

New York State Electric & Gas Corporation

Jennison Transmission Solution Project

Appendix A

Agency Correspondence

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**New York State Office of Parks, Recreation and
Historic Preservation**

Correspondence with the New York State Historic Preservation Office (SHPO) is summarized below and in the below CRIS database excerpt.

- SHPO issued a letter of “No Adverse Impact on historic and archaeological resources” on 7/4/2024 (attached).
- NYSEG submitted a Revised Avoidance Plan on 6/27/2024 (see attached CRIS excerpt).
- SHPO provided list of eligible historic resources on 6/12/2024 (attached).
- NYSEG submitted a Phase II Archaeological Survey report on 6/04/2024 (see attached CRIS excerpt).
- SHPO marked field work and report as complete on 5/14/24 (see attached CRIS excerpt).
- NYSEG submitted the Historic Structures Methodology Report on 4/25/2024 (see attached CRIS excerpt).
- SHPO requested a Visual Envelope Map and Historic Structures Methodology Report on 4/19/2024 (see attached CRIS excerpt).
- NYSEG submitted a Phase IA Archaeology Survey on 2/08/2024 (attached).
- SHPO recommended a Phase IA survey with IB testing on 6/21/2023 (attached).
- NYSEG submitted the Initial Project consultation via New York State Historic Preservation Office’s Cultural Resource Information System (CRIS) on 6/14/2023 (see attached CRIS excerpt).

Consultation: 23PR04971

Status: Closed

Close

Project: Jennison Transmission Solution

- Overview
- Submissions (9)
- USNs (63)
- Surveys (3)
- Agencies (1)
- Contacts (6)
- Photos (0)
- Atts. (8)
- Agmts. (2)
- Q & A (0)
- Corr. (6)
- MCDs (7)

Submissions Overview (9)

Submissions

View	Status	Submission #	Type	Date Recv.	Date Due	Description	Review Summary
	Closed	23PR04971.001	Initial	06/14/2023	07/14/2023	Initial Consultation Submission.	Bradley Russell (Archaeology): Complete Daniel H. Boggs (Survey and Evaluation): Complete
	Closed	23PR04971.002	Requested	02/08/2024	03/09/2024	Phase IA Literature Search and Sensitivity Study requested	Bradley Russell (Archaeology): Complete
	Closed	23PR04971.003	Requested	04/19/2024	05/19/2024	Please provide a Visual Envelope Maps (VEM) using GIS viewshed analysis to indicate the Zone of Visual Impact (ZVI) per NYSHPO guidelines (see attachment) as follows - Each proposed new access road, a Study Area of substantially contiguous properties. - New lines on new support structures that are more than 10% taller than the replaced units and located within an existing transmission ROW, a one mile Study Area buffer extending from each side of the transmission corridor ROW. - Each proposed new substation site, a one mile Study Area buffer extending from project boundary. - New transmission lines on new support structures requiring a new ROW and cut, a three mile Study Area buffer extending from each side of the transmission corridor ROW. Please also prepare a Methodology to begin a Trekker survey by a 36 CRF 61 qualified, consultant to evaluate all previously recorded historic resources and document any newly identified architectural resources 50 years old or older that fall within	Daniel H. Boggs (Survey and Evaluation): Complete
	Closed	23PR04971.006	Manual	06/04/2024	07/04/2024	Consultant requested links to upload the Phase II Archaeological survey report and another for the revised Avoidance Plan.	Bradley Russell (Archaeology): Complete
	Closed	23PR04971.008	Manual	06/12/2024		Initial Submission	Mariana Montes Staines (Technical Services): Complete
	Closed	23PR04971.004	Requested	04/25/2024	04/25/2024	Trekker field work in progress. SHPO requested completed survey report.	Daniel H. Boggs (Survey and Evaluation): Complete
	Closed	23PR04971.005	Requested	05/14/2024	06/13/2024	Field work complete and Survey Report submitted.	Daniel H. Boggs (Survey and Evaluation): Complete Mariana Montes Staines (Technical Services): Complete

Consultation: 23PR04971

Status: Closed

Close

Project: Jennison Transmission Solution

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	Closed	23PR04971.005	Requested	05/14/2024	06/13/2024	Field work complete and Survey Report submitted.	Daniel H. Boggs (Survey and Evaluation): Complete Mariana Montes Staines (Technical Services): Complete
	Closed	23PR04971.007	Requested	06/04/2024	07/04/2024	Phase II archaeological survey requested	Bradley Russell (Archaeology): Complete
	Closed	23PR04971.009	Requested	06/27/2024	07/27/2024	Revised Avoidance Plan requested	Bradley Russell (Archaeology): Complete



**New York State
Parks, Recreation and
Historic Preservation**

KATHY HOCHUL
Governor

ERIK KULLESEID
Commissioner

July 4, 2024

Joseph Kwiatek
Project Archaeologist
Environmental Design & Research, Landscape Architecture, Engineering & Environmental
Services, DPC
274 North Goodman Street
Suite B260
Rochester, NY 14607

Re: DEC
Jennison Transmission Solution
23PR04971

Dear Joseph Kwiatek:

Thank you for requesting the comments of the Division for Historic Preservation of the Office of Parks, Recreation and Historic Preservation (OPRHP). We have reviewed the submitted materials in accordance with the New York State Historic Preservation Act of 1980 (section 14.09 of the New York Parks, Recreation and Historic Preservation Law). These comments are those of the Division for Historic Preservation and relate only to Historic/Cultural resources. They do not include potential environmental impacts to New York State Parkland that may be involved in or near your project.

OPRHP has reviewed the Phase II Archaeological Survey report for the Jennison Transmission Solution project (23PR04971) prepared by Environmental Design & Research, D.P.C., Consulting Archaeologists (June 2024; 24SR00292).

The following four archaeological sites were evaluated:

- Site 946.074-1 (USN 01702.000127)
- Site 946.075-1 (USN 01702.000128)
- Site 946.076-1 (USN 01702.000129)
- Site 946.092-1 (USN 01702.000130)

OPRHP concurs with the report finding that none of the four sites are eligible for inclusion on the National Register of Historic Places and they have been determined Not Eligible in our CRIS system. OPRHP further concurs with the report recommendation that no additional archaeological investigation is warranted.

Based upon this review, it is OPRHP's opinion that no properties, including archaeological and/or historic resources, listed in or eligible for the New York State and National Registers of Historic Places will be impacted by this project.

If you have any questions, I can be reached at Bradley.Russell@parks.ny.gov.

Sincerely,

Brad Russell

Bradley W. Russell, Ph.D.
Historic Preservation Specialist - Archaeology



**New York State
Parks, Recreation and
Historic Preservation**

KATHY HOCHUL
Governor

RANDY SIMONS
Commissioner *Pro Tempore*

June 12, 2024

Joseph Kwiatek
Project Archaeologist
Environmental Design & Research, Landscape Architecture, Engineering & Environmental
Services, DPC
274 North Goodman Street
Suite B260
Rochester, NY 14607

Re: DEC
Jennison Transmission Solution
23PR04971

Dear Joseph Kwiatek:

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We note that 27 historic resources eligible for or listed in the State and National Registers of Historic Places were identified within the one-mile zone of visual impact survey dated May 10, 2024. Please see Appendix A for a complete list of historic resources. We have reviewed the submission received on May 14, 2024. Based on that review, the Technical Services Unit has no above ground/architectural concerns. We note that our Archaeology Unit has requested additional information. In order for this office to render a finding, our Archaeology Unit's requested must be completed. Please see and respond to Bradley's Russell's request via the response wheel in CRIS.

If you have any questions, you can call or e-mail me at the contact information below.

Sincerely,

Mariana Staines
Historic Site Restoration Coordinator
518-268-2142 | mariana.montesstaines@parks.ny.gov



**New York State
Parks, Recreation and
Historic Preservation**

KATHY HOCHUL
Governor

RANDY SIMONS
Commissioner *Pro Tempore*

Appendix A

USN	ADDRESS	SURVEY RECOMMENDATION	SHPO COMMENTS
1702.000050	House, 270 Kelley Road	Eligible under Criterion C	concur
1707.000003	The Pillars, 113 Marble Road	Eligible under Criteria A and C	concur
1707.00001404 NR05223	Guilford Center Presbyterian Church, County Road 36	Listed under Criterion C	
1707.000121/ 05NR05453	Guilford Center Cemetery, County Road 36	Listed under Criterion A	concur
1707.000145/ 19NR00073	North Guilford Cemetery, Whites Hill Road	Listed under Criteria A and C	concur
1707.000146	North Guilford Church, 476 Aldrich Road	Eligible under Criterion C	concur
1707.000152	Duplex, 2075 County Road 35	Eligible under Criterion C	concur
1740.000029	Manley House, 42 South Broad Street	Eligible under Criterion C; Contributing Resource to the Broad Street-Main Street HD	concur
1740.000245	Mount Hope Cemetery, South Broad Street	Eligible under Criterion A and C	concur
1740.000321	Chenango County Fairground, 168 East Main Street	Eligible under Criterion A	concur
1740.000378/ 90NR00157	Chenango County Courthouse Historic District	Listed under Criteria A and C	concur
1740.000403	Broad Street-Main Street Historic District	Eligible under Criterion C	concur
1742.000065	Freiot-Benson Residence, 85 North Main Street	Listed as a Contributing Resource to the Bainbridge HD	concur
1742.000557/ 90NR00160	Bainbridge Historic District	Listed under Criteria A and C	concur
2516.000331	House and Farm, 13709 County Road 23	Eligible under Criterion C	concur
2516.000370	St Luke's Evangelical Lutheran Church, 139 West Main Street	Eligible under Criterion C	concur



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Governor

RANDY SIMONS
Commissioner *Pro Tempore*

2540.000805	House, 112 River Street	Listed as a Contributing Resource to the Sidney HD	concur
2540.000949/ 13NR06446	Sidney Historic District	Listed under Criteria A and C	concur
1707.000047	House and Farm, 682 County Road 36	Potentially Eligible under Criterion A	Eligible
1707.000172	House, 1789 County Road 35	Potentially Eligible under Criterion C	Eligible
1707.000171	Farm, 2116 County Road 35	Potentially Eligible under Criterion A	Not Eligible
2516.000402	House, 606 Guilford Road	Potentially Eligible under Criterion C	Eligible
2516.000401	House, 13600 County Highway 23	Potentially Eligible under Criterion C	Eligible
2516.0004	Farm, 894 Dunshee Road	Potentially Eligible under Criterion A	Eligible
02516.000396	Highland Cemetery, Franklin Depot Road	Potentially Eligible under Criteria A and C	Eligible
7722.000178	Bridge, County Highway 1b	Eligible under Criterion C	Eligible
2508.000072	Goldsmith Cemetery, Ridge Road	Potentially Eligible under Criterion A	Eligible
2507.000198	House, 3058 Russell Road	Potentially Eligible under Criterion C	Eligible
1702.000132	Delaware and Hudson Railroad Bridge, off State Highway 7	Potentially Eligible under Criteria A and C	Eligible
1702.000052	Buchan Residence, East River St, Bainbridge		Eligible
2507.000197	61 Benowski Road , Franklin		Eligible
2516.000387	10387 County Highway 23, Sidney		Eligible
2516.000388	41 Franklin Depot Road, Sidney		Eligible
2516.000392	71 Franklin Depot Road, Sidney		Eligible
2516.000395	109 Franklin Depot Road, Sidney		Eligible
2540.00081	72 River Street, Sidney		Listed

From: New York State Parks CRIS Application <cris.web@parks.ny.gov>

Sent: Thursday, April 25, 2024 11:29 AM

To: jkwiatek@edrdpc.com

Cc: kmontgomery@edrdpc.com; McCormick, Sean <Sean.McCormick@stantec.com>; jcorona@nyseg.com; mway@edrdpc.com; DeChard, Sandra <sandra.dechard@stantec.com>

Subject: NY SHPO: Requested Submission I2S86UDDBEG9 Accepted for Consultation Project 23PR04971

Requested Submission Accepted

The New York State Historic Preservation Office (SHPO) has accepted the following requested submission.

Requested Submission Token: I2S86UDDBEG9

New Submission Number: 23PR04971.003

Project Number: 23PR04971

Project Type: Consultation

Project Name: Jennison Transmission Solution

Consolidated Response Token: UXBED46SVCY2

Previous Submission Number: 23PR04971.001

Closed Request: Please provide a Visual Envelope Maps (VEM) using GIS viewshed analysis to indicate the Zone of Visual Impact (ZVI) per NYSHPO guidelines (see attachment) as follows - Each proposed new access road, a Study Area of substantially contiguous properties. - New lines on new support structures that are more than 10% taller than the replaced units and located within an existing transmission ROW, a one mile Study Area buffer extending from each side of the transmission corridor ROW. - Each proposed new substation site. a one mile Study Area buffer extending from project boundary. - New transmission lines on new support structures requiring a new ROW and cut, a three mile Study Area buffer extending from each side of the transmission corridor ROW. Please

also prepare a Methodology to begin a Trekker survey by a 36 CRF 61 qualified, consultant to evaluate all previously recorded historic resources and document any newly identified architectural resources 50 years old or older that fall within the project ZVI. Contact Daniel Boggs at Daniel.Boggs@parks.ny.gov with any questions. Thank you.

The request description above is for reference only. It is not a new request.

New York State Historic Preservation Office

Peebles Island State Park, P.O. Box 189, Waterford, NY 12188-0189

518-237-8643 | <https://parks.ny.gov/shpo>

CRIS: <https://cris.parks.ny.gov>

Are you registered to vote? [Register to vote online today](#). Moved recently? Update your information with the NYS Board of Elections. Not sure if you're registered to vote? [Search your voter registration status](#).

Who sent this email?

This email is a notification from the [New York State Cultural Resource Information System \(CRIS\)](#). CRIS is an online service administered by the [New York State Division for Historic Preservation](#), also known as the New York State Historic Preservation Office (SHPO), which is a division of [New York State Parks, Recreation & Historic Preservation](#).

This message pertains to a submission for a consultation project. Please see SHPO's [Environmental Review](#) web page for more information about the consultation process.

Why did I receive this email?

The contact list for the project or the requested submission includes your email address.

What do I need to do?

You do not need to take any action at this time. The requested submission is now under SHPO review as project submission 23PR04971.003.

What will happen next?

SHPO will review the submission. If SHPO sends comments or questions in response to this submission, the project contacts will receive an email notification with a link to SHPO's correspondence.

What else can I do?

Please see the following help topics for more information about managing requested submissions and projects in CRIS:

- [How do I check the review status of my project?](#)
- [How long does SHPO take to review projects?](#)

- [Process an Information Request](#)
- [Submit New Information for an Existing Project](#)

Where can I get help?

Please visit the CRIS Online Help System: <https://cris.parks.ny.gov/CRISHelp>

If you still have questions about CRIS, please contact CRIS Help at CRISHelp@parks.ny.gov.

For any other questions, please call SHPO at 518-237-8643.

Caution: This email originated from outside of Stantec. Please take extra precaution.

Attention: Ce courriel provient de l'extérieur de Stantec. Veuillez prendre des précautions supplémentaires.

Atención: Este correo electrónico proviene de fuera de Stantec. Por favor, tome precauciones adicionales.

From: [New York State Parks CRIS Application](#)
To: [Joseph Kwiatek](#)
Cc: [Kristopher Montgomery](#); Sean.McCormick@stantec.com; eleonor.eshenour@stantec.com; jcorona@nyseg.com
Subject: NY SHPO: Requested Submission 314EOYPJDS4T Received for Consultation Project 23PR04971
Date: Thursday, February 8, 2024 5:05:14 PM

[EXTERNAL SENDER]

Requested Submission Received

The New York State Historic Preservation Office (SHPO) has received the following requested submission.

Requested Submission Token: 314EOYPJDS4T

Project Number: 23PR04971

Project Type: Consultation

Project Name: Jennison Transmission Solution

Consolidated Response Token: UXBED46SVCY2

Previous Submission Number: 23PR04971.001

Open Request: Phase IA Literature Search and Sensitivity Study requested

The request description above is for reference only. It is not a new request.

New York State Historic Preservation Office

Peebles Island State Park, P.O. Box 189, Waterford, NY 12188-0189

518-237-8643 | <https://parks.ny.gov/shpo>

CRIS: <https://cris.parks.ny.gov>

Are you registered to vote? [Register to vote online today](#). Moved recently? Update your information with the NYS Board of Elections. Not sure if you're registered to vote? [Search your voter registration status](#).

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This message pertains to a submission for a consultation project. Please see SHPO's [Environmental Review](#) web page for more information about the consultation process.

Why did I receive this email?

The contact list for the project or the requested submission includes your email address.

What do I need to do?

You do not need to take any action at this time. The submission is now in SHPO's processing queue.

What will happen next?

If SHPO accepts your submission, you will receive a "Requested Submission Accepted" email notification, the submission will receive a new submission number, and the submission's contents will be added to the project. SHPO will then review the submission.

If SHPO needs more information to process your submission, you will receive a "Requested Submission Found Insufficient" email with the reviewer's comments. You may then revise the submission and resend it to SHPO.

What else can I do?

Please see the following help topics for more information about managing requested submissions and projects in CRIS:

- [Process an Information Request](#)
- [How do I check the review status of my project?](#)
- [How long does SHPO take to review projects?](#)
- [Submit New Information for an Existing Project](#)

Where can I get help?

Please visit the CRIS Online Help System: <https://cris.parks.ny.gov/CRISHelp>

If you still have questions about CRIS, please contact CRIS Help at CRISHelp@parks.ny.gov.

For any other questions, please call SHPO at 518-237-8643.



**New York State
Parks, Recreation and
Historic Preservation**

KATHY HOCHUL
Governor

ERIK KULLESEID
Commissioner

**OVERHEAD TRANSMISSION STRUCTURE REPLACEMENT
ARCHAEOLOGY COMMENTS**

Phase IA Archaeological Survey Recommendations/Sensitivity Model

Project: Jennison Transmission Solution

PR#: 23PR04971

Date: 06/21/2023

The State Historic Preservation Office/Office of Parks, Recreation and Historic Preservation (SHPO/OPRHP) recommends a Phase IA archaeological survey, including Phase IB testing recommendations. A Phase IA Literature Search and Sensitivity Study is the initial assessment of the overall sensitivity of a project area (*Area of Potential Effects or APE*) for the presence of archaeological sites and Native American sites of religious and cultural significance and functions to guide subsequent field investigations.

The SHPO/OPRHP recommends that Phase IB archaeological testing is warranted for areas of substantial proposed ground disturbance that fall within areas of high archaeological sensitivity. Areas of substantial proposed ground disturbance include but are not necessarily limited to:

- new overhead electrical transmission structures located more than 10 feet from existing overhead electrical transmission structures,
- new access roads,
- staging areas,
- trenches three feet or wider, and
- areas of grubbing and grading

The SHPO/OPRHP defines areas of high sensitivity, where archaeological sites are most likely to be identified, as those: (1) within 100-meters (328 feet) of permanent water (rivers, streams, wetlands, ponds and lakes and hydric soils) and on slopes equal to or less than 12%; (2) within or near to known archaeological sites; and (3) locations of standing or demolished historic structures. Hydric soils are included to account for areas that may not be currently near water but were in the past. The 100-meter cut off from water is based on data presented by Robert E. Funk in his 1993 *Archaeological Investigations in the Upper Susquehanna Valley, New York State*. Testing should conform to the 1994 New York Archaeological Council Standards.

All other portions of the project area are considered to have low sensitivity for the presence of archaeological sites, including areas of previous ground disturbance, existing access roads, and new overhead electrical transmission structures located within 10 feet of existing overhead electrical transmission structures. The SHPO/OPRHP has no archaeological concerns with low sensitivity areas and does not recommend Phase IB testing in these locations.

Please note that protective matting is considered an avoidance measure by SHPO/OPRHP and no archaeological testing is required for locations where matting is used. Areas characterized by steep slope or extensive prior soil disturbance do not need to be matted because of their low archaeological sensitivity.

Our office does not conduct archaeological surveys. A 36 CFR 61 qualified archaeologist should be retained to conduct this work.

If you have any questions concerning archaeology, please contact Bradley Russell at Bradley.Russell@parks.ny.gov.

**United States Department of Interior
Fish and Wildlife Service**

Correspondence with the United States Department of Interior Fish and Wildlife Service (USFWS) is summarized below.

- USFWS provided an automatically generated Information for Planning and Consultation (IPaC) report on 4/4/2024 with an official species list identifying federally threatened, endangered, proposed and candidate species that may occur within the boundary of the Project (attached).



United States Department of the Interior



FISH AND WILDLIFE SERVICE
New York Ecological Services Field Office
3817 Luker Road
Cortland, NY 13045-9385
Phone: (607) 753-9334 Fax: (607) 753-9699
Email Address: fw5es_nyfo@fws.gov

In Reply Refer To:

04/04/2024 16:11:53 UTC

Project Code: 2024-0072846

Project Name: NYSEG L946 L949 JTS

Subject: List of threatened and endangered species that may occur in your proposed project location or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed, and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through IPaC by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2)

(c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at: <https://www.fws.gov/sites/default/files/documents/endangered-species-consultation-handbook.pdf>

Migratory Birds: In addition to responsibilities to protect threatened and endangered species under the Endangered Species Act (ESA), there are additional responsibilities under the Migratory Bird Treaty Act (MBTA) and the Bald and Golden Eagle Protection Act (BGEPA) to protect native birds from project-related impacts. Any activity, intentional or unintentional, resulting in take of migratory birds, including eagles, is prohibited unless otherwise permitted by the U.S. Fish and Wildlife Service (50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)). For more information regarding these Acts, see [Migratory Bird Permit | What We Do | U.S. Fish & Wildlife Service \(fws.gov\)](https://www.fws.gov/partner/council-conservation-migratory-birds).

The MBTA has no provision for allowing take of migratory birds that may be unintentionally killed or injured by otherwise lawful activities. It is the responsibility of the project proponent to comply with these Acts by identifying potential impacts to migratory birds and eagles within applicable NEPA documents (when there is a federal nexus) or a Bird/Eagle Conservation Plan (when there is no federal nexus). Proponents should implement conservation measures to avoid or minimize the production of project-related stressors or minimize the exposure of birds and their resources to the project-related stressors. For more information on avian stressors and recommended conservation measures, see <https://www.fws.gov/library/collections/threats-birds>.

In addition to MBTA and BGEPA, Executive Order 13186: *Responsibilities of Federal Agencies to Protect Migratory Birds*, obligates all Federal agencies that engage in or authorize activities that might affect migratory birds, to minimize those effects and encourage conservation measures that will improve bird populations. Executive Order 13186 provides for the protection of both migratory birds and migratory bird habitat. For information regarding the implementation of Executive Order 13186, please visit <https://www.fws.gov/partner/council-conservation-migratory-birds>.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Code in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment(s):

- Official Species List

OFFICIAL SPECIES LIST

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

New York Ecological Services Field Office
3817 Luker Road
Cortland, NY 13045-9385
(607) 753-9334

PROJECT SUMMARY

Project Code: 2024-0072846

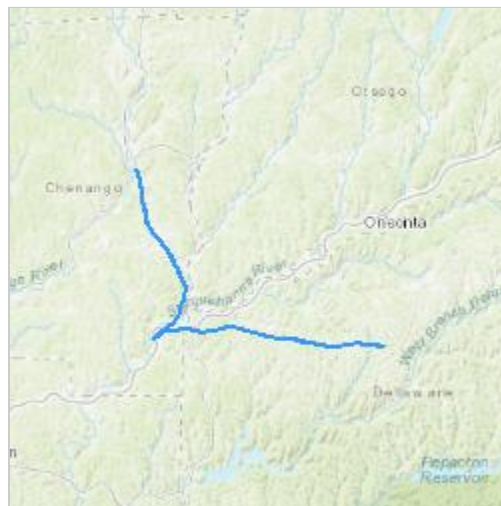
Project Name: NYSEG L946 L949 JTS

Project Type: Distribution Line - Maintenance/Modification - Above Ground

Project Description: The Jennison Transmission Solution Project (JTS or the Project) is being proposed in support of New York's Climate Leadership and Community Protection Act (CLCPA) program. It is a rebuild and upgrade of approximately 48.3 miles of electric transmission line, with the goal of addressing reliability and resiliency needs while also integrating increased renewable energy resources for delivery to New York customers. The Project also includes a relocation and rebuild of the existing Jennison substation in Bainbridge, Chenango County, NY (see Attachment A: JTS fact sheet).

Project Location:

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@42.394229949999996,-75.43731439689526,14z>



Counties: Chenango and Delaware counties, New York

ENDANGERED SPECIES ACT SPECIES

There is a total of 4 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species. Note that 2 of these species should be considered only under certain conditions.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries¹, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

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1. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

MAMMALS

NAME	STATUS
Northern Long-eared Bat <i>Myotis septentrionalis</i> No critical habitat has been designated for this species. This species only needs to be considered under the following conditions: <ul style="list-style-type: none"> This species only needs to be considered if the project includes wind turbine operations. Species profile: https://ecos.fws.gov/ecp/species/9045	Endangered
Tricolored Bat <i>Perimyotis subflavus</i> No critical habitat has been designated for this species. This species only needs to be considered under the following conditions: <ul style="list-style-type: none"> This species only needs to be considered if the project includes wind turbine operations. Species profile: https://ecos.fws.gov/ecp/species/10515	Proposed Endangered

CLAMS

NAME	STATUS
Green Floater <i>Lasmigona subviridis</i> There is proposed critical habitat for this species. Your location overlaps the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/7541	Proposed Threatened

INSECTS

NAME	STATUS
Monarch Butterfly <i>Danaus plexippus</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9743	Candidate

CRITICAL HABITATS

There is 1 critical habitat wholly or partially within your project area under this office's jurisdiction.

NAME	STATUS
Green Floater <i>Lasmigona subviridis</i> https://ecos.fws.gov/ecp/species/7541#crithab	Proposed

IPAC USER CONTACT INFORMATION

Agency: Stantec
Name: Douglas Munn
Address: 105 James St
City: Canastota
State: NY
Zip: 13032
Email: douglas.munn@stantec.com
Phone: 6802547455

**New York State
Department of Environmental Conservation
New York Natural Heritage Program**

Correspondence with the New York State Department of Environmental Conservation New York Natural Heritage Program (NYNHP) is summarized below.

- NYSDEC responded on 3/5/2024 with a review of the T&E species that may be impacted by the Project with mitigation measures to avoid impacts or disturbance (attached).
- NYNHP responded on 8/17/2023 with a report of rare or state-listed animals and plants, and significant natural communities contained in NYNHP's database that occur in the vicinity of the Project site (attached).
- Stantec submitted email correspondence to NYNHP on 6/27/2023 requesting a project screening for state-listed species (attached).

From: [Murtaugh, Jenny E \(DEC\)](#)
To: [Seeds, Benny](#)
Cc: [Higgins, Michael T \(DEC\)](#); [Lacko, Jamie G \(DEC\)](#)
Subject: RE: Reply for consultation request re T&E species avoidance measures in JTS Project
Date: Tuesday, March 5, 2024 9:54:33 AM
Attachments: [image012.png](#)
[image013.png](#)
[image014.png](#)
[image015.png](#)
[image016.png](#)
[image001.png](#)
[image002.png](#)
[image003.png](#)

You don't often get email from jenny.murtaugh@dec.ny.gov. [Learn why this is important](#)

Hi Benny,

I've finished a preliminary review of T&E species that may be impacted by the proposed Jennison Transmission Solution Project and offer the following:

For the bald eagle nest that was identified within 500 ft. of the ROW, the following restrictions must be observed to achieve full avoidance:

- No work ("work" not limited to ground disturbance, and includes all construction, operation and maintenance activities) within ¼ mile of the nest from January 1 through September 30.
- In the instance of blasting, the setback will need to be greater— no less than 1 mile— and must be detailed in an applicable blasting plan.

Appropriate erosion and sediment controls as well as other standard stream protections will be needed for hellbender. At this time, it does not appear that we will need to put a season restriction on work for this species beyond those required for fish, in which all work in state regulated streams is prohibited from October 1 through May 31 in cold water fisheries and from March 1 through July 31 in warm water fisheries.

For the protection of Indiana and northern long-eared bats:

To the extent practicable, tree clearing activities during construction will be conducted during the winter months (November 1 - March 31), when Indiana bats (*Myotis sodalis*) and northern long-eared bats (*Myotis septentrionalis*) are in their winter hibernacula. No tree clearing will occur in June or July, except in an emergency to protect human life or property.

If at any time during Project construction, any NLEB or Indiana Bat maternity roost trees are discovered within any Project Segment, NYSDEC and USFWS must be notified within twenty-four (24) hours of discovery, and an area at least one hundred fifty (150) feet in radius around the maternity roost tree must be marked and avoided until notice to continue work at that site is granted by NYSDEC and USFWS.

Reporting to DEC and DPS will be required for any T&E species observed in the project area.

Please be advised that records may be updated and additional screening will take place as we move forward in the Article VII process. Species and protective measures identified here are not final.

Thank you for reaching out for consultation early. Please let me know if you have any questions or if I can be of further assistance.

Regards,
Jenny

Jenny Murtaugh

She/Her/Hers
Biologist, Division of Fish and Wildlife

New York State Department of Environmental Conservation

625 Broadway, Albany, NY 12233

P: (518) 402-8857 | jenny.murtaugh@dec.ny.gov

www.dec.ny.gov |  |  | 



From: Seeds, Benny <Benny.Seeds@stantec.com>
Sent: Friday, February 9, 2024 8:06 AM
To: Murtaugh, Jenny E (DEC) <jenny.murtaugh@dec.ny.gov>
Subject: RE: Screenshot of GIS error

ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

Hi Jenny, apologies for the delay. Please find attached the existing and proposed ROW. Let me know if you have any issues accessing the shapefiles or any questions.

Thank you,

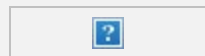
Benny Seeds

Environmental Scientist
Pronouns: They/them

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Mobile: 716.534.0301

Stantec



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From: Murtaugh, Jenny E (DEC) <jenny.murtaugh@dec.ny.gov>
Sent: Tuesday, February 6, 2024 3:06 PM
To: Seeds, Benny <Benny.Seeds@stantec.com>

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Fish and Wildlife, New York Natural Heritage Program

625 Broadway, Fifth Floor, Albany, NY 12233-4757

P: (518) 402-8935 | F: (518) 402-8925

www.dec.ny.gov

August 17, 2023

Benny Seeds
Stantec Consulting Services, Inc.
6245 Sheridan Dr, Suite 100
Amherst, NY 14221

Re: Jennison Transmission Solution Project

County: Chenango, Delaware Town/City: Bainbridge, Franklin, Guilford, Hamden, Norwich, Sidney

Dear Benny Seeds:

In response to your recent request, we have reviewed the New York Natural Heritage Program database with respect to the above project.

Enclosed is a report of rare or state-listed animals and plants, and significant natural communities that our database indicates occur in the vicinity of the project site.

For most sites, comprehensive field surveys have not been conducted; the enclosed report only includes records from our database. We cannot provide a definitive statement as to the presence or absence of all rare or state-listed species or significant natural communities. Depending on the nature of the project and the conditions at the project site, further information from on-site surveys or other sources may be required to fully assess impacts on biological resources.

The presence of the plants and animals identified in the enclosed report may result in this project requiring additional review or permit conditions. For further guidance, and for information regarding other permits that may be required under state law for regulated areas or activities (e.g., regulated wetlands), please contact the NYS DEC Region 4 Office, Division of Environmental Permits, at dep.r4@dec.ny.gov.

Sincerely,



Heidi Kraehling
Environmental Review Specialist
New York Natural Heritage Program



The following state-listed animals have been documented in the vicinity of the project site.

The following list includes animals that are listed by NYS as Endangered, Threatened, or Special Concern; and/or that are federally listed.

For information about any permit considerations for your project, please contact the Permits staff at the NYSDEC Region 4 Office at dep.r4@dec.ny.gov, 518-357-2449 (Delaware County) and the NYSDEC Region 7 Office at dep.r7@dec.ny.gov, 315-426-7438 (Chenango County).

<i>COMMON NAME</i>	<i>SCIENTIFIC NAME</i>	<i>NY STATE LISTING</i>	<i>FEDERAL LISTING</i>
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The following species has been documented nesting within 100 yards of the project site in the Town of Bainbridge and within one mile of the project site in the Town of Sidney.

Birds

Bald Eagle <i>Breeding</i>	<i>Haliaeetus leucocephalus</i>	Threatened	12279 12969
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The following species has been documented in the Unadilla and Susquehanna Rivers within 1/4 mile of the project site in the Town of Bainbridge and in the Unadilla River within 1/2 mile of the project site in the Town of Guilford.

Amphibians

Hellbender	<i>Cryptobranchus alleganiensis</i>	Special Concern	10990
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The following species has been documented in the Chenango River within 1/2 mile of the project site in the Town of Norwich.

Freshwater Mussels

Brook Floater	<i>Alasmidonta varicosa</i>	Threatened	13944
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This report only includes records from the NY Natural Heritage database.

Information about many of the listed animals in New York, including habitat, biology, identification, conservation, and management, are available online in Natural Heritage’s Conservation Guides at www.guides.nynhp.org, and from NYSDEC at www.dec.ny.gov/animals/7494.html.

From: [Seeds, Benny](#)
To: NaturalHeritage@dec.ny.gov
Subject: NHP Project screening request for Transmission Line Rebuild Project
Date: Tuesday, June 27, 2023 9:57:00 AM
Attachments: [JTS_ROW_draft_20230509.zip](#)

Good morning,

On behalf of New York State Electric and Gas (NYSEG or the Client), Stantec Consulting Services Inc. is requesting a NY National Heritage Program project screening for a proposed 47.8-mile transmission line rebuild project (also known as the Jennison Transmission Solution Project or “The Project”) that traverses the counties of Delaware and Chenango, NY.

The Project will include the replacement of approximately 47.8 miles of 115 kilovolt lines in portions of Delaware and Chenango counties, as well as the construction of a new electrical substation (Jennison substation) in the town of Bainbridge, NY. Line 946 will extend northward from the Jennison substation to the existing East Norwich substation in the Town of Norwich, and Line 949 will extend eastward from Jennison substation to a tap in the Town of Hamden outside of the Fraser substation in the Town of Delhi. The project is in support of the goals of the NYS Climate Leadership and Community Protection Act.

Current land uses are primarily existing utility right-of-way. Surrounding properties include undeveloped, agricultural, and residential areas with some scattered industrial and commercial properties.

The Project will require NYSPSC Article VII, NYSDEC SPDES, and NYSDOT utility work permits. Based on preliminary results of the EAF mapper, the Project appears to intersect with several significant natural communities. A Project screening is required for environmental review and mitigation measures.

A zipped shapefile is attached with the latest Project boundaries.

Please contact Stantec if there are any further questions.

Stantec Consulting Services Inc.
6245 Sheridan Dr. Suite 100
Amherst, NY 14221

Regards,

Benny Seeds

Environmental Scientist
Pronouns: They/them

Benny.seeds@stantec.com
Mobile: 716.534.0301

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