

CHAMPLAIN HUDSON POWER EXPRESS, INC. - Case No. 10-T-0139

Appendix E: Real Estate Options and Agreements

Property Owner	Town	Description	Recording Number
Robert G. St Armour	Putnam	Permanent Easement	Washington County: L.3922, P.80
Cranesville Aggregate Companies, Inc.	Glenville	Permanent Easement	Schenectady County: L.1979, P.126
Scotia Industrial Park, Inc.	Glenville	Permanent Easement	Schenectady County: L. 2014, P.37
Catherine L. Burgess	Bethlehem	Permanent Easement	Albany County: Instrument # R2018-12827
Samuel R. Creech	Catskill	Permanent Easement	Green County: Instrument # D2018-2569
Easy Street Builders, Inc.	Catskill	Permanent Easement	Green County: Instrument #D2019-1296
Tilcon, Inc.	Stony Point	Permanent Easement	Rockland County: Instrument #2018-00027760
Isabella Rose Realty, LLC	Clarkstown	Permanent Easement	Rockland County: Instrument # 2019-00011442
Palisades Interstate Park Commission	Clarkstown	Letter of Intent	Letter Dated: August 08, 2019

Appendix F: Newspaper Articles

Schenectady Preferred Alternative

1. The Daily Gazette, Bridge Project to close busy City Street, December 30, 2016
2. The Daily Gazette, New train station opens in Schenectady, October 17, 2018
3. The Daily Gazette, The continuing evolution of Erie Boulevard, April 14, 2018

Rockland County Preferred Alternative

4. CSX Press Release, Capacity Project Announced on Premier River Line, January 21, 2013
5. Wall Street Journal, Power Lines Drawn, June 18, 2012
6. Rockland County Times, Public Hearing on Champlain Hudson Power Express Held in Stony Point, November 21, 2013
7. Patch, David vs Goliath – Champlain Hudson Power Express: A Bad Idea, November 21, 2013

Bridge project to close busy city street

Effort will close Nott Street for a month

The Daily Gazette | December 30, 2016

CP Rail will replace its Nott Street bridge over the next month, a project that will close a busy section of Nott Street where it merges with Erie Boulevard.

The work will detour about 12,000 vehicles per day, but the end result will be a longer bridge that will improve sight lines at the Erie Boulevard roundabout and make the area safer, city officials said.

The new bridge will be 120 feet long, about twice the length of the existing bridge. That will allow construction of an additional turn lane under the bridge as Nott Street drivers approach the new roundabout.

"I think the end product is going to be terrific," said City Engineer Chris Wallin. "The roundabout will be a great gateway to the city."

The bridge is expected to be finished before the opening of the Rivers Casino in February, in keeping with a schedule negotiated between the city and CP Rail. Because the bridge will get temporary supports and will be replaced in sections, rail traffic is expected to continue over the span during the project.

A prime reason for the new bridge is the increase in traffic on both Nott and Erie that is anticipated to accompany the opening of the casino. That opening is scheduled for Feb. 8.

The bridge, which was built in 1904, is located just a few feet east of Erie Boulevard. The road beneath it is being closed during construction for safety reasons, city officials said.

"The width of the underpass restricts the ability to have the road open and complete this work in a safe manner," the city Department of Utilities and Functions said in a prepared statement issued Friday.

The closure begins Tuesday and is scheduled to last through Jan. 31.

Westbound traffic will be detoured over Seward Place to Union Street, while eastbound traffic will be detoured to either Union Street or Maxon Road during the closure.

"We've had to use this detour before," Wallin said. "We've found it is successful, though it has been inconvenient."

Traffic delays are expected, and people are also being encouraged to use alternate routes.

The railroad is paying for the entire project, at an undisclosed price.

"The railroad has been a great partner to work with," Wallin said.

About 12,000 vehicles per day travel that section of Nott, which is near the Price Chopper corporate headquarters, Ellis Hospital and Union College. Wallin said the major employers were consulted during planning for the project.

He said the new bridge and its timing are the result of a two-year negotiation with the railroad, which approached the city about the replacement plan at about the same time the city wanted to prepare Nott Street for the development of the casino and Mohawk Harbor.

The new roundabout was designed with the knowledge that the bridge would be widened, which will improve sight lines for drivers turning from Nott onto Erie.

"This will remedy how tight the turn is onto Erie Boulevard," Wallin said. A wider sidewalk will also be installed beneath the bridge.

Work will begin in the spring to build a right-turn lane on Nott and install the new sidewalk, which is being paid for privately as a mitigation for the casino traffic increase.

CP Rail spokesman Andy Cummings said construction over the next four weeks will involve installing the temporary supports, then replacing the deck, segment by segment, until the entire bridge is new. "By using this technique, we can minimize disruptions to train traffic and roadway traffic while the bridge is being replaced," Cummings said.

The rail traffic on the bridge includes the city's daily Amtrak service, he noted, as well as freight trains.

Reach Gazette reporter Stephen Williams at 395-3086, swilliams@dailygazette.net or [@gazettesteve](https://twitter.com/gazettesteve) on Twitter.

This is more than a building': New train station opens in Schenectady

It was revealed during an event on Wednesday

The Daily Gazette | [October 17, 2018](#)

SCHENECTADY -- The concourse of the newly built \$23 million Schenectady Amtrak station was packed Wednesday with state and local dignitaries waiting to hear what announcement Lt. Gov. Kathy Hochul had for them.

"I want to go out on a limb here and kind of guess that the cat's out of the bag about what I'm here for," Hochul said, evoking laughter. "The train station is opening today -- under budget and under time."

Construction of the new station began in January and was finished approximately two weeks before its anticipated completion date, as state officials previously said it would be done by November.

Hochul gave a reason for why the project was completed faster than expected.

"[Gov. Andrew Cuomo] is the most impatient person in the state," Hochul joked. "I'm probably second to him."

Hochul went on to explain that, when working on a project, the state will try to cut costs where it can. So, if a project can be done earlier than expected, while also saving money, the state pushes for that.

"That's our incentive," Hochul said. "And we're proud to be opening it on a beautiful fall day."

During a visit to the train station in Feb. 2017, Cuomo said the state would contribute up to \$15 million -- coupled with \$10 million in federal funding -- to the project.

The state eventually provided \$17 million for construction, according to Hochul, along with an additional \$2 million for engineering services and "other project costs."

According to a press release, Amtrak also contributed \$220,000 for the passenger information display system. The Schenectady Metroplex Development Authority gave \$48,000 for the project, and the federal Railroad Administration ponied up \$3.6 million.

Speaking inside the new train station, Hochul highlighted other funding the state has devoted to the city, including \$3 million announced on Oct. 10 for the new Boys & Girls Club, which will be built in Quackenbush Park.

Hochul said people will be impressed by the new station.

"This is more than a building. It's more than a piece of infrastructure," Hochul said. "It's a statement of who a community is. And I also believe that, when the first train pulls in here and people see this for the very first time, they will understand something that we've known for a long time: It's that Schenectady matters."

Mayor Gary McCarthy called the station's opening "a day that all should be proud of."

The project was a partnership among state, local and federal entities, McCarthy said, adding that it will give upstate travelers another transportation option to the area.

It's also a continuation of what many other officials referred to Wednesday as the revitalization of Schenectady.

"It's just a great time to be here," McCarthy said. "This is a fantastic project."

The station's construction was completed in two phases. The first was demolition of the old station, done by Bette & Cring of Latham under a \$5.4 million contract. That work also included repairs to the elevated viaduct that brings the tracks through downtown.

The second phase, construction of the new station, was done by Murnane Building Contractors of Plattsburgh under a \$10.4 million contract.

During the construction period, passengers traveling to and from Schenectady had to use a temporary platform Amtrak built on the north side of Liberty Street.

In September, a gold-colored dome and a 6-foot clock were added to the new station.

The clock was meant to recall the aesthetics of the original Union Station, which was built in 1910 but was demolished in 1971.

The rest of the station was also built to pay homage to Union Station, according to state Department of Transportation spokesman Bryan Viggiani.

"This really harkens back to those architectural cues and the look and feel [of the former Union Station]," Viggiani said.

The new building features multistory arched windows and a high-vaulted ceiling inside. It also includes large flat-screen televisions that greet travelers when they enter. The TVs display images that tell the history of the city from its beginnings to the present day.

The station also has some artifacts in the concourse area, some of which reference Dutch colonization of the area in the 1660s, Hochul said.

"You get that sense of real deep history," Hochul said. "We're not talking the 1800s. You get a sense this community goes back literally centuries."

Wednesday was the first time McCarthy was able to get a look at the new station, he said.

"It's going to create that positive image we want for Schenectady," he said.

First Impressions

Lt. Gov. Kathy Hochul noted in an event announcing the opening of the new Schenectady Amtrak station on Wednesday that passengers coming through for the first time would be impressed.

"They walk in here, their jaws are going to drop," Hochul said. "I guarantee it."

Indeed, some of the first passengers to embark and disembark from the station Wednesday expressed amazement.

Karen Moyak of Niskayuna said she travels to and from New York City often and uses the Schenectady station.

She had just arrived from the first train to offload passengers Wednesday, after leaving for NYC on Monday.

"It's not even an improvement," Moyak said. "It's a whole new world. That's how much of an improvement it is."

Maryless Kaue of San Francisco was in town to visit friends and family. She was taking the first train to depart from the station Wednesday, heading to Poughkeepsie.

While it was her first time at the station, she was excited to be on the first train out the new space.

“I think it’s great fun; why not?” Kaue said. “It’s always good to be the first at anything, as long as it’s a good thing.”

The continuing evolution of Erie Boulevard

Decrepit landmark to be demolished, contaminated site to be auctioned, pedestrian tunnel to reopen

The Daily Gazette, [John Cropley](#) | April 14, 2018

SCHENECTADY — One major eyesore on Erie Boulevard is coming down, and judgment day is approaching for another.

Plans were announced last week to demolish the long-vacant and crumbling building that previously housed Grossman's Bargain Outlet; the structure dates to the 1880s.

Also this past week, a preview was posted online for a May auction of the long-vacant and crumbling former Coyne Textile Services building, across the boulevard from the former Grossman's site.

And plans were announced -- also last week -- to knock down a small building between two larger structures and replace it with a pedestrian path linking Mohawk Harbor with the downtown area through a circa-1907 tunnel under the train tracks.

The developments follow \$25 million worth of repairs and upgrades in recent years for Erie Boulevard.

Here are details about what's going on:

COYNE BUILDING

The 27,500-square-foot building formerly occupied by Coyne has been vacant for years. It apparently was bought at a bankruptcy liquidation auction when Coyne ceased operations; the owner is Newton Falls Pine Paper Co. LLC, which has a Delaware address.

The building had been offered for sale for some time by Cronin Real Estate NY, a commercial agency based in Latham. It was listed for \$650,000 in 2017 and \$300,000 earlier this year but apparently drew no viable offers, perhaps due to soil and groundwater contamination from the commercial laundry that Coyne operated there and a gas station that once operated next door.

On Tuesday, Ten-X Commercial listed it for online auction May 29-31, with a minimum bid of \$50,000. Martin McDermott, senior vice president of the Syracuse commercial real estate firm, said it will be aggressively marketed in the weeks to come.

The marketing package directly addresses the ground contamination and suggests it won't be a significant obstacle to redevelopment. Ten-X also suggests the buyer's best course of action might be demolition.

More than \$61,000 in city, county and school property taxes are due from 2016 and 2017 on the main portion of the site, 1435 Erie Blvd. A \$3,704.44 quarterly 2018 payment due Jan. 16 went unpaid, and the next is due April 16. A small attached parcel at 318 Front St., which is part of the auction offering, also has two years of unpaid taxes, but each of those bills is only a few hundred dollars.

FREIGHT DEPOT

Across the street from the Coyne site, Massachusetts petroleum company Global Partners will lease 1410 Erie Blvd. from Legere Properties. If the city approves the plan, Global will demolish the 130-year-old railroad freight depot-turned-lumber yard that stands there now and build an Alltown convenience store, with six gas pumps outside, at a cost of several million dollars.

The Schenectady County Metroplex Development Authority helped broker the deal after Legere Properties was unable over the course of eight years to sell the building for restoration and reuse.

Co-owner Ray Legere said the long, slender building's main bearing beams are broken and rotting because the structure was built with a makeshift foundation that started to fail long ago.

The previous owner did a stopgap repair that is now also failing.

“There’s a forest of stilts, little jacks under there,” Legere said of the crawlspace under the building.

To save the structure, it would need to be lifted off the ground so a new foundation could be built, a hugely expensive proposition that no buyer or tenant wanted to take on.

Legere is a fan of preservation — his company also owns the circa-1936 Schenectady Armory and three large repurposed office buildings on Erie Boulevard near the Grossman’s and Coyne buildings. But each of those is generating cash flow. The former Grossman’s has not for the eight years it has been a Legere property.

TUNNEL TRAIL

Legere, Metroplex and Global are collaborating to build the missing link of what’s being called the Alco Tunnel Trail.

It’s basically a bike-pedestrian route from State Street in the heart of downtown through the Jay Street pedestrian mall and Little Italy on Jay Street, before passing through a circa-1907 pedestrian tunnel behind the Grossman’s Building. The trail would then cross Erie Boulevard at a new crosswalk and continue to the various attractions of Mohawk Harbor.

The 300 or so feet from Jay Street to Erie Boulevard is the missing link: The tunnel is sealed at both ends, with gates and a vacant former upholstery shop the size of a one-family house standing in the way.

Metroplex Chairman Ray Gillen said the former upholstery shop will be demolished, the gates will be removed, lights will be added in the tunnel, and the pathway will be beautified with greenery.

“We don’t have a dollar figure yet,” he said, but it’s not expected to be a large sum, as most of the work is already done. Lights, signs and landscaping are the major missing pieces.

The tunnel (which may have been a walkway for workers at the Alco locomotive plant) is solid after 111 years, and the new crosswalk was built -- a safe distance from the Nott/Erie roundabout -- as part of the Erie Boulevard reconstruction.

“[City Engineer] Chris Wallin did a great job planning ahead,” Gillen added.

The Alco Tunnel Trail will become part of a growing network of foot and bike paths in the area: The new Alco Heritage Trail runs through Mohawk Harbor (formerly the Alco factory site), and the Mohawk-Hudson Bike-Hike Path runs east all the way to Cohoes and Albany. Still on the drawing board is a way to extend trails to the west.

“The goal is to try to connect it to Riverside Park and then go from there into [Schenectady County Community College],” Gillen said. For now, at least, bicyclists can ride between Mohawk Harbor and the bike path entrance at SCCC by following bike-path signs on Stockade streets.

THE BOULEVARD

Erie Boulevard itself, from Interstate 890 to the Mohawk River, has undergone an extensive upgrade over the past decade.

Wallin estimated that just the three most recent segments totaled \$25 million: The stretch from I-890 to State Street cost \$15 million to overhaul. The Nott/Erie roundabout and associated work cost \$4 million, and the 2017 reconstruction between Union and Nott Streets cost \$6 million, including water and sewer work.

The other two segments — Union Street to State Street and Nott Street to the Mohawk River — also have been repaved.

Wallin said the work is mostly done, but for some finishing touches.

“We have the permanent striping [to do],” he said. Also, the crosswalk needs to be finished, the bases where the old street lights stood need to be touched up, and the new plantings need to be checked on, if spring ever begins.”

In other developments, the city has illuminated the sidewalks under the Erie Boulevard railroad bridge. It is still in the planning stage for decorative lighting on the steelwork above. The side streets around Morette's Steakhouse will get the repaving they badly need, but not until the demolition work and construction work are done on the former Grossman's site. And the old retaining wall near the railroad bridge may be rebuilt, if its ownership can ever be established.

Wallin has contacted four railroads, and none will claim it. One of them is likely the corporate successor to the railroad company that built the wall.

"I've kind of gotten the runaround from these companies," he said.

In the interim, Wallin organized a project to push the hillside back where it had sloughed onto the sidewalk. It's a nuisance, not a danger, he said, but if it ever becomes a danger, the city would take a harder stance to get one of the railroads to stabilize it.

Otherwise, the smooth pavement, improved traffic engineering and decorative lighting on Erie Boulevard all are part of the larger picture of an improving city, he said.

"Schenectady has got a lot of momentum right now."

THE APARTMENTS

Next door to the Coyne Building — cheek-to-jowl with it, in fact — a new 52-unit apartment building is all but complete.

Developer Dennis Fusco said Colonial Commons will be done May 1, and the first tenants will move in June 1. Topsoil was laid down last week, and landscaping will be done over the next week or two. The project price tag has totaled \$5 million.

He's had interest from prospective tenants but hasn't been signing leases until he can guarantee a move-in date. He's at that point now and will begin leasing shortly.

The apartments are in eight different configurations, ranging from 735 to 1,125 square feet. Rents start at \$1,150 a month for one-bedroom units to \$1,400 for two-bedroom units.

Fusco is very close to the new Mohawk Harbor development and said all the development there has exceeded his hopes.

"I'm very impressed with the job they did."

He's also greatly pleased with the roadwork that has been done — "I love the Erie Boulevard streetscape" — notwithstanding his dispute with the city over the limitations the streetwork's design puts on access to his new apartment building.

And he thinks the demolition of the former Grossman's building will be a huge improvement.

There's just one problem remaining:

"We have to do something with the Coyne building," Fusco said. He might even buy it himself, if he doesn't have to pay for the mess there.

"I have interest in it if I can get some public funding for the cleanup as well as the demolition."

He added: "Our goal is just to get it down. I don't have any intentions of building anything."

The building itself is beyond saving, he added.

"It's an odd shape, it's kind of Z-shaped. The building covers the whole lot. It's a hard shape to do anything with."

THE OFFICES

Legere Properties also has a history of being in the right place at the right time.

Along with the former Grossman's building, it owns two warehouse buildings off Front Street, just west of Rivers Casino, and it owns three office buildings at 1462, 1473 and 1482 Erie Blvd. A distinctive pedestrian bridge over Erie Boulevard connects 1473 and 1482.

The three office buildings total about 100,000 square feet, and with the relocation of the Wink customer support center from Center City to 1482 Erie Blvd., the complex is 90 percent occupied. There remains the normal ebb and flow of tenants — 8,000 square feet will soon be vacated — but there is also a lot of interest in the space.

"Some X factor makes them want to come here," said Ray Legere, adding that he and his cousin Jeff Legere began to acquire all that property long before Mohawk Harbor was even conceived, in the belief that it would be a good investment.

"Before Mohawk Harbor, we had moderate interest. Things were coming back across the board -- in the country, in the county, in the city. I'd like to take credit for great insight, but it's dumb luck."

Legere, too, is a fan of the Erie Boulevard overhaul.

"I met people today from out of town and they were shocked," he said Tuesday.

The revised traffic pattern has been a give-and-take that Legere has been happy to make. He now has to drive an extra 60 seconds to the roundabout if he wants to go west from his office at 1462 Erie Blvd. But he also gained a small new parking lot and lost a source of traffic congestion when the north end of North Jay Street was permanently walled off.

"We made a lot of concessions that I'm not sure anyone appreciates, in terms of traffic flow," Legere said. "I'm not whining; I did it happily."

THE FUTURE

Other major projects on Erie Boulevard still in the works include the new train station and the new Electric City Apartments, both under construction now at or near State Street.

The old Masonic Temple, also at State and Erie, will be redeveloped as well.

"We have more coming," said Metroplex Chairman Gillen. "Deals are close for investments."

The stretch between I-890 and State Street is still ripe for redevelopment, he added. "We certainly have some work to do there."

CSX Press Release: January 21, 2013

Capacity Project Announced on Premier River Line

JACKSONVILLE, Fla. – January 21, 2013 – CSX today announced a major track capacity expansion on its premier River Line between northern New Jersey and the Albany, N.Y., region. The \$26 million project, with plans for additional River Line capacity expansion in future years, will enable CSX to handle more trains and support the growth of crude oil moving by rail, intermodal shipments, automobiles and other businesses while maintaining strong service performance.

A total of 18 miles of second track will be constructed over the next two to three years that will create additional capacity on the Hudson River's west shore. Preliminary work to prepare the sites in New York State at Ravena-Coxsackie, Catskill and Haverstraw is already complete with construction to begin early this year.

In addition, CSX continues to invest in terminals, clearance projects and other initiatives to prepare for near- and long-term growth in the Northeast Region, including Philadelphia's Trenton Line where clearance projects are under way. These projects complement other network capacity improvements including ongoing construction of the National Gateway to clear a route from Mid-Atlantic ports to the Midwest for double-stacked containers.

"It's critically important that we be prepared to meet our customer's needs as they grow," said Clarence Gooden, executive vice president and chief commercial officer. "The River Line is a key lane for growth and will further contribute to economic development as well as environmental benefits through CSX's terrific fuel efficiency."

Capacity on the River Line was last expanded in 2005. Consistent growth in rail traffic on the line over the last several years, along with growth projections, now warrant additional investment to further increase the corridor's capacity. The River Line is part of CSX's premier I-90 corridor that connects Chicago with New York, northern New Jersey, and the Philadelphia areas, and supports some of the network's highest velocity and volumes – much like when it existed as the centerpiece of the predecessor New York Central System.

"We continually model our growth projections to ensure that we are fully leveraging our network capacity," said Oscar Munoz, executive vice president and chief operating officer. "Today, we have sufficient capacity for our near-term growth projections, and the capacity expansion initiatives will ensure we're prepared for additional demand for our services. Demand for crude oil, for example, in the New Jersey and Philadelphia area may be as much as five trains per day, or over 400,000 barrels, over the next couple of years. Our capacity initiatives give us the capability to handle this growth along with business opportunities in our merchandise, automotive and intermodal sectors."

CSX Corporation, based in Jacksonville, Fla., is one of the nation's leading transportation companies, providing rail, intermodal and rail-to-truck transload services. The company's transportation network spans approximately 21,000 miles, with service to 23 eastern states, the District of Columbia and two Canadian provinces. CSX's network connects more than 240 short line railroads and more than 70 ocean, river and lake ports. More information about CSX Corporation and its subsidiaries is available at www.csx.com. Like us on Facebook (<http://www.facebook.com/OfficialCSX>) and follow us on Twitter (<http://twitter.com/CSX>).

Power Lines Draw

Energy Plan Creates Unusual Alliances

The Wall Street Journal, [Joseph De Avila](#) | June 18, 2012

A proposal to build a power line underneath portions of the Hudson River and Lake Champlain to deliver electricity to New York City has created an unusual alliance: the Sierra Club, energy companies and a bipartisan group of lawmakers.

They have emerged as a powerful opposing force to the Champlain Hudson Power Express, a \$2 billion, 333-mile power line that would connect the city to power generated by Canadian wind farms and hydroelectric dams.

The Sierra Club opposes the project because, the group said, it does nothing to improve New York's existing power infrastructure. That stand puts the club on the same side as Entergy Nuclear, the operator of Indian Point Energy Center, a nuclear power plant the Sierra Club has advocated closing.

"Being on the same side of Entergy, I think we have different interests as stakeholders," said Annie Wilson, chairwoman of the group's New York City energy committee.

Entergy spokesman Jim Steets said the company opposed the Hudson power line because "the state needs to upgrade its transmission grid. The problem with this project is that it doesn't really do that."

Meanwhile, lawmakers have co-sponsored a bill to block the transfer of power originating in another country into New York, essentially prohibiting the Hudson power line. The lawmakers include state Sen. George Maziarz, a Buffalo-area Republican, Assemblyman Andrew Hevesi, a Queens Democrat, and others who don't normally team up on legislation.

The power line's developer, Transmission Developers Inc., a subsidiary of Blackstone Group LP, defended the project as a job-creator that would produce \$20 million in property tax revenues for communities near Albany, the Catskills and the city.

The company has touted the 1,000 megawatt power line as a way to diversify New York's energy sources with wind and hydropower.

"We are just one of many projects that need to be developed in the state of New York," said the company's president, Donald Jessome.

The plan has split the state's environmental lobby. While Sierra Club opposes the project, Riverkeeper—which also wants to close Indian Point—supports it. "We've known from the beginning that Sierra Club has had concerns," said Josh Verleun, staff attorney for Riverkeeper, a nonprofit that focuses primarily on Hudson River issues. "Our primary concern was on New York state environmental impact."

Mayor Michael Bloomberg's administration said it supports the project as a way to promote renewable energy for the region.

The power line would consist of two copper cables about 6 inches in diameter that would run from the Canadian border underneath the bottom of Lake Champlain, and then south and under portions of the Hudson River. It would end at converter stations in the Astoria neighborhood of Queens.

Transmission Developers is seeking approval from three federal agencies and the state Public Service Commission. If approved, construction could start as soon as 2014. The company hopes to be finished by 2017.

The proposal has sharpened a debate about how to revamp New York's aging electrical grid and deliver energy for the state over the next several decades.

About 4,700 circuit miles of the state's electrical transmission lines need to be replaced within the next three decades, according to the New York Independent System Operator, the state's grid operator. Gov. Andrew Cuomo has formed a statewide task force to address the state's energy challenges.

Mr. Cuomo also wants Indian Point closed, which supplies about 25% of the New York City region's electricity. Entergy is applying for a renewal of the plant's 20-year federal permits.

The power line's path has raised objections from a number of disparate groups.

In upstate Rockland County, residents aren't happy about the line's path near a baseball field and several homes.

"You have a lot of concerns with the installation," said Susan Filgueras of Stony Point Action Committee for the Environment.

Some opponents in the Legislature have cited essentially local concerns. Mr. Maziarz, of Niagara County, said the power line's energy would only be used in the New York City region, bypassing dozens of upstate counties and would not interconnect with any of the of state's existing infrastructure.

"This just goes from point A to point B," said Mr. Maziarz. "It's not really helpful in other areas."

Mr. Maziarz, the chairman of the Senate's Energy Committee, has led an effort to defeat the power line through legislation. With the Legislature scheduled to adjourn for the year on Thursday, no deal had emerged by Monday to shepherd the legislation to passage.

Riverkeeper had initial concerns about the operation and installation of the cable, said Mr. Verleun, the group's attorney. Transmission Developers later promised to establish a \$117 million fund to pay for state programs for Lake Champlain and the Hudson River. That fund along with changes to the cable's route helped sway the group.

Transmission Developers said recently in a filing with the Public Service Commission that consumers wouldn't pay for the project.

[Consolidated Edison](#), the main power company for New York City, said the project poses risks to the state's electrical reliability.

"While we're pleased the developers have taken steps to protect ratepayers from the costs of the proposed project, we still have concerns about reliability issues," said Consolidated Edison spokesman Michael Clendenin.

"We are working hard to satisfy Con Ed with regards to that concern," Mr. Jessome of Transmission Developers said.

Write to Joseph De Avila at joseph.deavila@wsj.com

Public Hearing on Champlain Hudson Power Express (CHPE) Held in Stony Point: Residents, Union Leaders and Elected Officials Speak Out

Rockland County Times, [Cheryl Slavin](#) | November 21, 2013

On Monday night a standing room only crowd of about 250 people at the Stony Point Center attended a public hearing conducted by the U.S. Department of Energy and the U.S. Army Corps of Engineers seeking public comment about the proposed Champlain Hudson Power Express (CHPE) power line and the plans to lay it overland through Stony Point. The overwhelming majority of the speakers opposed the plans to bring the power line through Stony Point, with only two union representatives and one environmental group spokesperson speaking in favor of the route. Representatives from Transmission Developers, Inc. (TDI), the project's developer, were present at the hearing but did not speak publicly.

The hearing was part of the larger legal requirement for public comment on the project and the preparation of an Environmental Impact Statement (EIS). Because the project involves the crossing of the international borders between Canada and the United States, the U.S. Department of Energy, Office of Electricity Delivery and Energy Reliability, is the lead federal agency. However, the DOE will not make a permit decision without New York State's decision on TDI's certification that it is in compliance with the approved state coastal zone management program.

County Legislator Doug Jobson, Stony Point Supervisor Geoff Finn, Stony Point Councilman-elect Tom Basile, and Stony Point Councilmembers Jim McDonald and Luanne Konopko all adamantly opposed the project. They all questioned the need for a foreign power transmission line rather than the development of local power companies, such as the former Bowline and Lovett. "This is just a 330 mile long extension cord," Supervisor Finn said. "We need to create our own energy, our own jobs, put everyone back to work right here."

Added Councilman-elect Basile, "Bringing the line on land will be a grave injustice to the people of Stony Point. Keep it in the water or make no mistake, the people of Rockland County will fight to the end to prevent it from coming ashore."

While they sympathized with the many union members in the audience who support the project for the jobs they hope it will produce, the officials questioned whether there would be any real long term local job growth not offset by the loss of jobs and businesses resulting from the disruption of an overland power line. They also expressed their concern that one of Stony Point's most valuable assets, its waterfront, would be decimated by a power line slated to run almost its entire length, interfering with industries present and future. Konopko also pointed out that the proposed CHPE route extended along the exact same area that Stony Point is currently trying to rehabilitate after Hurricane Sandy through the New York Rising Communities Program.

Dean Tamburri, field representative for AFL-CIO local 17, and Steven Reich, business manager for local 754, spoke in favor of the project, stating that TDI has promised to hire at least 100 or more local construction workers. Reich put it plainly: "We need to put men to work, and all the plans for American power plants have stalled." He did concede, however, that the overland route of the line needed to be monitored closely, especially the areas where it would deviate from the CSX railroad right of way it is slated to follow.

Other unions opposed the project. Steven Ludwigson of the International Brotherhood of Boilermakers and Brian McPartland of IBEW local 503 noted that CHPE would do nothing to benefit the state electric grid nor would it bring any real jobs to New Yorkers. "We must not end up reliant on foreign power," Ludwigson stated, while McPartland noted the loss of hundreds of jobs when the local power plants closed down.

Susan Filgueras, a member of the Stony Point Action Committee for the Environment, asked the panel for an extension, a request echoed by many of the speakers. They all stated that concerned citizens have not had enough time to thoroughly go over and develop adequate responses to the hundreds of pages of case documents. Along with many residents whose homes lay in the direct path of the proposed power line as well as several representatives from the Sons of the American Revolution, Filgueras expressed deep concern that the proposed 1000 volt electricity line would run through historic Waldron Cemetery, the Stony Point Battlefield, many private residential properties as well as schools and businesses.

While some speakers opposed CHPE in its entirety, others were willing to allow the line provided that it remain in the water for its entire route—or, at least not come on land through Stony Point. Hayley Carlock of Scenic Hudson was one of the few speakers to support the on-land portion of the route, claiming that it was necessary to preserve the sensitive eco-system of Haverstraw Bay. Many others said that while they supported preserving the environment, they were more concerned about humans than about fish. As resident Mary Ellen Furlong said, “If it’s not good for the fish, then how good can it be for the residents on land?”

Donald Jessome, President and CEO of TDI, did not speak publicly at the hearing, but did talk later with the Rockland County Times. He stated that any decision to re-route the line back into the water was “not their decision to make,” but he also claimed that any fears of environmental disruption or seizure of property by eminent domain were greatly exaggerated.

“The line will run through pre-existing public rights of way along the CSX railroad,” he said, “and through negotiated proprietary leases with the corporate land owners.” He also noted that the Town of Stony Point would receive around \$700,000 a year in taxes for the use of the right of way, and that the power transmitted through CHPE actually represents only about 2.5 percent of the total power used throughout New York State. “It doesn’t interfere at all with the development of other local, power solutions,” he claimed.

Jessome also stated that the company is making every effort to be “minimally impactful” on the land, and that TDI has expended a tremendous amount of time and energy in studying the issues raised during the hearing. “We did a terrible job of the roll out to the town,” he conceded, “and we will address the concerns and needs identified by the residents.”

The Public Comment period will extend to December 16, 2013. For more information on how to submit written comments, visit chpexpresseis.org or email brian.mills@hq.doe.gov or jun.yan@usace.army.mil. Comments can also be faxed or sent by regular mail.

David vs Goliath – Champlain Hudson Power Express: A Bad Idea

Path, Rob DiFrancesco | November 21, 2013

Earlier this week the US Army Corps of Engineers held hearings on the draft environmental impact statement of the proposed Champlain Hudson Power Express project, a 330 plus mile high voltage Canadian transmission line that seeks to run from Quebec to Queens.

The Stony Point hearing attracted about 250 people, the vast majority of whom strongly oppose the project. This included community members whose property would be subject to eminent domain, Sons of the American Revolution who asked to stop the Canadian line from unearthing their ancestors' graves, and other leaders who oppose the project.

The environmental group Scenic Hudson commented that it supported the high voltage transmission line only after CHPE created a \$117 million settlement fund and agreed to move the route from certain sensitive aquatic areas in the Hudson River. This prompted heckling from the crowd calling for the line to "stay in the river" and chants of "people over fish." However, the Sierra Club Atlantic Chapter responded that the line should not be built altogether citing the destruction of natural rivers in Canada to power the line and sacrificing in-state renewable energy solutions.

The Sons of the American Revolution testified that the line will unearth areas with headstones and over 200 verified unmarked graves in the Waldron Cemetery. They emphasized that the line will also harm the historic Stony Point Battlefield where the first battle of the American Revolutionary War was won.

Community activist Susan Filgueras provided a detailed account of the impact of recent power plant closures in the Hudson Valley, noting the loss of jobs, steep rise in property taxes, and significant blow to the local economy. CHPE, "...never conducted an environmental impact study for Astoria, Stony Point, or other areas where the line hits land," said Filgueras during her request for a 180 day extension on the comment period. "We are not experts. We are mere homeowners who have a 'David vs. Goliath' fight to keep our property and protect historic land," she added.

Stony Point is not alone in this controversy. A recent article by Capital New York suggests that statewide ratepayers stand to lose hundreds of millions of dollars if the Canadian's request for state money to build CHPE is granted. In a written statement to federal regulators, New York AREA chairman Arthur "Jerry" Kremer said, "There is no doubt that we can make electricity at lower cost and more reliably here in New York and that should be the focus of our energy policy. At a time when America is on the verge of becoming energy independent and indeed an energy exporter the Champlain Hudson project takes us backwards."

Boilermakers Local 5 business agent Steve Ludwigson agrees with Kremer. He told the regulators that, "there are at least six other major building trades unions that oppose CHPE," and provided them with a copy of an open letter to members of Congress calling on them to also reject the Canadian transmission line.

Keep in mind that David beat Goliath and the gritty Continental Army beat the British at Stony Point. All New Yorkers concerned with jobs, energy costs, and energy infrastructure should join with our friends in Stony Point and elsewhere to oppose the expensive and ill-advised Champlain Hudson high voltage extension cord.