recommended!

NYSDEC staff are available to meet in the proposal stage to identify sensitive resources and discuss ways to avoid and minimize impacts during cable siting.



Department of
Environmental
Conservation



**Office of Planning
and Development**

New York State Department of State

Agency perspectives for PPTN Information Conference

An Office of New York Department of State

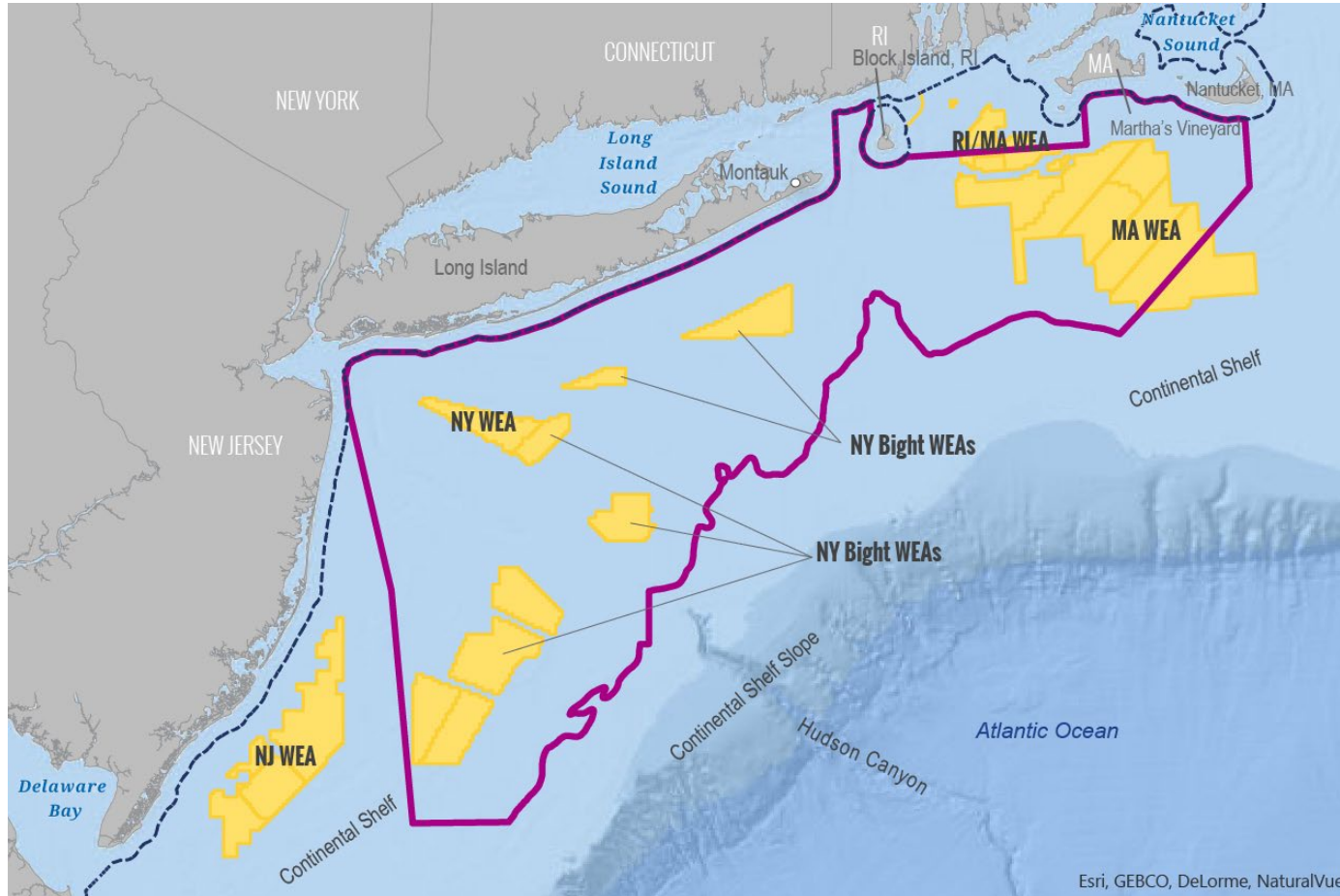
October 25, 2023

DOS plays a critical role in **reinvigorating** the State's **economy** and making its **communities more livable**



Renewable Energy Geographic Location Description (GLD)

<https://dos.ny.gov/projects-outer-continental-shelf>



- A federally-approved tool that grants automatic review of specific activities outside of the State's coastal zone
- Applicable to:
Renewable energy site assessment & construction activities

The NYS Coastal Policies - NYS 44

<https://dos.ny.gov/coastal-management>

Development

Flooding and Erosion

Public Access

Historic & Scenic

Energy & Ice Management

Wetlands

Fish and Wildlife

General (major projects)

Recreation

Agricultural

Water & Air Resources

NYSDOS Geographic Information Gateway

<https://opdgig.dos.ny.gov>



Explore

Easily visualize and explore our collection of geographic data. Visit the content library to search for, use and download data in a variety of formats.



Engage

Access real-time information across the State, such as water quality, tide levels, and beach conditions. View Gateway user stories and share your outdoor adventures.



Learn

Discover case studies, community success stories, and learn how OPDCI uses geographic information to improve planning and decision-making.



Plan

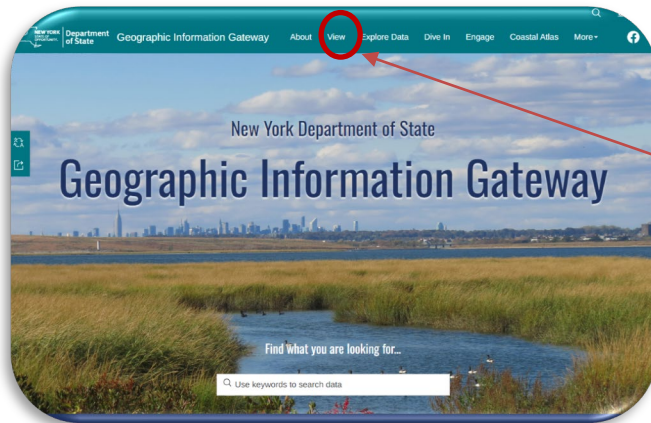
Use the NY Coastal Atlas for planning activities like applying for permits, project Consistency Certification, or learning about your community.



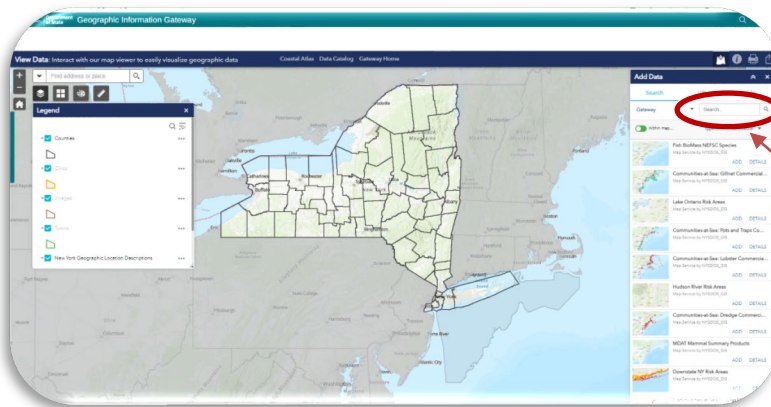
Department
of State

Cable Corridor Constraints Assessment Data

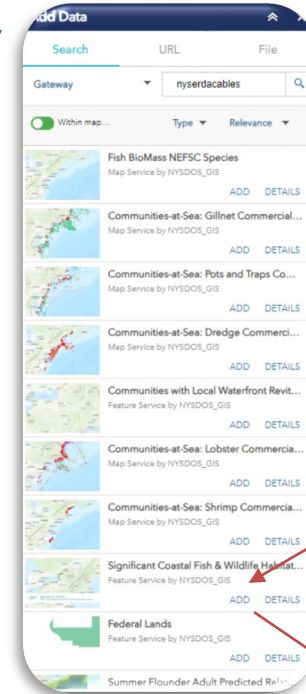
Go to: <https://opdgig.dos.ny.gov>



Click on
"view"



Type:
"NYSERDAcables"



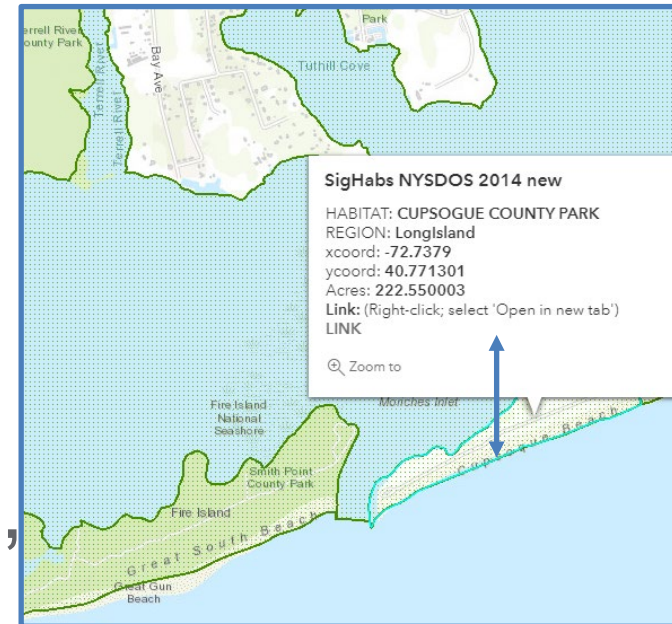
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see data layers



Department of State
Planning, Development
and Community Infrastructure

Significant Coastal Fish and Wildlife Habitats

- Areas designated by DOS upon recommendation by DEC that have special characteristics (200+ statewide)
- Incorporates comments from federal agencies
- The whole habitat is considered, not individual species.



Attachment B:
COASTAL FISH & WILDLIFE HABITAT ASSESSMENT FORM

Name of Area:	Cupsoque County Park
Designated:	March 15, 1987
Date Revised:	December 15, 2008
County:	Suffolk
Town(s):	Brookhaven, Southampton
7 1/2° Quadrangle(s):	Eastport, NY; Mariches, NY

Assessment Criteria	Score
Ecosystem Rarity (ER) – the uniqueness of the plant and animal community in the area and the physical, structural, and chemical features supporting this community. ER assessment: Relatively large segment of undeveloped barrier beach, adjacent to a major inlet; rare in New York State. Geometric mean: $\sqrt{25 \times 404} = 40$.	40
Species Vulnerability (SV) – the degree of vulnerability throughout its range in New York State of a species residing in the ecosystem or utilizing the ecosystem for its survival. (E= Endangered, T= Threatened, SC= Special concern) SV assessment: Piping plover (E, T-Fed), common tern (T), least tern (T) nest. Osprey (SC) foraging and nesting. Additive division: $36+25+25+4+16+8= 56.75$	56.75
Human Use (HU) – the conduct of significant, demonstrable, commercial, recreational, or educational wildlife-related human uses, either consumptive or non-consumptive, in the area or directly dependent upon the area. HU assessment: Used as a study area for a federal wildlife research project in 1982; however, no significant fish or wildlife related human uses prior to or since that study.	0
Population Level (PL) – the concentration of a species in the area during its normal, recurring period of occurrence, regardless of the length of that period of occurrence. PL assessment: Historically one of the largest nesting concentrations of least terns in New York State.	0
Replaceability (R) – ability to replace the area, either on or off site, with an equivalent replacement for the same fish and wildlife and uses of those same fish and wildlife, for the same users of those fish and wildlife.	1.2
R assessment: Irreplaceable.	1.2
Habitat Index: (ER + SV + HU + PL) = 96.75	Significance: (HI x R) = 116.1

Page 1 of 5

NYS Technical Working Groups

Co-designing with communities



NYSDERDA

Environmental



nyetwg.com

Commercial and
Recreational Fishing



nyftwg.com

Maritime



nymtwg.com

Jobs and Supply Chain

Environmental Justice

Pre-bid and Pre-application Meetings are encouraged.

NYSDOS Contacts

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Jennifer Street

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**Department of
Transportation**

NYS Department of Transportation

Mission

"It is the mission of the New York State Department of Transportation to ensure our customers - those who live, work and travel in New York State -- have a safe, efficient, balanced and environmentally sound transportation system."

Preserving Transportation Use of the System is the Priority

It is our responsibility to ensure all uses of the transportation system, which includes approval of secondary non-transportation uses, are in accordance with all laws, regulations and policies.

Utilities should not impact the safety or mobility of the traveling public and goods & services.

Utility Accommodation Resources

WWW.DOT.NY.GOV

Search for “Utility Accommodation” or “HDM Chapter 13”

- [Highway Design Manual \(HDM\) Chapter 13](#) – *Utilities*
- [HDM Appendix 13A](#) - *Accommodation of Utilities within State Highway Right-of-Way*
(a.k.a., the Utility Accommodation Policy or UAP; codified in [17 NYCRR Part 131](#)).
- [HDM Appendix 13B](#) - *Accommodation Plan for Longitudinal Use of Freeway Right-of-Way by Utilities*
(applies to primarily to communication facilities but any exception request for a different type of utility should expect to have to follow these guidelines).
- [HDM Appendix 13C](#) - *Requirements for the Design and Construction of Underground Utility Installations within the State Right of Way*
(a.k.a., the Blue Book).

Onshore Siting Principle & Route Selection

Onshore Siting Principle

“Where possible, use public Rights of Way, transmission corridors, railroad corridors, and/or local, county, and/or State roads or highways that meet permitting requirements and FHWA approval, where applicable.”

- This should not be interpreted to mean all routing options are created equal.
- The use of existing utility corridors should be considered first.
- **The higher the operational level of roadway = The more stringent the rules & review**
 - **Non-Roadway Corridors and Local/County Roads**
Generally, outside of NYSDOT jurisdiction and policies
 - **NYSDOT Roadways Without Controlled Access**
Accommodation of electrical transmission lines is allowed by policy
 - **NYSDOT Roadways With Controlled Access**
Electrical utility accommodation not allowed (by Exception Request only)



'Top 10' Noteworthy Requirements

For longitudinal installation of underground electrical transmission facilities:

- Not under pavement.
- Not in the median. Installation is at edge of ROW in a “utility strip” according to 23 CFR 645.209(v)
(a review of impacts is required before can change location)
- No safety impacts. No above ground features within the clear zone (safety hazard to errant vehicles & maintenance)
- Must not interfere with highway use, future use/expansion, or maintenance
- Should not diminish corridor aesthetics, farmlands, environmentally sensitive areas, or established trees & habitats
- No easements. Must relocate timely upon request. Relocation solely at the cost of the Utility.
- Maintenance access should be from outside ROW. Limited access from shoulders or clear zone.
- Upon request, shall mark, relocate, deenergize or insulate lines to protect workers (Labor Law §202-h)
- Outside the roadway pavement shall have 36" minimum cover below finished grade
- No local service connections



Policy Clarifications

- An Article VII Certificate does not override or waive NYSDOT requirements for engineering and safety elements.
- The Public Service Commission granting of an Article VII Certificate does not create a property right in a road or highway.
- Electrical transmission lines are defined as 'utilities facilities' (see 17 NYCRR § 131.5(z)), and as such are not eligible to be considered 'alternative use' and must be reviewed under the UAP.
- Clean energy related facilities are subject to the same policies and review processes as other utilities.
- All Use & Occupancy Permit requirements must be met, or the permit will not be issued. This includes environmental review & compliance (NEPA/SEQR). For exception requests, must in advance show can meet the permit requirements.
- Utility facilities shall be maintained and protected by and at the expense of the Utility.
- Utility Installations on structures/bridges are restricted (alternatives review required).
- Must maintain Liability, Worker's Compensation and Disability insurances.
- May require payment of annual fair market value rental fees and security deposit.
- U & O Permit is automatically renewed monthly unless cancelled by either party.
- Annual Maintenance Permit (a type of Highway Work Permit) is required.



Exception Requests

- Exceptions are not commonly granted. Should presume an Exception Request will not be authorized.
- Most highways are federally-funded and for these FHWA concurrence is required. (+ NEPA requirements)
- Must demonstrate there are no viable alternate routes.
- Primary focus of the review will be on the impacts to the highway and the viability of any alternate routes.
- Installation costs and ease of construction are a consideration when comparing alternate routes, but the degree to which they are factored into assessments most likely will vary between NYSDOT and the Utility.
- Involves detailed engineering justifications and deliverables (e.g., detailed alternatives analysis, installation plan & schedule, WZTC plan, operation & maintenance plan, capacity & projected demand information, terms for use by others, & occupancy payment plan.).
- The exceptions review process can be lengthy without a guaranteed outcome of approval for an exception. The process frequently involves several iterations/re-submittals during the alternatives analysis.
- Exceptions are subject to a higher level of scrutiny (safety, impacts, etc.).



NYSDOT Contacts

For Utility Accommodation

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**Department of
Transportation**



**Office of
General Services**

State Asset and Land Management

Siting Principles Overview

October 25, 2023

OGS- Siting Principles

Background:

The Office of General Services (OGS) holds title to the bed of numerous bodies of water in trust for the people of the State of New York. Installation of the transmission cable in State-owned land requires a State Submerged Lands Easement from OGS. Easements for cables are for 25 years and the standard width is 30 feet. The easement fee, which is \$26.12 per lineal foot for 2023, is adjusted annually on April 1 based on the United States Department of Labor consumer price index.

Process:

Applicants coordinate with OGS on State ownership boundaries during the Article VII process. **Once the PSC grants approval, and other agencies approve plans or issue permits, including USACE, applicants may submit their application for an easement to OGS.** After review and approval, OGS will issue a permit for construction and collect half of the estimated fee for the easement. After construction, applicants submit an as-built survey and legal description for approval by OGS. Once OGS collects the remaining fee based on the as-built survey, the easement is finalized and recorded.

OGS- Siting Principles

Rules and Regulations:

- New York Public Lands Law, Article 2, Section 3
- 9 NYCRR Part 271

Complete Application: Requires a completed application for use of land underwater, which includes:

- Design plans approved by all involved agencies
- Certified copy of deed(s) of applicant's adjacent upland or consent of owner of such adjacent upland with a certified copy of the deed(s)
- Copy of adjoining shorefront deed(s) and tax map section
- Duplicate copy of permit/letter issued by U.S. Army Corps of Engineers (USACE)

Contact:

Email: Land.Management@ogs.ny.gov

Phone: 518-474-2195



New York State
Parks, Recreation and
Historic Preservation

We'll see you out there

Office of Parks, Recreation and Historic Preservation

Agency Mission

- State Parks oversees more than 250 parks, historic sites, recreational trails, golf courses, boat launches and more.
- The mission of State Parks is to provide safe and enjoyable recreational and interpretive opportunities for all New York State residents and visitors and to be responsible stewards of our valuable natural, historic and cultural resources.
- State Parks grant easements and licenses for the use of State parkland for electric power transmission pursuant to PRHPL §13.06.
- Within State Parks, is the Division of Historic Preservation/State Historic Preservation Office (SHPO), which helps communities identify, evaluate, preserve, and revitalize their historic, archeological, and cultural resources. The SHPO also consults and administers programs authorized by both the National Historic Preservation Act of 1966 and the New York State Historic Preservation Act of 1980.



Transmission Easements on State Park Land

- **Proposed transmission on State Parks Land involves review and approvals by several State Parks divisions, including:**
 - **Regional Office**
 - **Division of Environmental Stewardship & Planning**
 - **Counsel's Office**

These reviews/approvals are separate and distinct from SHPO's consultative role in evaluating impacts on cultural resources for transmission projects proposed anywhere in New York State including on State Parks Land.

- **Parkways are owned by State Parks but managed and maintained through an agreement with NYSDOT, which would require another level of review and approval.**



Transmission Easements Siting Concerns

- **Avoid State Park Land when possible.**
 - When State Park Land is being considered for routing, surface disturbances that interfere with park operations should be avoided or minimized (Staging areas, splicing vaults, heavy equipment access).
 - In addition to an easement, an access or construction permit may be necessary.
 - Routing along and under “Parkways” involves NYSDOT’s own siting guidelines, concerns and approvals.
- **HDD is a preferred method of installation if State Park Land cannot be avoided.**
 - Archeology may be an issue even with the use of HDD.

NPS's Land & Water Conservation Fund (LWCF)

- Both State and Municipal Parks and Recreation Areas that have received federal LWCF funds must be maintained in **public outdoor recreation use in perpetuity. (Section 6(f) of the LWCF Act)**
- The boundaries of LWCF parks are “**Section 6(f)-Mapped**”.
- Using an LWCF park for *other than public outdoor recreation uses* triggers the “**Conversion**” process.
 - Conversion requires the grant recipient to purchase replacement land to dedicate to public outdoor recreation (park) use.
 - Costs associated with conversions are generally passed on to the transmission developer.
- State Parks acts as the NPS liaison for State and municipal parks that have received LWCF funds.

Division of Historic Preservation/ State Historic Preservation Office (SHPO)

The Historic Preservation Acts & SEQRA

*Under Section 106 of the National Historic Preservation Act and Section 14.09 of the New York State Historic Preservation Acts, the NYSHPO's role in the review process is to ensure that effects or impacts on eligible or listed properties are considered and avoided, minimized or mitigated during the project planning process. In addition, the SHPO advises local communities on local preservation environmental reviews, upon request, under the provisions of the **State Environmental Quality Review Act**.*

Summary:

The NYSHPO reviews Federally & State funded, licensed, and permitted projects for the potential effect to historic and cultural resources, including New York Public Service Commission Article VII projects.



New York State
Parks, Recreation and
Historic Preservation

SHPO | How do we manage projects and data?



SHPO | CRIS Cultural Resource Information

1. Historic Resource Inventory Forms
 2. Survey District Reports
 3. Determination of Eligibilities
 4. Architectural Survey Reports
 5. National Register Nominations
 6. Areas of Archaeological Sensitivity (Buffered Archaeological Site Information)
- Project review is conducted via CRIS and the NYSHPO generally responds in less than 30 days.
 - We recommend submitting your project early in the planning process so we can assist you in avoiding historic and cultural resources.
 - Quest Users can submit projects/No CRIS Account Needed





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NYC Interconnection Guidance

OCTOBER 24, 2023

Five Borough Perspective

- Recognize and support importance of transmission capacity both for advancing offshore wind, making our infrastructure more reliable, and decarbonizing our grid
- Established a NYC Transmission Permitting Task Force led by City Hall exists to ensure smooth coordination among City Agencies
- **Early Communication**
- Be aware of timelines and processes required to engage with City (i.e. Uniform Land Use Review Procedures, the NYC Charter, the Rules of the City of New York, NYC Zoning Code, etc.)

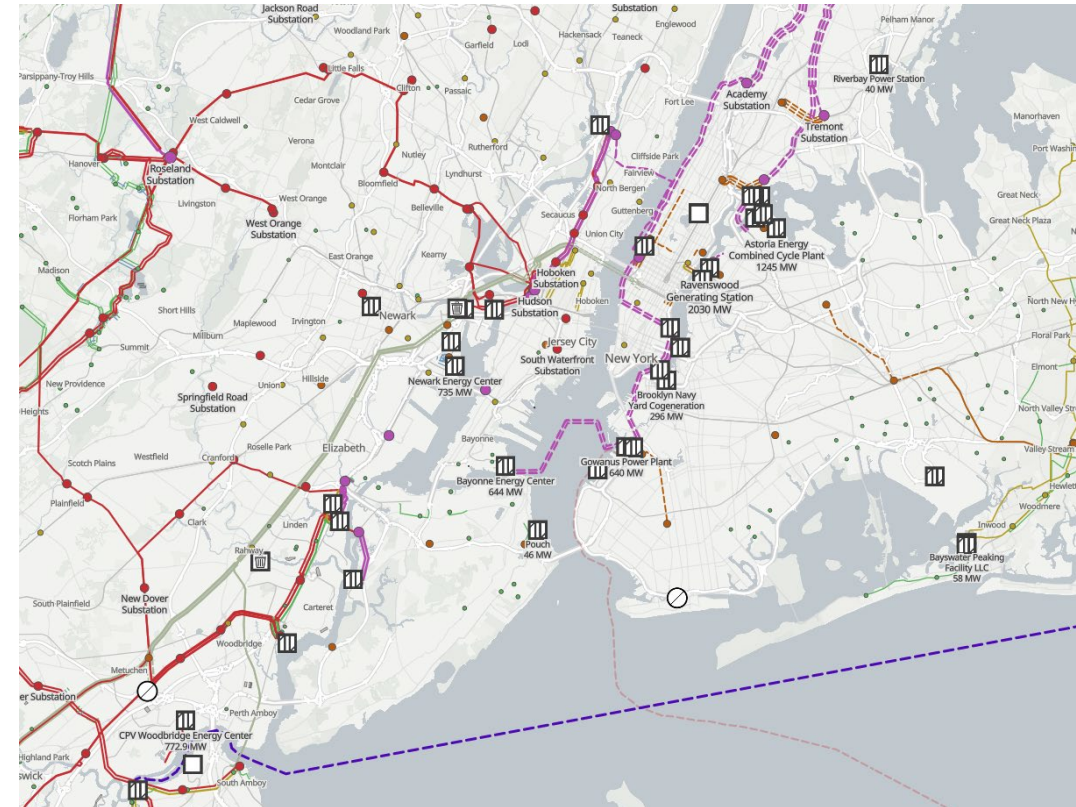
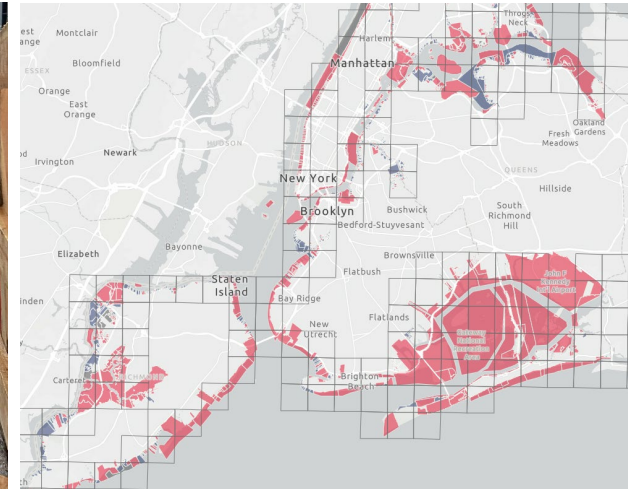
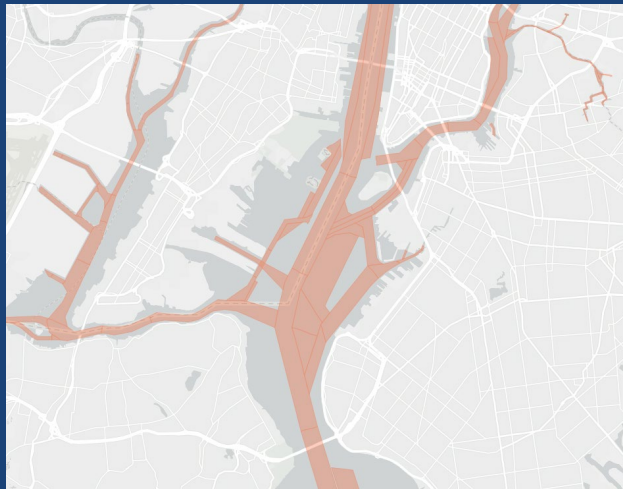


Image courtesy of **Open Infrastructure Map**, openinframap.org

How to understand various roles of the City in the transmission equation

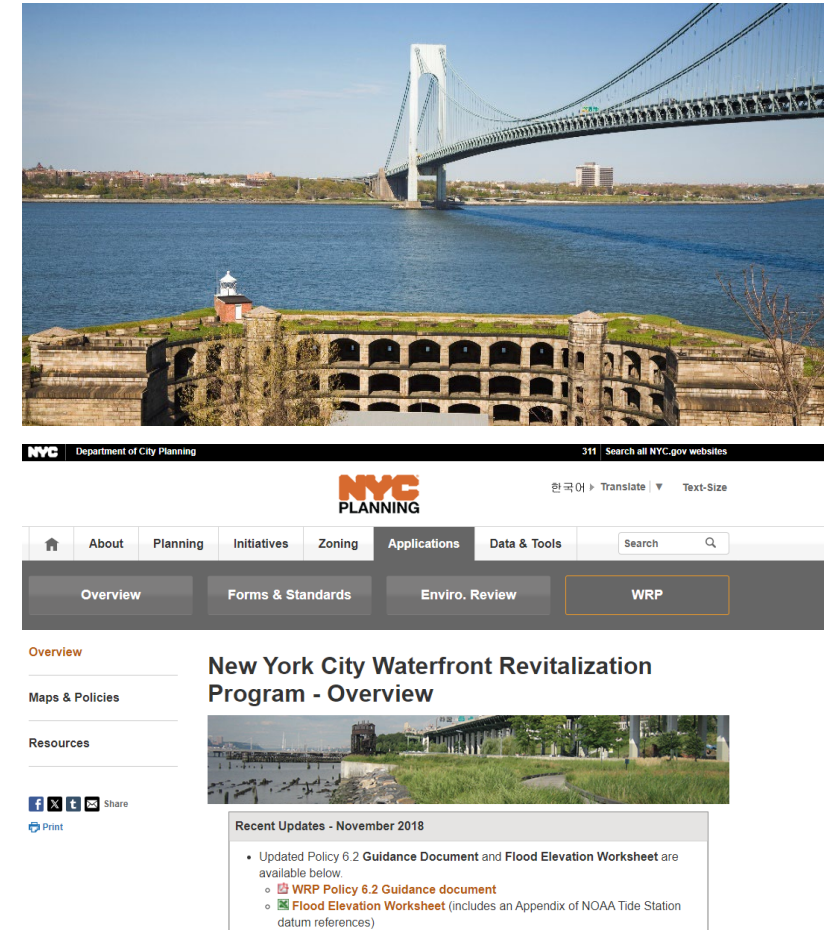
- Offshore wind planning and maritime industry support
 - Landlord for certain offshore wind related property
- City owned property
 - Revocable Consents (RC)
 - Streets
 - City Owned Lands Under Water and other property
 - Caution regarding transmission using Park Land
 - Permanent Surface Uses
 - Agency by agency / city instrumentality by city instrumentality

NYC's Role in the NYC PPTN



Cont'd - NYC Role in transmission

- Mayors Office of Climate and Environmental Justice
 - NYC energy policy
- Department of Citywide Administrative Services
 - NYC energy policy, energy budget and utility accounts, and energy bills and use reporting
- Department of Transportation
 - Administers revokable consents and manages right of way
- Department of City Planning
 - Local Waterfront Revitalization Program
- City Maritime Operations (DSNY, DEP, FDNY, DOT, NYPD, EDC)
- Department of Environmental Protection
- Mayors Office of Environmental Coordination
 - Coordinates environmental reviews that implicate multiple city agencies
 - If city must take a land use action should be coordinated with CEQR manual
- City Law Lead coordinator on Article VII



Contacts

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NYC Department of Citywide Administrative Services

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New York City Economic Development Corporation

- Max Taffet, Senior Vice President of Offshore Wind & PortNYC Planning – mtaffet@edc.nyc



Mayor Adams and Admin team at a NYC ground breaking

Open Q&A From Proposers