



# **APPENDIX F**

## **Coastal Consistency Analysis**

## Coastal Consistency Analysis

This section discusses the consistency of the proposed alternative routes with the New York State Coastal Management Plan policies. Local municipalities that border coastal areas and inland waterways may voluntarily prepare Local Waterfront Revitalization Programs (“LWRPs”), in conjunction with the New York State Department of State (“NYSDOS”), for the preservation, enhancement, protection, development, and use of the state's coastal and inland waterways and adjacent waterfront land. Projects which may impact coastal areas or inland waterways must be reviewed for consistency with those LWRPs that pertain to territory within the Project area.

This section includes a review of consistency with coastal policies and LWRPs for proposed modifications to two route sections (“Preferred Alternatives”) located in coastal or waterfront areas: Rockland County Preferred Alternative and Harlem River Yard Preferred Alternative.

### **1.0 New York Coastal Zone Management Policies**

The federal Coastal Zone Management Act (“CZMA”) requires that Federal agency activities within or outside the coastal zone that affect any land or water use or natural resource of the coastal zone shall be reviewed for consistency with the enforceable policies of approved State management programs. In New York State, the enforceable coastal policies are those in the New York State Coastal Management Program (“CMP”) and the enforceable policies of any LWRP. The assessment of compliance with the New York City Waterfront Revitalization Program is discussed below in Section 2.

The Rockland County Alternative and Harlem River Yard Alternative are located within coastal waters. The following review demonstrates that the construction and operation of the two Preferred Alternative routes is consistent with the CMP program.

There are 44 policies under the CMP. The consistency of the Preferred Alternatives with each of these policies is described below.

***Policy 1 - Restore, revitalize, and redevelop deteriorated and underutilized waterfront areas for commercial, industrial, cultural, recreational, and other compatible uses.***

The Preferred Alternatives are consistent with this policy by not deterring the revitalization of any urban deteriorated or underutilized waterfront areas.

***Policy 2 - Facilitate the siting of water dependent uses and facilities on or adjacent to coastal waters.***

The Preferred Alternatives are consistent with the policy by neither displacing existing water-dependent or water-enhanced uses or activities nor preventing reasonably

foreseeable future water-dependent and water-enhanced uses from being sited on, in or adjacent to the water because the transmission lines will be buried on land and in the bed of the Hudson, Harlem and East rivers.

***Policy 3 - Further develop the state's major ports of Albany, Buffalo, New York, Ogdensburg, and Oswego as centers of commerce and industry, and encourage the siting, in these port areas, including those under the Jurisdiction of state public authorities, of land use and development which is essential to, or in support of, the waterborne transportation of cargo and people.***

The Preferred Alternative routes don't intersect any of the major ports.

***Policy 4 - Strengthen the economic base of smaller areas by encouraging the development and enhancement of those traditional uses and activities which have provided such areas with their unique maritime identity.***

The Preferred Alternative routes are overland with buried cables and will not interfere with this policy objective to enhance traditional maritime uses and the economic base of localities with small harbors.

***Policy 5 - Encourage the location of development in areas where public services and facilities essential to such development are adequate.***

The Preferred Alternatives are consistent with this policy because they will provide renewable electricity to existing New York City infrastructure, development and public services.

***Policy 6 - Expedite permit procedures in order to facilitate the siting of development activities at suitable locations.***

The Project as a whole is subject to the PSL Article VII review process.

***Policy 7 - Significant Coastal Fish and Wildlife Habitats will be protected, preserved, and where practical, restored so as to maintain their viability as habitats.***

The Preferred Alternatives will not significantly impair or destroy the viability of any Significant Coastal Fish and Wildlife Habitat ("SCFWH") because all Preferred Alternative routes are overland and HDD will be used to cross under coastal waterbodies, including Catskill Creek and the Bronx Kill.

***Policy 8 - Protect fish and wildlife resources in the coastal area from bio-accumulation of hazardous wastes and other pollutants which bio-accumulate in the food chain or which cause significant sublethal or lethal effect on those resources.***

The Preferred Alternatives are consistent with the policy objective because during construction hazardous materials and other pollutant materials will be handled in accordance with local, state, and federal regulations to effectively minimize the potential

for any discharge to coastal waters. Best Management Practices (“BMPs”) and a Stormwater Pollution Prevention Plan (“SWPPP”) consistent with the requirements of the NY DEC General Permit for Stormwater Discharges Associated with Construction Activities (GP #-0-15-002) (“Stormwater Construction Permit”) will be included within the Environmental Management and Construction Plan (“EM&CP”).

***Policy 9 - Expand coastal use of fish and wildlife resources in coastal areas by increasing access to existing stocks, and developing new resources.***

The Preferred Alternatives will be consistent with this policy by not affecting existing public access points to coastal waters because the Preferred Alternative routes primarily follow existing railroad and road rights of way.

***Policy 10 - Further develop commercial finfish, shellfish and crustacean resources in the coastal area by encouraging the construction of new, or improvement of existing on-shore commercial fishing facilities, increasing marketing of the state’s seafood products, maintaining adequate stocks, and expanding aquaculture facilities.***

The Preferred Alternatives will not adversely affect the state’s commercial fishing industry.

***Policy 11 - Building and other structures will be sited in the coastal area so as to minimize damage to property and the endangering of human lives caused by flooding and erosion.***

The Preferred Alternative routes are consistent with this policy because the underground cables will be backfilled to restore pre-existing elevations resulting in no potential change to the existing potential for flooding and erosion.

***Policy 12 - Activities or development in the coastal area will be undertaken so as to minimize damage to natural resources and property from flooding and erosion by protecting natural features including beaches, dunes, barrier islands and bluffs.***

There are no beaches, dunes, barrier islands or bluffs along the Preferred Alternative routes. In addition, the cable installations at shoreline crossing locations and beneath the Catskill Creek, Hudson River, Harlem River, Bronx Kill, and East River will use HDD with no disturbance to the surface area.

***Policy 13 - The construction or reconstruction of erosion protection structures shall be undertaken only if they have a reasonable probability of controlling erosion for at least thirty years as demonstrated in design and construction standards and/or assured maintenance or replacement programs.***

The Preferred Alternatives are consistent with this policy because the surface of the right-of-way areas disturbed by construction activities will be graded to match the original topographic contours and be compatible with surrounding drainage patterns, except at those locations where permanent changes in drainage will be required to prevent erosion

that could lead to possible exposure of the cable. Upon the completion of the construction activities, all disturbed areas will be stabilized in accordance with the most current version of the New York State Standards and Specifications for Erosion and Sediment.

***Policy 14 - Activities and development, including the construction or reconstruction of erosion protection structures, shall be undertaken so that there will be no measurable increase in erosion or flooding at the site of such activities or development, or at other locations.***

The Preferred Alternatives are consistent with this policy because no erosion protection structures are planned [e.g., groin, jetty, seawall, revetment, bulkhead, breakwater, or artificial beach nourishment project].

***Policy 15 - Mining, excavation, or dredging in coastal waters shall not interfere with the natural coastal processes which supply beach materials to land adjacent to such waters and shall be undertaken in a manner which will not cause an increase in erosion of such land.***

The Preferred Alternatives do not include mining, excavation, or dredging in coastal waters.

***Policy 16 - Public funds shall only be used for erosion structures where necessary to protect human life, and new development which requires a location within or adjacent to an erosion hazard area to be able to function, or existing development; and only where the public benefits outweigh the long term monetary and other costs including the potential for increasing erosion and adverse effects on natural protective features.***

No public funds will be used to construct erosion structures.

***Policy 17 - Non-structural measures to minimize damage to natural resources and property from flooding and erosion shall be used whenever possible.***

The Preferred Alternatives meet the objectives of this policy because of the implementation of construction and post-construction SWPPP erosion and sediment control measures and use of HDD for shoreline crossings.

***Policy 18 - To safeguard the vital economic, social, and environmental interests, and the safeguards which the state has established to protect valuable coastal resource areas.***

The Preferred Alternatives are consistent with this policy because they will not impair valuable coastal waters and resources or reverse vital economic, social, and environmental interest safeguards, including those established to protect valuable coastal resource areas because the converter station will be constructed on a previously disturbed area and the transmission cable will provide a new, important source of electricity to New York City that will benefit development and reduce CO2 emissions, thus helping to combat climate change..

***Policy 19 - Protect, maintain, and increase the level and types of access to public water-related recreation resources and facilities.***

The Preferred Alternatives are consistent with this policy because all of the overland construction work will be temporary and will be located within existing rights of way or on private property without creating any new physical or legal barriers to coastal waters. During construction, to protect the safety of the public, access may be restricted in the vicinity of construction activities. This work will only occur on a small area adjacent to the waterbody and will be temporary in any one location, so impacts will be minor during the construction period.

***Policy 20 - Access to the publicly-owned foreshore and to lands immediately adjacent to the foreshore or the water's edge that are publicly-owned shall be provided and it shall be provided in a manner compatible with adjoining uses.***

There is no use of public lands that will permanently impede access to coastal waters.

***Policy 21 - Water-dependent and water-enhanced recreation will be encouraged and facilitated, and will be given priority over non-water related uses along the coast.***

The Preferred Alternatives are consistent with this policy because they will not permanently impact boating, swimming, and fishing and the general public's access to the coastal areas such as pedestrian and bicycle trails, picnic areas, scenic overlooks and passive recreation areas that take advantage of coastal scenery.

***Policy 22 - Development, when located adjacent to the shore, will provide for water-related recreation, whenever such is compatible with reasonably anticipated demand for such activities, and is compatible with the primary purpose of the development.***

The Preferred Alternatives are consistent with this policy because they do not present practical opportunities for providing recreation facilities as an additional use of the transmission cables.

***Policy 23 - Protect, enhance and restore structures, districts, areas and sites that are of significance in the history, architecture, archaeology or culture of the state, its communities, or the nation.***

The Preferred Alternatives are consistent with this policy objective because they are unlikely to have a significant effect on standing historic structures, districts, areas, or sites of significance within the vicinity of the Preferred Alternatives. The Preferred Alternatives' HVDC cables will be buried primarily within pre-disturbed ROWs and will not have an effect on the viewshed. The Applicants developed a Cultural Resources Management Plan that was reviewed by the New York State Parks, Recreation, and Historic Preservation that details resource evaluation, avoidance and impact minimization measures that will be undertaken, including procedures if resource discoveries are made during the Preferred

Alternatives construction. The Applicants will adhere to the protocols laid out in that document. It is anticipated that with appropriate avoidance and/or minimization measures, impacts on cultural resources will be insignificant.

***Policy 24 - Prevent impairment of scenic resources of statewide significance.***

The Preferred Alternatives are consistent with this policy by not diminishing or altering the attributes of any Statewide Areas of Scenic Significance (“SASS”). The potential clearing of vegetation during the burying of the cable will have only have a brief visual impact, if any, and will therefore have no significant impact on views from the shorelines to this SASS.

***Policy 25 - Protect, restore or enhance natural and man-made resources, which are not identified as being of statewide significance, but which contribute to the overall scenic quality of the coastal area.***

The Preferred Alternatives are consistent with this policy because the buried cables will not have any permanent effect on any of the viewsheds. The cables will transition under Bronx Kill and East River and they will not be visible when construction is completed.

***Policy 26 - Conserve and protect agricultural lands in the state’s coastal area.***

The Preferred Alternatives are consistent with this policy because the agricultural lands in reasonable proximity to the overland Preferred Alternatives are not prime farmland, unique farmland or farmland of statewide significance and there will be no loss of important farmlands as the routing is primarily along existing disturbed rights-of-way. In addition, an Agricultural Inspector will be employed to oversee construction in the vicinity of agricultural resources.

***Policy 27 - Decisions on the siting and construction of major energy facilities in the coastal area will be based on public energy needs, compatibility of such facilities with the environment, and the Project’s need for a shorefront location.***

This Preferred Alternatives are consistent with this policy because the previous Articles VII approval established the compatibility of this Project with the environment and the basis of necessity for providing additional transmission or generation capacity. The ongoing Article VII environmental review process for the Preferred Alternative routes will demonstrate the Preferred Alternative locations are consistent with the goals and objectives of the CMP and the New York City LWRP.

***Policy 28 - Ice management practices shall not interfere with the production of hydroelectric power, damage significant fish and wildlife and their habitats, or increase shoreline erosion or flooding.***

No ice management practices are required for the construction and operation of the Preferred Alternatives.

***Policy 29*** - Encourage the development of energy resources on the Outer Continental Shelf, in Lake Erie and in other water bodies, and ensure the environmental safety of such activities.

The Preferred Alternatives are consistent with this policy because they will not affect any offshore resource development.

***Policy 30*** - Municipal, industrial, and commercial discharge of pollutants, including but not limited to toxic and hazardous substances, into coastal waters will conform to state and national water quality standards.

The Preferred Alternatives are consistent with this policy because there are no planned point source discharges and the BMPs, Spill Prevention, Control and Countermeasure (“SPCC”) plan and the SWPPP will be included in the EM&CP to prevent any discharges to coastal waters. Compliance with these measures throughout the construction of the transmission line will protect the coastal waters.

***Policy 31*** - State coastal area policies and management objectives of approved local waterfront revitalization programs will be considered while reviewing coastal water classifications and while modifying water quality standards; however, those waters already overburdened with contaminants will be recognized as being a development constraint.

The Preferred Alternatives are consistent with this policy because they will not affect the best usage of coastal waters as there are no planned point source discharges to coastal waters and the use of BMPs, a SPCC plan and the SWPPP will prevent nonpoint discharges to the coastal waters.

***Policy 32*** - Encourage the use of alternative or innovative sanitary waste systems in small communities where the costs of conventional facilities are unreasonably high, given the size of existing tax base of these communities.

The Preferred Alternatives do not include any planned sanitary waste discharges.

***Policy 33*** - Best management practices will be used to ensure the control of stormwater drain runoff and combined sewer overflows draining into coastal waters.

The Preferred Alternatives are consistent with this policy by constructing and operating the transmission system and the converter station in accordance with BMPs, a SPCC plan and the SWPPP included in the EM&CP. The City of New York has a combined sewer overflow system and the Project will be operated in accordance with their SPDES permit long term control plan requirements.

***Policy 34 - Discharge of waste materials into coastal waters from vessels subject to state jurisdiction will be limited so as to protect Significant Fish and Wildlife Habitats, recreational areas and water supply areas.***

The Preferred Alternatives are consistent with this policy objective by prohibiting any sanitary waste discharges to coastal waters from any vessels used during construction.

***Policy 35 - Dredging and filling in coastal waters and disposal of dredged materials will be undertaken in a manner that meets existing state permit requirements, and protects Significant Fish and Wildlife Habitats, scenic resources, natural protective features, important agricultural lands, and wetlands.***

The Preferred Alternatives are consistent with this policy because the installation of the underwater portions of the transmission cable will be in compliance with existing state permit requirements to protect SCFWHs, scenic resources, natural protective features, important agricultural land, and wetlands. The Applicants will further comply with all applicable dredged material spoil temporary storage and removal requirements.

***Policy 36 - Activities related to the shipment and storage of petroleum and other hazardous materials will be conducted in a manner that will prevent or at least minimize spills into coastal waters; all practicable efforts will be undertaken to expedite the cleanup of such discharges; and restitution for damages will be required when these spills occur.***

The Preferred Alternatives are consistent with this policy because of the minimizing the storage and transportation of any necessary petroleum products and construction materials and by transporting and storing them in accordance with local, state, and federal regulations to prevent any discharges to coastal waters that may affect the aquatic resources in the area. The EM&CP will include BMPs, a SPCC plan and the SWPPP.

***Policy 37 - Best Management practices will be utilized to minimize the non-point discharge of excess nutrients, organics, and eroded soils into coastal waters.***

The SWPPP included in the EM&CP will meet the objectives of the NYSDEC General Permit for Stormwater Discharges Associated with Construction Activities (GP #-0-15-002) to prevent offsite discharges from the construction areas and will include post-construction stabilization requirements.

***Policy 38 - The quality and quantity of surface water and groundwater supplies will be conserved and protected, particularly where such waters constitute the primary or sole source of water supply.***

This Preferred Alternatives are consistent with this policy because they are not located over the Long Island “primary source aquifer” and the New York City municipal water supplies are located upstate away from the Preferred Alternatives. The Preferred Alternatives will also be subject to BMPs, a SPCC plan and a SWPPP in the EM&CP.

***Policy 39*** - *The transport, storage, treatment and disposal of solid wastes, particularly hazardous wastes, within coastal areas will be conducted in such a manner so as to protect groundwater and surface water supplies, Significant Fish and Wildlife Habitats, recreation areas, important agricultural land, and scenic resources.*

The Preferred Alternatives are consistent with this policy because any solid waste generated during the construction will be properly handled, stored and transported to a permitted or registered solid waste management facility in accordance with NYSDEC applicable regulations including but not limited to 6 NYCRR Parts 360 and 364. The waste management practices will be included in the EM&CP.

***Policy 40*** - *Effluent discharges from major steam electric generating and industrial facilities into coastal waters will not be unduly injurious to fish and wildlife and shall conform to state water quality standards.*

The Preferred Alternatives are neither a major steam electric generating facility nor an industrial facility discharging to coastal waters.

***Policy 41*** - *Land use or development in the coastal area will not cause national or state air quality standards to be violated.*

There will be no stationary source emissions associated with the Preferred Alternatives. The EM&CP will contain a fugitive dust control plan to prevent any violations of applicable NYSDEC opacity and nuisance standards in 6 NYCRR Part 211. Previous modeling efforts included in the original Certificate have predicted that the implementation of the Project could reduce SO<sub>x</sub>, NO<sub>x</sub>, and CO<sub>2</sub> greenhouse gases by 499-571 tons, 744-1,432 tons and 1.5-2.2 million tons, respectively, through the replacement of existing fossil-fuel generation sources with clean hydropower.

***Policy 42*** - *Coastal management policies will be considered if the state reclassifies land areas pursuant to the prevention of significant deterioration regulations of the Federal Clean Air Act.*

There will be no stationary source emissions associated with the Preferred Alternatives.

***Policy 43*** - *Land use or development in the coastal area must not cause the generation of significant amounts of acid rain precursors: nitrates and sulfates.*

There will be no stationary source emissions associated with the Preferred Alternatives.

***Policy 44*** - *Preserve and protect tidal and freshwater wetland and preserve the benefits derived from these areas.*

The Preferred Alternatives are consistent with this policy because they were designed to avoid and minimize impacts to freshwater and tidal wetlands to the maximum extent feasible.

The Preferred Alternatives will result in the temporary disturbance of wetlands that can be restored after the overland cable is buried. This may include areas where the edge of the cleared construction corridor traverses a wetland or riparian area or where vegetation clearing and ground disturbance occurs in adjacent uplands. In limited areas, permanent conversion of forested wetland to scrub-shrub wetland will occur. The success of wetland re-vegetation shall be monitored and recorded annually for the first two (2) years after construction, or longer, until wetland re-vegetation is successful.

## **2.0 Waterfront Revitalization of Coastal Areas and Inland Waterways**

The NYSDOS implements Article 42 of the Executive Law entitled: Waterfront Revitalization of Coastal Areas and Inland Waterways. Local municipalities that border coastal areas and inland waterways are encouraged to prepare LWRPs, in conjunction with NYSDOS, for the preservation, enhancement, protection, development and use of the state's coastal and inland waterway. Under the statute, LWRPs are reviewed and approved by the NYSDOS before they become effective. Projects which may impact coastal areas or inland waterways must be reviewed for consistency with all of the LWRPs that have been prepared. The NYSDOS has developed 44 policies to be implemented by LWRPs. In addition, several LWRPs have amended the policies and added new policies to protect natural resources unique to their specific areas. Project sponsors must review these policies to ensure that their project is consistent with the policies in the LWRP and will balance the need between natural resources, population growth, and economic development.

The Town of Stony Point, Village of Haverstraw, and City of New York are the only communities traversed by the proposed route modifications that have LWRPs in place. The Village of Catskill received funding to develop a LWRP with an expected completion date of May 31, 2023<sup>1</sup>.

The Applicants conducted an evaluation of the three LWRPs, which consist of state waterfront policies refined to reflect local conditions and circumstances as well as local policies. Additional local policies that relate to the Preferred Alternatives are evaluated on a case-by-case basis below. Overall, the LWRP evaluation indicates that the Preferred Alternatives are consistent with all of the LWRPs within the proximity of the Preferred Alternatives.

### **2.1 Consistency with Town of Stony Point Local Waterfront Revitalization Plan**

The local policies of the Town of Stony Point LWRP that are applicable to the Preferred Alternatives are as follows:

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<sup>1</sup> Regional Economic Development Councils, 2019. Local Waterfront Revitalization Program. Accessed on-line on October 16, 2019 at: <https://regionalcouncils.ny.gov/cfa/project/262562>.

***Policy 7A - The Iona Island Marsh shall be protected, preserved and, where practical, restored so as to maintain its viability as a habitat.***

The Iona Island Marsh has a significance value of 132.9. It is comprised of approximately 300 acres of freshwater, tidal and brackish wetlands.

This area is along the west side of the Hudson River and will be avoided by the Preferred Alternatives.

***Policy 7B - The Haverstraw Bay habitat shall be protected, preserved and, where practical, restored so as to maintain its viability as a habitat.***

Haverstraw Bay is a significant habitat with a significance value of 224.7. The bay encompasses a six mile stretch of the Hudson River from Stony Point to Croton Point. Average depth at mean low water is approximately 15 feet. Salinity in the area varies by year, but Haverstraw Bay is an important habitat for fish nurseries. The navigational channel is located on the west side of the bay and maintained at approximately 35 feet in depth.

The Applicants will move the cable into the previously and periodically disturbed side slope of the navigational channel so as to minimize impacts to Haverstraw Bay.

***Policy 7C - The Hudson River Mile 44 - 56 habitat shall be protected, preserved and, where practical, restored so as to maintain its viability as a habitat.***

This feature has now been incorporated into the Hudson Highland SCFWH, which has a significance value of 151.5. This habitat area extends Denning's Point to Stony Point. Hudson Highlands is the Hudson's deepest and narrowest segment, with strong currents and rocky substrates.

Detailed information on potential impacts and mitigation have been previously provided as part of the Applicants' communications with the DOS. Cable installation is not expected to result in a change in overall depths, and sediment deposition beyond the trench is expected to be negligible. BMPs will be employed during cable installation to minimize any potential adverse impacts.

***Policy 23A - Stabilize and revitalize the historic residences and neighborhoods on River Road, Munn Avenue and Grassy Point Road.***

This Preferred Alternatives are not located in or near these areas and will have no impact on these resources.

## 2.2 Consistency with Village of Haverstraw Local Waterfront Revitalization Plan

The local policies of the Village of Haverstraw LWRP that are applicable to the Preferred Alternatives are as follows:

***Policy 7A - The Haverstraw Bay Habitat shall be protected, preserved and where practical, restored so as to maintain its viability as habitat.***

Haverstraw Bay is a significant habitat with a significance value of 224.7. The bay encompasses a six mile stretch of the Hudson River from Stony Point to Croton Point. Average depth at mean low water is approximately 15 feet. Salinity in the area varies by year, but Haverstraw Bay is an important habitat for fish nurseries. The navigational channel is located on the west side of the bay and is maintained at approximately 35 feet in depth.

The Applicants are proposing the Rockland County Preferred Alternative as a routing option to install the cables outside of the Haverstraw Bay SCFWH.

***Policy 8A - Control the introduction of new industries or technology which could increase the presence of hazardous materials within the Haverstraw coastal area.***

The Preferred Alternatives' scope within the Village boundaries only involves the installation of HVDC cables, which do not contain any hazardous materials.

***Policy 8B - Encourage existing industrial productions or storage facilities to utilize the most current technologies available to minimize the potential threat from hazardous wastes or pollutants to the surrounding environment.***

The Preferred Alternatives do not involve industrial or storage facilities.

***Policy 23A - Stabilize and revitalize the historic residences and neighborhoods on First Street and Hudson Avenue as well as other selected areas.***

The Preferred Alternatives are not located in or near these areas and will have no impact on these resources.

***Policy 23B - Preserve and protect underwater historic, archaeological and cultural resources in Haverstraw Bay.***

The Applicants are proposing the Rockland County Preferred Alternative as a routing option to install the cables outside of the Haverstraw Bay.

### 2.3 Consistency with New York City Local Waterfront Revitalization Plan

New York City has established an LWRP in accordance with the CZMA and Article 42 of the New York State Executive Law. The New York City's LWRP is made up of 10 major policies focusing on the goals of improving public access to the waterfront; reducing damage from flooding and other water-related disasters; protecting water quality, sensitive habitats like wetlands, and the aquatic ecosystem; reusing abandoned waterfront structures; and promoting development with

appropriate land uses. Based on the analysis provided below, the Preferred Alternatives will be consistent with these policies.

***Policy 1 - Support and facilitate commercial and residential redevelopment in areas well-suited to such development.***

The Harlem River Yard Alternative is consistent with existing zoning and will not permanently affect commercial or residential development in the area.

***Policy 2 - Support water-dependent and industrial uses in New York City coastal areas that are well-suited to their continued operation.***

The underground Preferred Alternatives will not conflict with the LWRP's goal of fostering the continuation of water-dependent uses. Installation of buried cable in the Hudson River will require the use of a port and marine construction equipment, personnel and vessels.

***Policy 3 - Promote use of New York City's waterways for commercial and recreational boating and water-dependent transportation centers.***

The Preferred Alternatives will not conflict with the LWRP's goal of promoting use of New York City's waterways for commercial and recreational boating and water-dependent transportation centers, as the cables will be buried.

***Policy 4 - Protect and restore the quality and function of ecological systems within the New York City coastal area.***

The underwater and underground transmission cables will not affect the quality and function of ecological systems within the New York City coastal area. The installation method allows for *in situ* backfilling of the trench following a brief period of disturbance. The benthic community, associated fish, and water quality will all recover following construction.

***Policy 5 - Protect and improve water quality in the New York City coastal area.***

The cables and converter station will be installed in a manner that protects water quality. The Applicants will develop and implement a SWPPP for control of construction stormwater and will implement appropriate spill control, prevention, and mitigation in order to ensure protection of water quality in the New York City area.

***Policy 6 - Minimize loss of life, structures, and natural resources caused by flooding and erosion.***

The underwater cable installation will not alter the riverbed elevation and will have no effect on flooding characteristics of the river.

***Policy 7 - Minimize environmental degradation from solid waste and hazardous substances.***

Surface and groundwater resources will be protected by implementing BMPs, SPCC plan and SWPPP that will be included in the EM&CP. Any solid waste or hazardous substance associated with construction or operation of the Preferred Alternatives will be used, stored, and disposed of in accordance with local, state, and federal requirements.

***Policy 8 - Provide public access to and along New York City's coastal waters.***

The connection to the converter station will be underwater or underground and will not conflict with the LWRP's goal of providing public access to and along New York City's coastal waters. The Bronx Kill and East River shoreline crossing will involve cable installation via HDD methods, which do not alter public access.

***Policy 9 - Protect scenic resources that contribute to the visual quality of the New York City coastal area.***

The transmission cables in New York City will be buried underground or underwater and therefore will not be visible. The converter station will be designed to match the character of the surrounding area, which includes utility systems, and is not expected to have an adverse impact on any scenic resources. Therefore, there is not any expected effect on the visual quality of the New York City coastal area.

***Policy 10 - Protect, preserve, and enhance resources significant to the historical, archaeological, and cultural legacy of the New York City coastal area.***

The Applicants will avoid and/or minimize any impacts to any underwater historical, archeological, and cultural resources along the underwater portions of the transmission cable route.