

INCORPORATED VILLAGE OF SEA CLIFF

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July 15, 2026

Via DMM Filing and Electronic Mail

Hon. Michelle L. Phillips
Secretary to the Commission
New York State Public Service Commission
Three Empire State Plaza
Albany, New York 12223-1350

Re: Case 24-T-0446 - Petition of New York Transco LLC and New York Power Authority for a Certificate of Environmental Compatibility and Public Need, Pursuant to Article VII of the New York Public Service Law, to Construct, Operate, and Maintain the Propel NY Energy Project - Village of Sea Cliff Comments and Targeted Objection to Phase 1 EM&CP / Glenwood Landing, New Shore Road Substation, Shore Road Landfall and Transition Joint Vault Clearing¹

Dear Secretary Phillips:

The Incorporated Village of Sea Cliff respectfully submits these comments and targeted objections regarding the Phase 1 Environmental Management and Construction Plan ("EM&CP") filed by New York Transco LLC and the New York Power Authority, acting through Propel NY Energy, in Case 24-T-0446.^{1, 2} The Village objects to approval, conditional approval, or issuance of any Notice to Proceed for Phase 1 clearing, vegetation removal, site preparation, staging, or related work at or near the Glenwood Landing / New Shore Road facility, the New Shore Road Substation, the Shore Road landfall, transition joint vaults ("TJVs"), or Hempstead Harbor at this time.^{3, 4, 5}

The Village's objection is targeted and procedural/environmental in nature. The Village's principal concern is that the Applicant provided selected entities with a meaningful pre-filing review opportunity for Phase 1 materials while excluding Sea Cliff from that same opportunity, even though the Phase 1 work relates directly to the Glenwood Landing / New Shore Road / Hempstead Harbor area and therefore implicates the Village's waterfront, harbor, environmental, stormwater, public safety, and emergency-response interests.

The Village also objects because the Applicant's process reflects a broader lack of transparency that the Village has raised throughout this proceeding: information is provided selectively, late, or only after the Village discovers it in the docket. A public DMM filing after the fact does not cure the procedural unfairness of excluding a directly affected harbor-adjacent municipality from the same pre-filing review afforded to others.

For the reasons set forth below, the Village respectfully requests that the Commission, the Secretary, the Administrative Law Judges, and Department of Public Service Staff defer approval of Phase 1 as it relates to the Glenwood Landing / New Shore Road / Hempstead Harbor area; withhold any Notice to Proceed; require disclosure of the complete pre-filing consultation record; require unredacted or protected access to necessary cultural-resource information; require the Applicant to explain why Sea Cliff was excluded; and provide the Village a meaningful opportunity to review and supplement these comments before any approval or field authorization is issued.

I. The Phase 1 EM&CP Directly Implicates the Glenwood Landing / Shore Road / Hempstead Harbor Area

Although the Applicant has characterized Phase 1 as limited to vegetation management or tree clearing, the filed materials show that Phase 1 is not merely routine landscaping or maintenance. Joint Proposal Appendix C identifies EM&CP 1 as including vegetation clearing at the New 345-kV Shore Road Substation and the Segment 6 Shore Road HDD landfall and TJVs.³

Appendix K-1, the Phase 1 Vegetation Management Plan, likewise states that EM&CP Phase 1 addresses tree clearing at the Segment 6 Shore Road landfall and TJVs, the New Shore Road Substation, and other substation locations. It further states that the tree-clearing plans depict areas where potential soil disturbance from heavy equipment and removal of woody vegetation is planned.⁴

The same Vegetation Management Plan explains that tree clearing at the Shore Road landfall and TJV area will occur ahead of construction activities in EM&CP Phase 2, and that tree clearing at the New Shore Road Substation will support substation site preparation and construction during a later EM&CP phase.⁴

These facts matter because the Shore Road landfall, TJV area, and New Shore Road Substation are located in the Glenwood Landing / New Shore Road area, immediately adjacent to Hempstead Harbor and in close proximity to the Village of Sea Cliff. The work therefore implicates stormwater runoff, erosion and sediment control, wetlands and adjacent areas, potential contaminated soils, fugitive dust, harbor protection, public safety, and emergency-response concerns affecting Sea Cliff and Hempstead Harbor.

II. The Applicant Provided a Pre-Filing Review Opportunity to the Town of Oyster Bay and Other Entities but Not to Sea Cliff

The Village understands that, on April 24, 2026, counsel for the Applicant transmitted certain Phase 1 EM&CP materials to the Town of Oyster Bay for pre-filing review. The transmittal attached the Phase 1 construction schedule, the Vegetation Management Plan, and a Phase 1 EM&CP comment log. The email stated that the Shore Road Substation and the project's landfall HDD site are located within the Town of Oyster Bay, that the Town was being provided a pre-filing review opportunity, and that comments were requested within 30 days. The same email referenced "other entities that have a pre-read of these materials."⁶

No comparable pre-filing notice, consultation, or 30-day review opportunity was provided to the Village of Sea Cliff.

The Village does not dispute that the Town of Oyster Bay is an important municipal stakeholder. However, consultation should not have been limited to the host town where the environmental, harbor, stormwater, public safety, and community impacts extend beyond municipal boundaries. Sea Cliff is a directly affected harbor-adjacent municipality. The Phase 1 work at the New Shore Road Substation, Shore Road landfall, and TJVs is not isolated from Sea Cliff's municipal interests.

The Applicant's selective pre-filing consultation deprived the Village of the same practical opportunity to review and comment on Phase 1 materials before they were filed. That omission is especially troubling because Phase 1 involves clearing, vegetation removal, potential soil disturbance, stormwater controls, temporary stabilization, construction access, and work intended to facilitate later construction phases.^{4, 7}

The Applicant should not be permitted to create an accelerated or fait accompli approval path for Phase 1 clearing by selectively pre-negotiating EM&CP materials with some stakeholders while excluding another directly affected municipality.

III. Public DMM Filing After the Fact Is Not a Substitute for Meaningful Pre-Filing Consultation

The Village recognizes that the Applicant has now filed Phase 1 EM&CP materials on DMM. That is not the issue. The issue is not simply whether the Village can now locate final filed documents on the docket. The issue is the Applicant's opaque and selective pre-filing process, under which certain entities were provided a 30-day opportunity to review and comment on Phase 1 implementation materials before filing, while Sea Cliff was excluded from that same opportunity despite its direct harbor-adjacent interests.

The June 22, 2026 cover letter confirms that the Phase 1 EM&CP was filed with the Secretary and that copies were to be provided to specified entities, including the Towns of Oyster Bay and Hempstead and the current DMM service list. The cover letter also states that confidential information in Appendices C-1 and O was redacted for public filing, and that unredacted versions were to be provided to the assigned procedural Administrative Law Judges and qualifying party recipients under the protective order.²

That filing does not cure the earlier exclusion of Sea Cliff from pre-filing review. Nor does it provide the Village with the versions that were circulated to others, the complete comment logs, redlines, responses, recipient lists, or any certification explaining whether the final DMM versions were revised in response to comments received during the selective pre-read process.

Accordingly, the Village requests that the Applicant be directed to provide: (1) the exact versions of Phase 1 materials circulated to the Town of Oyster Bay and any other entity before filing; (2) all pre-filing transmittals, recipient lists, comment logs, redlines, comments, responses, and revisions; (3) a certification identifying whether the versions filed on DMM are identical to, or different from, the versions circulated during pre-filing review; and (4) an explanation as to why the Village of Sea Cliff was not afforded the same pre-filing review opportunity.

IV. The Village Was Not Provided the Site-Specific SWPPP Before Filing

The Village is also concerned that the Applicant prepared and filed Stormwater Pollution Prevention Plan materials related to the Glenwood Landing / New Shore Road facility area without providing the Village with prior notice or a pre-filing review opportunity. The Village only became aware of those materials when they appeared on DMM.

The SWPPP is not a peripheral document. The Vegetation Management Plan states that the SWPPPs for tree-clearing activities are included as Appendix H-1 to EM&CP Phase 1. It further states that construction activities for EM&CP Phase 2 at the Shore Road landfall, EM&CP Phase 3 for new substation construction, and EM&CP Phase 4 for Shore Road TJV construction will commence shortly after the Phase 1 tree-clearing activities are completed.⁷

The Phase 1 Fugitive Dust Plan also relies on the Phase 1 SWPPPs for instructions to reduce fugitive dust generated by tree-clearing activities.⁸

These issues are directly relevant to Sea Cliff because the New Shore Road Substation and Shore Road landfall area are immediately adjacent to Hempstead Harbor and in close proximity to the Village's waterfront, harbor resources, residents, public safety interests, and environmental concerns.

The issue is not merely that the Village was not copied on a filing. The issue is that the Village was excluded from meaningful pre-filing review of the very environmental controls that are supposed to protect Hempstead Harbor and the surrounding waterfront area during Phase 1 clearing.

Before any approval, conditional approval, or Notice to Proceed is issued, the Applicant should be required to provide the Village with the pre-filing and filed versions of the SWPPP materials, all related erosion and sediment-control drawings, stabilization measures, inspection protocols, corrective-action procedures, inspection forms, spill-prevention measures, stormwater calculations, and associated correspondence, together with a certification identifying whether those materials were provided to any other municipality or agency for pre-filing review and whether they were revised based on any comments received.

V. The Timing of the Phase 1 EM&CP Materials Raises a Transparency and Sequencing Concern

The Village is further concerned that Phase 1 EM&CP implementation materials were apparently prepared and selectively circulated before the Joint Proposal was filed with the Commission, without clear disclosure in the Joint Proposal that such materials had already been developed or that certain municipalities or entities had already been afforded a pre-filing review opportunity.

The April 24, 2026 pre-filing transmittal to the Town of Oyster Bay predates the filing of the Joint Proposal. Yet the Joint Proposal process presents the EM&CP process as a future post-certificate review mechanism. If Phase 1 implementation materials had already been prepared, circulated, and subject to comment by selected entities before the Joint Proposal was filed, that fact should have been transparently disclosed to all parties and directly affected municipalities.

This sequencing matters because Phase 1 is not merely conceptual. It concerns clearing and site preparation activity at specific project locations, including the New Shore Road Substation and Shore Road landfall/TJV area. The Village objects to any process that allows the Applicant to advance, refine, and position Phase 1 clearing materials for rapid approval before the Commission has issued a final Article VII Certificate and before directly affected municipalities have had a meaningful opportunity to participate.^{3, 4, 9}

The Village respectfully requests that the Applicant be directed to disclose when each Phase 1 EM&CP component was prepared, when and to whom it was circulated, what comments were received, what revisions were made in response to those comments, and why the Village of Sea Cliff was not included in the pre-filing review process.

VI. The Phase 1 Materials Confirm That This Is More Than Routine Vegetation Management

The Phase 1 package includes Appendix O, the Terrestrial Unanticipated Discovery Plan. Appendix O applies to EM&CP Phases 1, 2, 3, and 4 and confirms that Phase 1 includes tree clearing for the New Shore Road Substation and the Segment 6 Shore Road landfall and TJVs.¹⁰

Appendix O addresses procedures for archaeological resources, cultural materials, and human remains that may be encountered during construction or ground-disturbing activities. It states that there is always potential to encounter cultural resources during construction or ground-disturbing activities, despite prior background research and surveys.¹⁰

Appendix O further states that prior Phase IB archaeological survey work identified one new post-Contact historic archaeological site containing two features and 406 artifacts. The public filing redacts the location of that discovery. Because the location is redacted, the Village cannot determine whether the discovered site is at, near, or unrelated to the Glenwood Landing / New Shore Road work area.¹¹

The Village does not seek public disclosure of sensitive archaeological-site information. However, the Applicant should not be permitted to rely on redacted cultural-resource materials while preventing an affected municipality from determining whether the identified archaeological site, artifact concentration, archaeologically sensitive area, or related resource is located in or near the Glenwood Landing / New Shore Road Phase 1 clearing limits.

The Village therefore requests access under the applicable protective order, or alternatively a confidential certification sufficient to confirm whether any such resource is located within or near the Phase 1 work area affecting Glenwood Landing, New Shore Road, the Shore Road landfall, or the TJVs. If the Village, or appropriate municipal representatives must execute the governing protective order or any additional confidentiality undertaking to receive such information, the Applicant should be directed to identify that process immediately and provide the protected information upon completion of that process.

The Village further requests access, under appropriate confidentiality protections, to the Phase IA Archaeological Sensitivity Assessment, Phase IB Archaeological Survey, May 2026 Phase IB Archaeological Addendum, Update to the Historic Architectural Assessment, NYSHPO/OPRHP correspondence, and any

mapping or location data necessary to determine whether Phase 1 clearing could affect archaeological or cultural resources in the Glenwood Landing / Shore Road area.¹¹

VII. Sea Cliff Should Be Added to Relevant Notification Protocols

The Village is also concerned that the Phase 1 materials do not appear to include Sea Cliff as a direct municipal contact for relevant events affecting the Glenwood Landing / New Shore Road / Hempstead Harbor area. Appendix O includes project contacts for cultural-resource and human-remains matters, including OPRHP, Tribal Historic Preservation Officers, medical examiners, and local police, but it does not identify Sea Cliff as a municipal contact for events affecting the Shore Road / Hempstead Harbor area.¹²

Given Sea Cliff's proximity to the work area and its direct environmental, public safety, emergency-response, and harbor-related interests, the Village should be included in all relevant notification protocols, subject to appropriate confidentiality protections for cultural-resource information.

At a minimum, the Applicant should be required to notify the Village regarding:

- any proposed commencement of clearing, vegetation removal, staging, or site preparation at or near the New Shore Road Substation, Shore Road landfill, TJVs, or Hempstead Harbor;
- any stormwater, erosion, sediment, turbidity, fugitive dust, spill, contaminated-soil, odor, hazardous-material, or corrective-action issue arising from work in the Glenwood Landing / New Shore Road area;
- any exceedance, stop-work event, inspection failure, stabilization failure, or reportable incident under the SWPPP or EM&CP;
- any archaeological, cultural-resource, or human-remains discovery in or near the Glenwood Landing / New Shore Road work area, subject to appropriate confidentiality protections;
- any emergency condition, public safety concern, traffic impact, access restriction, or condition requiring coordination with municipal or volunteer emergency responders; and
- any request for a Notice to Proceed or field authorization relating to Phase 1 work in the Glenwood Landing / Shore Road area.

The Village should not be forced to learn of site-specific developments only after they are posted to DMM or after work has already commenced.

VIII. Environmental Concerns Specific to Hempstead Harbor and the Glenwood Landing / New Shore Road Area Require Meaningful Review Before Approval

The Glenwood Landing / New Shore Road area is environmentally sensitive. The proposed work is located immediately adjacent to Hempstead Harbor, a waterbody of significant ecological, recreational, economic, and community importance. The Village and other local stakeholders have spent decades working to protect and restore Hempstead Harbor.

The Phase 1 clearing work raises site-specific concerns regarding stormwater runoff, erosion and sediment control, temporary stabilization, fugitive dust, spill prevention, contaminated soils, wetlands and wetland adjacent areas, harbor protection, and emergency response. These issues are magnified by the industrial history of the Glenwood Landing area and by the proximity of the work area to the Harbor.

The Phase 1 materials themselves recognize that environmentally sensitive areas, including wetlands and adjacent areas, contaminated soil areas, and other sensitive areas must be delineated before tree clearing begins, and that NYSDPS, NYSDEC, and affected municipalities are to be notified when the field stake-out is complete.⁵ Sea Cliff should be treated as an affected municipality for these purposes because the Glenwood Landing / New Shore Road work area directly implicates Hempstead Harbor and Sea Cliff's waterfront, public safety, and environmental interests, even if the construction footprint lies outside the Village's corporate boundaries.

Before Phase 1 approval is considered, the Applicant should be required to explain how the SWPPP and EM&CP will prevent sediment, contaminated runoff, fugitive dust, debris, or pollutants from reaching Hempstead Harbor; how temporary stabilization will be maintained; how inspections and corrective actions will be documented; and how Sea Cliff will be notified if any issue arises that could affect the Harbor or the Village's interests.

IX. Approval Before a Final Certificate and Notice to Proceed Would Be Premature

The Village does not object to the administrative docketing or public review of a proposed Phase 1 EM&CP. However, the Village objects to any approval, conditional approval, Notice to Proceed, field authorization, or other action that would permit tree clearing, vegetation removal, staging, grading, or other site preparation before the Commission has issued a final Article VII Certificate for the Project and before all applicable certificate conditions, EM&CP requirements, publication/service requirements, environmental protections, and municipal consultation obligations have been satisfied.

Public Service Law § 121 provides that no person shall commence preparation of the site for construction of a major utility transmission facility without first obtaining a certificate of environmental compatibility and public need from the Commission.¹³

The proposed Certificate Conditions similarly define Commencement of Construction to include construction-related tree removal/cutting and/or grading, and state that Commencement of Construction shall not begin for any portion of the Project before the NYSPSC has approved the applicable EM&CP phase and issued the relevant Notice to Proceed.⁹

The proposed Certificate Conditions also state that the Certificate Holder shall not commence site preparation or construction for any portion of the Project before it has submitted the relevant EM&CP phase, the NYSPSC has approved that phase, and the governing Notice to Proceed has been issued.¹⁴

The Phase 1 EM&CP should not be used to create momentum toward implementation of a project that remains subject to pending Article VII review and significant objections by affected municipalities and parties. Any review of the Phase 1 EM&CP at this stage must be expressly non-prejudicial and must not be construed as approval of the Project, approval of the Glenwood Landing / New Shore Road Substation site, approval of any clearing activity, or waiver of the Village's objections in Case 24-T-0446.

X. Timeliness and Reservation of Supplemental Rights

The proposed Certificate Conditions state that any person may file written comments or objections regarding a proposed EM&CP within 30 days of the EM&CP filing date or within 30 days of the newspaper notice, whichever is later. The same conditions state that the Applicant must file a certificate of service with supporting affidavits within three business days after the EM&CP is filed and that this submission is a condition precedent to approval of the EM&CP.¹⁵

The Village submits these comments within the public comment process applicable to the Phase 1 EM&CP and expressly reserves the right to supplement these comments upon review of any affidavits of service, affidavits of publication, pre-filing consultation records, revised EM&CP materials, unredacted/protected cultural-resource information, SWPPP materials, or other supporting documentation.

XI. Requested Relief

For the reasons set forth above, the Village respectfully requests that the Commission, Secretary, Administrative Law Judges, and DPS Staff:

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- Defer approval of the Phase 1 EM&CP as it relates to the Glenwood Landing / New Shore Road facility, New Shore Road Substation, Shore Road landfall, TJVs, and Hempstead Harbor;
- Withhold any Notice to Proceed or other authorization for clearing, vegetation removal, staging, site preparation, grading, or related work in the Glenwood Landing / Shore Road area;
- Require the Applicant to provide the exact versions of Phase 1 materials circulated to the Town of Oyster Bay and any other entity before filing;
- Require the Applicant to provide the complete pre-filing consultation record for EM&CP Phase 1, including all transmittals, recipient lists, comment logs, redlines, comments, responses, and revisions from the Town of Oyster Bay, Nassau County, Suffolk County, the Town of Huntington, the Town of Hempstead, and any other municipality, agency, utility, or stakeholder that received a pre-filing review or "pre-read" of Phase 1 EM&CP materials;
- Require the Applicant to certify whether the versions filed on DMM are identical to, or different from, the versions circulated during the pre-filing review process, and identify all revisions made in response to pre-filing comments;
- Require the Applicant to explain why the Village of Sea Cliff was excluded from the pre-filing review process despite its proximity to the New Shore Road Substation, Shore Road landfall, TJVs, Hempstead Harbor, and related project impacts;
- Require the Applicant to provide the Village with unredacted or protected versions of Phase 1 materials necessary to determine whether Glenwood Landing / New Shore Road / Shore Road landfall resources are affected, including Appendix O and any related cultural-resource location information;
- Alternatively, require the Applicant to provide a confidential certification sufficient to confirm whether any identified archaeological site, artifact concentration, archaeologically sensitive area, or related resource is located within or near the Glenwood Landing / New Shore Road Phase 1 clearing limits;
- Require the Applicant to identify any protective-order process the Village, its counsel, or appropriate municipal representatives must complete to access protected cultural-resource information and provide such information promptly upon completion of that process;
- Require the Applicant to provide the Village with the pre-filing and filed versions of the SWPPP materials, erosion and sediment-control drawings, stabilization measures, inspection protocols, corrective-action procedures, inspection forms, spill-prevention measures, stormwater calculations, and associated correspondence for the Glenwood Landing / New Shore Road area;
- Provide the Village with a meaningful review period, no less than 30 days after receipt of the requested materials, to review the Phase 1 EM&CP and submit supplemental comments;

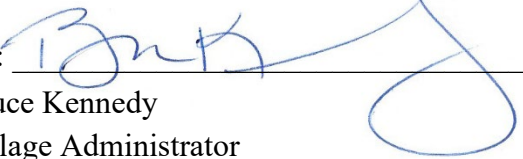
- Require the Applicant to add the Village of Sea Cliff to relevant notification protocols for environmental, stormwater, spill, contaminated-soil, public safety, emergency-response, archaeological, cultural-resource, and construction-related events affecting the Glenwood Landing / New Shore Road / Hempstead Harbor area;
- Require additional site-specific protections for Hempstead Harbor, including clear protocols for erosion and sediment control, fugitive dust, stormwater inspections, spill response, contaminated soils, temporary stabilization, corrective actions, and immediate municipal notification; and
- Confirm that any review of the Phase 1 EM&CP is non-prejudicial and does not constitute approval of the Project, approval of the Glenwood Landing / New Shore Road Substation site, approval of Phase 1 clearing, or waiver of any objection raised by the Village in this proceeding.

XII. Reservation of Rights

Nothing in these comments should be construed as the Village's consent to, or waiver of objections regarding, the Project, the New Shore Road Substation, the Shore Road landfall, the use of Hempstead Harbor, the submarine cable crossing, any subsequent EM&CP phase, or any issue previously raised by the Village in Case 24-T-0446. The Village expressly reserves all rights, claims, comments, objections, and procedural arguments in this proceeding, including the right to supplement these comments upon review of additional EM&CP materials, affidavits of service, affidavits of publication, revised filings, pre-filing consultation records, unredacted or confidential cultural-resource information, SWPPP materials, or other supporting documentation.

Respectfully submitted,

INCORPORATED VILLAGE OF SEA CLIFF

By: 
Bruce Kennedy

Village Administrator

Incorporated Village of Sea Cliff

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cc: Administrative Law Judge Nicholas Planty
Administrative Law Judge Erika Bergen
Administrative Law Judge Anthony Belsito
DMM Service List, Case 24-T-0446

Endnotes

1. NYSDPS DMM Matter Master, Case 24-T-0446, identifying the applicants, case title, matter type, and assigned Administrative Law Judges.
2. Applicant Phase 1 EM&CP cover letter filed June 22, 2026, stating the filing of the Phase 1 EM&CP, distribution of copies, redaction of Appendices C-1 and O, and provision of unredacted versions under the protective order.
3. Joint Proposal Appendix C, Table C.1-1, identifying EM&CP 1 vegetation clearing at the New 345-kV Shore Road Substation and Segment 6 Shore Road HDD Landfall and TJVs.
4. Phase 1 Appendix K-1, Vegetation Management Plan, stating that Phase 1 addresses tree clearing at the Shore Road Landfall/TJVs and New Shore Road Substation; that tree-clearing plans depict limits where potential soil disturbance from heavy equipment is planned; and that clearing supports later construction phases.
5. Phase 1 Appendix K-1, Vegetation Management Plan, stating that at least 14 days before tree clearing, the Applicant will delineate tree-clearing limits, archeological sites, access roads, environmentally sensitive areas, wetlands and adjacent areas, contaminated soil areas, and notify NYSDPS, NYSDEC, and affected municipalities when field stake-out is complete.
6. Village record: April 24, 2026 email from Aubrey A. Roman to Joseph Macy, subject "Propel - TOB pre-read of certain Phase 1 EM&CP materials," attaching the Phase 1 construction schedule, Vegetation Management Plan, and comment log, and requesting feedback within 30 days.
7. Phase 1 Appendix K-1, Vegetation Management Plan, stating that SWPPPs for tree-clearing activities are included as Appendix H-1 and that subsequent construction activities at the Shore Road Landfall, new substations, and Shore Road TJV construction will commence shortly after Phase 1 tree clearing.
8. Phase 1 Appendix I-1, Fugitive Dust Plan, stating that the Phase 1 SWPPPs also provide instructions for reducing fugitive dust generated from tree-clearing activities.
9. Joint Proposal Appendix D, proposed Certificate Conditions, defining Commencement of Construction to include construction-related tree removal/cutting and/or grading and stating that such commencement may not begin before NYSPSC approval of the applicable EM&CP phase and issuance of the relevant Notice to Proceed.
10. Phase 1 Appendix O, Terrestrial Unanticipated Discovery Plan, stating that EM&CP Phase 1 includes tree clearing for the New Shore Road Substation and Segment 6 Shore Road Landfall/TJVs and that the plan covers Phases 1, 2 terrestrial portions, 3, and 4.
11. Phase 1 Appendix O, Terrestrial Unanticipated Discovery Plan, stating that WSP conducted a Phase IB survey between June 2024 and January 2025 and identified one new post-Contact historic archaeological site with two features and 406 artifacts, with confidential location information redacted.
12. Phase 1 Appendix O, Terrestrial Unanticipated Discovery Plan, notification list for archaeological, THPO, medical examiner, and local police contacts.
13. New York Public Service Law § 121(1), stating that no person shall commence preparation of the site for construction of a major utility transmission facility without first obtaining a certificate of environmental compatibility and public need.
14. Joint Proposal Appendix D, proposed Certificate Conditions, stating that the Certificate Holder shall not commence site preparation or construction before submission and approval of the relevant EM&CP phase and issuance of the governing Notice to Proceed.
15. Joint Proposal Appendix D, proposed Certificate Conditions, providing the 30-day EM&CP comment period, service requirements, publication requirements, and certificate-of-service condition precedent to EM&CP approval.