

**PSEG LONG ISLAND LLC**  
**On Behalf of and as Agent for**  
**the LONG ISLAND POWER AUTHORITY f/k/a LONG ISLAND**  
**LIGHTING COMPANY d/b/a LONG ISLAND POWER AUTHORITY**

**COMMERCIAL AVENUE EQUIPMENT PROJECT**  
**CASE 25-T-0243**

**TERMINAL**  
**ENVIRONMENTAL MANAGEMENT AND CONSTRUCTION PLAN**

**Narrative**

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# 1. FACILITY LOCATION AND DESCRIPTION<sup>1</sup>

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On April 16, 2025, PSEG Long Island LLC, on behalf of and as Agent for the Long Island Power Authority (LIPA) f/k/a Long Island Lighting Company (LILCO) d/b/a Long Island Power Authority, a wholly-owned subsidiary of the Long Island Power Authority (PSEG Long Island or the Certificate Holder)<sup>2</sup>, filed an Article VII Amendment Application (the Application) to Case 26333, a Certificate of Environmental Compatibility and Public Need (the Certificate) pursuant to Article VII of the Public Service Law (PSL) filed January 11, 1973, with the New York State Public Service Commission (NYSPSC or Commission) for an amended Certificate pursuant to Article VII of the Public Service Law seeking authorization for the Commercial Avenue Equipment Project (Project). The Project includes the installation of two sets of three single phase air-core reactors and modifications to two existing high pressure fluid filled (HPFF) electric transmission lines, one of which was certified under Article VII of the PSL in Case 26333, in the Town of Hempstead, Nassau County, New York.

On September 19, 2025, the NYSPSC issued an Order Approving Amendment in which the Commission approved the petition to amend the Certificate to allow the Certificate Holder to proceed with the Project. On November 14, 2025, the NYSPSC issued an Order Providing Clarification stating that the NYSPSC clarifies that the portion of Line 138-462 included in the Amendment Application has been brought under the Commission’s Article VII jurisdiction and, accordingly, part of the underlying Certificate.

The Certificate Holder respectfully submits this Environmental Management and Construction Plan (EM&CP) for the construction, operation, and maintenance of the parcel and equipment that comprise the Commercial Avenue Terminal (Terminal). This EM&CP was developed in accordance with the Original Certificate Conditions provided by the NYSPSC in the original Certificate to Case 26333, the Amended Certificate Conditions provided in the September 19, 2025, NYSPSC filing, and the Specifications for the Development of the Environmental Management and Construction Plan (EM&CP Specifications) issued for a recent Article VII project by the same Certificate Holder (See Attachment 2 – Specifications for the Development of the Environmental Management and Construction Plan)<sup>3</sup>.

Further EM&CP(s) will be submitted for the remaining Project activities, including termination of the subject HPFF (High Pressure Filled Fluid) electric transmission lines into the Terminal facility addressed in this EM&CP.

The Project must be installed by May 2028 for the Certificate Holder to continue to maintain a safe, robust, and reliable system, and remain in compliance with mandatory federal regulations.

## 1.1 Utility Rights-of-Way Usage and Franchising Rights

The Long Island Power Authority is a corporate municipal instrumentality of the state, a body corporate and politic and political subdivision of the state, exercising essential governmental and public powers. To carry out its essential governmental purposes, LIPA (through its agent PSEG Long Island) is required solely

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<sup>1</sup> This section addresses EM&CP specification A1.

<sup>2</sup> All terms are defined in Attachment 1 – Glossary of Terms.

<sup>3</sup> The specifications used were provided in the Joint Proposal for Case 24-T-0113.

to “apply to the appropriate agencies and officials of the federal and state governments for such licenses, permits or approval of its plans or projects as it may deem necessary or advisable...” See Public Authorities Law § 1020-g(e). LIPA currently has statutory and municipal franchise rights which allow it to install permanent electric facilities in roadways along the general alignment of the proposed route of the Project. While LIPA is exempt from the jurisdiction of local municipalities, it consults with those municipalities having jurisdiction over roadways within the project route to assess compliance with the substantive local requirements that would otherwise be applicable to a major utility transmission facility. While these consultations resulted in commitments by the Project, these commitments should not be construed or interpreted as either LIPA or PSEG Long Island agreeing to subject itself to the jurisdiction of any county or local municipality, waive its exemption from such jurisdiction, or waive or forfeit any other right to which it is entitled under the law.

## **1.2 Certified Project**

The Project certified under the amended Certificate (Certified Project) modifies the existing certified 138kV (Kilovolt) HPFF Line 138-463<sup>4</sup> to connect it to new equipment on a LIPA-owned property to be referred to as the “Commercial Avenue Terminal” (Terminal), on the northwest corner of the intersection of Commercial Avenue and Quentin Roosevelt Boulevard in the Town of Hempstead, Nassau County. An identical modification will be made to Line 138-462, a second 138kV HPFF underground transmission line between Stewart Avenue Substation and Newbridge Road Substation, which runs parallel to Line 138-463. Line 138-462, which was built before 1970, is not Article VII certified. The need to modify Line 138-462 is the same as the need to modify Line 138-463.

New equipment to be installed at the Terminal includes two sets of three, single phase air-core reactors that will serve to regulate Lines 138-463 and 138-462.

The permanent rights-of-way (ROW) of the two circuits will be maintained under the LIPA franchising rights extending edge-to-edge of the surveyed public roadway ROW. The entire parcel that will house the equipment will be a permanent part of the Project.

The limits of disturbance (LOD) for the Terminal will encompass the Terminal parcel and a portion of Commercial Avenue, as depicted in Appendix A – Plan & Profiles (P&P). The Terminal parcel contains approximately 1.2 acres; the LOD for the Terminal construction encompasses approximately 2.40 acres. The Project will utilize the site and an existing PSEG Long Island facility for laydown areas.

The Project does not include any mid-span splices or new splice vaults.

### ***1.2.1 Agency and Stakeholder Input***

Project members toured the Certified Project with the New York State Department of Public Service (NYSDPS) on June 17, 2025 and held various meetings with Town and County officials starting in April 2025 to receive input regarding the Certified Project and planned construction and restoration. No major concerns were raised.

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<sup>4</sup> See the Project’s Transmission Line EM&CP for interconnection design details.

### 1.2.2 *Real Property*<sup>5</sup>

The Terminal will be constructed on a LIPA-owned parcel at the corner of Commercial Avenue and Roosevelt Quentin Boulevard. The parcel is currently a vacant lot with a mix of gravel and impervious asphalt surfacing.

No buildings or structures will be acquired, demolished, moved, or removed as part of the Project.

No gas-insulated equipment will be installed as part of the Project.

**Table 1. Property Rights Necessary for Construction**

Name	Location	Project Use	Current Use	Property Rights
<b>Commercial Avenue Terminal</b>	99-200 Commercial Avenue, Hempstead, New York 11530	Permanent Terminal installation	Empty, graveled and paved area	LIPA-owned
<b>PSEG Long Island Hicksville Facility</b>	175 East Old Country Road, Hicksville, New York 11801	Laydown area	Utility storage	LIPA-owned
<ul style="list-style-type: none"> <li>• See Section 7.2.13.2: Access Roads, Laydown Areas and Workpads for more information.</li> <li>• See Section 1.1: Utility Rights-of-Way Usage and Franchising Rights for information on the use of public roadways.</li> </ul>				

### 1.2.3 *ROW Encroachment Plan*<sup>6</sup>

There are no encroachments within the Terminal parcel; thus, no ROW encroachment plan is necessary for activities covered by this EM&CP.

### 1.2.4 *Design Criteria*

The Project's single phase air-core reactors will regulate the power on the existing 138-462/463 lines. Work at the Terminal parcel will include installation of underground terminations, H-Frame bus supports, line disconnect switches, surge arrestors, and associated bus.

Based on a preliminary assessment, the following is a list of the major equipment to be installed within the Terminal:

- Two sets of three single phase, air-core reactors, for a total of six individual reactors, with associated structure and foundations;
- Four 138kV H-Frame bus support structures, with associated foundations;
- Two 138kV gang-operated three phase line disconnect switches mounted to H-Frame bus support structures;
- Four 138kV underground termination structures and associated foundations; and

<sup>5</sup> This section addresses EM&CP specification A19.

<sup>6</sup> This section addresses EM&CP specification A20.

- Six 138kV single phase surge arrestors, mounted to underground termination structures.

Other required equipment and activities include the following:

- Crushed rock installation;
- Grounding, conduits, and control cables;
- New fence (following removal of existing fence); and
- Stormwater drainage.

## 2. FULFILLMENT OF CERTIFICATE CONDITIONS

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### 2.1 Original Certificate Conditions

The following Certificate Conditions are from the original Case 26333 Order Granting Certificate of Environmental Compatibility and Public Need, released January 11, 1973. These Certificate Conditions are applicable to the amendment project, Case 25-T-0243, the Commercial Avenue Equipment Project.

1. Subject to the conditions set forth in this order, Long Island Lighting Company is granted a certificate of environmental compatibility and public need for the construction of a 138kV underground transmission facility between its East Garden City and Newbridge Road substation in the Town of Hempstead, County of Nassau, along the route shown in Exhibit No. 2 of the application filed September 18, 1972.

*Response: The Certificate Holder has complied with the condition in the original Case 26333.*

2. The certificate hereby granted shall be effective for construction during the period commencing 30 days after the date of issuance of this order and ending December 31, 1977.

*Response: The Certificate Holder has complied with the condition set out in the original Case 26333. The amendment, described in this EM&CP, is planned to be completed by the summer of 2028.*

3. The width of the excavation shall be limited to that necessary for construction.

*Response: The Certificate Holder will comply.*

4. No pesticides or herbicides shall be used in the construction and maintenance of the facility.

*Response: The Certificate Holder will comply.*

5. All significant trees (over 2” caliper) and shrubs (over 4 feet in height), regardless of where located, which are damaged or destroyed during clearing or construction of the facility shall be replaced with trees and shrubs as nearly equivalent as possible, except where such trees or shrubs would interfere with the operation and maintenance of the facility, or where the property owner of the land where said trees or shrubs were located declines replacement.

*Response: The Certificate Holder will comply.*

6. The company shall cooperate with the Nassau County Department of Recreation and Parks in the construction and maintenance of the proposed facility and the restoration of the right-of-way within the confines of Eisenhower Park. The company shall commence and complete construction within the park between the months of November to March inclusive unless a time extension is granted by the Commission upon application of the company; shall properly secure and protect all fence opening at the end of each day’s work; and shall furnish in the name of the County of Nassau, contingent liability and contingent property damage insurance policies to protect the County against claims arising from construction by Long Island Lighting Company within the park in addition, the company shall given the Nassau County Department of Recreation and Parks at least 30 days notice prior to the actual commencement of construction within the confines of Eisenhower Park.

*Response: The Certificate Holder will comply.*

7. The company shall cooperate with the Long Island State Park Commission in the construction and maintenance of the proposed facility, the restoration of the right-of-way, and the maintenance of adequate safety measures within the taking lines of Meadowbrook State and Wantagh State Parkways. The company shall undertake to save the People of the State of New York harmless for any claims arising out of construction within the taking lines of either parkway. In addition, the company shall give the Long Island State Park Commission at least 30 days notice prior to the actual commencement of construction within the taking lines of either parkway.

*Response: The Certificate Holder will comply.*

8. The company shall not commence preparation of the right-of-way for construction, unless the company shall have filed and received commission approval of an Environmental Management and Construction Plan. The plan shall be filed not less than thirty days before the intended commencement of site preparation. The plans shall, as a minimum, specify in detail design drawings, scale 1-inch to 100 feet, and in accompanying text:
  - a. The boundaries of the transmission line right-of-way by center-line description and its relationship to residences, highways, water bodies and other significant features or obstacles;
  - b. The geographic limits of construction work;
  - c. The location, depth and width of the pipe trench;
  - d. The location on the right-of-way of manholes constructed in conjunction with the line;
  - e. The location of all construction access and permanent maintenance roads;
  - f. The location of any area where pavement, curbs or sidewalks will have to be removed, the manner of replacement and the precautions that will be taken by the company to maintain a safe condition for vehicular and pedestrian traffic to assure a smooth and expeditious flow of such traffic during the construction period;
  - g. The location of areas which will require the clearing of ground cover or other forms of vegetation, including a description of the extent of such clearing and steps shall be taken to minimize erosion and restore the construction corridor to a condition compatible with previous appearance;
  - h. The location of any significant tree (over 2" in caliper) beneath which trenching is to be undertaken and the detailed method of trenching between or beneath the tree roots;
  - i. The location of any area in the construction corridor in which erosion control will be necessary and the measures to prevent or minimize erosion in those areas;
  - j. The manner and location of storage, and precautions to be taken to avoid spillage of fuels, chemicals, or similar substances along the right-of-way;
  - k. The manner of removal and disposal of all debris, including cleared vegetation and soils from the right-of-way;
  - l. The proposed plan for the supervision of clearing and construction personnel to assure compliance with the spirit and provisions of the order; and
  - m. The program for restoration and maintenance of the right-of-way, after construction, with particular emphasis monitoring restoration of vegetation through a growing season.

*Response: The Certificate Holder will comply.*

- 9. Within one year after the completion of the certified transmission facility, the company shall file a status report with the Commission finishing, where applicable:
  - a. Evidence of compliance with the environmental conditions of this order; and
  - b. A statement of any complaint received by the company pertaining to the environmental impact of any construction or post-construction practice and the manner to which the company responded to such complaint.

*Response: The Certificate Holder will comply.*

- 10. This order shall become final thirty days from the date of its issuance, unless application for rehearing shall be filed, as provided by Section 22 of the Public Service Law, and failure by the company to file such an application shall constitute acceptance of this certificate. In acknowledgment of acceptance of this certificate, a copy of this order shall be signed on behalf of the company and returned to the Commission within forty-five days from the date of issuance of this order.

*Response: The Certificate Holder has complied with the condition in the original Case 26333.*

- 11. These proceedings are continued.

*Response: No response necessary.*

**2.2 Amended Certificate Conditions**

The following Certificate Conditions are from the Order Approving Amendment of Case 25-T-0243 Amendment to the Certificate of Environmental Compatibility and Public Need Issued in Case 26333. The Order was issued on September 19, 2025.

- 1. PSEG Long Island on behalf of Long Island Lighting Company d/b/a Long Island Power Authority’s (the Applicant) request to amend the Certificate of Environmental Compatibility and Public Need issued January 11, 1973, in Case 26333, is approved pursuant to Public Service Law §122(4), as discussed in the body of this Order for the change to the description of the major transmission facility.

*Response: The Certificate Holder acknowledges this statement.*

- 2. The Certificate of Environmental Compatibility and Public Need issued January 11, 1973, in Case 26333 is amended to add the following conditions:
  - c. The Certificate Holder shall regard Department of Public Service (DPS) staff (authorized pursuant to PSL §8) as the Commission’s representatives in the field. In the event of any emergency resulting from specific construction or maintenance activities that violate or may violate the terms of the Certificate or any other order in this proceeding, such DPS staff representatives may issue a stop work order for that location or activity.
  - d. The Certificate Holder shall employ the following procedures for any proposed changes to the Commission-approved environmental management and construction plan (EM&CP):

- i. The Certificate Holder shall submit a written report of any proposed changes (each a “Notice of Change”) to the approved EM&CP to DPS staff. DPS staff will refer any Notice of Change that will not result in any increase in adverse environmental impacts or are not directly related to contested issues decided during the proceeding to the Chief of the Transmission Siting Section of the Office of Renewable Energy Siting and Electric Transmission (or equivalent position) (“Chief of Transmission Siting”) or their designee for approval (each a “Minor EM&CP Change”). A DPS Staff representative may verbally approve a Minor EM&CP Change in the field for emergency situations requiring immediate attention, prior to receiving written confirmation and approval by the Chief of Transmission Siting or their designee. DPS Staff will refer all other Notices of Change to the Commission for approval.
- ii. Upon being advised that DPS Staff will refer a Notice of Change to the Commission, the Certificate Holder shall notify all parties. The Certificate Holder shall also notify property owners whose property is affected by the proposed change by first class mail, and if the names and mailing addresses are known to the Certificate Holder, residents (if different from the owners) by first class mail. The Certificate Holder shall also give such notices to residents of apartment buildings with multiple separate dwelling units by affixing such notices to the main publicly accessible doors of such buildings or by prominently posting same in other common areas of such buildings as permitted by the owners. The notice shall: (1) describe the original conditions and the requested change; (2) state that documents supporting the request are available for inspection at specified locations, (3) state that persons may comment by writing or calling (followed by written confirmation) to the Commission within twenty-one (21) days of the notification date, and (4) provide instructions for electronic filing of comments.
- iii. The Certificate Holder shall not execute any proposed change until it receives written approval from the Chief of Transmission Siting or their designee, or the Commission, or verbal approval as described above, except in emergency situations threatening personal injury, property damage, or severe adverse environmental impact, or as specified in the approved EM&CP.

*Response: The Certificate Holder will comply.*

3. All other requirements of the Certificate and the approved Environmental Management and Construction Plan shall remain in effect.

*Response: The Certificate Holder acknowledges this condition.*

4. Within six months of the completion of the replacement work, the Applicant will provide “as-built” drawings for the entire Facility, including the new structure.

*Response: The Certificate Holder will comply.*

5. This proceeding is continued.

*Response: No response necessary.*

### 3. FULFILLMENT OF ENVIRONMENTAL MANAGEMENT AND CONSTRUCTION PLAN SPECIFICATIONS

Table 2 addresses EM&CP requirements within the Specifications for the Development of the Environmental Management and Construction Plan (Attachment 2). Table 2 provides the location of information that fulfills applicable requirements and a justification for non-applicable requirements.

**Table 2. Demonstrated Compliance with the Specifications for the Development of the Environmental Management and Construction Plan**

Specification	Location
<b>Section A</b>	
A1. Facility Location and Description	Section 1
A2. Vegetation Clearing and Disposal Methods	Section 8.2.10
A3. Soil, Sediment, and Stone Handling	Section 5.2
A4. Wetlands, Streams, and Other Waterbodies	Section 6.3.2
A5. Wetland and Waterbody Restoration	Section 6.2.2.1
A6. Stream Crossings	Section 6.2.2.2
A7. Agricultural Areas	Section 6.4
A8. Sensitive Land Uses	Section 6.5
A9. Cultural and Scenic Resources	Section 6.6
A10. Access Roads, Lay-down Areas and Workpads	Section 8.2.12.2
A11. Ecological and Environmentally Sensitive Sites	Section 6.2
A12. Invasive Species	Section 6.7
A13. Herbicides	Section 8.2.8
A14. Fugitive Dust Control	Section 8.2.9
A15. Blasting	Section 8.2.5
A16. Environmental Supervision	Section 6.1
A17. Clean-up and Restoration	Section 8.3.1
A18. Visual Impact Mitigation	Section 8.3.1.3
A19. Real Property	Section 1.3
A20. ROW Encroachment Plan	Section 1.4
A21. Safety and Security	Section 5.1
A22. Electric and Magnetic Fields	Section 10
A23. In-Water Facilities	Section 8.2.6
<b>Section B</b>	
All requirements under this section are fulfilled by Appendix A unless otherwise noted in Table 4 in Section 10.2, Fulfillment of Environmental Management and Construction Plan Specification Section B.	

**Table 2. Demonstrated Compliance with the Specifications for the Development of the Environmental Management and Construction Plan**

Specification	Location
<b>Section C</b>	
C1. Stormwater Pollution Prevention Plan	Specification addressed in Appendix B.
C2. Emergency Response Plan	Specification addressed in Appendix C.
C3. Complaint Management and Resolution Plan	Specification addressed in Appendix D.
C4. Cultural Resources Avoidance, Minimization, and Mitigation Plan	Specification addressed in Appendix E.
C5. Construction Noise Control Plan	Specification addressed in Appendix F.
C6. Drainage System Repair Plan	No agricultural land was identified within or adjacent to the LOD; no impact to farm drainage systems is anticipated. No Drainage System Repair Plan is included in this EM&CP.
C7. Dewatering Plan	Specification addressed in Appendix G.
C8. Highway Work Plan	No work is occurring within a highway ROW. No Highway Work Plan is included in this EM&CP.
C9. Maintenance and Protection of Traffic Plan	Specification addressed in Appendix H.
C10. Threatened and Endangered Species Minimization and Monitoring Plan	Specification addressed in Appendix I.
C11. Wetland Mitigation Plan	No wetland impact is anticipated. No Wetland Mitigation Plan is included in this EM&CP.
C12. Stream Crossing Plan	No stream crossings are planned. No Stream Crossing Plan is included in this EM&CP.
C13. Inadvertent Returns Plan	No horizontal directional drilling is planned, therefore no inadvertent returns are anticipated, and an Inadvertent Returns Plan is not included in this EM&CP.
C14. Quality Control Plan	Specification addressed in Appendix J.
C15. Invasive Species Management and Control Plan	Specification addressed in Appendix K.
C16. Long-Range ROW Management Plan	Specification addressed in Appendix L.
C17. Spill Prevention Control and Countermeasures Plan	Specification addressed in Appendix M.
C18. Geotechnical Engineering Report	Specification addressed in Appendix N.
See Attachment 2 for the full Specifications for the Development of the Environmental Management and Construction Plan.	

## 4. PROJECT PERSONNEL

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The Project personnel responsible for continued compliance with the Certificate include PSEG Long Island (the Certificate Holder) and its Contractors.

The Certificate Holder is ultimately responsible for adherence to the Certificate. Assigned personnel will interface directly with contractors, key regulatory agencies, and stakeholders. All field personnel will be equipped with sufficient documentation, transportation, and communication equipment to effectively monitor contractor compliance with the provisions of the Certificate, applicable sections of the Public Service Law, Environmental Conservation Law, and this Terminal EM&CP. All personnel must adhere to the Certificate, the Terminal EM&CP, and all Project health and safety measures. Personnel are responsible for upholding compliance relevant to their position. The identified roles apply to the construction of the Project and, as applicable, site restoration. Identified supervisors are expected to work full-time on the Project.

### 4.1 Project Teams

During construction, there will be three main teams: Compliance, Construction, and Engineering. Personnel may exist across multiple teams. All teams are expected to effectively intercommunicate. Teams will be comprised of the Certificate Holder team members and/or contractors. All teams will report on their applicable responsibilities to the Project Manager, as described in Section 4.2.3: Project Manager.

The Compliance Team will be responsible for tracking compliance throughout the life of the Project. Team members include the Environmental Compliance Manager, the Safety Manager, and the Environmental Monitor.

The Construction Team will be responsible for managing the construction methods, sequencing the Project, and maintaining compliance with this EM&CP. Team members include the Construction Project Manager or Construction Supervisor.

The Engineering Team will help certify that the Project is built in compliance with the designs submitted as part of the approved EM&CP. Team members include the Engineering Manager.

### 4.2 Personnel

During periods of relative inactivity on the Project, the Certificate Holder may temporarily decrease the number of hours worked by inspectors and the extent of their presence at the Project site commensurate with the decline in Project activity.

All personnel on the Project have the right and obligation to stop work if unsafe work practices or environmental damage may occur in their presence, without retribution.

#### 4.2.1 Safety Manager

The Safety Manager will oversee Contractor safety in accordance with the Certificate Holder's safety requirements. Typical duties will include auditing and inspecting work areas and reviewing submittals. The Safety Manager will lead safety meetings and conduct safety orientation training sessions. The Safety Manager will also oversee traffic safety to prevent or limit traffic disruptions to the surrounding area and

assist the Environmental Monitor in verifying the Project's compliance with traffic safety measures as set in the Certificate and detailed in Appendix H – Maintenance and Protection of Traffic Plan (MPT). This role will also oversee that signs are installed in compliance with the New York State Department of Transportation (NYSDOT) Manual of Uniform Traffic Control Devices and any commitments to municipalities or other stakeholders. When Project activity requires closing a lane of traffic (e.g., during equipment delivery), the Safety Manager will verify that the Contractor's use of flaggers is consistent with the MPT.

#### **4.2.2 Safety Inspector**

A safety inspector will periodically inspect the work site.

#### **4.2.3 Project Manager**

The Project Manager will have overall responsibility for the Project, including engineering, design, construction, and coordination of the various construction-related activities. The Project Manager will be responsible for verifying that construction is in conformance with the Certificate, the Project schedule, the authorized budget, the design and contract documents, and this EM&CP. The Project Manager will have stop-work authority in the event of a violation of the Certificate provisions. The Project Manager will be assisted in implementing this EM&CP by the Environmental Compliance Manager, Construction Inspector, and Environmental Monitor.

#### **4.2.4 Construction Project Manager**

The Construction Project Manager will communicate Project schedules and upcoming activities to the Compliance Team, communicate between the Compliance Team and the Construction Team, review and understand the field application of the requirements of the Certificate and other permits, and report unsatisfactory Contractor performance to the Compliance Team.

#### **4.2.5 Construction Inspector**

The full-time Construction Inspector will assist the Construction Project Manager in verifying implementation of environmental protection provisions and site-restoration activities, as specified in the Certificate. The Construction Inspector will also verify that construction field work complies with the Certificate Holder's construction specifications. The Construction Inspector will be on-site daily to provide oversight for the Project. The Construction Inspector and the Engineering Manager will share quality assurance responsibilities. The inspector's cell phone number will be provided to NYSDPS and New York State Department of Environmental Conservation (NYSDEC) so that direct communication may be maintained throughout construction. The Construction Inspector and the Engineering Manager will share quality assurance responsibilities.

#### **4.2.6 Engineering Manager**

The Engineering Manager will verify that the construction plans details in this EM&CP are built to the Certificate Holder's engineering standards, and communicate between the Engineering Team and the Construction and Compliance Teams. The Construction Inspector and the Engineering Manager will share quality assurance responsibilities.

#### **4.2.7 Environmental Compliance Manager**

The Environmental Compliance Manager will be responsible for overseeing compliance with environmental protection provisions and traffic safety measures specified by the Certificate, adherence to health and safety plans, and communicating those provisions to Project Management and Contractor personnel. Before construction, the Environmental Compliance Manager will coordinate preconstruction walkdowns with the Contractor to verify a comprehensive understanding of site regulations and required compliance. During construction, the Environmental Compliance Manager will direct environmental inspection, coordinating inspections as well as non-routine monitoring (such as stormwater inspections in response to heavy rainfall). This person will be available to provide guidance and interpretation on environmental protection criteria in the Certificate and this EM&CP.

#### **4.2.8 Environmental Monitor(s)**

At least one part-time environmental inspector shall be used to verify compliance with the applicable environmental conditions. The Environmental Monitor will be tasked with day-to-day observation of the Project site to minimize environmental impact and to comply with the provisions specified in the Certificate, applicable sections of the PSL, traffic safety measures, this EM&CP, and the health and safety plan(s). The Environmental Monitor will communicate the environmental protection criteria of the Certificate and this EM&CP to Contractor personnel and will be on site throughout construction to provide guidance and interpretation of those criteria. The Environmental Monitor will provide a cell phone number to NYSDPS and NYSDEC for direct communication throughout construction.

The Environmental Monitor will satisfy the qualifications of a Certified Qualified Inspector (CQI) pursuant to the NYSDEC State Pollutant Discharge Elimination System (SPDES) General Stormwater Permit for Stormwater Discharges From Construction Activity (GP-0-25-001). The names and qualifications of those fulfilling the Environmental Monitor role will be submitted to the NYSDPS at least two weeks prior to the start of construction. Should the individuals fulfilling the Environmental Monitor role change during construction, the name(s) and qualification(s) of those individuals will be submitted to NYSDPS two weeks prior to their start on-site.

The Environmental Monitor will be capable of identifying potential contamination as described in this EM&CP and will respond in accordance with the procedures in Appendix M – Spill Prevention Control and Countermeasure Plan (SPCC). The Environmental Monitor will complete environmental monitoring reports on a regular basis, verify compliance with permit conditions for Project permits, and assist with reporting per Section 5.5: Reporting Requirements.

#### **4.2.9 Contractor Project Manager**

The Contractor will provide a Project Manager, the Contractor Project Manager, who will assist the Certificate Holder Project Manager in verifying that construction is in conformance with the Certificate Conditions, the Project schedule, the authorized budget, the design and contract documents, and this EM&CP. The Contractor Project Manager will communicate upcoming work activities and the Project schedule to the Contractor(s) and report any unsatisfactory performance of any contractor to the Certificate Holder Project Manager.

**4.2.10 Contractor Safety Supervisor**

The Project will have a Safety Supervisor, provided by the Contractor, who will be responsible for monitoring compliance with the Certificate Holder and Project safety requirements. The Contractor Safety Supervisor will assist the Project Manager in verifying that all appropriate Project personnel have completed the Site-Specific Safety Orientation discussed in Section 5.1: Safety and Security.

## 5. PROJECT PROCEDURES

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The Certificate Holder and Contractor will take measures to protect the health and safety of all site personnel and the traveling public within the Project limits throughout Project construction.

### 5.1 Safety and Security<sup>7</sup>

The Contractor will not commence work until the Certificate Holder accepts a health and safety plan (HASP). See Appendix C – Emergency Response Plan, Attachment 1 – Example Health and Safety Plan.

If an Occupational Health and Safety (OSHA) Reportable accident occurs in connection with work on the Project, the Certificate Holder shall report any such accident to NYSDPS as soon as possible. A copy of the accident report, if any, shall be provided to NYSDPS after it has been finalized. See Appendix C for more details.

The Certificate Holder and Contractor will take measures to protect the health and safety of all Project-related site personnel and pedestrians within the Project limits throughout Project construction.

#### 5.1.1 Required Orientations

Training, instruction, and periodic briefings will be provided to all Project-related site personnel to communicate health and safety precautions and measures to be followed during clearing, construction, and restoration. Project personnel are required to complete orientations and safety training prior to commencing work on the Project. The Contractor must provide the Project Manager with documentation indicating that this training has been successfully completed. All trainings will be conducted and documented, with trainings provided during the monthly report. The EM&CP training will be available to NYSDPS upon request.

The Certificate Holder shall confirm that each inspector receives all required safety rules and regulations in a documented meeting for each work site. The Certificate Holder shall also verify that the subject rules and regulations have been interpreted for non-English-speaking and reading-impaired personnel working on the Project. A separate meeting is required for each Project work site.

##### 5.1.1.1 Site Specific Safety Orientation

All Contractors, subcontractors, and related site personnel must receive safety training prior to work on the Project or be escorted by trained personnel. The Safety Manager will verify the orientation given prior to an employee working on the jobsite. This training will include a review of the applicable site health and safety plans and protocols, which will be provided to all oriented site personnel.

All personnel employed on the Project site and all company management personnel who frequently visit the site must attend a Project orientation conducted by the Safety Manager or their designee prior to working on the jobsite. This training will be provided at a location and schedule designated by the trainer. The training will review general site policies and procedures contained in the site-specific health and safety plan, as well as the hazards workers may be exposed to in relation to their specific craft and work

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<sup>7</sup> This section addresses EM&CP specification A21.

procedures. It is not intended to be specific to a worker's craft or to replace the Contractor-provided training listed above.

### **5.1.2 Unauthorized Access**

During construction, temporary signs, construction fencing, gates, and cones will be used, as appropriate, to prevent unauthorized access. Signs will indicate who is allowed on the site. The Certificate Holder will provide local law enforcement with information needed to help prevent trespassing during construction.

During operation, permanent signs, fencing, and locked gates will be used to prevent unauthorized access. Signs will be in accordance with the Certificate Holder's standards and consistent with the Town of Hempstead regulations.

The equipment within the Terminal will be surrounded by a permanent fence and gate as shown in Appendix A.

### **5.1.3 Stop-Work Procedures**

All personnel on the Project have the right and obligation to stop work, without retribution, if unsafe work practices or environmental damage may occur in their presence.

NYSDPS has stop-work authority in the event of any emergency resulting from specific construction or maintenance activities or in the event of an identified environmental threat that violates or may violate the terms of the Certificate or any other order in this proceeding, as outlined in Amended Certificate Condition 2a.

NYSDPS-initiated stop-work orders expire 24 hours after being issued unless confirmed by a single Commissioner. If a stop work order is confirmed, the Certificate Holder may seek reconsideration from the Commissioner who confirmed it or from the Commission as a whole.

See Appendix C for more details.

### **5.1.4 Maintenance and Protection of Traffic Plan**

An MPT is included as Appendix H. The MPT includes a plan prepared by KAG Engineering, PLLC (KAGe) in accordance with the Manual on Uniform Traffic Control Devices (MUTCD) and Section 17 NYCRR Chapter V (New York Supplement).

A qualified on-site Safety individual will be responsible for verifying that all site activities comply with the MPT. This role may be fulfilled by another full-time on-site individual.

### **5.1.5 Consultation with Transportation Agencies**

The Certificate Holder consulted with local officials in developing this EM&CP. No objections were raised regarding the work hours, final location, or the manner of installation, restoration, or access to the Project. During construction, the Certificate Holder shall periodically consult with local transportation agencies about traffic conditions near the Project site and shall notify each such transportation agency of the approximate date work will begin for each phase of construction.

The Certificate Holder will provide local officials, media, and repositories with notice of the anticipated date of construction commencement. No less than two weeks prior to the anticipated commencement of construction, the Certificate Holder will publish a public notice with proposed construction schedules. Notifications will also be submitted to local emergency services at least two weeks prior to construction.

## **5.2 Soil, Sediment, and Stone Handling<sup>8</sup>**

The procedures for evaluating soil generated during excavation activities for potential environmental impacts, for reuse or suitability as backfill, for storage or stockpiling, and for disposal are described in Appendix N – Soil, Sediment, and Stone Handling Plan.

No portion of the LOD contains a NYSDEC Environmental Cleanup parcel, site, or easement.

Soil excavation for the Project will include regrading of the Terminal parcel and excavation to install equipment foundations and permanent construction entrances. Excavation will occur on the LIPA-owned property and on Commercial Avenue, adjacent to the parcel.

Excavated soil will be reused to the greatest extent practicable. Soil stockpiling will only occur in designated areas. All soil excavation, handling, and disposal will be conducted in accordance with soil handling procedures outlined in Appendix N.

Applicable erosion and sediment control practices will be followed through all phases of excavation and restoration. Erosion and sedimentation control devices will be installed prior to initial disturbance of the soil and maintained in place in accordance with NYSDEC standard specifications and the Blue Book, where applicable. All erosion and sedimentation control devices will be monitored by on-site personnel and inspected in accordance with the SPDES General Permit for Stormwater Discharges from Construction Activity (GP-0-25-001). All erosion and sedimentation control devices will be maintained in place until restoration or permanent stabilization of the work area is completed, or the former work location is demonstrably stable due to its pre-existing characteristics.

Erosion and sediment control devices will be employed in accordance with field conditions and work activity.

In general, sedimentation control devices will be located downgradient of active work areas to detain and settle runoff and prevent the migration of excavated materials.

## **5.3 Stormwater Pollution Prevention Plan**

A Stormwater Pollution Prevention Plan (SWPPP) has been prepared for this EM&CP and as required for coverage under the NYSDEC SPDES General Permit for Stormwater Discharges from Construction Activity (GP-0-25-001). The SWPPP is included in Appendix B.

## **5.4 Spill Prevention Control and Countermeasures**

An SPCC Plan, attached as Appendix M, provides protocols for the storage, handling, transportation, and disposal of petroleum, fuels, oil, chemicals, hazardous substances, and other potentially harmful substances

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<sup>8</sup> This section addresses EM&CP specification A3.

which may be used during, or in connection with, the construction, operation, or maintenance of the Project facility.

The Environmental Compliance Manager will be responsible for contacting NYSDPS Staff, NYSDEC, and other agencies, as needed, regarding reportable spills or releases. The Environmental Monitor(s) will verify that hazardous materials encountered on-site are managed and handled in accordance with applicable regulations.

See Appendix M for reporting procedure details and requirements.

## **5.5 Reporting Requirements**

The Certificate Holder shall conduct compliance inspections as detailed below.

### **5.5.1 Daily Inspection Reports**

The Environmental Monitor will complete a daily Supervisors Inspection Report for each scheduled workday, whether or not work occurs. Inspection reports will be completed during each phase of the Project (including site preparation, construction, and restoration). During earth-disturbing activities, the Environmental Monitor will conduct daily inspections of each construction site. All reports will be provided to the Certificate Holder weekly. These reports will be made available to the NYSDPS upon request.

### **5.5.2 Monthly Report**

The Project Manager will compile a monthly report that includes a review of the status of compliance with all Certificate Conditions; a review of all complaints received and their proposed or actual resolutions; a review of any significant comments, concerns or suggestions made by the public, local governments, or other agencies, and the Certificate Holder's response(s); and a review of the status of the Project in relation to the overall schedule established prior to the commencement of construction. Each report will be provided to NYSDPS within one week of the completion of the subject month.

### **5.5.3 Design Compliance Reports**

The Certificate Holder shall conduct a monthly field review to determine the status of compliance with the designs described in this EM&CP and prepare a report of findings. Each report will be provided to NYSDPS within three business days of report completion.

If the Contractor installs materials, structures, or components that do not conform to the specifications described in this EM&CP, the Certificate Holder shall, within 30 days of becoming aware of such incident, prepare and provide to the NYSDPS Director of the Environmental Certification and Compliance a summary report that details the incident, the steps to be taken to rectify the mistake, the material and labor costs associated with rectifying the incident, and the manner in which such costs will be accounted for separately from other Project costs.

### **5.5.4 SWPPP Inspections**

The SWPPP inspection and reporting process is detailed in Appendix B. SWPPP inspection reports must be kept in a secure location at the Project site for the duration of construction and until a Notice of Termination (NOT) has been filed with the NYSDEC.

## 6. ENVIRONMENTAL PROTECTION AND MITIGATION

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The Environmental Compliance Manager and Environmental Monitor, in conjunction with the Project Manager and Construction Supervisor, will be responsible for verifying that the requirements of this EM&CP are adhered to during construction of the Project.

### 6.1 Environmental Supervision Procedures<sup>9</sup>

The Environmental Monitor and Construction Supervisor (see Section 4 Project Personnel) will supervise (as appropriate) vegetation clearing, construction, and site restoration activities to minimize environmental impacts and comply with the environmental protection provisions specified by the Certificate and this EM&CP.

The names and qualifications of the Environmental Monitor and the Construction Supervisor will be submitted to the NYS DPS for review and approval at least two weeks prior to the start of construction.

All personnel assigned to work on the Project will be trained and certified in environmental compliance prior to commencing work on the Project and will be expected to adhere to all environmental protection provisions of the Certificate and this EM&CP.

All contractors are contractually obligated to comply with Certificate conditions and with this EM&CP (see Section 5.1.1 Required Orientations). The contractor shall maintain copies of this EM&CP at job trailers for use and inspection during the work. During the bid process, the Certificate Holder will apprise the contractor of pertinent Certificate Conditions and EM&CP requirements.

All environmental protection provisions align with federal and state environmental regulations, standards, and permit requirements. Performance standards for erosion controls, stormwater management, vegetation management, dust suppression, and restoration are defined in various sections and appendices of this EM&CP. Site-specific mitigation strategies will be discussed on-site based on activity type and environmental sensitivity. Roles and responsibilities will be clearly defined, and the consequences of non-compliance will be communicated during initial pre-construction training. Certain personnel will receive comprehensive written materials, including this EM&CP, outlining all environmental compliance and site-specific protocols. A dedicated environmental compliance team will be available throughout the Project construction to provide guidance and oversee adherence to specifications and best practices. The Certificate Holder's standard operating procedures and best practices have been developed in coordination and consultation with the NYS DEC, particularly the New York State Standards and Specifications for Erosion and Sediment Control (Blue Book) for construction compliance.

In the event of noncompliance with the Certificate, the Certificate Holder's designated 24/7 emergency contact person and phone number for the Project is Jim Godfrey at 516-383-8005.

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<sup>9</sup> This section addresses EM&CP specification A16.

## 6.2 Ecological and Environmentally Sensitive Sites<sup>10</sup>

The Project avoids impact to ecological and environmentally sensitive sites and resources to the extent possible. Desktop mapping and field reconnaissance were completed to identify sensitive resources.

### 6.2.1 Rare, Threatened, and Endangered Species

The United States Fish and Wildlife Service (USFWS) Long Island Ecological Services Field Office provided an Official Species List for the LOD, dated March 20, 2026, that includes six federally listed species: The endangered northern long-eared bat (*Myotis septentrionalis*) (NLEB); the proposed endangered tricolored bat (*Perimyotis subflavus*) (TCB); the threatened piping plover (*Charadrius melodus*); the threatened red knot (*Calidris canutus rufa*); the proposed threatened monarch butterfly (*Danaus plexippus*); and the endangered sandplain gerardia (*Agalinis acuta*).

Field investigations conducted in October and November 2025 concluded that the Project's Terminal construction activities are not anticipated to have effects on any of the listed species.

The New York Natural Heritage Program (NYNHP) provided a letter dated May 19, 2025, stating that no rare or state-listed animals, plants, or significant natural communities are known in the study area.

Appendix I – Threatened and Endangered Species Minimization and Mitigation Plan includes details related to agency consultations, field observation protocols, impact minimization measures, and survey and monitoring plans.

### 6.2.2 Wetlands, Streams, and Other Waterbodies<sup>11</sup>

No wetlands, streams, or other waterbodies were delineated within the LOD for the Project; therefore, there are no anticipated wetland, stream, or waterbody crossings or impacts. Further, no wetland or waterbody restoration or mitigation plans are required for the Project.

## 6.3 Agricultural Areas<sup>12</sup>

The Project does not impact any agricultural areas.

## 6.4 Sensitive Land Uses<sup>13</sup>

Ambient sound levels vary by neighborhood, depending on the location and proximity of the Certified Project to high-traffic areas. Religious institutions, public buildings, recreational areas, emergency services, and schools are considered to be sound-sensitive receptors. Such receptors are near but not directly abutting the Certified Project. No residence is within 900 feet of the Project. Anticipated sound impacts due to construction activities are directly related to the type of equipment required (magnitude) and average length of construction time (duration). Measures may be taken to minimize the potential for sound impacts of construction activities near all sound-sensitive areas, at the discretion of the Certificate Holder and/or on-site personnel. The Certificate Holder may use sound attenuated generators and/or compressors to minimize

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<sup>10</sup> This section addresses EM&CP specification A11.

<sup>11</sup> This section addresses EM&CP specification A4.

<sup>12</sup> This section addresses EM&CP specification A7.

<sup>13</sup> This section addresses EM&CP specification A8.

sound from construction activities. Heavy construction vehicles and equipment will be fitted with appropriate low-noise engine exhaust mufflers as necessary.

Contractors shall perform all work in accordance with Appendix F – Construction Noise Control Plan. The Certificate Holder will coordinate with the Town of Hempstead and residents of all affected neighborhoods prior to evening/nighttime construction. A hotline telephone number, (631) 213-6715, has been established to handle any complaints related to construction noise.

### **6.5 Cultural and Scenic Resources**

While properties of architectural or historic significance exist in the general Project area, the construction of the underground transmission line within the public roadway has no potential to affect such resources, as determined by the New York State Office of Parks, Recreation, and Historic Preservation (OPRHP). The Certificate Holder commissioned a Phase IA Literature Search and Sensitivity Study from Paulus Sokolowski & Sartor. Consultation with OPRHP concluded that the Project would have no effect on archaeological or historic resources; therefore, it is not anticipated that Terminal construction activities will encounter cultural resources. A Cultural Resources Avoidance, Minimization, and Mitigation Plan (CRAMMP) is attached as Appendix E. Agency correspondence is included in the CRAMMP.

If archaeological materials are encountered during construction, work in the area shall stop and Project personnel shall follow the Unanticipated Discovery Plan in the CRAMMP.

If human remains or evidence of human burial(s) are encountered during construction, work in the area shall stop and Project personnel shall follow the Human Remains Discovery Plan in the CRAMMP.

### **6.6 Invasive Species**

Invasive species were identified in the vicinity of the LOD during field reconnaissance in November 2025. The Certificate Holder will prevent, to the extent practicable, the transport and spread of invasive species during soil disturbance management, material transport, and landscaping/revegetation. Interaction with invasive plant species will be limited to areas that are subject to vegetation removal. No revegetation or landscaping will be a part of the Project. Construction practices to reduce the spread of invasive species are detailed in Appendix K – Invasive Species Management Plan. The Certificate Holder will, if practicable, make efforts to contain invasive species identified on adjacent properties outside of the LOD from extending into the LOD.

## 7. STANDARD CONSTRUCTION PRACTICES

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The following section outlines the standard construction practices to be employed for the Project during pre-construction (Section 7.1), construction (Section 7.2), and post-construction (Section 7.3). The appendices associated with this EM&CP provide further details regarding protocols and locations of specific activities. All construction practices will employ methods described in this EM&CP and be completed in accordance with the Certificate.

### 7.1 Pre-Construction

Pre-construction video documentation has been recorded along the subject municipal roads. The documentation includes video imagery of visible facilities in the road ROW, including road pavement, stormwater facilities, sidewalks, and street furniture (i.e., items and structures installed or placed in public areas for various purposes). See Attachment 3 – Pre-Construction Video Assessment for a description of the assessment.

Before construction begins in any location, the 811-utility mark-out process will be performed for such location. At least two weeks prior to construction starting in any area, the Certificate Holder shall, in such area, mark out or delineate both edges of the Project ROW and all off-ROW access roads based on the approved plans. Any known danger trees on land adjacent to either edge of the ROW shall be marked in advance. NYSDPS will be notified when the above-described field mark-outs and delineations are complete for that area. Others to be notified include, but are not limited to, the Long Island Railroad (LIRR), local water companies, and the Nassau County Department of Public Works (NCDPW).

The Certificate Holder will provide local officials, media, and repositories with notice of the anticipated date construction will commence and will publish a public notice including proposed construction schedules. This notice will be provided no less than two weeks prior to the anticipated commencement of construction. Notifications will also be submitted to local emergency services, such as fire departments and police departments, at least two weeks prior to construction.

#### 7.1.1 Site Security

The Certificate Holder and/or the Contractor will be responsible for properly fastening or protecting all equipment that could cause accidents, service interruptions, or conflicts with the use of existing utilities, or that could endanger persons or property. The Certificate Holder and/or the Contractor will provide and maintain all worksite security, including signs, lights, barricades, and warning devices, to minimize hazards to the general public and maintain the flow of vehicular and pedestrian traffic.

The Certificate Holder and/or the Contractor will take measures to verify the health and safety of all construction workers on the Project. OSHA-approved fire and first aid equipment will be provided by the Contractor's Site Safety Manager for the Project. Emergency police, fire, and hospital phone numbers and locations will be posted at all field locations. The Certificate Holder shall provide NYSDPS with a copy of any police report and any insurance claim filed in connection with any theft of Project-related materials, as well as a list of the stolen items.

The Certificate Holder and/or the Contractor will conduct training, instruction, and daily briefings to all construction workers to verify that worksite safety and security measures are followed during construction. See Appendix C for further information about emergency response.

## **7.2 Construction**

This section describes construction protocols to be followed during construction that are not discussed in other portions of this EM&CP.

### **7.2.1 Personal Vehicle Parking**

Construction workers' personal vehicles will be parked within the LOD, including the Terminal site and both sides of Commercial Avenue, outside of active work sites and traffic flows. Designated parking areas do not interfere with normal traffic or cause a safety hazard, and minimize impacts to existing land uses as practicable.

### **7.2.2 Construction Times**

Standard hours of Project construction operations will be 7 a.m. to 7 p.m. Monday through Saturday. Work typically does not occur on New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, or Christmas Day.

If activities must occur beyond allowable work hours ("Extended Work"), the Certificate Holder will follow the Extended Work procedures in Appendix F – Construction Noise Control Plan.

### **7.2.3 Snow Removal and Winter Procedures**

The Certificate Holder and/or the Contractor will coordinate with local municipalities and Nassau County to verify if winter maintenance operations such as snow removal, plowing, and salting can continue within the Project work limits during construction. Any road plates installed during the winter will be recessed and pinned to allow for plowing and snow removal operations. The Certificate Holder's responsibility to coordinate with the municipalities and the County to continue routine winter maintenance operations will extend until the construction portion of the Project is completed.

### **7.2.4 Construction Equipment**

A list of equipment to be used during Project construction and the respective noise levels is included in Appendix F – Construction Noise Control Plan. Contractors shall perform all work in accordance with Appendix F.

Vehicles associated with maintenance include, but are not limited to, standard utility bucket trucks and equipment pick-up trucks.

### **7.2.5 Blasting<sup>14</sup>**

The Project will not use blasting to clear rock.

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<sup>14</sup> This section addresses EM&CP specification A15.

### **7.2.6 Dewatering**

A Dewatering Plan for Terminal construction activities is attached as Appendix G. Water generated from dewatering operations will be handled in accordance with the Dewatering Plan (see Appendix G for details).

### **7.2.7 In-Water Facilities<sup>15</sup>**

The Project will not have any in-water facilities.

### **7.2.8 Fuel, Oil, and Chemical Storage & Handling**

The Certificate Holder and Contractors will comply with applicable NYSDEC standards for the handling and use of petroleum and hazardous substances. Should any hazardous materials or petroleum products be accidentally spilled on the site, the Certificate Holder and/or the Contractor will take immediate action to contain and recover the spilled materials.

The Project's procedures for fuel, oil, and chemical storage and handling are included in Appendix M – SPCC Plan.

### **7.2.9 Herbicides<sup>16</sup> and Pesticides**

Per Original Certificate Condition 4, no pesticides or herbicides will be used during construction or maintenance of the Project.

### **7.2.10 Fugitive Dust Control<sup>17</sup>**

The Certificate Holder will take appropriate measures to minimize fugitive dust and airborne debris generated by construction activities. Exposed soils shall be dampened as needed during extended dry periods to minimize dust generation. A watering vehicle shall be available and be used as necessary for the duration of Project activities. Other dust control measures to be utilized as necessary may include covers for trucks, maintaining low construction vehicle speeds, minimizing the duration of trench soil stockpiling, minimizing the height of soil piles, covering soil piles when not in use, and restoring disturbed areas to their pre-construction conditions as soon as practicable. Dust control will conform to the Blue Book.

### **7.2.11 Vegetation Clearing/Trimming and Disposal Methods**

The Terminal is primarily gravel and pavement. No trees were identified during field surveys. Invasive vegetation has been identified on the parcel and will be permanently removed with the construction of the Terminal. Vegetation clearing and disposal methods will be completed in compliance with Section 6 NYCRR Part 192 – Forest Insect and Disease Control, Section 9-1303 of the Environmental Conservation Law (ECL) and any applicable NYSDEC quarantine orders. Vegetation clearing will be under the observation of the Environmental Monitor as a primary means of avoiding unnecessary environmental impacts. Invasive species will be removed in accordance with Appendix K – ISMP.

There are no agreements with landowners for retention of cut vegetation.

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<sup>15</sup> This section addresses EM&CP specification A23.

<sup>16</sup> This section addresses EM&CP specification A13.

<sup>17</sup> This section addresses EM&CP specification A14.

### *7.2.11.1 Removal Protocol*

Cleared vegetation will not be burned or buried and will be disposed of in accordance with applicable regulations. No cleared vegetation will be spread on-site or be stored or disposed of in wetlands or within 50 feet of stream banks, floodways, or agricultural lands.

No trees are within the LOD; thus, none are planned to be removed during construction.

### *7.2.11.2 Delineation of Existing Vegetation*

No significant trees (over two-inch caliper) and shrubs (over four feet in height) were identified during field surveys. Prior to construction, all significant trees and shrubs, regardless of where located, shall be delineated and marked prior to removal in accordance with the procedures outlined in Section 7.2.11.3: Vegetation Protection. Invasive vegetation will be permanently removed during Project construction.

### *7.2.11.3 Vegetation Protection*

No trees are within the LOD. Any vegetation within the Terminal will be removed. Therefore, no trees or vegetation are planned to be protected during construction.

## **7.2.12 Sidewalk Closures and Pedestrian Detour**

Sidewalk closures and pedestrian detours are described in Appendix H.

## **7.2.13 General Sequence and Methods**

The following section details the activities needed to install the Project.

### *7.2.13.1 Staging*

The Contractor will follow the manufacturer's recommendations for material storage. All materials will be stored in an orderly fashion, secured and protected from damage.

Stockpiling of debris and construction materials, or the storage of equipment, on unpaved areas will be permitted only in pre-designated areas at the direction and/or with the approval of the Environmental Compliance Manager. Pre-designated work areas for construction equipment staging are shown in Appendix A.

### *7.2.13.2 Access Roads, Laydown Areas and Workpads<sup>18</sup>*

The majority of the LOD is either paved or graveled. Erosion and sediment control measures will be designed to maintain and protect soil and water resources during both the construction and operational phases of the Project.

Upon completion of all work, all Project storage yards, access roads, and staging areas should be completely cleared of all waste and debris, which will be placed in appropriate containers. Material storage yards and staging areas should be returned to the condition that existed prior to installation. Any temporary structures built by the construction personnel, including fences, should be removed by the construction personnel and the area restored as near as possible to its original condition, including possibly restoration of damaged pavement/roadways, seeding, and mulching.

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<sup>18</sup> This section addresses EM&CP requirement A10.

### Access

The Project is within or can be directly accessed from the public roadway ROW (Commercial Avenue). Permanent entrances will be constructed at the Terminal to access the equipment during Project operation.

#### 7.2.13.3 *Laydown Areas*

The Certificate Holder will utilize the Terminal site and the existing PSEG Long Island Hicksville Facility for laydown areas.

#### 7.2.13.4 *Workpads*

There are no workpads associated with the Project.

#### 7.2.13.5 *Concrete Washouts*

To minimize environmental impact and protect adjacent properties, a concrete washout for foundation installation will be managed using an enclosed, impermeable containment system. The concrete washout will be located within the LOD on the Terminal parcel. The concrete washout will be constructed to avoid contact between the washout water and the ground and prevent runoff into trenching, storm drains, or adjacent properties. Acceptable containment methods include impermeable basins, dumpsters with impermeable liners, plastic-lined straw bale rings, or other appropriate impermeable material, all sized appropriately for the anticipated washout volume. All washout water and solids will be contained within these systems, allowing solids to settle and cure before removal to an approved off-site disposal facility. The Environmental Monitor will inspect the washout daily to ensure proper construction, adequate containment, and the absence of overflows.

#### 7.2.13.6 *Commercial Avenue Terminal*

The Terminal's air-core reactors will regulate the power on the PSEG Long Island transmission system upon completion of Project activities that will be covered by a subsequent EM&CP. Work at the Terminal property associated with this current EM&CP will include installation of underground terminations, H-Frame bus supports, line disconnect switches, surge arrestors, and associated bus.

Major equipment and modifications to the parcel include:

- Two sets of three single phase, air-core reactors, for a total of six individual reactors, with associated structure and foundations;
- Four 138kV H-Frame bus support structures, with associated foundations;
- Two 138kV gang operated three phase line disconnect switches mounted to H-Frame bus support structures;
- Four 138kV underground termination structures and associated foundations; and
- Six 138kV single phase surge arrestors, mounted to underground termination structures.

The construction sequence at the Terminal will generally include:

- Site Preparation including removal of existing infrastructure and perimeter fence;

- Installation of proposed stormwater system, ground grid, and perimeter fence;
- Excavation and formwork of proposed foundations;
- Installation of steel structures;
- Installation of electrical equipment;
- Wiring; and
- Installation of finish stone and final restoration.

### 7.3 Post-Construction

The Environmental Monitor shall perform stormwater inspections until all requirements of the SWPPP have been met (see Appendix B). The Certificate Holder will submit a completed SWPPP Notice of Termination form (included in Appendix B) with applicable signatures to the NYSDEC.

#### 7.3.1 *Clean-up and Restoration*<sup>19</sup>

All disturbed and restored areas will be inspected at least twice weekly during construction and restoration activities.

The Contractor will be required to perform maintenance and cleaning when directed by the Construction Supervisor. Maintenance cleaning includes the removal of debris from any source that, determined by the Construction Supervisor, impedes the flow of traffic or storm water or poses a potential health and safety hazard. In the event the Contractor's construction vehicles track dirt or other debris outside of the active construction area, they will be directed by the Construction Supervisor to perform maintenance cleaning. Any travel lane closed for construction will be swept clean by the Contractor and inspected for debris or road hazards before the lane is reopened to traffic.

Restoration of disturbed areas will include the removal of all construction equipment and material, including tools, parts, junk, rubbish, signs, barriers, excess materials, and debris. Such materials will be disposed of properly. Residual material from excavations determined not to be suitable for re-use on-site will be disposed of in accordance with all applicable regulations.

Soil erosion and sediment control measure removal and disposal procedures are discussed in Appendix B.

Consultations regarding roadway restoration work were conducted with the NCDPW. These commitments should not be construed or interpreted as either LIPA or PSEG Long Island agreeing to subject itself to the jurisdiction of any county or local municipality, waive its exemption from such jurisdiction, or waive or forfeit any other right to which it is entitled under the law. See Section 1.1: Utility Rights-of-Way Usage and Franchising Rights for an overview of LIPA's statutory and municipal franchise rights.

##### 7.3.1.1 *Removal of Construction Materials*

No equipment, tools, sheathing, signs, lights, barriers or debris will be left at the Project site upon completion.

##### 7.3.1.2 *Roadway Restoration*

Roadway features (such as curbs, sidewalks, and driveways) removed or damaged along the Project corridor as a result of normal construction activities, will be replaced or restored to at least pre-existing conditions in accordance with the rules and regulations pertaining to permits for work on Nassau County roads and within Nassau County ROW. Roadway restoration will be monitored by the Certificate Holder's construction management. Access to residences and businesses will be maintained during construction and until roadway restoration is complete. No roadway surfaces (i.e. pavement or asphalt) or median disturbance

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<sup>19</sup> This section addresses EM&CP Specification A17.

is proposed as part of the Terminal construction. Reconstruction efforts will comply with the MUTCD, NCDPW Standard Specifications, and the Town of Hempstead's standard specifications.

#### Curb, Sidewalk, and Driveway Restoration

All curbs, sidewalks, and driveway aprons affected by construction will be restored to match existing conditions or upgraded to meet ADA compliance, in accordance with NCDPW standards and specifications.

#### Pavement Markings and Signs

Following completion of construction activities, all pavement markings will be reinstated per MUTCD guidelines and applicable NCDPW specifications. All affected signs will be removed, stored if necessary, and reinstalled in their original location or upgraded as required to meet current standards. Pavement markings will be restored to their pre-construction configuration unless modifications are agreed upon in advance.

##### *7.3.1.3 Visual Impact Mitigation*

Visual impacts are not anticipated. Visual mitigation is limited to installing a chain-link fence around the entire Terminal parcel, consistent with the area's commercial and industrial nature.

##### *7.3.1.4 Testing and Commissioning*

No testing or commissioning activities are proposed as part of the activities covered by this EM&CP.

#### **7.3.2 Long-Range ROW Management Plan**

The Certificate Holder has developed a long-range ROW management plan, titled "Right-of-Way (ROW) and Grounds Maintenance Procedures," to serve as a standard vegetation management plan for the maintenance and operation of their facilities. The most recent version of the Certificate Holder's plan will be used during the construction, restoration, operation and maintenance of the Project.

The Terminal site's design does not include vegetation; therefore, implementation of the long-range ROW management plan at the Terminal is not anticipated.

## **8. OUTREACH AND PUBLIC INVOLVEMENT**

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Public outreach efforts have been ongoing since April 2025 to support the Project's application process. The Certificate Holder has coordinated with applicable regulatory agencies, municipal officials, landowners, and emergency personnel and will continue coordination for the life of the Project.

During construction, the Project will provide NYSDPS and the NYSDEC with weekly status reports summarizing construction activities and indicating activities (and their locations) scheduled for the following week. A monthly outreach and public involvement report including interactions with the public will be submitted to NYSDPS.

The Certificate Holder will maintain a website, for the duration of construction, to provide the public with general construction information about activities planned for the upcoming two-week period.

### **8.1 Public Involvement Plan**

A Public Involvement Plan (PIP), attached as Appendix O, provides an overview of past outreach and outlines how outreach will be conducted during construction of the Project.

### **8.2 Complaint Management and Resolution Plan**

A Complaint Management and Resolution Plan (CMRP), attached as Appendix D, outlines the process for managing and resolving complaints from property owners impacted by the Project.

## 9. ELECTRIC MAGNETIC FIELDS<sup>20</sup>

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No further EMF studies will be provided by the Applicant for the Project due to the minor change in location of the existing 138kV transmission lines and no change in voltage. EMF studies are not typically completed for fenced-in terminal equipment; therefore, radial magnitudes of magnetic flux density were not studied, however magnetic lines are not anticipated to extend far from the equipment due to high air path reluctance and the geometry of the equipment. The equipment will be fenced from the public and set back from the sidewalk to mitigate potential EMF interaction.

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<sup>20</sup> This section addresses EM&CP Specification A22.

## 10.PROJECT DRAWINGS

Plan and Profile drawings in Appendix A detail the boundaries of the LOD and equipment and contain relevant details specified in Original Certificate Condition 8 and Attachment 2.

A professional engineer will be notified to, and will need to approve, any adjustments to the Certified Project design. Any significant design changes will be resolved to the satisfaction of the on-site NYSDPS representative.

### 10.1 Fulfillment of Original Certificate Condition 8

Table 3, below, addresses how Appendix A fulfills Certificate Condition 8 from the original Case 26333 Order Granting Certificate of Environmental Compatibility and Public Need released January 11, 1973.

<b>Section</b>	<b>Condition</b>	<b>Comment</b>
8	The plans shall, as a minimum, specify in detail design drawings, scale 1-inch to 100 feet, and in accompanying text	Condition addressed in Appendix A.
8a	The boundaries of the transmission line right-of-way by center-line description and its relationship to residences, highways, water bodies and other significant features or obstacles	Condition addressed in Appendix A.
8b	The geographic limits of construction work	Condition addressed in Appendix A; see LOD.
8c	The location, depth and width of the pipe trench	Project activities do not include trenching.
8d	The location on the right-of-way of manholes constructed in conjunction with the line	Project activities do not include manhole installation.
8e	The location of all construction access and permanent maintenance roads	Condition addressed in Appendix A.
8f	The location of any area where pavement, curbs or sidewalks will have to be removed, the manner of replacement and the precautions that will be taken by the company to maintain a safe condition for vehicular and pedestrian traffic to assure a smooth and expeditious flow of such traffic during the construction period	Condition addressed in Appendix A.
8g	The location of areas which will require the clearing of ground cover of other forms of vegetation, including a description of the extent of such clearing and steps shall be taken to minimize erosion and restore the construction corridor to a condition compatible with previous appearance	Condition addressed in Appendix A.
8h	The location of any significant tree (over 2" in caliper) beneath which trenching is to be undertaken and the detailed method of trenching between or beneath the tree roots	There are no trees over two inches in caliper within the LOD.

8i	The location of any area in the construction corridor in which erosion control will be necessary and the measures to prevent or minimize erosion in those areas	Condition addressed in Appendix A.
8j	The manner and location of storage, and precautions to be taken to avoid spillage of fuels, chemicals, or similar substances along the right-of-way	Condition addressed in this narrative.
8k	The manner of removal and disposal of all debris, including cleared vegetation and soils from the right-of-way	Condition addressed in this narrative.
8l	The proposed plan for the supervision of clearing and construction personnel to assure compliance with the spirit and provisions of the order	Condition addressed in this narrative.
8m	The program for restoration and maintenance of the right-of-way, after construction, with particular emphasis monitoring restoration of vegetation through a growing season	Condition addressed in this narrative. There is no proposed vegetation restoration within the LOD.

## 10.2 Fulfillment of Environmental Management and Construction Plan Specifications Section B

Section B, EM&CP Plan and Profile Drawings and Maps, of the Specifications for the Development of the Environmental Management and Construction Plan (Attachment 2) outlines the requirements for the Project's plans and profiles, details, sections, and design drawings, and maps. Appendix A, which includes plan, profile, and aerial drawings, addresses all Section B requirements, unless otherwise justified in Table 4 below.

<b>Table 4. Specifications for the Development of Environmental Management and Construction Plan Section B Requirements</b>		
<b>Section</b>	<b>Specification</b>	<b>Comment</b>
(1)(i)	A drawing index and drawing index (key) map.	Specification addressed in Appendix A.
(1)(ii)	A legend identifying existing and proposed features shown on the plans.	Specification addressed in Appendix A.
(1)(iii)	Contour lines at a minimum of 5-foot intervals. Where contours are based on recently completed on-site surveys, contours shall be taken at two-foot intervals, completed by a licensed surveyor, and referenced to the National Geodetic Vertical Datum (NGVD) or North American Vertical Datum of 1988 (NAVD88).	Specification addressed in Appendix A.
(1)(iv)	Station numbering (stationing) along the centerline of proposed electric line(s) which shall be continuous along the entire length of the cable.	No electric transmission lines will be constructed for the Terminal portion of the Project; none are shown in Appendix A.
(1)(v)	Construction notes, including all appropriate information for the contractor.	Specification addressed in Appendix A.

(1)(vi)	A table showing property owner information and associated parcel number, stationing, and type of easements.	Specification addressed in Appendix A.
(1)(vii)	A table showing splice locations, methods, and associated stationing location.	Specification addressed in Appendix A.
(1)(viii)	A table showing Co-located Infrastructure information, including owner information, station location of proposed crossings, and agreement status.	A note has been added to the drawings in Appendix A stating that LIPA has franchising rights to construct facilities in public roadways where necessary. Co-located infrastructure, including location and type, is shown in these drawings.
(1)(ix)	The boundaries of any new, existing, and/or expanded ROW or road boundaries, and where conductors are to be constructed overhead, underground or in-water.	Specification addressed in Appendix A.
(1)(x)	Areas contiguous to the ROW or street within which the Certificate Holders will obtain additional property rights.	Specification addressed in Appendix A.
(1)(xi)	Host and adjacent property lines and associated landowner information.	Specification addressed in Appendix A.
(1)(xii)	Locations of each proposed structure related to the major electric transmission facility.	Specification addressed in Appendix A.
(1)(xiii)	Components of the major electric transmission facility complying with any applicable local setbacks, including fence, gate, down-guy anchor, any counterpoise required for the facility, conductors, insulators, location of mid-span splices, static wires, and any other components attached to facility structures.	Specification, as applicable, addressed in Appendix A.
(1)(xiv)	Unique symbols distinguishing proposed and existing overhead and underground conductors.	Specification addressed in Appendix A.
(1)(xv)	Proposed trenchless and in-water installation locations, including their approximate lengths	No trenchless or in-water installations will be implemented for the Project; none are shown in Appendix A.
(1)(xvi)	On- and off-ROW temporary and permanent access roads, parking areas, lay-down areas and work pads, including an indication of provisions for upgrading any existing access.	No temporary access roads or work pads will be constructed for the Terminal portion of the Project; none are shown in Appendix A. Upgrades to existing access are limited to temporary construction entrances.
(1)(xvii)	Indicate any required temporary or permanent grading associated with access roads, work areas and any other grade alterations.	Specification addressed in Appendix A.
(1)(xviii)	Construction contract limit lines, property lines, designated floodways and flood-hazard area limits, buildings, sheds, relocated structures, and any plans for water service, sewage and waste disposal.	No floodways or flood-hazard areas are crossed by the Project, nor will the Project impact any existing buildings or sheds, or relocate any structures. No water service, sewage, or waste disposal construction is proposed.

(1)(xix)	Construction type, material, dimensions, and listing of any standards applied to construction of access roads.	Specification addressed in Appendix A.
(1)(xx)	Limits of Disturbance for the proposed major electric transmission facility, including areas requiring temporary clearing needed for construction, including language referencing danger tree provisions/rights.	Specification, as applicable, is addressed in Appendix A.
(1)(xxi)	For existing utility and non-utility facilities that will be acquired or require removal or relocation, indicate methods of removal of existing facilities, and show the new locations, types and configurations of relocated facilities.	No existing utility or non-utility facilities will be acquired, removed, or relocated for the Terminal portion of the Project; none are shown in Appendix A.
(1)(xxii)	Location of the major electric transmission facility relative to nearby fence lines, roads, trails, railways, airfields, hedgerows, surface waters, wetlands, streams, other water bodies, significant and unique habitats, associated facilities, nearby buildings or structures, areas assessed to contain cultural resources, major antennas, areas of known or suspected contamination or hazardous materials, oil, gas, and potable water wells, and major utility infrastructure.	No trails, airfields, surface waters, wetlands, streams, other water bodies, significant and unique habitats, buildings or structures, cultural resources, major antennas, contaminated areas, or hazardous materials are crossed or impacted by the Project. The remaining features, including fence lines, roads, railways, hedgerows, associated facilities, and major utility infrastructure that may be impacted by the Terminal portion of the Project and/or are within the LOD are shown in Appendix A. For potable water wells, see explanation under (4)(iv).
(1)(xxiii)	The location and details of any proposed new or expanded switchyard, substation, converter station, or other terminal or associated utility or non-utility structure.	The Terminal is shown in Appendix A.
(1)(xxiv)	Type(s) of outdoor lighting, including design features to avoid off-site illumination and minimize glare, and the color and finish of all structures	Specification is addressed in Appendix A.
(1)(xxv)	The location and boundaries of any on- or off-ROW areas proposed to be used for fabrication, designated equipment parking, staging, access, lay-down, and conductor pulling.	Staging, parking, and access will occur throughout the LOD. Laydown areas are discussed in Section 1.2.2 of this narrative.
(1)(xxvi)	Any planned fencing, surface improvements, and screening of storage and staging areas.	Permanent fencing at the Terminal is shown in Appendix A.
(1)(xxvii)	The locations for ready-mix concrete or flowable fill chute washout and any other cleaning activities.	Specification is addressed in Appendix A.
(1)(xxviii)	Location of any proposed temporary concrete batch plant(s) related to facility construction.	No temporary concrete batch plants are associated with the Project; none are shown in Appendix A.

(1)(xxix)	Locations of all temporary and permanent stormwater management controls that are developed in accordance with the latest version of the New York State Stormwater Management Design Manual and required based on site-specific conditions or conditions of the Certificate. Include the dimensions, material specifications and installation details for each post-construction stormwater management practice.	Permanent stormwater management controls will be constructed at the Terminal. These are shown in Appendix A and Appendix B.
(1)(xxx)	<p>Additional requirements for in-water cables:</p> <ol style="list-style-type: none"> <li>1. Federal navigation channel locations;</li> <li>2. Co-located infrastructure and crossing locations;</li> <li>3. Bridges, piers, and other marine infrastructure;</li> <li>4. Location of landfall and associated infrastructure (e.g., exit point, transition joint bay, etc.);</li> <li>5. Defined bathymetry contours within the facility Siting corridor;</li> <li>6. Splice locations;</li> <li>7. Locations of known significant fish and wildlife habitat; RTE species or habitat; Recognized Ecological Complexes; and any other exclusion zones;</li> <li>8. Locations of Federal Aids to Navigation (ATONs);</li> <li>9. Locations of proposed cable protection measures;</li> <li>10. Anchorage areas and anchor avoidance areas;</li> <li>11. Areas of any temporary in-water closures needed during HDD and in-water preparation or construction; and</li> <li>12. Locations of any proposed sand wave leveling.</li> </ol>	No in-water cable construction is associated with the Project; none are shown in Appendix A.
(2)	<i>Vegetation Clearing and Disposal Plans</i>	Vegetation clearing is shown in Appendix A
(3)	<i>Stormwater Management and Erosion Controls</i>	All relevant mapping for the Project is included in Appendix B.
(4)(i)	Locations of wetlands, streams, and other water bodies.	There are no wetlands, streams, or other waterbodies near the Project; none are shown in Appendix A.
(4)(ii)	The name, water quality classification, location, and flow regime of all rivers, streams, and drainages within or adjacent to the facility ROW.	There are no wetlands, streams, or other waterbodies near the Project; none are shown in Appendix A.

(4)(iii)	The location and type of any wetland, delineated locations of wetland boundaries, and the extent of State-regulated wetland Adjacent Areas located within or adjacent to the facility ROW.	There are no wetlands, streams, or other waterbodies near the Project; none are shown in Appendix A.
(4)(iv)	The location of all potable water sources and the precautionary measures to be taken to protect each water source, including springs and wells on the facility ROW or within: (i) 100 feet of the ROW or access roads; (ii) 500 feet of horizontal directional drilling locations; or (iii) 1,000 feet of blasting operations.	Publicly available potable water well GIS data published by NYSDEC is based on completion reports for wells drilled since April 2000 and is generally accurate to only parcel scale. This scale is insufficient for accurately depicting well locations on the drawings in Appendix A and the data is considered incomplete as any wells installed prior to April 2000 are not included. As the Project only includes excavation in the public roadway ROW (excluding substation property) and neither horizontal directional drilling nor blasting are anticipated, the Project is unlikely to impact potable water wells.
(4)(v)	The type(s) and location(s) of measures to be taken to protect wetlands and waterbodies.	There are no wetlands, streams, or other waterbodies near the Project; no wetland protection measures are shown in Appendix A.
(4)(vi)	The stream and wetland crossing method(s), with reference to the applicable crossing method details/typicals.	There are no wetlands, streams, or other waterbodies near the Project; no crossing methods are shown in Appendix A.
(4)(vii)	For each new crossing of a “protected stream” and/or “navigable waters of the state”, and streams with species protected under 6 NYCRR Part 182, provide: 1. Detailed plan, profile, and cross-sectional view plans; 2. Drainage area and flow calculations to ensure that the design will safely pass the 1% annual (100-year return) chance storm event; and 3. Location, quantity, and type of fill.	There are no protected streams, navigable waters, or streams with protected species near the Project; none are shown in Appendix A.
(4)(viii)	Designated floodways or flood hazard areas to be traversed by the facility or access roads, or otherwise used for facility construction or the siting of associated facility components.	There are no floodways or flood hazard areas near the Project; none are shown in Appendix A.
(5)	<i>Agricultural Areas</i>	No agricultural areas about the Project; none are shown in Appendix A.
(6)	<i>Sensitive Land Uses and Resources</i>	No sensitive land uses are within the LOD and are therefore not anticipated to be impacted by the Project. No sensitive land uses are shown in Appendix A.
(7)	<i>Cultural and Scenic Resources</i>	No cultural or scenic resources were identified within or adjacent to the LOD; none are shown in Appendix A.
(8)	<i>Recreational</i>	No recreational areas about the Project; none are shown in Appendix A.

(9)	<i>Noise Sensitive Sites</i>	No noise-sensitive sites about the Project; none are shown in Appendix A.
(10)(i)	Indicate the locations of any known culturally and environmentally sensitive sites within or adjacent to the facility ROW or along the general alignment of any access roads to be constructed, improved or maintained for the facility. Specify the measures that will be taken to protect these resources. Such areas shall be delineated and labeled as “Environmentally Sensitive Areas, No Access” on the plans.	No known culturally or environmentally sensitive sites within or adjacent to the Project; none are shown in Appendix A.
(10)(ii)	Protected native plants stands shall be identified in the plan view drawings, which shall note any such locations where the landowner has given permission for the removal of such protected native plants.	No protected native plant species are within the Project; none are shown in Appendix A.
(10)(iii)	Locations of construction fencing to restrict access to ecologically and environmentally sensitive areas during construction, including locations of protected native plants.	There are no ecologically or environmentally sensitive areas within the Project; none are shown in Appendix A.
(11)	<i>Invasive Species</i>	All relevant mapping is included in Appendix K.
(12)	<i>Herbicides</i>	Herbicides will not be used during the construction, restoration, or maintenance and operation of the Project; no application locations are shown in Appendix A.
(13)(i)	The lowest conductor of an overhead design shall be shown in relation to the ground at the maximum permissible conductor temperature for which the line is designed to operate (i.e., normally the short-time emergency loading temperature). If a lesser conductor temperature is used for the line profile, the maximum sag increase between the conductor temperature and the maximum conductor temperature shall be indicated for each ruling span.	There are no overhead conductors associated with the Project; none are shown in Appendix A.
(13)(ii)	For underground project design, show relation of the facility to final surface grade, indicating design depth-of-cover.	Specification addressed in Appendix A.
(13)(iii)	Existing surface grade (ground elevation) along the facility route.	Specification addressed in Appendix A.
(13)(iv)	Stationing that matches the related plan view on that sheet. Stationing shall be continuous from beginning of the major electric transmission facility to its end.	Specification addressed in Appendix A.
(13)(v)	All components of the facility and corresponding elevations shown above or below the existing surface grade.	Specification addressed in Appendix A.

(13)(vi)	Existing utility or non-utility structures and related elevations within the ROW and indicate those to be removed or relocated.	Specification addressed in Appendix A.
(13)(vii)	Include circuit arrangements where new structures will accommodate existing circuits, indicate methods of removal of existing facilities, and show the new locations, types and configurations of relocated facilities.	There are no structure replacements associated with the Project; none are shown in Appendix A.
(13)(viii)	Proposed trenchless installations and waterbody crossing locations, elevations of proposed cables, and direction of cable pull, including the approximate lengths of such routes.	There are no trenchless installations or waterbody crossings associated with the Project; none are shown in Appendix A.
(14)	<i>In-Water Transmission Facility Profiles</i>	No portion of the facility will be in-water; none are shown in Appendix A.
(15)(i)	Typical underground infrastructure section details with dimensions of proposed depth, trench width, level of cover, separation requirements between circuits/cables, clearing width limits for construction and operation of the facility, limits of disturbance, required permanent ROW, and a description of the cable installation processes.	No new underground infrastructure is associated with the Project; none is shown in Appendix A.
(15)(ii)	Details for typical tower foundations.	No towers will be installed as part of the Project; none are shown in Appendix A. Details for typical equipment foundations are shown in Appendix A.
(15)(iii)	Typical details of any proposed vaults, including vault dimensions, level of cover, clearing limits for construction and operation of the facility, and limits of disturbance for installation.	No splice vault installations are a part of the Project; none are shown in Appendix A.
(15)(iv)	Details for typical overhead electric transmission lines, including a profile of the centerlines at an exaggerated vertical scale and typical elevation views including height above grade and structure layouts.	No overhead transmission lines will be installed as a part of the Project; none are shown in Appendix A.
(15)(v)	Details for typical overhead structures, guy anchors, buildings, and any proposed equipment foundations including plan and section information. If multiple foundation designs are to be utilized for the facility, specify the foundation type at each location on the foundation plans, either listed in a table or indicated on corresponding plans.	Typical equipment foundation design is shown in Appendix A.

(15)(vi)	<p>Typical detail drawings for switchyards, substation, converter stations other buildings and interconnection facilities, including fencing, gates, and station equipment and infrastructure, which shall include:</p> <ol style="list-style-type: none"> <li>1. the length, width, height, material of construction, color, and finish of all buildings, structures, conductors, insulators, and other fixed equipment; and</li> <li>2. a ‘general arrangements’ drawing showing elevation mark pointers with reference to associated elevation views, including views of all components of the station.</li> </ol>	<p>Typical design for the Terminal is shown in Appendix A.</p>
(15)(vii)	<p>For each proposed permanent point of access or access type, a typical installation plan view, cross section, and side view with appropriate dimensions, including temporary and permanent widths, and identification of materials to be used along with corresponding material thickness.</p> <ol style="list-style-type: none"> <li>1. Provide diagrams and specifications (include plan and side views with appropriate typical dimensions) for each erosion control feature to be used for access roads.</li> <li>2. Provide diagrams and specifications (include plan and side view with appropriate dimensions) for each type of access road stream crossing method.</li> </ol>	<p>Permanent access for the Terminal is shown in Appendix A.</p>
(15)(viii)	<p>Typical details of any other proposed access (e.g., helicopter or barge placement).</p>	<p>No other proposed access is associated with the Project; none is shown in Appendix A.</p>
(15)(ix)	<p>Typical details of any proposed agricultural resource protection measures.</p>	<p>No agricultural resource protections are proposed; none are shown in Appendix A.</p>
(15)(x)	<p>Manufacturer-provided information regarding the design, safety and testing information for associated components of the facility including but not limited to inverters, transformers, cables and conductors, circuit breaker, relay protection and communication system to be installed, or as related to the transmission facility for operation</p>	<p>Manufacturer-provided information is shown in Appendix A.</p>

## **Attachment 1 – Glossary of Terms**

## Glossary of Terms

<b>Term</b>	<b>Definition</b>
ADA	Americans with Disabilities Act
Application	Amendment application pursuant to Article VII of the Public Service Law to amend Case 26333
ATON	Aid(s) to Navigation
Blue Book	New York State Standards and Specifications for Erosion and Sediment Control
C&D	Construction and Demolition
Certificate	Certificate of Environmental Compatibility and Public Need
Certificate Holder	PSEG Long Island LLC, on behalf of and as Agent for the Long Island Power Authority f/k/a Long Island Lighting Company d/b/a Long Island Power Authority, a wholly-owned subsidiary of the Long Island Power Authority
CFR	Code of Federal Regulations
CMRP	Complaint Management and Resolution Plan
Commission	New York State Public Service Commission
CPESC	Certified Professional in Erosion and Sediment Control
CQI	Certified Quality Inspector
CRAMMP	Cultural Resources Avoidance, Minimization, and Mitigation Plan
dBA	A-weighted decibel
DPS	(New York State) Department of Public Service
ECL	Environmental Conservation Law
EM&CP	Environmental Management and Construction Plan
EMF	Electric Magnetic Fields
GP	General Permit
HASP	Health and Safety Plan
HDD	Horizontal Directional Drilling
HES	High Early Strength
HPFF	High Pressure Fluid Filled
IPaC	Information for Planning and Consultation
ISMP	Invasive Species Management Plan
JIT	Joint Inspection and Test
KAGe	KAG Engineering, PLLC
kV	Kilovolt
LEL	Lower Explosive Limit
LILCO	Long Island Lighting Company
LIPA	Long Island Power Authority
LIRR	Long Island Railroad

LOD	Limits of Disturbance
MPT	Maintenance and Protection of Traffic Plan
MUTCD	Manual on Uniform Traffic Control Devices
NAVD88	North American Vertical Datum of 1988
NGVD	National Geodetic Vertical Datum
NCDPW	Nassau County Department of Public Works
NLEB	Northern Long-Eared Bat
NOT	Notice of Termination
NYCRR	New York Codes, Rules and Regulations
NYNHP	New York Natural Heritage Program
NYSDEC	New York State Department of Environmental Control
NYSDOT	New York State Department of Transportation
NYSDPS	New York State Department of Public Service
NYSPSC	New York State Public Service Commission
OPRHP	New York State Office of Parks, Recreation, and Historic Preservation
OSHA	Occupational Health and Safety Administration
P&P	Plan & Profiles
PCB	Polychlorinated Biphenyls
PCC	Portland Cement Concrete
PE	Professional Engineer
PID	Photoionization Detector
PIP	Public Involvement Plan
POZ	POZ Engineering & Environmental, LLC
Project	Commercial Avenue Equipment Project
PS&S	Paulus, Sokolowski, and Sartor, LLC
PSEG Long Island	<i>See Certificate Holder</i>
PSL	Public Service Law
RLA	Registered Landscape Architect
ROW	Rights-of-Way
RTE	Rare, Threatened, and Endangered Species
SDS	Safety Data Sheets
SOP	Standard Operating Procedure
SPCC	Spill Prevention Control and Countermeasure Plan
SPDES	State Pollutant Discharge Elimination System
SVOC	Semi-Volatile Organic Compound

SWPPP	Stormwater Pollution Prevention Plan
TCB	Tricolored Bat
TCLP	Toxicity Characteristic Leaching Procedure
Terminal	Commercial Avenue Terminal
USFWS	United States Fish and Wildlife Services
USGS	United States Geological Survey
VOC	Volatile Organic Compound
WMA	Water Mix Asphalt
WZTC	Work Zone Traffic Control

## **Attachment 2 – Specifications for the Development of the Environmental Management and Construction Plan**

**CASE 24-T-0113**  
**SPECIFICATIONS FOR THE DEVELOPMENT OF**  
**ENVIRONMENTAL MANAGEMENT AND CONSTRUCTION PLAN**

1. Section A of the Environmental Management and Construction Plan (EM&CP) shall include a narrative addressing the location of the route, description and statement of objectives, techniques, procedures, requirements, and impacts avoidance, minimization, and mitigation. A table of contents will be included for the EM&CP and each section, appendix or exhibit containing ten or more pages.
  2. Section B of the EM&CP shall include the project's plans and profiles, details, sections and design drawings, and maps. Each drawing or figure shall be clearly titled, numbered, and dated to its version. Department of Public Service (DPS) Staff will be provided access to drawings maintained in a construction management database by the Certificate Holder. All final design drawings and figures are to be stamped and signed by a Professional Engineer.
  3. Section C of the EM&CP shall include additional plans and appendices required by the Certificate or otherwise proposed by the Certificate Holder.
  4. If any particular requirement of the EM&CP requirements is not applicable, not provided, inconsistent with the conditions of the Certificate or otherwise not addressed, indicate so and include supporting justification.
- A. Description and statement of objectives, techniques, procedures and requirements** - Section A of the EM&CP shall include a narrative addressing the location of the route; description and statement of objectives, techniques, procedures and requirements; and impacts avoidance, minimization, and mitigation. A table of contents will be included for the EM&CP, as well as each section, appendix or exhibit containing ten or more pages. The textual portion of the EM&CP shall include, but need not be limited to, all of the following information:

- (1) *facility Location and Description:* Describe the location and limits of the project's Temporary ROW, LOD, and Permanent ROW, and explain the need for any additional property or access rights. Describe how the final facility design and location addresses any concerns raised by any Federal, State, or local agencies, and other stakeholders. Provide a rationale for the inclusion of any mid-span splice locations proposed.
  
- (2) *Vegetation Clearing and Disposal Methods:*
  - i. Describe the methods and rationale for the type and manner of cutting and disposition or disposal methods for cut vegetation.
  - ii. Detail measures that will be employed to avoid damage to desirable vegetation, rare, threatened and endangered (RTE) species, important screening trees, and hedgerows.
  - iii. Describe any landowner agreements for retention of timber or other cut vegetation.
  - iv. Describe methods of compliance with 6 NYCRR Part 192 - Forest Insect and Disease Control, applicable New York State Department of Environmental Conservation (NYSDEC) quarantine orders, and New York State Department of Agriculture and Markets (NYSAGM) regulations.
  
- (3) *Soil, Sediment, and Stone Handling*
  - i. Describe the methods and rationale for contaminated soils testing, as applicable, including field observations for visual or olfactory indicators of contamination, and laboratory analysis.
  - ii. Provide disposal locations for excess materials.
  - iii. Describe any landowner agreements or commercial facility agreements to receive such materials.
    1. Where testing confirms the presence of hazardous material, provide confirmation that the facility is licensed to accept such material.
  - iv. Describe methods of compliance with 6 NYCRR Part 360-366 and applicable New York State Department of Environmental Conservation (NYSDEC), New York State Department of Agriculture and Markets (NYSAGM) and any other federal state or local requirements.

- (4) *Wetlands, Streams, and Other Waterbodies:*
- i. Develop a summary table of wetlands, streams and other waterbodies within the project's Temporary Right-of-Way (ROW):
    1. For each stream and other waterbody, indicate the following:
      - a. Municipality;
      - b. facility location (mileposts);
      - c. GPS coordinates;
      - d. Stream name;
      - e. Field/Map identification name;
      - f. Stream flow designation (perennial, intermittent, or ephemeral);
      - g. NYSDEC stream classification;
      - h. Water index number;
      - i. Fishery type; and
      - j. Crossing method and length.
    2. For each State-regulated Freshwater Wetland, indicate the following:
      - a. Municipality;
      - b. facility location (milepost);
      - c. GPS coordinates;
      - d. Wetland field designation;
      - e. NYSDEC classification code;
      - f. Wetland cover type;
      - g. Wetland functions and values;
      - h. Crossing method and length;
      - i. Proposed structures located within wetland and regulated Adjacent Area;
      - j. Total area (square feet) of temporary and permanent disturbance in wetland and regulated Adjacent Area; and
      - k. Total area (square feet) of conversion of Forested and Scrub-Shrub Wetlands.
    3. For each State-regulated Tidal Wetland, indicate the following:
      - a. develop a table of Tidal Wetlands crossed or filled by the facility and include:
      - b. Municipality;
      - c. facility location (milepost);
      - d. GPS coordinates;
      - e. Wetland type;

- f. Crossing method and length;
  - g. Amount of excavation;
  - h. Amount and source of fill (if applicable); and
  - i. Existing and proposed lot coverage.
- ii. Provide a narrative description of construction activities within regulated wetlands, State-regulated wetland Adjacent Areas, streams and other waterbodies that includes:
  - 1. A description of the measures to be taken to protect stream bank stability, stream habitat, and water quality including:
    - a. Crossing techniques;
    - b. Crossing structure types;
    - c. Timing restrictions for in-stream work;
    - d. Stream bed and bank restoration measures;
    - e. Vegetation restoration measures; and
    - f. Any site-specific measures to minimize impacts, protect resources, and manage facility construction.
  - 2. A description of all activities that will occur within State-regulated wetlands or regulated Adjacent Areas and an assurance that the activities are consistent with the weighing standards set forth in 6 NYCRR 663.5(e) and (f) and standards for issuance of Permits set forth in 6 NYCRR 661.9. Describe how impacts to wetlands, adjacent areas, associated drainage patterns, and wetland functions will be avoided and minimized.
  - 3. A description of proposed measures for the protection of functions and drainage patterns of non-State-regulated wetlands (e.g., town, federal wetlands).
  - 4. A statement that, where new permanent access roads are to be constructed through wetlands, a layer of geotextile fabric or equivalent underlayment shall be used.
  - 5. A statement that, in the event that construction results in an alteration to wetland hydrology, the breach must be immediately sealed, and no further activity may take place until DPS and NYSDEC staff are notified and a remediation plan to restore the wetland and prevent future dewatering of the wetland has been accepted by DPS and NYSDEC.

6. Measures to minimize soil compaction, including the use of temporary matting, low weight to surface area equipment, or constructing when soils are frozen.
7. Measures and details demonstrating how work areas will be isolated from flowing streams and standing water in wetlands, including the use of water handling methods such as sandbags, cofferdam, piping and pumping. The details shall include a discussion of:
  - a. Management of waters accumulated in the isolated work area to ensure settling and filtering of solids and sediments before water is returned to a wetland or waterbody;
  - b. Restoration measures for the isolated work area in streams including the complete removal of the temporary measures, reestablishment of pre-construction contours, and stabilization and seeding immediately following the completion of work; and
  - c. The manner by which low flow conditions will be maintained and water depths and velocities similar to undisturbed upstream and downstream reaches will be preserved so that the movement of native aquatic organisms is sustained;
8. Measures to minimize impacts to fish and wildlife during construction, including actions to prevent entrapment of fish and wildlife in the work area and, if entrapment occurs, actions to timely and safely move the animals to appropriate undisturbed locations outside the work area.
9. Procedures to remove all excess fill materials to upland areas at least 50 feet from waterbodies and outside of the State-regulated Adjacent Area.

(5) *Wetland & Waterbody Restoration:*

- i. Include the following measures and details:
  1. Restoration of pre-construction site conditions and stabilization of disturbed wetlands and waterbodies, as site conditions and facility design allow, within 48 hours or as soon as practicable after completion of construction.
  2. Restoration of disturbed streams as follows:

- a. Stabilization of stream banks above ordinary high-water elevation with natural fiber matting, seeded with an appropriate perennial native riparian seed mix, and mulched with straw, or other required stabilization measures, within two (2) days of final grading;
  - b. Unless otherwise designed as part of a site-specific grading plan stamped by a professional engineer and developed in consultation with NYSDEC and DPS Staff, streams must be equal in width, depth, gradient, length, and character as the pre-existing conditions and tie in smoothly to the profile of the stream channel upstream and downstream of the project area. The planform of any stream must not be changed; and
  - c. Woody stream bank vegetation must be replaced with ROW compatible native plantings as site conditions and facility design allow.
- 3. Plans for revegetation of disturbed State-regulated wetlands and regulated Adjacent Areas with native plants. Appropriate native wetland species mixes must be described.
  - 4. Plans for monitoring of restoration areas until an 80% cover of native plant species with the appropriate wetland indicator status has been reestablished over all portions of the restored area.

(6) *Stream Crossings:*

- i. Bridges shall be utilized for each new permanent protected stream crossing and shall span the stream bed and banks. Detailed description of all proposed stream crossing locations and methods, with reference to the Stream Crossing Plan.
- ii. If a bridge is not practicable for a new permanent stream crossing, an alternatives analysis must be provided, including written justification for why a bridge is not practicable.
- iii. For stream channels with slopes greater than 3%, an open bottom culvert must be used. All culverts shall be designed to:
  - 1. Contain native streambed substrate or equivalent;

2. Be a minimum width of 1.25 times the width of the stream bed. The stream bed is measured bank to bank at the ordinary high-water level or edges of terrestrial, rooted vegetation;
3. Include a slope that remains consistent with the slope of the upstream and downstream channel; and
4. Facilitate downstream and upstream passage of aquatic organisms.

(7) *Agricultural Areas:*

- i. Describe programs, policies, and procedures to mitigate agricultural impacts such as soil compaction.
- ii. Explain how construction plans either avoid or minimize crop production losses and impacts to vulnerable soils, including lands in active agricultural production and with particular consideration of lands located within NYS Certified Agricultural Districts and containing Mineral Soil Groups 1-4.
- iii. Indicate specific techniques and references to appropriate agricultural protection measures recommended by NYSAGM.
- iv. Describe measures for repair of any inadvertent damages to surface or sub-surface drainage features.

(8) *Sensitive Land Uses:* Describe the sensitive land uses (e.g., hospitals, emergency services, sanctuaries, schools, residential areas, parks/recreational areas, local businesses, etc.) that may be affected by construction of the facility, or by construction-related traffic, and specify measures to minimize the impacts on these land uses.

(9) *Cultural and Scenic Resources:*

- i. Describe the cultural and scenic resources that may be affected by construction of the facility or by construction-related traffic and specify measures to minimize impacts on these resources. For any areas where the Certificate Holder could not obtain access permissions prior to application filing, provide:
  1. Copies of completed Phase IB, Phase II and Phase III studies, if applicable;

2. A description and documentation of the Certificate Holder's consultation with OPRHP, local historic preservation groups, and Consulting Indigenous Nations related to such studies; and
3. Final OPRHP effect or impact determination letter(s) for any applicable areas.

(10) *Access Roads, Lay-down Areas and Workpads:*

- i. Discuss the proposed access to the project ROW, including the areas where temporary or permanent access is required; the nature of access improvements based on natural features, equipment constraints, and vehicles to be used for construction and maintenance; and the duration of access needs through restoration and the maintenance of the facility.
- ii. Discuss the types of access which will be used and the rationale for employing that type of access, including consideration of:
  1. Temporary installations;
  2. Permanent installations;
  3. Use of existing roads, driveways, farm lanes, rail beds, etc., and a description of any improvements required to meet applicable standards or otherwise needed for construction of the project; and
  4. Other proposed access.
- iii. Indicate the associated drainage and erosion control features to be used for access road construction and maintenance.
- iv. Indicate the type(s) of stream crossing method to be used in conjunction with temporary and permanent access road construction, including rationale for each proposed crossing method.
- v. All diagrams and specifications should include material type and size to be placed in streams and at stream approaches.
- vi. If access and workpad areas cannot be limited to upland areas, provide justification for any access and workpad areas which are proposed to be located in a wetland, stream or waterbody.
- vii. Indicate any required temporary or permanent grading associated with accesses roads, work areas and any other grade alterations.

- (11) *Ecological and Environmentally Sensitive Sites:*
- i. Indicate the procedures that were followed to identify ecological and environmental resources and specify the measures that will be taken to avoid and minimize impacts to these resources. Include any survey reports or other reports prepared to identify and analyze such sites.
  - ii. Provide a list of all RTE plant or animal species potentially located within the facility corridor and any other areas where construction-related activities may occur.
  - iii. Describe methods for training contractors and other on-site personnel on identifying those RTE species indicated as potentially located within the facility corridor, or evidence of the presence of those species.
  - iv. Describe measures that will be taken in the event that RTE species are known to exist in the project area or are otherwise observed, including avoidance and minimization measures that will be implemented.
  - v. Provide an updated list of protected native plant species, including confirmation of the locations of protected native plants listed in 6 NYCRR 193.3 that have been previously observed to occur within the facility corridor.
- (12) *Invasive Species:*
- i. Summarize the invasive species known to exist within the facility corridor based on publicly available information or the results of pre-construction invasive species surveys.
  - ii. Summarize the methods that will be used to minimize the spread and prevent the introduction of invasives species during construction of the project.
  - iii. Describe measures to be taken if project activities are observed to cause a spread of invasives species.
  - iv. Where applicable, provide cross references to the project's Invasive Species Management Plan.
- (13) *Herbicides:*
- i. Specify the locations where herbicides are to be applied. Provide a general discussion of the site conditions (e.g., land use, target and non-target

vegetation species composition, height, and density) and the choice of herbicide, formulation, application method, and timing.

- ii. Confirm that all herbicides that will be used have valid registrations under applicable State and federal laws and regulations.
  - iii. Describe the procedures that will be followed during application to protect non-target vegetation, streams, wetlands, potable waters and other water bodies, and residential areas and recreational users on or near the ROW.
- (14) *Fugitive Dust Control:*
- i. Specify appropriate measures that will be used to minimize fugitive dust and airborne debris from construction activity.
- (15) *Blasting:*
- i. Describe and identify on maps the proposed locations of blasting, including a characterization of the subsurface conditions at each proposed blast site and provide an explanation for why other, mechanical excavation methods are not feasible.
    - 1. Identify any nearby receptors that may be adversely affected by blasting operations and describe any pre-blast surveys completed and/or planned.
    - 2. Provide the results of any geotechnical investigations completed at proposed blasting locations.
- (16) *Environmental Supervision:*
- i. Describe protocols for supervising demolition, vegetation clearing, use of herbicides, construction, and site restoration activities to ensure minimization of environmental impact and compliance with the environmental protection provisions specified by the Certificate.
  - ii. Specify the titles and qualifications of personnel proposed to be responsible for ensuring minimization of environmental impact throughout the demolition, clearing, construction, and restoration phases, and for enforcing compliance with environmental protection provisions of the Certificate and the EM&CP. Indicate

the amount of time each supervisor is expected to devote to the project.

- iii. Specify responsibilities for personnel monitoring all construction activities, such as clearing, sensitive resource protection, site compliance, EM&CP change notices, etc.
  - iv. Explain how all environmental protection provisions will be incorporated into contractual specifications and communicated to those employees or contractors engaged in demolition, clearing, construction, and restoration.
  - v. Describe the procedures to "stop work" in the event of a Certificate violation.
  - vi. Identify the Certificate Holder's designated contact, including 24/7 emergency phone number, for assuring overall compliance with Certificate conditions.
- (17) *Clean-up and Restoration:*
- i. Describe the Certificate Holder's program for ROW clean-up and restoration, including:
    - 1. Removal of any temporary roads; restoration of lay-down or staging areas; the finish grading of any scarified or rutted areas; and the removal of waste, scrap metals, surplus or extraneous materials or equipment used.
    - 2. Plans, standards, and a schedule for the restoration of vegetative cover, including, but not limited to, specifications to address:
      - a. Design standards for ground cover, including:
        - i. Species mixes and application rates by site;
        - ii. Site preparation requirements (soil amendments, stone removal, subsoil treatment, or drainage measures, etc.); and
        - iii. Acceptable final cover percentage by cover type.
      - b. Planting installation specifications and follow-up responsibilities.
      - c. A schedule or projected dates of any seeding and/or planting.
      - d. Plans to prevent unauthorized access to and along the ROW.

3. Roadway and Guiderail restoration (if not addressed elsewhere).

(18) *Visual Impact Mitigation:*

- i. Provide a proposal to address visual mitigation for impacts including but not limited to road crossings, adjacent property owners, and visually sensitive areas including visually sensitive historic properties.
- ii. Discuss the use of existing vegetation or proposed landscape plantings as screening, earthwork, or site-specific requisites to provide the maximum extent of visual mitigation of facility components practicable.
- iii. Provide plant lists comprised of appropriate native plants based on site characteristics and a reconnaissance of the native plants found within the facility corridor.
- iv. Provide details comprised of landscape plans and specifications and an inspection and maintenance program for the life of the project, including plans for replacement of plantings where such visual screenings have failed.

(19) *Real Property:*

- i. Provide an attestation that all real property and access rights necessary for construction of the applicable phase or segment of the project have been obtained.
  1. If applicable, copies of approved occupancy rights for any railway properties, including all design and construction plans, and a copy of all specifications and engineering computations for the proposed occupancy.
  2. If applicable, copies of crossing agreements with owners of railroad tracks or beds crossed by the project, including all design and construction plans, and all specifications and engineering computations, for the proposed crossings.

(20) *ROW Encroachment Plan:*

- i. Provide detailed plans for identifying and resolving potential encroachments to the existing and proposed ROW.

- ii. Provide justification for any proposed acquisition, removal, or relocation of any buildings or structures.

(21) *Safety and Security:*

- i. Describe plans to prevent unauthorized access to and along the ROW, including but not limited to:
  - 1. Posting signs at the edges of the project ROW in those locations where the ROW intersects public roads;
  - 2. Performing outreach to educate and inform the public concerning the risks and impacts of unauthorized access;
  - 3. Consulting with local law enforcement officials in an effort to prevent future trespassing;
  - 4. Identifying construction and material details of gates, berms and landscaping if any; and
  - 5. Conducting a post-construction assessment of the project, in consultation with DPS Staff, to provide a final determination of locations of any gates, berms and landscaping.

(22) *Electric and Magnetic Fields:*

- i. Provide a certification from a Professional Engineer licensed by the State of New York stating that, if constructed in accordance with the final design plans, the Transmission facility will comply with the applicable electric and magnetic field ("EMF") standards, established by the Commission in Opinion No. 78-13 (issued on June 19, 1978), and the Statement of Interim Policy on Magnetic Fields of Major Electric Transmission Facilities (issued on September 11, 1990).

(23) *In-Water Facilities:*

- i. For construction of in-water facilities, the EM&CP shall include:
  - 1. Details and manufacturers' specifications for any equipment that will be used for installation of the cable and associated facilities.
  - 2. A detailed description of the following construction practices for installation (as applicable):
    - a. Any site preparation activities along the installation route, including but not limited

to, as applicable: pre-lay grapnel run, boulder removal/relocation, marine debris removal, unexploded ordinances (UXO) clearance, removal of existing infrastructure, pre-installation surveys, pre-sweeping, pre-lay mattress installation, utility crossing preparation, and/or pre-trenching, etc. Include a narrative and maps indicating the locations at which each method is expected to be employed.

- b. Installation methods, including but not limited to: mechanical cutter, mechanical plow (which may include a jetting system), jet sled, jet trencher, vertical injector, hydraulic/suction hopper dredging, mechanical dredging, and/or mass flow excavator. Include a narrative and maps indicating the locations at which each method is expected to be employed.
- c. The location(s) of any HDD exit pit(s).
- d. Transition methods for HDD to in-water cable.
- e. Cable pulling and splicing plans, including details associated with any proposed installation of spare conduits within the in-water ROW.
- f. Cable-laying methods including barge positioning and midline buoys, if necessary.
- g. How the use of anchoring, if any, during construction and maintenance activities will avoid and/or minimize impacts to sensitive benthic habitats, Recognized Ecological Complexes, historic and archeological resources, and impacts to existing buried assets.
- h. The parameters for the use of anchors and spuds, the limits of the anchoring corridor, and identification of discrete "No Anchor" areas, in the event anchoring is ultimately required.
- i. Measures that will be employed to minimize sediment disturbance caused by anchoring during construction.
- j. How the proposed construction equipment and methods avoid and/or minimize impacts related to the in-water environment, and why the

- proposed construction equipment and methods are most suitable for construction of the facility;
- k. Details on the area and duration of any temporary in-water closures needed during project installation activities, including HDD and cable laying, and a description of how these areas have been minimized to the maximum extent practicable.
  - l. Details on how mariners, including commercial, recreational, for-hire (charter) fishermen, and other recreational boaters, will be alerted to the presence of the in-water work area, including any Private Aids to Navigation that may be required in State waters, and identification of activities that will be the subject of United States Coast Guard's Local Notice to Mariners.
3. A description of cable burial techniques and adjustments along the marine route, including:
- a. A detailed graphical representation of anticipated minimum and maximum achievable burial depths based on sediment conditions at regular intervals that are appropriate for the scale of the project;
  - b. A written evaluation of the likelihood of achieving target burial depths based on the results of the study; and
  - c. A quantitative analysis of risks to the cable and coastal users along the marine route.
  - d. A written evaluation of the efficacy of alternative cable protection measures that may be required along the in-water route, and justification for why the selected cable protection method is preferred at each site. The analysis shall include, to the extent available, technical documentation from cable protection manufacturers. The analysis shall evaluate a range of cable protection measures' ability to maintain overtrawlability, minimize shifting over time, and avoid creating a discernable berm on the sediment surface and shall include, concrete mattresses with taper

edges, crushed rock, and rock bags or other appropriate protection method(s).

4. A narrative discussion of any limiting factors to completing construction as proposed in the project schedule including but not limited to availability of any required vessel(s), equipment, material, specialized personnel, etc.

**B. EM&CP Plan and Profile Drawings and Maps** - Section B of the EM&CP shall include the project's plans and profiles, details, sections and design drawings, and maps. Each drawing or figure shall be clearly titled, numbered, and dated to its version. All design drawings and figures are to be stamped and signed by a licensed Professional Engineer and shall reflect the final design of the facility.

- (1) *Plan View Requirements:* Plan drawings at a legible common engineering scale (recommended at a scale minimum 1 inch = 200 feet) showing or otherwise including:
  - i. A drawing index and drawing index (key) map.
  - ii. A legend identifying existing and proposed features shown on the plans.
  - iii. Contour lines at a minimum of 5-foot intervals. Where contours are based on recently completed on-site surveys, contours shall be taken at two-foot intervals, completed by a licensed surveyor, and referenced to the National Geodetic Vertical Datum (NGVD) or North American Vertical Datum of 1988 (NAVD88).
  - iv. Station numbering (stationing) along the centerline of proposed electric line(s) which shall be continuous along the entire length of the cable.
  - v. Construction notes, including all appropriate information for the contractor.
  - vi. A table showing property owner information and associated parcel number, stationing, and type of easements.
  - vii. A table showing splice locations, methods, and associated stationing location.

- viii. A table showing Co-located Infrastructure information, including owner information, station location of proposed crossings, and agreement status.
- ix. The boundaries of any new, existing, and/or expanded ROW or road boundaries, and where conductors are to be constructed overhead, underground or in-water.
- x. Areas contiguous to the ROW or street within which the Certificate Holders will obtain additional property rights.
- xi. Host and adjacent property lines and associated landowner information.
- xii. Locations of each proposed structure related to the major electric transmission facility.
- xiii. Components of the major electric transmission facility complying with any applicable local setbacks, including fence, gate, down-guy anchor, any counterpoise required for the facility, conductors, insulators, location of mid-span splices, static wires, and any other components attached to facility structures.
- xiv. Unique symbols distinguishing proposed and existing overhead and underground conductors.
- xv. Proposed trenchless and in-water installation locations, including their approximate lengths.
- xvi. On- and off-ROW temporary and permanent access roads, parking areas, lay-down areas and work pads, including an indication of provisions for upgrading any existing access.
- xvii. Indicate any required temporary or permanent grading associated with accesses roads, work areas and any other grade alterations.
- xviii. Construction contract limit lines, property lines, designated floodways and flood-hazard area limits, buildings, sheds, relocated structures, and any plans for water service, sewage and waste disposal.
- xix. Construction type, material, dimensions, and listing of any standards applied to construction of access roads.
- xx. Limits of Disturbance for the proposed major electric transmission facility, including areas requiring temporary clearing needed for construction, including language referencing danger tree provisions/rights.

- xxi. For existing utility and non-utility facilities that will be acquired or require removal or relocation, indicate methods of removal of existing facilities, and show the new locations, types and configurations of relocated facilities.
- xxii. Location of the major electric transmission facility relative to nearby fence lines, roads, trails, railways, airfields, hedgerows, surface waters, wetlands, streams, other water bodies, significant and unique habitats, associated facilities, nearby buildings or structures, areas assessed to contain cultural resources, major antennas, areas of known or suspected contamination or hazardous materials, oil, gas, and potable water wells, and major utility infrastructure.
- xxiii. The location and details of any proposed new or expanded switchyard, substation, converter station, or other terminal or associated utility or non-utility structure.
- xxiv. Type(s) of outdoor lighting, including design features to avoid off-site illumination and minimize glare, and the color and finish of all structures.
- xxv. The location and boundaries of any on- or off-ROW areas proposed to be used for fabrication, designated equipment parking, staging, access, lay-down, and conductor pulling.
- xxvi. Any planned fencing, surface improvements, and screening of storage and staging areas.
- xxvii. The locations for ready-mix concrete or flowable fill chute washout and any other cleaning activities.
- xxviii. Location of any proposed temporary concrete batch plant(s) related to facility construction.
- xxix. Locations of all temporary and permanent stormwater management controls that are developed in accordance with the latest version of the New York State Stormwater Management Design Manual and required based on site-specific conditions or conditions of the Certificate. Include the dimensions, material specifications and installation details for each post-construction stormwater management practice.
- xxx. Additional requirements for in-water cables:
  - 1. Federal navigation channel locations;
  - 2. Co-located infrastructure and crossing locations;

3. Bridges, piers, and other marine infrastructure;
4. Location of landfall and associated infrastructure (e.g., exit point, transition joint bay, etc.);
5. Defined bathymetry contours within the facility Siting corridor;
6. Splice locations;
7. Locations of known significant fish and wildlife habitat; RTE species or habitat; Recognized Ecological Complexes; and any other exclusion zones;
8. Locations of Federal Aids to Navigation (ATONs);
9. Locations of proposed cable protection measures;
10. Anchorage areas and anchor avoidance areas;
11. Areas of any temporary in-water closures needed during HDD and in-water preparation or construction; and
12. Locations of any proposed sand wave leveling.

- (2) *Vegetation Clearing and Disposal Plans*: Identify on the plan drawings:
- i. Locations of sites requiring clearing of vegetation related to the facility, including areas to be temporarily utilized during construction and the geographic limits of such clearing including danger trees;
  - ii. Specific methods for the type and manner of cutting and disposition or disposal method for cut vegetation, including areas where property owners request specific methods;
  - iii. Methods for management of vegetation to be cut or removed at each site;
  - iv. Any geographical area bounded by distinctly different cover types requiring different cut-vegetation management methods including areas requiring distinctly different cut-vegetation methods due to site conditions such as land use differences, population density, habitat or site protection, soil or terrain conditions, fire hazards, or other factors; and
  - v. Location of any areas where specific vegetation protection measures will be employed and the details of those measures to avoid damage to specimen tree stands of desirable species, important screening trees, or hedgerows.

- (3) *Stormwater Management and Erosion Controls:* Plan views shall show specific controls to divert stormwater, minimize erosion, and prevent sediment transport beyond the limits of the work area, in a manner that is consistent with the project SWPPP.
- (4) *Wetlands, Waterbodies, and other Water Resources:* On the plan view, indicate:
- i. Locations of wetlands, streams, and other water bodies.
  - ii. The name, water quality classification, location, and flow regime of all rivers, streams, and drainages within or adjacent to the facility ROW.
  - iii. The location and type of any wetland, delineated locations of wetland boundaries, and the extent of State-regulated wetland Adjacent Areas located within or adjacent to the facility ROW.
  - iv. The location of all potable water sources and the precautionary measures to be taken to protect each water source, including springs and wells on the facility ROW or within: (i) 100 feet of the ROW or access roads; (ii) 500 feet of horizontal directional drilling locations; or (iii) 1,000 feet of blasting operations.
  - v. The type(s) and location(s) of measures to be taken to protect wetlands and waterbodies.
  - vi. The stream and wetland crossing method(s), with reference to the applicable crossing method details/typicals.
  - vii. For each new crossing of a "protected stream" and/or "navigable waters of the state", and streams with species protected under 6 NYCRR Part 182, provide:
    1. Detailed plan, profile, and cross-sectional view plans;
    2. Drainage area and flow calculations to ensure that the design will safely pass the 1% annual (100-year return) chance storm event; and
    3. Location, quantity, and type of fill.
  - viii. Designated floodways or flood hazard areas to be traversed by the facility or access roads, or otherwise used for facility construction or the siting of associated facility components.
- (5) *Agricultural Areas:* On the plan view, indicate:

- i. Locations of sites under cultivation or in active agricultural use, including rotational pasture, pasture, hayland, and cropland.
  - ii. Locations of NYS certified Agricultural Districts and Mineral Soil Groups 1-4.
  - iii. Locations of any unique agricultural lands including maple sugarbushes, muckland and other organic farmland, and permanent irrigation systems, as well as areas used to produce specialty crops.
  - iv. Locations of vulnerable soils in agricultural areas that are sensitive to construction disturbance due to slope, soil wetness, and shallow depth to bedrock.
  - v. Location of all land and water management features, including subsurface drainage facilities, surface drainage, diversion terraces, buried water lines, and water supplies.
  - vi. Site-specific techniques to be implemented to minimize construction-related impacts to agricultural resources.
- (6) *Sensitive Land Uses and Resources:* Indicate the location and identification of sensitive land uses and resources that may be affected by construction of the facility or by construction-related traffic.
- (7) *Cultural and Scenic Resources:* Indicate the locations of cultural and scenic resources and specify measures to minimize impacts to these resources.
- (8) *Recreational:* Indicate the locations where recreational use areas would affect or be affected by the facility location, construction or other ROW preparation.
- (9) *Noise Sensitive Sites:* Show the locations of noise-sensitive areas within and adjacent to the facility corridor.
- (10) *Ecologically and Environmentally Sensitive Areas:*
- i. Indicate the locations of any known culturally and environmentally sensitive sites within or adjacent to the facility ROW or along the general alignment of any access roads to be constructed, improved or maintained

for the facility. Specify the measures that will be taken to protect these resources. Such areas shall be delineated and labeled as "Environmentally Sensitive Areas, No Access" on the plans.

- ii. Protected native plants stands shall be identified in the plan view drawings, which shall note any such locations where the landowner has given permission for the removal of such protected native plants.
  - iii. Locations of construction fencing to restrict access to ecologically and environmentally sensitive areas during construction, including locations of protected native plants.
- (11) *Invasive Species*: Identify the location(s) of invasive species known or identified within or adjacent to the facility ROW and measures to minimize the spread, expansion, and introduction of invasive species.
- (12) *Herbicides*: On the plan view and in the construction notes, indicate areas where herbicides will not be used.
- (13) *Profiles*: Profile View, at an appropriate scale, to be included with relevant plan sheet, showing or otherwise including:
- i. The lowest conductor of an overhead design shall be shown in relation to the ground at the maximum permissible conductor temperature for which the line is designed to operate (i.e., normally the short-time emergency loading temperature). If a lesser conductor temperature is used for the line profile, the maximum sag increase between the conductor temperature and the maximum conductor temperature shall be indicated for each ruling span.
  - ii. For underground project design, show relation of the facility to final surface grade, indicating design depth-of-cover.
  - iii. Existing surface grade (ground elevation) along the facility route.
  - iv. Stationing that matches the related plan view on that sheet. Stationing shall be continuous from beginning of the major electric transmission facility to its end.

- v. All components of the facility and corresponding elevations shown above or below the existing surface grade.
  - vi. Existing utility or non-utility structures and related elevations within the ROW and indicate those to be removed or relocated.
  - vii. Include circuit arrangements where new structures will accommodate existing circuits, indicate methods of removal of existing facilities, and show the new locations, types and configurations of relocated facilities.
  - viii. Proposed trenchless installations and waterbody crossing locations, elevations of proposed cables, and direction of cable pull, including the approximate lengths of such routes.
- (14) *In-Water Transmission facility Profiles:* For in-water cables, provide installation requirements shown on profiles, including related elevations, including:
- i. Existing Surface Water Level.
  - ii. Present sediment surface.
  - iii. Proposed in-water route of major electric transmission facility shown at target burial depth.
  - iv. Federal navigation channel and proposed separation between the bottom of the channel and proposed target burial depth.
  - v. Co-located infrastructure and crossing locations.
  - vi. Locations of cable protection measures.
  - vii. Bridges, piers, and other marine infrastructure.
  - viii. Location of landfall and associated infrastructure.
  - ix. Splice locations.
  - x. Locations of ATONs.
  - xi. Anchorage areas and anchor avoidance areas.
  - xii. Locations of any proposed sand wave leveling.
- (15) *Typical Details and Elevation Requirements:* Provide the following typical details and elevation requirements for the for final facility design and construction:
- i. Typical underground infrastructure section details with dimensions of proposed depth, trench width, level of cover, separation requirements between circuits/cables, clearing width limits for

- construction and operation of the facility, limits of disturbance, required permanent ROW, and a description of the cable installation processes.
- ii. Details for typical tower foundations.
  - iii. Typical details of any proposed vaults, including vault dimensions, level of cover, clearing limits for construction and operation of the facility, and limits of disturbance for installation.
  - iv. Details for typical overhead electric transmission lines, including a profile of the centerlines at an exaggerated vertical scale and typical elevation views including height above grade and structure layouts.
  - v. Details for typical overhead structures, guy anchors, buildings, and any proposed equipment foundations including plan and section information. If multiple foundation designs are to be utilized for the facility, specify the foundation type at each location on the foundation plans, either listed in a table or indicated on corresponding plans.
  - vi. Typical detail drawings for switchyards, substation, converter stations other buildings and interconnection facilities, including fencing, gates, and station equipment and infrastructure, which shall include:
    - 1. the length, width, height, material of construction, color, and finish of all buildings, structures, conductors, insulators, and other fixed equipment; and
    - 2. a 'general arrangements' drawing showing elevation mark pointers with reference to associated elevation views, including views of all components of the station.
  - vii. For each proposed permanent point of access or access type, a typical installation plan view, cross section, and side view with appropriate dimensions, including temporary and permanent widths, and identification of materials to be used along with corresponding material thickness.
    - 1. Provide diagrams and specifications (include plan and side views with appropriate typical dimensions) for each erosion control feature to be used for access roads.
    - 2. Provide diagrams and specifications (include plan and side view with appropriate dimensions) for each type of access road stream crossing method.

- viii. Typical details of any other proposed access (e.g., helicopter or barge placement).
- ix. Typical details of any proposed agricultural resource protection measures.
- x. Manufacturer-provided information regarding the design, safety and testing information for associated components of the facility including but not limited to inverters, transformers, cables and conductors, circuit breaker, relay protection and communication system to be installed, or as related to the transmission facility for operation.

**C. Additional Plans and Appendices** - Section C of the EM&CP shall include additional plans and appendices required by the Certificate or otherwise proposed by the Certificate Holder. Examples of such plans and appendices include:

- (1) *Stormwater Pollution Prevention Plan*. Include the Storm Water Pollution Prevention Plan (SWPPP) developed in accordance with the New York Standards and Specifications for Erosion and Sediment Control.
  - i. The Certificate Holder shall include NYSDEC's letter of acknowledgement under the SPDES General Certificate for Stormwater Discharges from Construction Activity and/or the NYSDEC-approved SPDES Individual Certificate for the project.
- (2) *Emergency Response Plan*. Describe emergency response procedures for construction and operation of the facility.
- (3) *Complaint Management and Resolution Plan*. A Complaint Management and Resolution Plan for construction and operation of the project, which shall describe the following:
  - i. The name, mailing address, local or toll-free telephone number, and email address of the appropriate facility contact for development, construction, and operations. The toll-free or local phone number shall include a recorded outgoing message that will, when a call is not answered by a person, provide the caller

with the name of the Certificate Holder's representative as well as:

1. The number to be called in case of emergency;
  2. When the caller can expect a return call; and
  3. Where the caller can find contact information for DPS Staff.
- ii. The procedure and contact information for registering a complaint.
  - iii. Contact information for DPS Staff.
  - iv. Methods for registering a complaint, which shall include a phone number, email address, mailing address, project website, and a form to report complaints.
  - v. A response to all inquiries or complaints, with an acknowledgement of receipt to the complainant within one business day.
  - vi. Process for responding to and resolving complaints in a consistent, timely, and respectful manner.
  - vii. Logging and tracking of all complaints received and resolutions achieved, with records of the following for each complaint containing:
    1. The name and contact information of the person filing the complaint;
    2. Location and owner of the property where the complaint originated;
    3. Date and time of the underlying event causing the complaint;
    4. Description of the complaint; and
    5. Current status and description of measures taken to resolve complaint.
  - viii. Reporting to DPS Staff of any complaints not resolved within ten (10) business days of receipt.
  - ix. Mediating complaints not resolved within sixty (60) days.
  - x. Providing annual reports of complaint resolution tracking to the Secretary.

(4) *Cultural Resources Avoidance, Minimization and Mitigation Plan*. A Cultural Resources Avoidance, Minimization and Mitigation Plan (CRAMMP) for the project, providing:

- i. A narrative summary and demonstration that impacts of construction and operation of the facilities on

cultural resources (including archeological sites, historic resources, and above ground resources) will be avoided or minimized to the extent practicable by selection the proposed facility's location, design, and/or implementation of identified mitigation measures. At a minimum, the Cultural Resources Avoidance, Minimization and Mitigation Plan shall consist of any approved site avoidance plan and incorporate any additional avoidance, minimization, or mitigation measures identified by DPS Staff, in consultation with OPRHP.

- ii. A Final Unanticipated Discovery Plan, which shall be updated, as necessary, to include the names, titles, and contact information of individuals within the Certificate Holder's construction organizational structure as referenced within the Plan.
- iii. A Cultural Resources Mitigation and Offset Plan (if required), either as adopted by the federal permitting agency in subsequent National Historic Preservation Act (NHPA) section 106 review; or, in the event that the NHPA section 106 review does not require that the mitigation plan be implemented, as required by DPS Staff in consultation with OPRHP. Proof of mitigation funding awards for offset facility implementation to be provided within two (2) years of the start of construction of the facility shall be included.

(5) *Construction Noise Control Plan.* The Construction Noise Control Plan addressing the following:

- i. Specify procedures to be followed to minimize noise impacts related to ROW clearing, and construction and operation of the facility.
- ii. Describe notifications and noise impact avoidance and minimization measures to be implemented for potentially impacted sensitive sound receptors during extended work hours, defined as any construction periods occurring during Sundays, federal holidays, and Monday through Saturday between the hours of 7:00 PM and 7:00 AM.
- iii. Indicate the types of major equipment to be used in construction or facility operation; sound levels at which that equipment operates; days of the week and hours of the day during which that equipment will

normally be operated; any exceptions to these schedules; and any measures to be taken to reduce audible noise levels caused by either construction equipment or facility operation.

- (6) *Drainage System Repair Plan.* In consultation with the local Soil and Water Conservation District and NYSAGM, provide a plan for repair of any drainage lines damaged during construction of the Project, which includes:
- i. Procedures for repair of crushed/severed clay tile and plastic drain lines.
  - ii. Drawings showing the generic technique to be implemented for drain line repairs.
  - iii. Protocols for replacement of functional stone drainage systems severed during construction.
- (7) *Dewatering Plan.* Provide a Dewatering Plan for onshore temporary dewatering operations associated with project construction that includes:
- i. Plans for discharging water generated from dewatering operations that does not exceed NYSDEC standards, criteria, or guidance values.
  - ii. Measures to avoid direct discharges into any wetland, stream, or other waterbody, except where approved in the SPDES Certificate.
  - iii. Plans for handling, treatment and disposal of water generated from dewatering operations that exceeds NYSDEC standards, criteria, or guidance values.
  - iv. Description of any plans for discharge of effluent from dewatering operations into a municipal sewer system, including:
    1. Procedures for prior notification to the municipality, including the timing and expected amount of effluent to be discharged.
    2. Confirmation that the Certificate Holder will not discharge effluent from dewatering into any municipal sewer system during periods of precipitation, or when a precipitation event is forecasted to occur within twenty-four hours.
- (8) *Highway Work Plan.* A Highway Work Plan prepared in compliance with 17 NYCRR Part 131; NYSDOT Highway Design Manual Chapter 13 and its Appendices A - C; NYSDOT Highway

Design Manual Chapter 5, Appendix A; NYSDOT Blue Book; and all other applicable permits and approvals, including NYSDOT Highway Work Permits and Use and Occupancy Permits.

- (9) *Maintenance and Protection of Traffic Plan.* A Maintenance and Protection of Traffic (MPT) Plan to ensure safety and minimize potential delays to local traffic during construction, which shall describe, at a minimum, the following:
- i. Maps and plans showing final haul routes developed in consultation with DPS Staff, county and municipal highway officials and local school districts. Final haul routes shall be accurately depicted in drawings submitted with the Traffic Control Plan.
  - ii. Copies of all necessary transportation Certificates from the affected State, County, and municipal agencies for such equipment and/or materials on such route. Such Certificates shall include but not be limited to: Highway Work Certificates to work within the ROW, Certificates to exceed posted weight limits, Highway Utility Certificates to construct facilities within ROW, Traffic Signal Certificates to work within ROW, Special Haul Certificates for oversize/overweight vehicles, and Divisible Load overweight Certificates.
  - iii. Copies of all necessary agreements with utility companies for raising or relocating overhead wires where necessary to accommodate the oversize/overweight delivery vehicles, if applicable.
  - iv. A copy of all road use and restoration agreements, if any, between the Certificate Holder and landowners, municipalities, or other entities, regarding repair of local roads damaged by heavy equipment, construction or maintenance activities during construction and operation of the facility.
  - v. Confirmation that:
    1. Signage utilized at State highways shall comply with the New York State Department of Transportation ("NYSDOT") Manual of Uniform Traffic Control Devices;
    2. Placement of signs shall be determined in consultation with the jurisdictional agency; and
    3. Flaggers or an electronic traffic device in lieu of a flagger shall be present when equipment is crossing any public road, when equipment is being loaded or unloaded from a vehicle parked on a public road, and where multiple-lane traffic has been reduced to less lane(s).

4. Spotters assigned to ensure the safe operation of heavy equipment shall be utilized where necessary and appropriate.
  - vi. If applicable, the MPT Plan shall include a Work Zone Traffic Control (WZTC) plan that identifies procedures to be used to maintain traffic and provide a safe construction zone for those activities within the roadway ROW.
    1. WZTC plans shall also be provided for each location where construction vehicles will access the project ROW from the local roadway.
    2. WZTC plans shall address temporary signage, lane closures, placement of temporary barriers, and traffic diversion.
    3. For any proposed traffic detours, specify the duration and notification procedures.
- (10) *Threatened and Endangered Species Minimization and Monitoring Plans.* As applicable, Minimization and Monitoring Plans shall be provided for the following species, where impacts to individuals or the species' habitats cannot be avoided:
- i. *Bald Eagle.*
  - ii. *Northern Long-eared Bat.*
  - iii. *Tricolored Bat.*
- (11) *Wetland Mitigation Plan (if necessary).* A Wetland Mitigation Plan, intended to compensate for unavoidable loss of wetland functions and values, which shall include the following:
- i. Proposal to address wetlands mitigation for all permanent impacts to State-regulated wetlands and Federally- regulated wetlands, if prescribed by the Army Corps of Engineers. If such proposal is to prepare a detailed mitigation plan for State regulated wetlands, it shall separately address impacts to each of the wetlands benefits described in ECL § 24-0105(7). Plans shall provide for wetland mitigation in the same watershed to the maximum extent possible.
  - ii. Plans to compensate for unavoidable loss of wetland functions and values, including the following:
    1. The creation of compensatory wetlands at appropriate ratios;
    2. A construction timeline for the mitigation activities;
    3. Construction details for meeting all requirements contained in the Permit conditions;

4. Agreed-upon performance standards for determining wetland mitigation success;
5. Provisions for post-construction annual monitoring and reporting for a period of five years after completion of the wetland mitigation; and
6. Plans for corrective actions after each monitoring period to implement corrective actions for any areas that do not meet the required performance standards in order to increase the likelihood of meeting the performance standards after five years.

(12) *Site-specific Stream Crossing Plan.* For each proposed trenchless crossing location, if any, the Stream Crossing Plan must include:

- i. Detailed engineering plans with plan views and cross sections that contains the stream channel, pipe locations, pipe diameter, locations of boring pits, pullback areas, laydown areas, areas of vegetative clearing/cutting, erosion and sediment control measures, and dewatering wells (if necessary).
- ii. Geotechnical data characterizing the soils for the entire depth profile of the crossing within the pipeline trajectory.
- iii. A site-specific analysis of the potential for inadvertent returns or frac-outs, including but not limited to, an evaluation of soil strength to resist drilling fluid pressure, and the likelihood to maintain borehole stability.
- iv. A site-specific analysis of the appropriate depth of pipe beneath the waterbody to assure sufficient cover is provided considering vertical and horizontal movement of the stream. This analysis should consider 0.2 percent chance flow events anticipated over the life of the facility, including an appropriate design flow multiplier to account for future flows given a changing climate.

(13) *Inadvertent Returns Plan.* For any directional drilling that may result in an Inadvertent Return that has the potential to impact a wetland or waterbody, a site-specific plan to address inadvertent returns or frac-outs that includes dedicated equipment and staff on site during active directional drilling as well as identification of access points to immediately collect fracking fluid

released into wetlands and waterbodies and halt additional spread.

- i. The plan shall establish procedures for notifying DPS Staff and NYSDEC of any inadvertent returns or other releases of fracking fluids within 24 hours.
- ii. If an inadvertent return or frac-out occurs, the Certificate Holder must develop and submit to DPS Staff a "Corrective Action Plan" to remove any remaining fracking fluid and restore the wetland or waterbody to pre-existing conditions. At a minimum, the "Corrective Action Plan" shall include a description of the condition(s) requiring corrective action, methods and schedule for conducting the corrective action(s). Certificate Holder shall implement the approved "Corrective Action Plan" immediately after receiving written approval from DPS Staff, according to the approved schedule.
- iii. A Drilling Fluid Management Plan which includes the following:
  1. Drilling Fluid Safety Data Sheet;
  2. Description of how drilling fluids will be stored;
  3. Description of how drilling fluids will be managed on site, transported, and disposed, including the name and location of any offsite disposal facilities; and
  4. Description of how drilling fluids will be neutralized for disposal.

(14) *Quality Control Plan.* A Quality Control Plan, which shall include:

- i. Job titles and qualifications necessary, demonstrating how the Certificate Holder will monitor and assure conformance of facility design, engineering and installation, including general concrete testing procedures with a plan outlining the monitoring and testing of concrete procedures in conformance with and reference to all applicable codes and standards.
- ii. The frequency with which the Quality Control Audits will be performed.
- iii. Description of how the Certificate Holder will ensure that the transmission line structures and components it purchases conform to the specification for structures and components described in the EM&CP.

- (15) *Invasive Species Management Plan*. An Invasive Species Management Plan (ISMP) prepared in compliance with 6 NYCRR Part 575, which shall include the following information:
- i. Baseline mapping of all invasive species (IS) within the facility area and, to the extent Certificate Holder has access rights, for one hundred (100) feet beyond the facility's LOD. For baseline mapping of invasive species within the one hundred (100) feet beyond the LOD, Certificate Holder may utilize desktop studies consistent with NYSDEC survey protocols to identify any such species. The baseline mapping and data shall include the relative abundance and distribution of each invasive species prior to the commencement of any construction activities.
  - ii. Construction Best Management Practices (BMPs) for the on-site management of invasive species.
  - iii. Identification of specific control, removal, and disposal measures to be implemented for each identified and mapped invasive species/plant community during construction activities.
  - iv. Detailed sequence and schedule for all mechanical and chemical control measures to be implemented during construction activities.
  - v. A detailed monitoring plan and specific sampling protocols for each identified and mapped invasive species/plant community within the facility corridor, and for any invasive species within one hundred (100) feet beyond the LOD identified and mapped as provided in subsection (i) of this Section 15.
  - vi. Identification of specific control contingency measures to be implemented as part of the ISMP for each identified and mapped invasive species for the duration of the facility, adaptive management and monitoring period (i.e., 5 years, unless extended). The ISMP shall include a detailed sequence and schedule for all contingency mechanical and chemical control measures to be implemented during the monitoring period.
  - vii. Specific contingency measures to be implemented to achieve the final site restoration criteria.
  - viii. Details regarding the responsible party or parties designated to implement the ISMP and what financial

assurances exist to ensure successful monitoring and ISMP implementation.

- ix. Plan for post-construction invasive species monitoring, which shall require:
  - 1. Post construction surveys of:
    - a. LOD, both within the ROW and off-ROW areas and access roads;
    - b. Temporary off-ROW access road areas during the final SWPPP inspections; and
    - c. LOD areas, including permanent access roads, after the second full growing season from final SWPPP signoff.
  - 2. All post-construction surveys shall utilize the same invasive species survey protocols used during the baseline pre-construction survey.
- x. The ISMP shall include construction BMPs for the on-site management of invasive species, including:
  - 1. Contractor/subcontractor/employee training on cleaning and other IS management procedures;
  - 2. Inspection of construction materials and equipment by trained staff;
  - 3. Minimization of ground disturbance in IS dominated areas;
  - 4. Proper clearing and disposal practices (i.e., cut and leave in dominated area or dispose off-site in landfill-incinerator or approved disposal site);
  - 5. Equipment cleaning; and
  - 6. Restoration.
- xi. The ISMP shall describe procedures for minimization for invasive species propagation, including but not limited to:
  - 1. Preparing ROW travel routes to prevent IS spread through contact with equipment/vehicles by any practical combination of matting, IS burial, clean fill cover or IS eradication; and
  - 2. Providing cleaning stations for equipment/vehicles whenever leaving IS dominated areas along ROW.
- xii. Upon completion of the post-construction monitoring surveys, if the post construction monitoring report shows the aerial extent of Invasive Species of Special Concern or High Concern has expanded as defined in the Adaptive Management Strategy as a result of construction of the project, then DPS, NYSDEC, and

NYSAGM will review the final report and DPS, in consultation with NYSDEC and NYSAGM, will determine whether the goals of the post construction monitoring have been achieved or, if applicable, whether a Final Adaptive Management Strategy Plan must be implemented.

(16) *Long-Range ROW Management Plan.* The Long-Range ROW Management Plan ("LRRMP") or reference to the Certificate Holder's currently-effective standard vegetation management practices outlined in its "Right-of-Way (ROW) and Grounds Maintenance Procedures", which:

- i. Describe methods for routine maintenance of the ROW for the operational life of the project, including management of danger trees, defined as any tree rooted outside of a project ROW that, due to its proximity and physical condition (i.e., mortality, lean, decay, cavities, cracks, weak branching, root lifting, or other instability,) poses a particular danger to a conductor or other key component of a transmission facility, specifications for clearances, inspection and treatment schedules, and environmental controls.
- ii. Include vegetation management recommendations, based on on-site surveys of vegetation cover types and growth habits of undesirable vegetation species.
- iii. Describe proposed chemical and mechanical techniques for managing undesirable vegetation, including herbicide use and limitations, specifications, and control measures.
- iv. Establish fence-line clearances, and overhead wire security clearance zone specifications, indicating applicable safety, reliability, and operational criteria.
- v. Specify inspection and target treatment schedules and exceptions.
- vi. Describe standards and practices for inspection of facilities easements for erosion hazard, failure of drainage facilities, hazardous conditions after storm events or other incidents.
- vii. Describe landowner notification procedures for planned ROW inspection and maintenance activities.

viii. Substantially comply with 16 NYCRR Part 84 and the final Orders issued by the Public Service Commission in Cases 04-E-0822 and 10-E-0155

(17) *Spill Prevention Control and Countermeasures Plan.*

Provide a plan for the storage, handling, transportation, and disposal of petroleum, fuels, oil, chemicals, hazardous substances, and other potentially harmful substances which may be used during, or in connection with, the construction, operation, or maintenance of the facility.

- i. Address how to avoid spills and improper storage or application in the vicinity of any wetland, river, creek, stream, lake, reservoir, spring, well, as well as any other ecologically sensitive site or existing recreational area along the ROW and access roads.
- ii. Describe procedures for responding to and remediating the effects of any spill of petroleum, fuels, oil, chemicals, hazardous substances, and other potentially harmful substances in accordance with applicable State and Federal laws, regulations, and guidance.

(18) *Final Geotechnical Engineering Report.* Provide a Final Geotechnical Engineering Report for the project for any pre-construction geotechnical investigations completed during the preparation of the EM&CP.

## **Attachment 3 – Pre-Construction Video Assessment**