Lockport-Batavia Line #112

Rebuild Project

EM&CP Update

Replacement EM&CP Narrative

(Revised January 2026; Replaces Version Filed June 2025)

State of New York
Public Service Commission
Case 22-T-0654

Application of Niagara Mohawk Power Corporation d/b/a National Grid for a Certificate of Environmental Compatibility and Public Need for its Lockport-Batavia Line 112 Rebuild Project, Niagara and Genesee Counties, New York

Niagara Mohawk Power Corporation

d/b/a

nationalgrid

Environmental Management and Construction Plan for the Lockport – Batavia Line 112 Rebuild Project

June 2025 (Revised January 2026)

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I. GENERAL DESCRIPTION OF THE PROJECT

A. Introduction

On November 18, 2022, National Grid ("National Grid" or "Applicant") filed with the New York State Public Service Commission ("Commission") application documents, pursuant to Article VII of the Public Service Law ("PSL") and the Commission's regulations thereunder, for a Certificate of Environmental Compatibility and Public Need ("Certificate") authorizing the rebuild of an existing 115 kV transmission line, the Lockport – Batavia Line 112, just outside the Lockport Substation, to structure 211, for a distance of approximately 21.7 miles, in the City of Lockport, Town of Lockport, and Town of Royalton in Niagara County and the Town of Alabama in Genesee County (the "Project").

On February 17, 2023, the Applicant supplemented its application by filing with the Commission a replacement Figure 3-2 to Exhibit 3, a replacement Exhibit 4, and a replacement Exhibit 7, replacing the versions of Figure 3-2, Exhibit 4, and Exhibit 7 that the Applicant filed on November 18, 2022. (The application documents, inclusive of the foregoing replacements and exclusive of the documents they replaced, are referred to as the "Application".)

On April 29, 2024, the Applicant filed a Joint Proposal ("Joint Proposal") reflecting the terms of settlement of outstanding issues in this proceeding by the Applicant and other settling parties. On September 24, 2024, the Commission issued the Certificate in an Order Adopting Joint Proposal ("Order") in this proceeding.

This Environmental Management & Construction Plan ("EM&CP") is being submitted by the National Grid in compliance with the Order and is intended to describe the environmental protection measures to be implemented during construction of the Project.

This EM&CP provides a general description of the Project (Section I), lists each Condition of the Order as set forth in Appendix D to the Joint Proposal with a National Grid Response (Section II), and responds to and complies with the Specifications for the Development of Environmental Management and Construction Plan as set forth in Appendix E to the Joint Proposal (Section III).

Upon Commission approval of this EM&CP, the National Grid will construct the Project in full Compliance with the Order and this EM&CP document.

B. Description and Facility Location

General Project Description

The Project is the reconstruction of the Lockport – Batavia 112, 115 kV line that presently run approximately 21.7 miles between existing Structure 1-2 outside the Lockport substation and existing Structure 211 (the "Project"), except for an approximately 1.9-mile section thereof (called "Segment 6") that recently has been rebuilt in a new location on the site of the Western New York Science and Technology Advanced Manufacturing Park (known as "STAMP") as part of a separate project developed by the Genesee County Economic Development Center.

The proposed 112 Line is designed to operate at a nominal system voltage of 115 kV alternating current. The voltage of initial operation will also be 115 kV.

As described in further detail below and outlined in Exhibit 2 of the Application, the Project consists of six distinct Segments.

The proposed conductor type for Rebuilt Line 112 is a single 795 kcmil 26/7 Aluminum Conductor Steel Reinforced ("ACSR") "Drake" conductor per phase for three phases over the full length of the Project. All conductor proposed to be installed as part of the Project will have a non-specular finish. The existing 795 kcmil ACSR "Coot" conductor presently in service between the Lockport Substation and existing Structure 1-2 will remain in service. Similarly, the existing conductors presently in service between proposed Structure 211 and the Batavia Substation will remain in service.

The aerial ground wire type proposed to be utilized on Rebuilt Line 112 will be a 48-count fiber optic ground wire ("OPGW") for the full length of the Project, and one 3/8" EHS Steel shield wire in locations where a second shield wire is necessary.

Grounding on the Rebuilt Line 112 will be provided in one of two ways. In instances where structures are set on reinforced concrete foundations, the grounding will be accomplished using driven ground rods set a minimum of three feet from the exterior face of the foundation and bonded to a grounding plate located near the base of the structure. Steel pole direct embed structures will be placed in corrugated metal pipe ("CMP") that is bonded to the structure grounding plate located near the ground line of the structure.

Insulator design for the Rebuilt Line 112 will vary based on structure type utilized. In general,

National Grid proposes to utilize suspension structures featuring brace-post insulators. The use of this insulator assembly type is to minimize the width of the structures associated with the Rebuilt Line 112, which in turn, affords the appropriate circuit-to-circuit clearances between Rebuilt Line 112 and the adjacent 115 kV facilities in the ROW. There are two structures (171 & 172) which are suspension H-Frame structures in Segment 5, which will utilize 10 ball-and-socket toughened glass insulators and restrained porcelain post assemblies to mitigate the effects of blow-out and maintain clearances both overhead to the transmission crossing, and to the grounded surface of the structure. For dead-end insulators, ten ball-and-socket toughened glass insulators will be used. Dead-end structures located at critical crossings such as highways, railroads, and navigable water crossings will utilize double insulator string assemblies.

The primary structure type for the Rebuilt Line 112 will be single-circuit galvanized tubular steel monopoles. The single-circuit galvanized tubular steel pole structures in all Segments will be predominately brace-post insulator structures for tangent structures with self-supporting monopoles with ten ball-and-socket toughened glass insulators in an “I-string” configuration, attached to the pole for dead-end structures. At three locations in Segment 1 (Structures 2, 3 and 4) and two locations in Segment 2 (Structures 15 and 92), Rebuilt Line 112 is currently supported by double-circuit steel lattice structures that also support Existing Line 111. At four of these locations (i.e., Structures 2, 3, 4, and 92) these double circuit lattice structures will be replaced with two self-supporting single-circuit galvanized steel monopole dead-end structures for the Rebuilt Line 112 and Existing Line 111. At structure 15, the existing double circuit lattice structure will be replaced with a double circuit monopole dead-end structure. Additionally in Segment 1, the first newly installed galvanized steel structure, proposed Structure 1-5, will be a single circuit galvanized steel 3-pole deadend structure. This structure is a mid-span structure, prior to structure 2, which provides additional clearance for the existing line 111 undercrossing and the existing line 107 overcrossing outside of Lockport Station. In Segment 2, single-circuit galvanized steel pole H-Frame dead-end structures are proposed at structures 117 and 118 where the existing line 112 crosses under the National Grid owned Lockport – Mortimer 115kV Lines 113 & 114. In Segment 4, Structures 148 and 149 are single circuit galvanized steel monopole running angle structures with davit arms and ten ball-and-socket toughened glass insulators with an “I-string” configuration. These structures are suspension structures designed for approximately 10-20 degree line angles, which helps reduce the number of dead-end structures in this segment. Single-circuit galvanized steel pole H-Frame suspension structures are proposed for Rebuilt Line 112 on either side of the location where Existing Line 112 crosses under two New York Power Authority 345kV Lines in Segment 5 at Structures 171 and 172. In Segment 7, a single-circuit galvanized steel pole H-

Frame dead-end structure is proposed at structure 211, the last structure in the project scope, to maintain the existing phasing and wire configuration.

National Grid will design the Project transmission facilities in accordance with applicable national and state codes regulations, in addition to its own standards. The EM&CP Drawings in Appendix A identify the engineering details including typical transmission structures proposed (i.e., the structure type, material of construction, foundation type, and the details the steel poles structures) and cross-section diagrams of the ROW that show the typical configuration of the structures (including width and height) in each segment. Appendix AA includes the transmission structure details, along with the insulator type and support arm configuration.

National Grid proposes to primarily employ two types of foundations for the Project's transmission line structures: one for tangent (suspension) structures and one for line angle and dead-end structures. Typical tangent, single-circuit steel pole suspension structures are proposed to have direct embed foundations. These direct embedded foundations consist of digging a hole to a specified depth determined in final design, setting the pole into the hole, and backfilling with well graded gravel backfill. 12-gauge CMP, also commonly referred to as culverts, may be placed in the hole where unstable soil conditions are present or as required by the construction contractor to facilitate the installation. Upon setting the CMP, flowable fill, or high-slump concrete will be placed between the CMP and the native soil. Well graded gravel backfill will be used to backfill the pole that is installed inside the CMP. The purpose of the CMP is to help facilitate the construction means and methods and provide stability to the excavation. Diameters of the CMP will range from 3 to 5 feet depending upon the diameter of the steel pole.

Steel pole structures designed for line angles and dead-end structures will be self-supporting and typically set on reinforced concrete caisson foundations. These concrete foundations will range from 6 to 10 feet in diameter and set to a depth of 15 to 50 feet depending upon structure loading and soil conditions. However, should existing soil conditions, structure loading, and costs dictate the need, alternate foundation types such as micro-piles, helical piles, rock anchors, or vibratory caissons may be used. These alternative foundations may be used to replace either direct embed foundations or reinforced concrete caisson foundations. This is explained in further detail in the *Project Foundations* section under Condition 50.

Specific Facility Components and Location

The Project is located in the City of Lockport, Towns of Lockport and Royalton in Niagara County,

and Town of Alabama in Genesee County. The Existing 112 Line originates at the Lockport Substation and terminate at the Batavia Substation. The Project is broken down into six (6) segments[1]:

- Segment 1 – Existing Structure 1-2 (Mile 0.1) to Structure 6 (Mile 0.5)
- Segment 2 – Structure 6 (Mile 0.5) to Structure 119 (Mile 11.4)
- Segment 3 – Structure 119 (Mile 11.4) to Structure 141 (Mile 13.6)
- Segment 4 Existing – Structure 141 to Structure 159-1
- Segment 4 Relocated – Structure 141 (Mile 13.6) to Structure 159-1 (Mile 15.8)
- Segment 5 – Structure 159-1 (Mile 15.8) to new Structure 173 ½ (Mile 17.2)
- Segment 7 – New Structure 184 ½ (Mile 19.1) to Structure 211 (Mile 21.7)

Segment 1 – Structure 1-2 to Structure 6

Segment 1 of the Project begins at existing Structure 1-2, outside of the Lockport Substation, and extends in a generally easterly direction to Structure 6 on Existing Line 112. Existing Structure 1-2 is a existing wood three pole dead-end structure. Extending from existing Structure 1-2, the width of the fee-owned Project right-of-way ("ROW") expands to 200 feet at Mile 0.3 and expands further to 440 feet at Mile 0.5 where Structure 6 is located. Segment 1 contains six (6) 115kV circuits, including Existing Line 112. These circuits are (listed south to north across the width of the Project ROW):

- Existing Lines 114 & 113
- Existing Line 112
- Existing Line 111
- Existing Line 107
- Existing Line 108

In Segment 1, Existing Line 112 is supported by a combination of wood pole and double-circuit lattice towers. The structure replacements associated with Rebuilt Line 112 begin with existing 1-2, which will be replaced in-kind as a guyed 3-pole wood deadend and renamed structure 1-4.

[1] Another segment of Existing Line 112, designated as Segment 6, extends approximately 1.9 miles on the site of the Western New York Science and Technology Advanced Manufacturing Park being developed by the Genesee County Economic Development Center, from new Structure 173 ½ to new Structure 184 ½. Segment 6 is not part of the Project. It was the subject of a report to the Commission under 16 NYCCR Part 102 (Case 22-T-0502). National Grid intends to include as-built drawings of Segment 6 in the EM&CP.

The first new galvanized tubular steel structure will be 1-5, which will be a three-pole dead-end structure installed to maintain the appropriate clearances between Rebuilt Line 112 and the 115kV Lockport– Batavia Line 107 (Existing Line 107) and 115kV Lockport – Batavia Line 108 (Existing Line 108), which cross under Rebuilt Line 112 in the span between proposed Structure 1-4 and proposed Structure 1-5. Between Structure 1-5 and Structure 2, the 115kV Lockport – Mortimer Line 111 (Existing Line 111) crosses under Rebuilt Line 112. Rebuilt Line 112 then transitions to galvanized tubular steel single-circuit monopole structures. Structure 2 – 4 on the Existing Line 111 will also be replaced as single-circuit monopole structures, directly adjacent to the Rebuilt Line 112 structures. Rebuilt Line 112 will be supported by galvanized tubular steel single circuit brace-post insulator structures for Structures 5 and 6.

The conductor associated with Rebuilt Line 112 in Segment 1 will be 795 kcmil ACSR “Drake” (26/7) and the proposed shield wire will be OPGW. The rebuilt existing Line 111 structures in this Segment will continue to support the 115kV Lockport – Mortimer Line 111 and will also have new conductor and new 3/8” EHS steel shield wire installed from structure 2 – 4.

Segment 2 – Structure 6 to Structure 119

Segment 2 begins at Structure 6 and extends in an easterly direction over approximately 10.9 miles to Structure 119. The property rights associated with the Existing ROW vary in width from 200 to 440 feet in Segment 2, but the Existing ROW is consistently maintained at a 200 foot cleared width. Segment 2 contains six 115kV circuits, including Existing Line 112. These circuits are (listed south to north across the width of the Project ROW):

- Existing Lines 114 & 113
- Existing Line 112
- Existing Line 111
- Existing Line 107
- Existing Line 108

Existing Line 112 is supported primarily by vintage steel tri-leg “aeromotor” single-circuit lattice towers that are used primarily in suspension applications. Over the life of Existing Line 112 a small number of the original lattice towers have been replaced with wood pole single circuit delta davit arm structures. The replacement structures on Rebuilt Line 112 will consist of galvanized steel pole single-circuit braced post structures between Structure 6 and Structure 14, located at Mile 1.3 of the Project. Structure 15 on Existing Line 112 is a double- circuit square based lattice

tower dead-end that also supports Existing Line 111. Due to right-of-way constraints and the need to support Existing Line 111, Structure 15 will be replaced with a galvanized tubular double-circuit steel pole dead-end structure set upon a foundation, and the existing conductor of Existing Line 111 will not be replaced.

Rebuilt Line 112 will continue on galvanized steel pole single-circuit brace-post structures from Structure 16 to Structure 91, Mile 1.4 to Mile 8.9. In this portion of Segment 2, Rebuilt Line 112 will cross under two existing 345kV New York State Electric and Gas Corporation circuits.

This crossing currently is located between existing Structures 81 and 82. In order to ensure the appropriate clearances are maintained between circuits and above ground, a new intermediate Structure 81-1 will be installed on Rebuilt Line 112. Structure 81 and Structure 81-1 on Rebuilt Line 112 will also be galvanized steel single-circuit brace-post structures. Structure 92 on Existing Line 112, located at Mile 8.9, is a double-circuit square based lattice tower dead-end that also supports Existing Line 111. Due to the line geometry and outage sequencing, and the need to support Existing Line 111, Structure 92 will be replaced with two single-circuit monopole galvanized tubular steel dead-end structures set upon foundations, and the existing conductor of Existing Line 111 will not be replaced.

Rebuilt Line 112 will extend from Structure 93 to Structure 119 on single-circuit galvanized steel pole brace-post insulator suspension structures, over a distance of approximately 2.4 miles, to the end of Segment 2. At the end of Segment 2 multiple circuits diverge from the Project ROW. Existing Line 107 crosses under Existing Line 112 and departs the Project ROW and continues in a generally southerly direction between Structures 116 and 116-1. Existing Line 108 crosses under Existing Line 112 in this span as well and rejoins with Existing Line 112 on the Project ROW extending in a southeasterly direction. Existing Line 112 crosses under the double-circuit Existing Lines 113 & 114 in the span between Structures 117 and 118. Existing Line 111, Existing Lines 113 & 114, and a tap of the T1490 Lockport – Batavia Line 107 (Alabama Switch Station Tap) all depart the Project ROW and extend along a separate ROW in a generally northeast direction.

In order to provide sufficient clearance between Rebuilt Line 112 and Existing Lines 113 & 114, Structure 117 and Structure 118 will be a galvanized tubular steel pole H-Frame dead-end structure. Both Structures 117 and 118 will be set on foundations.

The conductor associated with Rebuilt Line 112 in Segment 2 will be 795 kcmil ACSR “Drake” (26/7) and the proposed shield wire will be OPGW.

Segment 3 – Structure 119 to Structure 141

Segment 3 commences at Structure 119 and extends in a generally southeast direction over a distance of approximately 2.2 miles to Structure 141. The Existing ROW in Segment 3 varies in width between 40 and 80 feet. Existing Line 112 is supported primarily by vintage steel "tri-leg" aeromotor single-circuit towers with the exception of a small number of replacement structures. These replacement structures are single-circuit wood pole delta davit arm structures.

From Structure 119 (Mile 11.4) to Structure 124 (Mile 11.8), the Existing ROW is 80 feet wide and contains Existing Line 112 and Existing Line 108. Additional permanent easement rights will be secured to ensure conformance with the Certificate Holder's Transmission Right-of-Way Maintenance Plan ("TROWMP"), to ensure that the energized conductor remains within the operational easement under all applicable design conditions and to ensure that operation of all circuits in the corridor is in conformance with the New York State Public Service Commission's ("Commission") electric and magnetic field ("EMF") standards. Between Structure 120 and Structure 124, an additional 40 feet of permanent easement will be required to expand the Existing ROW to the northeast and another five feet to expand it to the southwest. Between Structure 124 and 141, the ROW width will be expanded to a total of 100 feet, requiring acquisition of 22 feet of permanent easement on the southwestern edge of the ROW and an additional 38 feet of permanent easement on the northeastern edge of the ROW.

In Segment 3, Rebuilt Line 112 will be supported by single-circuit galvanized tubular steel pole brace-post insulator suspension structures and single-circuit galvanized tubular steel monopole dead-end structures. The conductor associated with Rebuilt Line112 in Segment 3 will be 795 kcmil ACSR "Drake" (26/7) and the proposed shield wire will be OPGW.

Segment 4 Existing – Structure 141 to Structure 159-1

Segment 4 Existing is comprised of the portion of Existing Line 112 that extends generally southeasterly from Structure 141 to Structure 159-1, over a distance of approximately 1.8 miles. The Existing ROW in Segment 4 is 40 feet in width and crosses through the Tonawanda Wildlife Management Area ("TWMA"). This area is managed by the New York State Department of Environmental Conservations ("NYSDEC") Division of Fish and Wildlife.

National Grid proposes to remove all conductor and hardware and structures associated with Existing Line 112 in Existing Segment 4.

Segment 4 Relocated – Structure 141 to Structure 159-1

National Grid proposes to relocate Rebuilt Line 112 as part of the Project. The proposed relocated Rebuilt Line 112 would be centered on a new 100 foot wide easement, generally paralleling Lewiston Road (State Highway 77) to the intersection of Lewiston Road and Feeder Road, at which point Rebuilt Line 112 would turn approximately ninety degrees and proceed south to reconnect with the Existing ROW. The length of Rebuilt Line 112 in Segment 4 along the relocated centerline would be approximately 2.2 miles. Segment 4 Relocated will be located approximately 0.2 miles to the north of Segment 4 Existing in the Town of Alabama within portions of the TWMA.

In Segment 4, Rebuilt Line 112 will be supported by single-circuit galvanized tubular steel monopole brace-post insulator suspension structures, single-circuit galvanized tubular steel monopole running angle structures, and single-circuit galvanized tubular steel monopole dead-end structures. The conductor associated with Rebuilt Line 112 in Segment 4 will be 795 kcmil ACSR “Drake” (26/7) and the proposed shield wire will be OPGW.

Segment 5 – Structure 159-1 to new Structure 173½

Segment 5 begins at Structure 159-1 and extends southeast approximately 1.4 miles along Existing ROW to new Structure 173½. The Existing ROW is 40 feet in width for the full length of Segment 5. In this Segment, Existing Line 112 is supported primarily by vintage steel “tri-leg” aeromotor single-circuit towers, with the exception of a small number of replacement structures. These replacement structures are single-circuit wood pole delta davit arm structures.

Additional permanent easement rights will be secured to ensure conformance with the National Grid’s TROWMP, to ensure that the energized conductor remains within the operational easement under all applicable design conditions, and to ensure that operation of all circuits in the corridor is in conformance with the Commission’s EMF standards. The ROW width will be expanded to a total of 100 feet, requiring acquisition of 20 feet of permanent easement on the southwestern edge of the ROW and an additional 40 feet of permanent easement on the northeastern edge of the ROW.

In Segment 5, Rebuilt Line 112 will be supported by single-circuit galvanized tubular steel monopole brace-post insulator suspension structures and single-circuit galvanized tubular steel monopole dead-end structures, with the exception of one location. Between Mile 17.0 and 17.1, between structures 171 and 172, Existing Line 112 crosses under two New York Power Authority 345kV lines: Niagara-Rochester Line 2 and Somerset-Rochester Line 1-39. National Grid

proposes to support Rebuilt Line 112 on single-circuit galvanized tubular steel H-frame suspension structures in this location to ensure that proper clearances are maintained to the overhead 345kV Lines and to underlying features. The conductor associated with Rebuilt Line 112 in Segment 5 will be 795 kcmil ACSR “Drake” (26/7) and the proposed shield wire will be OPGW.

Segment 7 – New Structure 184½ to Structure 211

Segment 7 begins at new Structure 184½ on Existing Line 112, extending southeasterly then easterly approximately 2.6 miles to Structure 211. The Existing ROW in Segment 7 is generally 40 feet in width, with Existing Line 112 located approximately 10 feet from the edge of Existing ROW. Existing Line 112 is supported primarily by vintage steel “tri-leg” aeromotor single-circuit towers, with the exception of a small number of replacement structures. These replacement structures are single-circuit wood pole delta davit arm structures, guyed wood single pole dead-end structures, and guyed wood three pole dead-end structures.

National Grid proposes to acquire an additional 60 feet of permanent easement rights in Segment 7. These additional rights will increase the Project ROW width to 100 feet, ensuring proposed facilities are located on land with National Grid-owned rights and bringing the corridor into conformance with the National Grid’s TROWMP. The centerline of Rebuilt Line 112 is proposed to be located at the center of the Project ROW, with additional rights being secured on both sides of the Existing ROW. A short portion located between Structures 195 and 201 needed a minor re-alignment which consists of shifting the centerline of Rebuild Line 112 southwest starting in the span between Structures 195 and 196. Structure 196 is proposed to be relocated approximately 20 feet southwest of the centerline of Existing Line 112. The locations of Structures 197 and 198 are proposed to be 40 feet southwest of the centerline of Existing Line 112. Rebuilt Line 112 will then jog back towards the existing centerline, with Structure 199 located approximately 25 feet from the centerline of Existing Line 112 and Structure 200 being located approximately 15 feet from the existing centerline. Structure 201 is proposed to be located on the existing centerline. This re-alignment will allow for the northeastern edge of ROW to be retained as Rebuilt Line 112 crosses Judge Road, adjacent to an existing residence, with right-of-way expansion occurring solely on the southwestern edge of ROW. Acquisition on the southwestern edge of the ROW avoids creating a ROW encroachment to the nearby residence.

Rebuilt Line 112 will be supported by galvanized tubular steel pole brace-post insulator suspension structures, single-circuit galvanized tubular steel monopole dead-end structures, and,

for Structure 211 (the final structure in Segment 7 and the eastern end of the Project), a galvanized steel H-Frame dead-end structure to allow Rebuilt Line 112 to transition to Existing Line 112. The conductor associated with Rebuilt Line 112 in Segment 7 will be 795 kcmil ACSR "Drake" (26/7) and the proposed shield wire will be OPGW.

Structure 190 to Structure 197, of Segment 7, are located within the John White Wildlife Management Area ("JWWMA") managed by the NYSDEC's Division of Fish and Wildlife.

Project Schedule

Upon receipt of all required permits, approvals and easements or other land rights, and following completion of all required notifications and receipt of a "Notice to Proceed with Construction", National Grid will be prepared to start work on the Project. A preconstruction meeting will be held at least 2 weeks prior to the start of construction to review the EM&CP and Certificate Ordering Clauses, National Grid's health and safety requirements and the Project schedule.

Construction of the Project will generally involve the following activities and proceed in the order identified below:

- Survey stakeout
- Installation of Stormwater Pollution Prevention Plan (SWPPP) erosion and sediment controls and traffic signage;
- ROW Clearing / Vegetation Management;
- Site grading and installation of access roads and work pads;
- Culvert installations and drainage improvements;
- Foundation installation;
- Structure installation;
- Wire stringing;
- Structure removal; and
- Clean-up and restoration, including any plantings.

A detailed construction schedule will not be finalized until contracts have been awarded to all contractors. It is anticipated that construction will take approximately 18 months. A tentative Project schedule follows in Table C-1.

Table C-1: Project Schedule

Activity	Start Date	Finish Date
EM&CP Approval	6/13/2025	12/13/2025
Construction Contract Bid Event	7/25/2025	11/7/2025
Marshalling Yard Improvement	9/24/2024	4/1/2025
Material Delivery	9/1/2025	3/1/2026
Construction Contract Award	11/8/2025	11/15/2025
Surveying and stakeout	12/28/2025	8/1/2028
Installation of erosion and sediment control measures	1/15/2026	8/1/2028
ROW Clearing / Vegetation management	1/20/2026	8/1/2027
Mobilization	11/16/2025	1/15/2026
Site grading and installation of work pads and access roads	2/3/2026	8/1/2028
Construction Start	12/28/2025	8/1/2028
Culvert installations and drainage improvements	1/15/2026	8/1/2028
Foundation installation	3/3/2026	4/1/2027
Structure installation	4/1/2026	1/2/2028
Wire stringing	5/15/2026	4/1/2028
Structure removal	4/1/2026	2/2/2028
In-Service	4/1/2028	4/1/2028
Clean-up and final restoration	2/3/2026	9/1/2029

II. CERTIFICATE CONDITIONS AND NATIONAL GRID RESPONSES

A. Conditions of The Order

CONDITION 1. The Certificate Holder shall, within 30 days after the issuance of the Certificate, file with the Secretary to the Commission (the "Secretary") either a petition for rehearing or a verified statement that it accepts and will comply with the Certificate. Failure to comply with this condition shall invalidate the Certificate.

NG Response: *National Grid acknowledges this Certificate Condition.*

CONDITION 2. If the Certificate Holder decides not to commence construction of any portion of the Facility, it shall so notify the Secretary in writing within 30 days of making such decision and shall serve a copy of such notice upon all parties in the same manner and at the same time as it files with the Secretary.

NG Response: *National Grid acknowledges this Certificate Condition.*

CONDITION 3. If construction of the Project hereby certified is not commenced within 24 months after the Certificate Holder files a verified statement that it accepts and will comply with the Certificate, the Certificate may be vacated with notice to the Certificate Holder.

NG Response: *National Grid acknowledges this Certificate Condition.*

CONDITION 4. Except for deadlines established by statute, the Secretary may extend any deadlines established by this order for good cause shown.

NG Response: *National Grid acknowledges this Certificate Condition.*

B. Description and Location of Project

CONDITION 5. Appendix B, entitled "Description and Location of Project," identifies the Project, its proposed location, and its components. The proposed location of the Project is approved.

NG Response: *National Grid acknowledges this Certificate Condition.*

C. Laws and Regulations

CONDITION 6. Notwithstanding any contrary provision of the Certificate, each substantive Federal, State, and local law, regulation, code, and ordinance applicable to the Project shall apply and the Certificate Holder shall comply with same, except to the extent that the Commission has expressly refused to apply a substantive local law or regulation as being unreasonably restrictive as discussed in the Order.

NG Response: *National Grid acknowledges this Certificate Condition.*

CONDITION 7. No State or municipal legal provision purporting to require any approval, consent, permit, certificate or other condition for the construction or operation of the Project authorized by the Certificate shall apply, except (i) those of the PSL and regulations and orders adopted thereunder, (ii) those provided by otherwise applicable state law for the protection of employees engaged in the construction and operation of the Project, and (iii) those permits issued under a federally delegated or approved environmental permitting program.

NG Response: *National Grid acknowledges this Certificate Condition.*

CONDITION 8. The Certificate Holder shall construct the Facility in a manner that conforms to the then-current Building Code of New York State and all applicable standards of the American National Standards Institute ("ANSI") including, without limitation, the National Electrical Safety Code ("NESC"), Institute of Electrical and Electronics Engineers ("IEEE") Standard IEEE C2-2023, and any stricter standards adopted by the Certificate Holder.

NG Response: *National Grid will comply.*

CONDITION 9.

a) The Certificate Holder shall coordinate all work performed at state and municipal road and highway crossings with the appropriate state and municipal officials and shall obtain the required authorization for such work, subject to the Commission's continuing jurisdiction as appropriate. A copy of each such authorization shall be provided to the Secretary by the Certificate Holder before commencement of construction across the affected municipal road or highway.

b) The Certificate Holder shall coordinate with the appropriate municipal agencies, school districts and police departments for traffic management of roads under municipal jurisdiction.

NG Response: *National Grid will comply. National Grid will coordinate all work activities within highway boundaries with the appropriate state and municipal agencies and police departments. Maintenance and Protection of Traffic Plans (MPT plans) developed for the Project are provided in Appendix X. Highway Work Permits for local, county and NYSDOT jurisdictional road crossings will be obtained and copies of all such work permits will be provided to DPS staff and filed with the Secretary prior to working within the respective highway boundary. Appendix J provides a list of all highway permits required for this Project.*

CONDITION 10. A copy of each permit or approval received by the Certificate Holder from the issuing agencies, including all necessary U.S. Army Corps of Engineers ("USACE") Nationwide permits for construction in federal wetlands affected by the Project, any required permit pursuant to §404 of the Federal Clean Water Act, and the State Pollutant Discharge Elimination System ("SPDES") General Permit for Stormwater Discharges from Construction Activities (Permit No. GP-0-25-001 or the then-effective general permit number) ("SPDES Permit"), shall be provided to the Secretary by the Certificate Holder before commencement of any Project construction that requires such permit or approval.

NG Response: *National Grid will comply.*

CONDITION 11. The Certificate Holder's maintenance of the Project ROW will be in accordance with its Transmission Right-of-Way Management Plan adopted by the Commission pursuant to 16 NYCRR Part 84, as it may be amended from time to time ("TROWMP"). The currently-effective TROWMP is on file with the Commission in Case 10-E-0155.

NG Response: *National Grid will comply.*

CONDITION 12. If the Certificate Holder believes that any action taken, or determination made, by a State or municipal agency in connection with this Certificate is unreasonable or unreasonably delayed, the Certificate Holder may petition the Commission, upon reasonable notice to that agency, to seek a resolution of any such unreasonable or unreasonably delayed action or determination. Such agency may respond to the petition, within five (5) business days, to address the reasonableness of its action, determination or delay.

NG Response: *National Grid acknowledges this Certificate Condition.*

D. Public Health and Safety

CONDITION 13. The Certificate Holder shall design, engineer and construct the Project such that its operation shall comply with the electric and magnetic field standards established by the Commission in Opinion No. 78-13, issued June 19, 1978, and the Statement of Interim Policy on Magnetic Fields of Major Electric Transmission Facilities, issued September 11, 1990.

NG Response: *National Grid will comply*

CONDITION 14. The Certificate Holder shall engineer and construct the Facility to be fully compatible with the operation and maintenance of nearby electric, gas, telecommunication, water, sewer, and related facilities; details of such other facilities shall be presented in the Project's Environmental Management & Construction Plan ("EM&CP"). The Facility shall be designed and constructed to avoid adverse effects on the cathodic protection system and physical conditions of existing structures and any fuel gas pipelines. The Certificate Holder shall provide the design measures that it will implement to protect the integrity, operation, and maintenance of nearby facilities and structures in the EM&CP.

NG Response: *National Grid will comply. The EM&CP Plan and Profile Drawings show the relative locations of all known utilities. National Grid's contractor will be required to verify, locate, and mark, or have marked, all overhead and underground utilities within the bounds of the designated working areas. In addition, special precautions, as detailed below, will be taken to prevent damage to other facilities and ensure the safety of workers in all locations where the Facility crosses or parallels other existing overhead or underground utilities. All known overhead utilities that will be crossed or paralleled by the Facility and underground utilities located within the Facility's ROW have been identified and are shown on the EM&CP Plan and Profile Drawings provided in Appendix A.*

Overhead Electric Facilities

When crossing an existing overhead electric line, the following specifications will apply:

- *The utility responsible for the up-keep and maintenance of the overhead electric line will be contacted and consulted concerning the proposed crossing.*
- *The responsible utility will be consulted concerning "safe minimum clearance" for construction machinery.*

- *Any guy wires, ground lines and other surface or subsurface supports or facilities will be located and marked prior to the initiation of construction.*
- *Depending on the voltage of the electric line to be crossed, and the existing weather and topography conditions, the new Facility and the construction equipment installing it may need to be temporarily grounded. This activity will be performed in compliance with the National Electrical Safety Code ("NESC") as applicable to electric transmission line construction.*
- *National Grid will selectively employ temporary protective measures such as guard structures to protect underbuilt overhead facilities. A drawing that shows the typical temporary guard structures that will used for this Project can be found in Appendix AC. The exact location and specific nature of such guard structures or other similar devices shall be determined based on coordination between the National Grid Contractor Construction Inspector and Environmental Inspector and may be subject to EM&CP change as described in Condition 26.*

In instances where the Facility parallels existing overhead electric facilities, the following additional specifications will apply:

- *A Contractor Safety inspector will be designated. The Contractor Safety Inspector will be in the chain of command for the project and will have "stop work authority."*
- *The Contractor Safety Inspector will:*
    - *Supervise grounding equipment and materials:*
    - *Provide safety training of all individuals expected to work in or visit the Project area adjacent to electric lines;*
    - *Ensure compliance with minimum clearance requirements for machinery and personnel, and;*
    - *Require all workers and others on-site to wear insulated boots, gloves and other protective equipment where circumstances warrant.*
- *If voltage levels so warrant, no ungrounded vehicle will be allowed within 200 feet of the parallel electric line.*
- *Fuel trucks will have sufficient ground cables and clamps to complete an electrical bond with every vehicle to be refueled.*

Underground Utility Crossings

When constructing in close proximity to underground utilities, construction of the Facility will be performed in accordance with 16 NYCRR Section 255.3-25. In addition, the following specifications will apply;

- *The proposed Project area will be inspected for the presence of existing underground utility facilities to be crossed or paralleled.*
- *Owners of the underground facilities will be notified in accordance with the requirements of 16 NYCRR Part 753 (Protection of Underground Facilities) so that their facilities will be clearly marked prior to construction.*
- *Owners of the underground facilities to be crossed will be given reasonable opportunity to be present during excavation and construction.*

No construction-related traffic will be allowed to cross a gas pipeline until the owner of the pipeline has approved the proposed crossing location and method of crossing. If necessary, physical barriers (such as snow fence) will be installed to prevent equipment and vehicles from crossing over gas pipelines in unauthorized locations. No materials will be staged over gas pipelines.

CONDITION 15. The Certificate Holder shall keep local fire department and emergency management teams apprised of on-site hazardous chemicals and waste. All such chemicals and waste shall be secured in a locked and controlled area.

NG Response: *National Grid will comply.*

CONDITION 16. The Certificate Holder shall notify the New York State Department of Environmental Conservation ("NYSDEC") of any fuel or chemical spill it is required to report in accordance with NYSDEC regulations and guidance, and it shall notify New York State Department of Public Service ("DPS") staff ("Staff") as soon as possible but not to exceed two hours thereafter.

NG Response: *National Grid will comply.*

CONDITION 17. The Certificate Holder shall take appropriate measures to minimize fugitive dust and airborne debris from construction activity. Exposed soils and roadways shall be wetted as needed during extended dry periods to minimize dust generation. To the extent practicable, water for dust control shall come from municipal water supplies/sources.

NG Response: *National Grid will comply.*

CONDITION 18. The Certificate Holder shall ensure that parking for Project construction workers' personal vehicles shall be in designated areas where the parking of such vehicles will not interfere with normal traffic or cause a safety hazard and will minimize impacts to existing land uses to the extent practicable. These parking areas shall be designated in the EM&CP.

NG Response: *National Grid will comply. Construction worker parking for personal vehicles has been designated at the Project marshalling yard. Drawings showing the location of the marshalling yards are provided in Appendix A.*

CONDITION 19. The Certificate Holder shall minimize direct vehicular disturbance to properties by accessing the Project ROW from existing roadways or approved off-ROW access roads identified in the EM&CP.

NG Response: *National Grid will comply.*

CONDITION 20. For each road crossing and location where construction vehicles will access the Project ROW frequently from local roadways, the Certificate Holder shall implement a Maintenance and Protection of Traffic ("MPT") plan that identifies procedures to be used to maintain traffic and provide a safe construction zone for those activities within the roadway right-of-way. The MPT plan shall address temporary signage, lane closures, placement of temporary barriers and traffic diversion, and the transportation needs of emergency and school vehicles. The Certificate Holder shall ensure that:

a) All signage utilized shall comply with the New York State Department of Transportation ("NYSDOT") Manual of Uniform Traffic Control Devices. Placement of signs shall be determined in consultation with the jurisdictional agency.

b) Flagmen shall be present at all times when equipment is crossing any road, when equipment is being loaded or unloaded, and where two-lane traffic has been reduced to one lane. All flagging operations shall comply with 17 NYCRR Part 131.

NG Response: *National Grid will comply. MPT plans developed in accordance with the NYSDOT MUTCD Manual for each road crossing are provided in Appendix X. Highway Work Permits for local, county, and NYSDOT jurisdictional road crossings will be obtained prior to working within the respective road ROWs and copies of such work permits will be provided to DPS Staff and*

filed with the Secretary. Table J-1 in Appendix J provides a list of all highway permits required for this Project.

CONDITION 21. The Certificate Holder shall have the right to require that any person seeking to access the Project area first be appropriately trained in environmental protection and safety. DPS Staff, NYSDEC staff and NYSAGM staff who are present at the Project site are appropriately trained for the purposes of this Condition.

NG Response: *National Grid will establish a "sticker training" program that requires all individuals who access the Project area to be first trained in environmental protection and safety and receive a sticker that must be worn on their hardhat.*

CONDITION 22. Should the Certificate Holder determine that blasting or helicopter use will be needed for the Project, an appropriate plan for such activity will be provided in the EM&CP. Each such plan will detail avoidance and mitigation measures for T&E species during construction of the Project.

NG Response: *There is presently no blasting or helicopter use anticipated for this Project. If blasting or the use of a helicopter becomes necessary, National Grid will submit a plan for such activity to DPS staff for review and approval as a change to the EM&CP.*

E. Environmental Management and Construction Plan

CONDITION 23. The EM&CP shall be developed in accordance with these Certificate Conditions and, except where this Certificate requires otherwise, the environmental protection measures contained in the Application shall be incorporated into the EM&CP. Applicable provisions of the Certificate, the EM&CP, and Commission Order(s) approving the EM&CP shall be accommodated in any design, construction, operation, or maintenance contracts associated with the Project. The EM&CP shall be prepared in accordance with the Specifications for the Development of Environmental Management and Construction Plan attached as Appendix E to the Certificate order ("EM&CP Specifications"), the NYSDEC Supplemental Specifications for Wetlands and Waterbodies in Appendix F to the Joint Proposal, and the Invasive Species Management Plan Specifications in Appendix G to the Joint Proposal. The EM&CP shall comply with the TROWMP, which is incorporated herein.

NG Response: *National Grid will comply.*

CONDITION 24. Prior to filing the EM&CP, the Certificate Holder shall contact the NYSDEC, NYS Natural Heritage Program and the United States Fish and Wildlife Service ("USFWS") to check for any updates or changes of known threatened or endangered plant or animal species listed in New York, (collectively, "T&E" species) or habitat or Significant Natural Communities in the Project area. After the Certificate Holder learns of any updates regarding T&E species, it will inform DPS Staff of such updates. The Certificate Holder may meet its obligation to inform DPS of such an update by including it in the EM&CP.

NG Response: *National Grid has complied. The NYNHP was initially contacted on April 9th, 2020, regarding information on rare species records within the Project area. The NYNHP responded on May 5th, 2020, with information on State-listed rare, threatened, and endangered (RTE) species. The NYNHP was contacted again on September 7th, 2023, for updates or changes to known RTE species, habitat, or Significant Natural Communities in the Project area. The NYNHP responded on October 26th, 2023, with information that included: one (1) New York State endangered species (Short-eared Owl-Asio flammeus) has been documented at Segment 2. Nine (9) threatened/endangered species have been documented at or near Segments 3, 4 Existing, 4 Relocation and 5 which include: Northern Harrier (Circus hudsonius-threatened), Pied-billed Grebe (Podilymbus Podiceps-threatened), Black Tern (Chlidonias niger-threatened), Least Bittern (Ixobrychus exilis-threatened), Bald Eagle (Haliaeetus leucocephalus-threatened), Short-eared Owl (Asio flammeus-endangered), Henslow's Sparrow (Ammodramus henslowii-threatened), Sedge Wren (Cistothorus stellaris-threatened) and the King Rail (Rallus elegans-threatened). Four (5) species have been documented at Segment 7 of the project site which include: Northern Harrier (Circus hudsonius-threatened), Short-eared Owl (Asio flammeus-Endangered), Sedge Wren (Cistothorus stellaris-threatened) and the Pied-billed Grebe (Podilymbus Podiceps-threatened). A NYNHP response was received on March 24, 2025 and the RTE species list is consistent with the October 26, 2023, letter from NYNHP. See Appendix H for agency consultations. More information about each of the above species is provided in Appendix S.*

National Grid accessed the USFWS Information for Planning and Consultation (IPaC) system for updated official species lists as recently as February 13, 2025 and the official species lists are included in Appendix H.

CONDITION 25. The Certificate Holder shall include in the EM&CP NYSDEC's letter of acknowledgment and the Stormwater Pollution Prevention Plan ("SWPPP") with respect to the SPDES Permit. The Certificate Holder shall develop the EM&CP in accordance with the SWPPP requirements in NYSDEC's then-current SPDES Permit.

NG Response: *The NYSDEC's letter of acknowledgement and MS4 approval can be found in the approved SWPPP which is included as Appendix G of this document.*

CONDITION 26. Deviations from the certified centerline, design height, location, number of structures, and structure types for appropriate environmental or engineering reasons shall be explained in the EM&CP or otherwise provided as an amendment to the EM&CP, if proposed to be implemented after approval of the EM&CP. Deviations shall subject to DPS Staff approvals and may not conflict with any provision of the Certificate Conditions or the Commission's Order. An explanation for the proposed deviation and supporting documentation shall be provided in the EM&CP or any amendment.

NG Response*: There are no deviations from the certified centerline as described in the Joint Proposal for this Project, with the exception of a short portion located between Structures 195 and 201 needed a minor re-alignment which consists of shifting the centerline of Rebuild Line 112 southwest starting in the span between Structures 195 and 196. Structure 196 is proposed to be relocated approximately 20 feet southwest of the centerline of Existing Line 112. The locations of Structures 197 and 198 are proposed to be 40 feet southwest of the centerline of Existing Line 112. Rebuilt Line 112 will then jog back towards the existing centerline, with Structure 199 located approximately 25 feet from the centerline of Existing Line 112 and Structure 200 being located approximately 15 feet from the existing centerline. Structure 201 is proposed to be located on the existing centerline. This re-alignment will allow for the northeastern edge of ROW to be retained as Rebuilt Line 112 crosses Judge Road, adjacent to an existing residence, with right-of-way expansion occurring solely on the southwestern edge of ROW. Acquisition on the southwestern edge of the ROW avoids creating a ROW encroachment to the nearby residence. Structure types are reflected in Appendices A and AA.*

CONDITION 27. The Certificate Holder shall not commence construction of any portion of the Project, the preparation of the site for the construction of any portion of the Project, or any proceedings under the Eminent Domain Procedure Law ("EDPL") to acquire permanent ROW, temporary ROW, or off-ROW access with respect to any portion of the Project until the

Commission has approved the EM&CP for such portion of the Project. To calculate the three-year period for acquisition of property pursuant to the EDPL, the date of Commission approval of the EM&CP covering the affected parcel shall be regarded as the date on which this Article VII proceeding was completed.

***NG Response**: National Grid will comply. If and to the extent National Grid needs to acquire permanent ROW, temporary ROW, or off-ROW access for the Project and cannot secure such property rights through voluntary negotiations with property owners, National Grid will seek such rights pursuant to the Eminent Domain Procedure Law. National Grid will not commence such proceeding until the Commission has approved the EM&CP for the relevant portion of the Project.*

CONDITION 28. The Certificate Holder shall provide as part of the EM&CP:

a) A final design plan that conforms to the Project design set forth in the Certificate and to applicable federal, state, and local requirements, including applicable NYSDEC, New York State Office of Parks, Recreation and Historic Preservation ("OPRHP"), New York State Department of Agriculture and Markets ("NYSAGM"), Commission, Bureau of Alcohol, Tobacco, Firearms, and Explosives, Occupational Safety and Health Administration, NYS Department of Labor, and local government chemical and waste-storage use and handling regulations;

b) A discussion of the status of the Certificate Holder's efforts to obtain permits necessary for construction of the Project from Federal agencies and state agencies with federally-delegated authority;

c) The URL address for the Certificate Holder's website containing Project information; and

d) The location of document repositories.

***NG Response:** National Grid will comply. The final design plan conforms to the Project design set forth in the Certificate and to applicable federal, state, and local requirements, including applicable NYSDEC, New York State Office of Parks, Recreation and Historic Preservation ("OPRHP"), New York State Department of Agriculture and Markets ("NYSAGM"), Commission, Bureau of Alcohol, Tobacco, Firearms, and Explosives, Occupational Safety and Health Administration, NYS Department of Labor, and local government chemical and waste-storage use and handling regulations. All applicable approvals for the Stormwater Pollution Protection Plan (SWPPP) are presented in Appendix G and Appendix H for OPRHP. The United States Army*

Corps of Engineers (USACE) permit authorization is pending. The URL address for the Project is https://lockportbataviatransmission.com. The location of the document repositories is identified in Appendix K.

CONDITION 29. The EM&CP will include a description of a video assessment the Certificate Holder will conduct of the preconstruction condition of municipal roads. The assessment will record video imagery of visible facilities found in the road right-of-way, including (where present and visible) road pavement, stormwater facilities, sidewalks, and street furniture (*i.e.*, items and structures that are installed or placed in public areas for various purposes).

NG Response: National Grid will comply. *The assessment will record video imagery of visible facilities found in the road right-of-way, including (where present and visible) road pavement, stormwater facilities, sidewalks, and street furniture (i.e., items and structures that are installed or placed in public areas for various purposes).*

CONDITION 30. The Certificate Holder shall file an electronic copy of its proposed EM&CP with the Secretary and contemporaneously inform all parties to this proceeding of such filing and of the DPS website page(s) where the proposed EM&CP is available. Additionally, unless otherwise directed by the Secretary, the Certificate Holder shall serve one electronic copy on each of: the staff of the Deputy Permit Administrator, Major Projects Bureau of the NYSDEC Central Office in Albany; the Natural Resources Supervisors of the Region 8 and Region 9 offices of the NYSDEC; the staff of the New York State Department of Agriculture & Markets ("NYSAGM"); the staffs of the Region 4 and Region 5 offices of the NYSDOT; any other New York State agency that requests the document. Within seven days after the Certificate Holder files the proposed EM&CP with the Secretary, it shall deliver 4 hard copies to DPS Staff, one hard copy to the staff of the NYSDEC Central Office in Albany and another hard copy to each of the Region 8 and Region 9 offices of the NYSDEC. The Certificate Holder also shall deliver one electronic copy or one hard copy to be made available for inspection by the public in a convenient location in each municipality in which construction will take place, which location for a given municipality may be a repository *(e.g.,* library or town hall) in such municipality. The Certificate Holder will also make the EM&CP accessible on its Project website by way of direct PDF download(s) and a web link to the DPS website page(s) where the EM&CP is available.

NG Response: *National Grid will comply*

CONDITION 31. Contemporaneously with filing and serving the proposed EM&CP, the

Certificate Holder shall disseminate, in the manner specified below, a written notice, in language reasonably understandable to the average person, that the proposed EM&CP has been filed (the "EM&CP Filing Notice").

a) The Certificate Holder shall serve a copy of the EM&CP Filing Notice on all persons required to be served with the Application by statute or regulation (except those state agencies to which the Certificate Holder is required to send one or more copies of the EM&CP).The Certificate Holder shall deliver a copy of the EM&CP Filing Notice to the owners and residents (if different from the owners) of all properties that are crossed by or about the ROW, and all properties on which new property rights are required for the Project. The Certificate Holder shall deliver such notice to property owners by first class mail, and if the names and mailing addresses are known to the Certificate Holder, residents (if different from the owners) by first class mail. If the Certificate Holder knows that the residential structure on the property is an apartment building with multiple separate dwelling units, then the Certificate Holder shall also affix the notice to the main publicly accessible door of such apartment building or prominently post it in another common area as permitted by the owner.

b) The Certificate Holder shall include a copy of the EM&CP Filing Notice in the proposed EM&CP.

c) Consistent with the publication requirements in the Commission's regulations, the Certificate Holder shall publish a copy of the EM&CP Filing Notice in a newspaper or newspapers of general circulation, including a free publication (if available), near the Facility.

d) The EM&CP Filing Notice delivered to the owner (and resident(s), if different from the owner) of each property on which property rights are to be acquired shall be accompanied by a description of the type of property rights required for the Project with respect to such property (e.g., fee, easement, lease, etc.).

NG Response: *National Grid will comply. A copy of the typical written notice of National Grid's filing of the EM&CP with the Commission (the "EM&CP Filing Notice") is provided in Appendix I.*

CONDITION 32. The EM&CP Filing Notice shall contain, at a minimum, the following:

a) A statement that the proposed EM&CP has been filed with the Secretary and provide the applicable case number (Case 22-T-0654) and shall contain a link to the full EM&CP;
b) A general description of the certified Facility and of the content of the proposed EM&C;

c) A listing of the locations and the websites where the Certificate Holder and DPS have made the proposed EM&CP available for public inspection;
d) A statement that any person desiring additional information about a specific geographical location or specific subject may request it from the Certificate Holder;
e) The URL address for the Certificate Holder's website containing Project information;
f) The name, address, email address, and telephone number(s) of an appropriate Certificate Holder representative;
g) The e-mail address and postal address of the Secretary and the DPS website URL address; and
h) A statement that any person may be heard by the Commission on any matter or objection regarding the proposed EM&CP by filing written comments with the Secretary and the Certificate Holder within thirty (30) days of the date the proposed EM&CP was filed with the Commission, or within thirty (30) days of the date of the newspaper publication of a copy of the EM&CP Filing Notice, whichever is later.

NG Response: *National Grid will comply. A copy of the typical written notice of National Grid's filing of the EM&CP with the Commission (the "EM&CP Filing Notice") is provided in Appendix I.*

CONDITION 33. A certificate of service indicating upon whom all the EM&CP Filing Notices were served and delivered shall be filed with the Secretary within three (3) business days after the time the proposed EM&CP is filed, and shall be a condition precedent to approval of the EM&CP; provided that, when the Certificate Holder delivered EM&CP Filing Notices to the owners and residents of apartment buildings with multiple separate dwelling units by affixing them to the main publicly-accessible doors of such buildings or by prominently posting same in other common areas of such buildings, the certificate of such service filed with the Secretary shall indicate the manner of such delivery and identify all such owners and residents whose identities are known to the Certificate Holder. When available, proof of publication of the newspaper notice(s) of filing the proposed EM&CP, including a copy of such notice, shall be filed with the Secretary.

NG Response: *National Grid will comply.*

CONDITION 34. The Certificate Holder shall employ the following procedures for any proposed changes to the Commission-approved EM&CP:

a) The Certificate Holder shall submit a written report of any proposed changes (each a "Notice of Change") to the approved EM&CP to DPS Staff. DPS Staff will refer any Notice of Change

that will not result in any increase in adverse environmental impacts or are not directly related to contested issues decided during the proceeding to the Director of the Environmental Certification and Compliance ("EC&C") Section of the Office of Energy System Planning and Performance or their designee for approval (each a "Minor EM&CP Change"). At the option of the DPS Staff representative, a Minor EM&CP Change may be verbally approved in the field, prior to receiving written confirmation and approval by the Director of EC&C or their designee. DPS Staff will refer all other Notices of Change to the Commission for approval.

b) Upon being advised that DPS Staff will refer a Notice of Change to the Commission, the Certificate Holder shall notify all parties. The Certificate Holder shall also notify property owners whose property is affected by the proposed change by first class mail, and if the names and mailing addresses are known to the Certificate Holder, residents (if different from the owners) by first class mail. The Certificate Holder shall also give such notices to residents of apartment buildings with multiple separate dwelling units by affixing such notices to the main publicly accessible doors of such buildings or by prominently posting same in other common areas of such buildings as permitted by the owners. The notice shall: (1) describe the original conditions and the requested change; (2) state that documents supporting the request are available for inspection at specified locations, (3) state that persons may comment by writing or calling (followed by written confirmation) to the Commission within twenty-one (21) days of the notification date, and (4) provide the Secretary's email address, phone number, and mailing address. Any delay in receipt of written confirmation will not delay Commission action on the proposed change.

c) The Certificate Holder shall not execute any proposed change until it receives written approval from the Director of EC&C or the Commission, or verbal approval as described in paragraph a) above; except in emergency situations threatening personal injury, property damage, or severe adverse environmental impact, or as specified in the approved EM&CP.

***NG Response**: National Grid will comply. A sample copy of the EM&CP Notice of Change Form is provided in Appendix P.*

F. Notices and Public Complaints

CONDITION 35. The Certificate Holder shall make available to the public a toll-free or local phone number of an agent or employee who will, for the duration of construction of the Project,

be available to receive complaints, if any, from any member of the public about the construction of the Project, and such agent or employee shall respond to such members of the public with acknowledgement of the receipt of the inquiry or complaint within one (1) business day. That number shall include a recorded outgoing message that will, when a call is not answered by a person, provide the caller with: (i) the number to be called at any time in case of emergency, (ii) the phone number and email address of the Secretary, and (iii) the phone number of the Commission's Environmental Compliance Section.

***NG Response**: National Grid will comply. Public concerns or complaints regarding the construction of the Project can be conveyed to National Grid via the toll-free telephone number (716) 466-2007 and an email address: LockportBataviaTransmission.com. A Project Contacts list is provided in Appendix K of this EM&CP document which is filed with the Commission and made available for public review at each of the locations listed in the EM&CP Filing Notice*.

CONDITION 36. The Certificate Holder's Project website shall provide a means for the public to communicate to the Certificate Holder about the Project (*e.g.*, to register complaints or ask questions) through either a direct link to a complaint form or email or by providing the contact information (phone and/or email address) of a representative of the Certificate Holder who can respond to communications that include questions and concerns about the Project from members of the public. The Certificate Holder shall post construction notices and other publicly relevant information to the Project website.

***NG Response**: National Grid will comply.*

CONDITION 37. The Certificate Holder shall report to DPS Staff every complaint received that

cannot be resolved after reasonable attempts to do so, and describe the actions taken to address the complaint, within ten (10) business days after receipt of the complaint. The Certificate Holder shall retain a record of complaints received, which record shall be made available to DPS Staff upon request.

***NG Response**: National Grid will comply.*

CONDITION 38.

a) No less than two weeks before commencing site preparation, the Certificate Holder shall prepare and disseminate a notice (the "Construction Commencement Notice") to notify the

public of the date it anticipates that Project construction will commence, as follows:

1. Provide the Construction Commencement Notice to all parties to the proceeding and to all local officials, school districts and emergency personnel along the entire Facility route;

2. Provide the Construction Commencement Notice to local media for dissemination, including local newspapers of general circulation and a free publication (if available);

3. Provide the Construction Commencement Notice for display in the repositories identified in the Application, the Certificate Holder's Project website, and other public places (such as general stores, post offices, town halls, community centers and conspicuous community bulletin boards); and

4. Provide the Construction Commencement Notice to property owners (and residents, if different from owners) who properties are crossed by or abut the ROW.

The Certificate Holder shall deliver the Construction Commencement Notice to property owners and residents by first class mail or by affixing it to the doors of the residences. If the Certificate Holder knows that the residential structure on the property is an apartment building with multiple separate dwelling units, then the notice may be affixed to the main publicly-accessible door of such apartment building or prominently posted in another common area as permitted by the owner.

b) The Construction Commencement Notice shall be written in language reasonably understandable to the average person and shall contain:

1. A map of the project;

2. A brief description of the Project

3. The anticipated date for start of site preparation and estimated date for Project completion (inclusive of restoration);

4. The name, mailing address, local or toll-free telephone number, and email address of an employee or agent of the Certificate Holder who will, for the

duration of construction of the Project, be available to receive complaints, if any, from the public about the construction of the Project;

5. A description of where to get more information about in the Project, including the Project website address and the locations of document repositories; and

6. A statement that the Project is under the jurisdiction of the New York State Public Service Commission, which is responsible for enforcing compliance with environmental and construction conditions, and which may be contacted at an address, email, and telephone number to be provided in the notice.

c) Upon distribution and prior to the commencement of construction, a copy of the Construction Commencement Notice shall be submitted to the Secretary.

***NG Response**: National Grid will comply. Information regarding the Project can be conveyed to National Grid via the toll-free telephone number (716) 466-2007 and an email address: LockportBataviaTransmission.com.*

CONDITION 39. For the duration of Project construction, the Certificate Holder shall post and maintain on its Project website a schedule that includes at least general-level information for the public about Project activities scheduled to occur during the upcoming two week period.

***NG Response**: National Grid will comply.*

CONDITION 40. The Certificate Holder shall provide all contractors providing services for construction of the Project ("Contractors") with complete copies of the Certificate, the approved EM&CP, the order(s) approving the EM&CP, updated construction drawings, any site-specific plans, the SPDES Permit, any permit issued pursuant to Section 404 of the Federal Clean Water Act and the Section 401 Water Quality Certification. To the extent that the listed documents are available before contracts for construction services are executed, such copies shall be provided to the Contractors prior to the execution of such contracts.

***NG Response**: National Grid will comply.*

CONDITION 41. The Certificate Holder shall notify all Contractors that the Commission may

seek to recover penalties for violation of the Certificate and other orders issued in this proceeding, not only from the Certificate Holder, but also from its Contractors, and that Contractors also may be liable for other fines, penalties and environmental damage.

***NG Response**: National Grid will comply.*

CONDITION 42. The Certificate Holder shall inform the Secretary in writing at least five days before commencing construction of the Facility.

***NG Response**: National Grid will comply.*

CONDITION 43. The Certificate Holder shall provide DPS Staff and the NYSDEC with weekly status reports summarizing construction of the Facility and indicating construction activities and locations scheduled for the next week.

***NG Response**: National Grid will comply. An example of the "Weekly Status Report Form" is provided in Appendix Q of the EM&CP.*

CONDITION 44. Within ten (10) days after the Facility is fully constructed and placed in service, the Certificate Holder shall notify the Secretary in writing of that fact.

***NG Response**: National Grid will comply.*

CONDITION 45. Within ten days of the completion of final restoration of the Facility, the Certificate Holder shall notify the Secretary in writing that all restoration has been completed in compliance with this Certificate and the order(s) approving the EM&CP.

***NG Response**: National Grid will comply. Final restoration will be deemed complete upon the SWPPP inspector's determination that a uniform perennial vegetative cover with a density of 80% has been achieved over all disturbed areas. Ag fields will be restored in accordance with Appendix T and in consultation with the farm operator, except in Ag fields where permanent gravel access roads are proposed to be installed.*

CONDITION 46. Within twelve (12) months of the completion of the Project, the Company shall provide DPS Staff with "as-built" drawings for the entire Facility and for the segment identified in the Application as Segment 6.

***NG Response**: National Grid will comply.*

G. Construction, Operation, Maintenance and Restoration

CONDITION 47. The Certificate Holder shall not commence construction until the Director of the Office of Energy System Planning and Performance or their designee has sent a "Notice to Proceed with Construction" letter. Construction means the beginning of tree clearing, site clearing, ground disturbance, site preparation, grading, and other activities related to installation of the Project. Commencement of construction does not include soils or groundwater testing, surveying (such as geotechnical drilling) and similar preconstruction activities to determine the adequacy of the site for constriction and to prepare filings (including final design plans for the EM&CP) pursuant to this Certificate. Commencement of construction also does not include (a) activities such as limited amounts of staging and matting that are required to perform such preconstruction activities; (b) receiving Project construction materials or construction equipment at a preexisting storage location that is not specific to the Project (provided the Certificate Holder notes such storage location in the EM&CP); and (c) routine mowing of the existing ROW pursuant to the TROWMP. Notwithstanding the foregoing provisions of this paragraph, the Certificate Holder is hereby authorized to prepare the Ledge Road marshalling yard described in the Evidentiary Record for use as a marshalling yard for the Project, and to use it for such purpose. The Certificate holder shall provide DPS Staff 5 days' notice of its commencement of preparation of such marshalling yard.

NG Response: *National Grid will comply.*

CONDITION 48. a) At least two (2) weeks prior to the start of construction of the Project, the Certificate Holder shall hold a preconstruction meeting to which it shall invite its contractors, DPS Staff, NYSAGM, NYSDOT, NYSDEC and representatives from the municipalities in which the Project is located. An agenda, the location, and an attendee list shall be agreed upon between DPS Staff and the Certificate Holder. Notification of the meeting shall be provided to all attendees at least 10 days prior to the meeting date.

b) Maps showing designated travel routes, construction worker parking and access road locations and a general project schedule will be available at the meeting for the attendees.

c) The Certificate Holder shall supply draft minutes from this meeting to a representative of each party in attendance for corrections or comments, and thereafter the Certificate Holder shall issue the finalized meeting minutes to all attendees and make them available to any state agency not in attendance that requests them..

d) If, for any reason, the Contractors cannot finish the construction of the Project, and one or more new contractors are needed, there shall be another preconstruction meeting with the same format as outlined above.

***NG Response**: National Grid will comply.*

CONDITION 49. The Certificate Holder shall confine construction and subsequent maintenance to the Project ROW or as otherwise certified and to additional work areas as detailed in the EM&CP.

***NG Response**: National Grid will comply. The Facility ROW and all proposed additional work areas are shown on the EM&CP Plan and Profile Drawings provided in Appendix A*.

CONDITION 50. Each construction activity shall be described in detail in the EM&CP. At least two weeks prior to construction beginning in any area, the Certificate Holder shall, in such area: (a) delineate both edges of the Project ROW, as certified; (b) mark out or delineate all off-ROW access roads and all work pads and pulling pads; (c) mark wetland and state-regulated adjacent area boundaries based on approved plans; (d) mark any then-known danger trees on land adjacent to either edge of the ROW as certified; and (e) notify DPS Staff when the above-described field mark out and delineation is completed in such area.

***NG Response**: Several distinct construction activities will progress in a coordinated and orderly manner from one point to another along the entire length of the Project. A description of those activities follows.*

Surveying and Staking

Prior to conducting any construction activities, surveying activities will be conducted to identify and delineate both edges of the Project ROW, on and off-ROW access, work pads and wire pulling sites and wetland boundaries. The limits of the above mentioned features and all other areas of disturbance are shown on the EM&CP Plan and Profile Drawings in Appendix A.

Installation of Erosion and Sediment Control Measures

Erosion and sediment control measures (silt fence, stabilized construction entrances, silt sock, etc.) will be installed prior to conducting any activities that result in ground disturbance. All erosion and sediment control measures are shown on the EM&CP Plan and Profile Drawings in Appendix

A and in the proposed SWPPP document in Appendix G.

Preparation of Marshalling Yards and Delivery of Materials

National Grid has leased two sites to serve as the primary marshalling yards for the Project. The sites are located at 1622 Ledge Road, Basom, NY, 14013 and the Western New York Science and Technology Advanced Manufacturing Park (STAMP) marshalling yard located off of Crosby Road, Basom, NY 14013. All are shown on drawings in Appendix A. Both of the sites were formerly used for commercial operations and require no significant improvements prior to receiving materials. National Grid consulted with the respective towns regarding the use of the sites for marshalling yards and all determined that no permitting or site plan approval is necessary. Exhibit 28 of the Evidentiary Record in the Joint Proposal identifies the Ledge Road marshalling yard that DPS Staff, NYSDEC, and NYSDAM have reviewed and agree is appropriate for the Commission to authorize National Grid to prepare and use for construction upon certification of the Project. The Ledge Road site required a SWPPP for minor improvements involving ground disturbance over one acre. The Ledge Road improvements have been completed and reached final stabilization and a Notice of Termination was filed with the NYSDEC. Material delivery is expected to begin in September 2025.

ROW Clearing / Vegetation Management

Within the Existing ROW and any newly acquired Operational (Gross) Easement, trees and shrubs will be mowed or cleared to provide unimpeded and safe access to proposed structure work sites. Shrubs and low growing vegetation will be retained if they do not interfere with construction activities or the operational integrity of the line. Certain trees located adjacent to the existing ROW and any newly acquired Operational Easements that are determined to pose a reliability hazard to the transmission line facility (danger trees) will be marked for side trimming or removal after notification to DPS staff. In areas where residential landscape plantings occur, each tree has been evaluated for removal based on species, growth rate and location on the ROW and trees to be removed are shown on the EM&CP Drawings. All cut material will be either chipped or removed from the Project ROW except in some wetland areas where vegetation may be dropped and lopped to minimize disturbance. No cut or chipped material will be left on the Project ROW in residential or commercial areas.

The specific clearing and vegetation management techniques as well as the slash disposal techniques to be used are shown on a site-by-site basis on the EM&CP Plan and Profile Drawings

in Appendix A.

Upon the completion of construction, the Existing ROW together with any newly acquired Operational Easements will be maintained under the Company's ROW management policies and the then-effective Transmission Right-of-Way Management Program (TROWMP) adopted by the Commission pursuant to 16 NYCRR Part 84 except where a conflict with a provision of the Certificate would be created. Management of the ROW will result in the same herbaceous and shrub cover type that presently occurs on the Existing ROW.

Access Roads

Beginning at the point of entry at each public highway, access roads allow for the movement of workers and equipment to work locations along the Project ROW. In order to construct this Project, it will be necessary to gain access with heavy equipment to all of the proposed structure locations as well as to existing structures that are scheduled for removal. The type of heavy equipment necessary to install steel pole structures with concrete foundations makes it necessary to have a stable improved road surface to every structure location. As shown in Appendix A, this will be accomplished by improving existing gravel access roads (Type 1), constructing new permanent gravel access roads (Type 2), constructing new permanent pervious gravel roads (Type 3), using temporary timber mats (Matting, Type 5) or WMA berm access, improve as necessary (Type 6).

Gravel and Pervious roads are typically prescribed for upland, areas where a permanent road is desired for future inspection and maintenance of the new transmission facility. A portion of the Project has existing access or travel lanes in upland areas that can be improved with gravel in the same location. Pervious gravel roads will be used in lieu of traditional gravel roads in areas that exhibit poor soil characteristics or where the existing location does not allow adequate space for control of runoff. The use of a "geoweb" and "geogrid" in the design allows for the transfer of vehicle weight thereby minimizing soil compaction and creating an underlying gravel reservoir that will provide storage of water reducing runoff rates and volumes.

In areas where there are permanent roads within agricultural areas, a proposed farm access crossing was added to accommodate farming equipment.

Temporary timber mat roads will be used primarily in sensitive areas such as wetlands, residential areas and some areas of active agriculture. The Contractor may choose to use temporary timber mat roads for other applications based on time of year, site conditions and cost. In some

instances, such as where a long stretch of road crosses a small protrusion or finger of a federal wetland, National Grid may choose to construct a permanent road instead of temporary matting and conduct wetland mitigation to compensate for any loss of wetland function and benefit. In addition, in some limited instances where construction activities are minimal, the number of trips across a sensitive area can be minimized and construction can be limited to times of dry or frozen soil conditions, the use of low ground pressure equipment may be prescribed in-lieu of temporary timber mat roads.

In areas where the existing lines traverse commercial/industrial areas, existing paved and gravel surfaces, parking lots and travel lanes that offer good access to the structure locations will be used to the fullest extent practicable to minimize disturbance during construction. Minor improvements to the existing surfaces will be made as necessary and all areas will be restored to pre-existing conditions.

In areas designated as "Improve As Necessary", temporary gravel access may be used by the Contractor on an as-needed basis. Upon completion of construction, all temporary gravel access roads will be removed or restored to a permeable condition.

Significant environmental impacts to existing vegetation, water, and soil resources will be avoided by using and/or improving existing access roads or paths to the maximum extent possible and by properly locating any new access roads that may be required. The siting of new access roads will be based primarily on factors such as the avoidance of environmentally sensitive resource areas (i.e., wetlands and agricultural fields); facilitation of future maintenance work; minimization of potential erosion problems; and maximization of the use of existing roadways. In addition, with permission from affected landowners, off-ROW access may be prescribed in certain locations to avoid or minimize impact to sensitive site conditions such as steep slopes, streams, wetlands and agricultural operations.

Mitigation measures such as the use of temporary timber mats or low ground pressure equipment will be prescribed on a site-by-site basis in environmentally sensitive areas such as wetlands, streams, areas of active agriculture and residential areas. In addition, erosion and sediment control measures designed to maintain and protect soil and water resources both during and after construction will be prescribed for all areas where soil disturbance occurs.

The location and type of all access roads, both on and off-ROW, and all mitigation measures and erosion and sediment control measures are shown on the EM&CP Plan and Profile Drawings in

Appendix A.

Culvert Installations and Drainage Improvements

Culverts will be installed, existing culverts replaced, and drainage improvements will be made as necessary along all segments of the Project. The locations of all installations and improvements are shown on the EM&CP Drawings in Appendix A and details of said improvements are provided (as necessary) and referenced to drawings in Appendices Y and/or Z.

Direct Embedded Foundations

Direct embed foundations will be used on steel pole structures to the greatest extent practicable with reinforced concrete caisson or alternate foundation types employed where direct embed foundations are not feasible. All new wood pole structures will be direct embedded.

A direct embedded foundation consists of setting the steel pole into a 12 gauge corrugated metal pipe (commonly referred to as a culvert) and backfilling. The hole for the installation is typically prepared by auguring. Upon setting the steel pole within the metal pipe, crushed stone backfill will be placed in the space remaining between the pole and the inside surface of the pipe and tamped at no greater than twelve inch intervals. The purpose of the corrugated metal pipe is to provide a grounding system for the structure as well as to provide a foundation of suitable character to support the structure loadings. Diameters of these CMPs will range from 3 to 5 feet depending upon the diameter of the steel or wood pole.

Project Foundations

Concrete caisson foundations will be used for all double circuit and most single circuit dead-end structures and for structures with major line angle. Concrete caisson foundations consist of a reinforcing steel cage, and an anchor bolt assembly to support the pole. Reinforced concrete foundations will be constructed by drilling a vertical shaft, installing a temporary casing to support the excavation, lifting a steel reinforcement cage into place via a crane, placing steel anchor bolts and ensuring alignment is correct. Once the steel reinforcing steel and anchor bolt cluster are properly placed within the temporary casing, concrete will be poured and finished. Soil conditions may dictate the need for a permanent casing to be utilized, in which case a corrugated metal pipe would be installed for use as a permanent casing, rather than utilizing a smooth-walled steel temporary casing. Concrete foundation construction typically involves the excavation of a 6-to-11-foot diameter hole to accommodate a 5-to-10-foot diameter pier foundation. Holes are typically

excavated to a depth of 20 to 50 feet to accommodate a vertical caisson form for the anchor bolt assembly and concrete foundation. Pier foundations may be excavated with a large drilling machine, a tire-mounted backhoe, or track excavator.

From structures 143 to structure 169, the project team is evaluating the use of Helical Pile foundations. Due to the soil conditions in this area of the project, the project team believes that utilizing Helical Piles selectively in this area may help reduce the soil excavation quantity, water discharge quantity, and overall size of equipment/footprint required for installations in the environmentally sensitive NYSDEC wetland/Wildlife Management Area. Helical Pile foundations consist of helical plates that are welded to a central cylindrical steel pipe pile. The pile is advanced into the ground by a hydraulic torque head, typically attached to an excavator. The piles displace the existing soil, rather than removing it through excavation, like with a concrete caisson. Helical piles have large axial capacities, but limited lateral capacity and will therefore require a pile group. The pile group is connected to the structure with a steel pile cap, which the structure is bolted to, similar to a concrete caisson. For the development of larger lateral capacities, grouted helical piles may be installed in the same manner, with the addition of grout injection into the pile itself during installation. Typical helical pile installations would consist of 4 – 12 piles, 30 – 60 feet in depth. For the helical piles, it is assumed 8' x 8' squares will be needed for suspension structures and 13' x13' squares for deadend structures.

Where concrete foundations must be located in wetlands, excavated topsoil and subsoil will be segregated and temporarily stockpiled on construction matting or geo-textile fabric. Once the culvert form is placed in the excavated hole, native soil backfill will be placed around the foundation and the segregated topsoil will be spread over the disturbed areas and mulched. Excess soil will be permanently removed from the wetland and spread in appropriate upland areas within the Project ROW and seeded and mulched to prevent erosion.

If it appears that the initial excavation of a pier area or the pouring of concrete into the caisson form will result in a discharge of water, specific dewatering procedures will be employed. Water will be pumped from the excavation into a filter bag or an upland containment area to the maximum extent practical. The containment area will be constructed of straw bales and geo-textile fabric and will be consistent with the EM&CP erosion and sediment control criteria. Prior to pumping, an energy dissipation device may be deployed at the discharge point to reduce the force of the water and thereby limit the potential for erosion of upland soils. The water will then be allowed to infiltrate back into the ground or filter through and/or overtop the straw bale dike. In

areas where dewatering is necessary but pumping into an upland area is not possible, the dewatering operation shall discharge into a temporary straw bale/silt fence barrier or filter bag to settle suspended silt material and the discharge shall be monitored by the Environmental Inspector to ensure that no sediment is discharged into a wetland area. Direct dewatering discharges to wetlands, streams and waterbodies are prohibited.

After the foundation have been installed and the steel poles have been set, disturbed areas will be finish-graded, seeded appropriately for summer or winter conditions, and mulched. In wetland areas where grades have the potential to cause erosion, annual rye seed will be cast over disturbed soils to provide rapid germination of vegetation and prevent the introduction of undesirable upland or invasive plant species in wetlands.

Structure Installation

The Project consists of rebuilding the Existing 112 Line. The primary structure type for the Proposed 112 Line will be single circuit galvanized steel tubular poles with brace-post insulators. To minimize ROW acquisition and facilitate outage requirements and restoration times, the majority of the 112 Line is rebuilt on the existing Typically, it is assumed that replacement structures will be located between 20 to 25 feet ahead or back of the existing structure locations (1:1 replacements, offset or on the same centerline), resulting in the average span length to be approximately 500 feet.

Structure installation on reinforced concrete caisson foundations will be lifted into place on the anchor bolt clusters with a crane and built out according to structure type. The method of installation (either whole or by pole segment) will be dependent on the equipment mobilized to the specific structure site. Once the steel pole is fully assembled, insulators and the appropriate hardware will be affixed to the structure to support the conductor and shield wire. For structures installed on helical pile foundations, the installation process will be the same, except the structure will be set on a steel pile cap instead of on an anchor bolt cluster.

Steel pole structures being set in direct embed foundations will typically be installed by placing the bottom steel pole section or sections (depending on weight and clearances to adjacent circuits) into the corrugated metal pipe, installing ¾-inch crushed stone (tamped at 12-inch) intervals, then assembling the upper portion of the steel pole structure and installing the necessary hardware to attach the conductor and shield wire.

The primary construction activities at each new structure location will be foundation installation, structure fabrication and structure erection. These major activities as well as all other minor activities associated with the erection of each structure will take place within designated work areas on the Project ROW. The location, size and shape of the work area for each structure is shown on the EM&CP Plan and Profile drawings in Appendix A.

Wire Stringing

Following the erection of the transmission structures and installation of the insulator assemblies, the conductor and shield wire will be installed. Conductor, shield wire, and fiber optic ground wire (OPGW) will be installed using stringing blocks (pulleys), wire pulling ropes, and wire stringing equipment. Once the stringing blocks have been attached to the insulator assemblies and shield wire attachments, a pulling rope or lead line will be installed. The installation of the lead line can be walked through sensitive areas such as wetlands and vegetative buffer zones with minimum disruption, driven from structure to structure then run through the pulling blocks. Conductors will be pulled through stringing blocks with the lead line by the tensioning equipment that is staged at appropriate structure locations. Once the conductor, shield wire, or OPGW has been installed, wire pulling equipment will be used to sag the wire to obtain the specified tension.

During wire stringing, temporary guard structures will be placed at all highway, navigable waterway crossings, and near existing utility lines to ensure public safety and the continued operation of other utility equipment.

Wire stringing sites will be designated at selected structure locations on the Project ROW. In some areas it may be necessary to acquire temporary property rights beyond the Project ROW in order to allow for the proper set-up and operation of the mechanized pulling equipment and conductor reels. Wetlands and other sensitive environmental areas will be avoided to the extent possible. If avoidance is not possible, temporary timber mats or other appropriate protective measures will be implemented.

All wire stringing sites are identified on the EM&CP Plan and Profile Drawings in Appendix A and listed in Appendix N.

Structure Removal

The removal of existing structures will take place on all of the Project segments consisting of lattice steel and wood pole structures.

Lattice steel structures will be cut off at 18 inches below grade in all areas except agricultural fields where they will be cutoff at least 48 inches below grade. All concrete will also be removed to the depths specified above. The scrap steel will be transported to the nearest ROW street crossing location that is accessible by truck for pickup. All scrap steel will be placed in open roll-offs and delivered to an approved recycling facility. Special precautions and/or special handling are not required; however, the recycling facility will be notified in writing that the steel is coated with metal-containing paint. National Grid's Investment Recovery department will facilitate the reuse or recycling of all steel or metal components to be removed, including conductor, cable, wire, etc., as well as the old insulators. Concrete waste will be removed from the ROW and transported to a concrete salvage facility, if available, or it will be transported to a licensed construction and demolition (C&D) disposal facility or solid waste landfill.

Wood pole structures will be pulled from the ground and transported to the nearest road crossing that is accessible by truck for subsequent pick up and transport for disposal to a licensed landfill or incinerator. In sensitive areas such as wetlands or near stream banks where pulling the pole would cause significant ground disturbance, the pole butt may be cut flush with the ground and left in place. All steel or metal components, including conductor, cable, wire, etc., as well as the old insulators will be collected for reuse or recycling as directed by National Grid's Investment Recovery department.

For structure removal, existing access roads will be utilized wherever possible and will be improved only as necessary to provide safe and effective equipment access to each structure location where removal is scheduled. For the most part, access for structure removal will be on the same access used for the installation of the new structures. On Segments where structures are only being removed and not installed, it is anticipated that the scheduling of work for dry and/or frozen conditions and the use of smaller low ground pressure equipment will minimize the need for most if not all road improvements. Where necessary, timber matting or other lighter matting will be prescribed to prevent significant rutting and soil disturbance.

Except in wetlands, all holes or cavities created by the removal of old facilities will be filled to the same level as the adjacent area plus 6 to 12 inches of additional soil to allow for settling and all disturbed areas will be seeded and mulched.

Clean-up and Restoration

Clean-up and restoration activities will be conducted as required along the entire Project ROW.

Clean-up and restoration activities include, but are not limited to, the removal of all equipment and construction debris from the Project ROW; removal of temporary erosion controls and matting; the restoration of wetlands and stream banks; re-grading of disturbed areas; temporary or permanent seeding and mulching; reseeding or restoration of agricultural fields in consultation with the farm operator; and removal of temporary access roads and stream or wetland crossings. The specific restoration measures to be implemented will depend on the location and site-specific condition of the Project ROW.

CONDITION 51. Construction activities on the Project shall be confined to the hours of 7:00 a.m. and 7:00 p.m. Monday through Saturday. If, due to safety or continuous operation requirements, construction activities are required to occur on Sundays or after 7:00 p.m., the Certificate Holder shall notify the affected municipality and request DPS Staff approval. Such notice and request for approval shall be given at least 24 hours in advance unless the construction activities are required for safety reasons that arise less than 24 hours in advance.

***NG Response**: National Grid will comply.*

CONDITION 52. In connection with the ROW vegetation clearing, the Certificate Holder shall:

a) Comply with the provisions of 6 NYCRR Part 192, Forest Insect and Disease Control, and Section 9-1303 of the ECL and any quarantine orders issued thereunder;

b) Note on the EM&CP drawings the clearing and disposal techniques;

c) Not create a maximum wood chip depth greater than three (3) inches, except for chip roads or invasive species control, nor store or dispose chips in wetlands, within 50 feet of stream banks or floodways or agricultural lands;

d) Utilize the wood resource generated by the clearing in accordance with sound environmental techniques; and

e) Not fell any danger trees during construction except pursuant to one of the following clauses:

    i. After Project construction begins, the Certificate Holder may fell any danger tree so marked as required by Condition 50(d), except any tree that DPS Staff informs the Certificate Holder, prior to felling, is not a danger tree; and

ii. After the initial phase of tree clearing, including danger trees, in a Project location, the Certificate Holder may fell any additional danger trees that it determines will require removal, provided the Certificate Holder marks and notifies DPS Staff of such trees and allows for a site inspection by DPS Staff or review of materials that DPS Staff needs to determine whether or not to give such authorization;

f) Not remove or grind stumps within 50 feet of streams unless construction of an access road or work pad necessitates removal below grade;

g) Not fell any trees into any stream or onto the immediate stream bank; and

h) Limit clearing of natural vegetation during construction to that material which poses a hazard or hindrance to the construction, operation or maintenance of the Facility. Snags which provide shelter in streams for fish shall not be disturbed unless they cause serious obstructions, scouring or erosion.

***NG Response**: National Grid will comply. All clearing and slash disposal types are identified on the EM&CP Plan and Profile Drawings in Appendix A.*

The off-site disposal of woody material, chips and stumps will be on an as-needed basis. The off-site disposal of any material will require prior approval by National Grid and DPS Staff.

CONDITION 53. Unless described otherwise in the EM&CP, all trees over four inches in diameter breast height or shrubs over four feet in height damaged or destroyed by activities during construction, regardless of where located, shall be replaced within the following year by the Certificate Holder with the equivalent type of trees or shrubs (though not necessarily the same size), except if:

a) DPS Staff and the Certificate Holder determine that equivalent type replacement trees or shrubs would interfere with the proper clearing, construction, operations or maintenance of the certified Project;

b) Replacement would be contrary to sound ROW management practices, or to any approved long-range ROW management plan applicable to the Facility; or,

c) After consultation with the owner of land where the damaged or destroyed trees or shrubs

were located declines replacement (or other recorded easement or license holder with the right to control replacement declines replacement).

***NG Response**: National Grid will comply.*

CONDITION 54. The Certificate Holder shall ensure that the EM&CP: (a) identifies plans for tree protection; and (b) indicates on the drawings where tree protection measures will be applied (if any are known at the time of EM&CP preparation).

***NG Response**: National Grid will comply.*

CONDITION 55. The EM&CP shall include a plan for removal, re-use, recycling and disposal of all existing equipment (*e.g.*, transformers, wood poles, conductors, etc.). Existing transmission facility components removed or replaced as part of the Project shall be removed from the ROW to appropriate destinations and handled appropriately for re-use as available based on conditions. To the extent allowed by easements or lease agreements, debris found in the ROW that will interfere with maintenance of the ROW is to be removed during construction. The Certificate Holder shall not bury construction debris in the ROW.

***NG Response**: National Grid will comply. National Grid plans to transport used wood poles to the nearest ROW street crossing location that is accessible by truck for subsequent pick up and disposal to a licensed landfill or incinerator. The steel structures that are to be replaced will be cut and stub angles will be left in place and cut off at least 48 inches below grade in agricultural areas, at least 18 inches below grade in all other areas unless otherwise directed by National Grid's Construction Field Supervisor. The scrap steel will be transported to the nearest ROW street crossing location that is accessible by truck for pickup. To the extent the scrap steel does not contain interior concrete, the scrap steel will be tested for lead paint in accordance with standard National Grid procedures. Steel with excessive levels of metal-containing paints will be placed in open roll-offs and delivered to an approved recycling facility. Special precautions and/or special handling are not required; however, the recycling facility will be notified in writing that the steel is coated with metal-containing paint. National Grid's Investment Recovery department will facilitate the reuse or recycling of all steel or metal components to be removed, including conductor, cable, wire, etc., as well as the old insulators. Any old concrete foundations will be removed to a minimum of 18 inches below ground level (except in agricultural areas, where they will be removed to at least 48 inches below grade). Any other concrete waste will be removed from the ROW and transported to a concrete salvage facility, if available, or it will be transported to a licensed construction and*

demolition (C&D) disposal facility or solid waste landfill.

CONDITION 56. Neither the Certificate Holder, nor any Contractors in its employ, shall construct any new, or improve any existing, access road unless such road is described in the EM&CP. Should the need arise for additional off-ROW access, the Certificate Holder shall follow the EM&CP change procedures recited in Certificate Condition number 34.

***NG Response**: National Grid will comply. All proposed access roads, including all proposed permanent and temporary off-ROW access roads, are shown on the EM&CP Plan Drawings in Appendix A. Table N-1 in Appendix N provides a summary of all proposed off-ROW access road requirements for the Project along with the type of landowner agreement (permanent or temporary) being sought for each of the proposed roads. Minor access alignment changes may be necessary and will be made by the contractor in the field following proper approvals from National Grid and DPS Staff.*

CONDITION 57.

a) The Certificate Holder's SWPPP for the Project shall be submitted with the EM&CP. The Certificate Holder shall adhere to the NYSDEC's then-effective "New York State Standards and Specifications for Erosion and Sediment Control" ("NYSSESC," also known as the "Blue Book"), or take such alternative measures as identified in the SWPPP. A final SWPPP shall be prepared as part of the SPDES Permit and in accordance with the then most recent version of the Blue Book.

b) The Certificate Holder shall ensure that all erosion control devices in areas of disturbance are in place and functional by the end of the workday.

c) Erosion and sediment controls with respect to the Project shall be prescribed on the EM&CP Plan and Profile drawings.

d) The Certificate Holder shall install temporary erosion control devices (e.g., silt fence, straw bales, and structural diversions) as soon as practicable or by the end of the workday for newly disturbed areas, as indicated in the EM&CP.

e) Use of hay bales is strictly prohibited.

f) All erosion control fabric or netting must be 100% biodegradable natural product,

excluding geotextiles used for road construction and temporary erosion control devices such as silt fence and silk sock.

NG Response: *National Grid will comply. A copy of the approved SWPPP is provided in Appendix G of this document.*

CONDITION 58. The Certificate Holder shall restore disturbed construction areas to original grades and conditions with permanent re-vegetation and erosion controls appropriate for those locations consistent with the EM&CP. Disturbed pavement, curbs and sidewalks shall be restored to their original preconstruction condition or better.

NG Response: *National Grid will comply.*

CONDITION 59. The Certificate Holder shall be responsible for checking all culverts and assuring that they are not crushed, blocked, or otherwise damaged during construction and restoration of the Project. If a culvert is crushed, blocked or otherwise damaged during construction or restoration of the Project, Certificate Holder shall repair the culvert or replace it with alternative measures appropriate to maintaining proper drainage, aquatic connectivity and stream flow, as applicable. Culvert repairs or replacements shall follow specifications in the EM&CP.

NG Response: *National Grid will comply. Details regarding culvert installations are provided on the EM&CP Drawings in Appendix A and the Culvert Drawings in Appendix Y. See also response to Certificate Condition 50.*

CONDITION 60. The Certificate Holder shall, upon completion of construction of the Facility:

a) Conduct an assessment of the need for additional restoration work, and landscape improvements, including vegetation planting, earthwork or installed features to screen or landscape the Facility with respect to road crossings, residential areas, and substations;

b) Prepare plans for any visual mitigation found necessary, and, in connection therewith, removal, rearrangement and supplementation of existing landscape improvements or plantings should be considered, as appropriate;

c) In the event that vegetative screening is proposed, the Certificate Holder shall consult with DPS Staff on the content and execution of its assessment, resultant landscaping plan specifications and materials list; details shall include measure for third party or wildlife

damage or other causes of damage to any landscape and vegetation plantings; and

d) Present draft assessments and plans to DPS Staff for review and file of final plan with the Secretary within one year after the completion of construction of the Facility.

NG Response: *National Grid will comply.*

CONDITION 61. The EM&CP shall include plans to prevent unauthorized access to and along the Project ROW. Plans may include the following:

a) Posting signs at the ROW edges in those locations where the ROW intersects public roads;

b) Performing outreach to educate and inform the public concerning the risks and impacts of unauthorized access;

c) Working with local law enforcement officials in an effort to prevent future trespassing;

d) Identifying construction and material details of gates and berms; and/or

e) Identifying existing and proposed gate locations on the Plan and Profile drawings. Final determination of locations of gates and berms shall be made during a post-construction assessment of the Facility, in consultation with DPS Staff.

NG Response: *National Grid will comply. The plan to prevent unauthorized access to and along the facility ROW is as follows:*

NG Response 61a: *National Grid will place signs at the intersection of the Facility ROW edges and all public roads to inform the public that unauthorized access is prohibited and that trespassers will be prosecuted.*

NG Response 61b: *National Grid will provide a public reminder that unauthorized access on the Facility ROW is prohibited. A draft of the portion of the article that will address unauthorized access is provided in Appendix K.*

NG Response 61c: *Upon the completion of construction, National Grid will inform local law enforcement that the Project has been completed and that signs have been placed to inform the public that unauthorized access is prohibited and that trespassers will be prosecuted. National Grid will provide local law enforcement its full cooperation in prosecuting non authorized users*

and trespassers on the Facility ROW.

NG Response 61d and 61e: *The location of all existing fences and gates and the location of all proposed fences, gates and barriers to be initially installed on the Facility ROW are shown on the EM&CP Drawings in Appendix A. Construction and material details for those installations are shown in Appendix AC. A post construction assessment of the Facility, in consultation with DPS Staff, shall be conducted to determine if any additional fences, gates or berms are necessary to prevent unauthorized access on the Facility ROW.*

H. Herbicide Use

CONDITION 62. All pesticide applications shall be performed in accordance with the requirements of ECL Articles 15 and 33 and 6 NYCRR Part 320.

NG Response: *National Grid will comply.*

CONDITION 63. Only herbicides specified in the EM&CP shall be applied during construction of the Project. If the Certificate Holder desires a change to the herbicides specified in the EM&CP for use during construction of the Project, including mix proportions, additives (with the exception of dyes), or method of application, the Certificate Holder shall submit the proposed change for Approval. No change inconsistent with the labeling for such herbicides shall be approved.

NG Response: *National Grid will comply. Herbicides will be used for future vegetation management on the transmission line ROW in accordance with NG's TROWMP; however, no herbicides will be used during the construction of the Project.*

CONDITION 64. The Certificate Holder shall comply with the substantive requirements of the currently-effective NYSDEC general permit for herbicide applications in State-regulated wetlands and the 100-foot adjacent areas associated with those wetlands. The supervising certified applicator shall be familiar with and understand the applicable provisions of this Certificate and the most recent version of the Certificate Holder's TROWMP.

NG Response: *National Grid will comply.*

CONDITION 65. The Herbicide application within state-regulated wetlands and the 100-foot adjacent areas shall be performed via low-volume foliar spray from backpack sprayer, cut stem and/or stump treatment, and basal bark treatment methods consistent with approved treatment

methods in the most recent version of the Certificate Holder's TROWMP.

NG Response: *National Grid will comply.*

I. Oversight and Supervision

CONDITION 66. The Certificate Holder shall use at least five (5) inspectors (or fewer if the Certificate Holder elects to use the same individual in more than one role): (a) at least one environmental inspector employed full-time on the Project; (b) at least one construction inspector employed full-time on the Project; (c) at least one agricultural inspector employed part-time on the Project; (d) at least one safety inspector who will inspect the work site from time to time; and (e) at least one quality assurance inspector who will inspect the work site from time to time. The environmental inspector may be used to perform agricultural inspections, if they become necessary, and if the person who performs such inspections is qualified to do so and is approved by DPS Staff and NYSDAM. The environmental inspector shall have stop work authority over all aspects of the Project and shall report directly to DPS Staff.

NG Response: *National Grid will comply. Information regarding the qualifications and responsibilities of the Environmental Inspector, Contractor Construction Inspector, Contractor Safety Inspector, Quality Assurance Inspector and Agriculture Monitor can be found in Appendix W. It is National Grid's intention to have the full time Environmental Inspector fill the role of Agricultural Monitor.*

CONDITION 67. During periods of relative inactivity on the Project, after consultation with and acceptance from DPS Staff, the Certificate Holder may temporarily decrease the number of hours worked by inspectors and the extent of their presence at the Project site commensurate with the decline in Project activity; likewise, during periods of relatively high activity on the Project, the number of inspectors and the extent of their presence at the Project site may temporarily increase commensurate with the increase in Project activity. The Certificate Holder shall describe in the EM&CP how it will ensure adequate coverage by inspectors and implementation of the reporting requirement in Condition 66.

NG Response: *National Grid will comply. Any proposed change in the number of hours worked by inspectors or the extent of their presence on the site will be provided to the DPS Staff for review and approval prior to making the change. The environmental inspector shall continue to have stop work authority over all aspects of the Project and shall report directly to DPS Staff.*

CONDITION 68. The environmental inspector(s) and the construction inspector(s) shall be equipped with sufficient documentation and transportation and communication equipment to effectively monitor each Contractor's compliance with the provisions of every order issued in this proceeding and applicable sections of the PSL, the ECL and regulations issued thereunder, the Section 401 Water Quality Certification, and the EM&CP.

NG Response: *National Grid will comply.*

CONDITION 69. The Certificate Holder shall provide DPS Staff with the environmental inspector's daily reports within 48 hours of completion.

NG Response: *National Grid will comply.*

CONDITION 70. The names and qualifications of the environmental inspector(s) and the construction inspector(s) shall be submitted to DPS Staff for review at least two weeks prior to the start of construction. The environmental inspector's qualifications shall satisfy those of a "Qualified Inspector" pursuant to the applicable SPDES General Stormwater Permit for construction activity.

NG Response: *National Grid will comply.*

CONDITION 71. The Certificate Holder shall provide to DPS Staff, NYSAGM, and NYSDEC the cell phone numbers of the Certificate Holder's environmental inspector(s) and construction inspector(s). The environmental inspector(s) and construction inspector(s) may have direct communication with DPS Staff, NYSAGM, and NYSDEC throughout the duration of construction.

NG Response: *National Grid will comply.*

CONDITION 72. The Certificate Holder's employees, contractors and subcontractors assigned to the construction of the Project and inspection of such construction work shall be properly trained in their respective responsibilities.

NG Response: *National Grid will comply.*

CONDITION 73. The Certificate Holder shall regard DPS Staff representatives (authorized pursuant to PSL §8) as the Commission's designated representatives in the field. In the event of any emergency resulting from specific construction or maintenance activities that violate or may violate the terms of the Certificate or any other order in this proceeding, such DPS Staff

representatives may issue a stop work order for that location or activity.

NG Response: *National Grid will comply.*

CONDITION 74. A stop work order shall expire 24 hours after issued unless confirmed by a single Commissioner. If a stop work order is so confirmed, the Certificate Holder may seek reconsideration from the confirming Commissioner or the whole Commission.

NG Response: *National Grid will comply.*

CONDITION 75. Before exercising stop work authority, DPS Staff representatives will consult (wherever practicable) with the Certificate Holder's representatives possessing comparable authority to resolve an issue or dispute. Within reasonable time constraints, all attempts will be made to address any issue and resolve any dispute in the field. In the event the dispute cannot be resolved, the matter will be brought immediately to the attention of the Certificate Holder's Project Manager and the DPS Chief of EC&C. In the event that a DPS Staff representative issues a stop work order, neither the Certificate Holder nor the Contractor will be prevented from undertaking any safety-related activities as they deem necessary and appropriate under the circumstances. The issuance of a stop work order or the implementation of measures as described below may be directed at the sole discretion of the DPS Staff representative during these discussions.

a) If a DPS Staff representative discovers a specific activity that represents a significant environmental threat that is or immediately may become a violation of the Certificate or any other order in this proceeding, or any applicable law or regulation, the DPS Staff representative may – in the absence of responsible Certificate Holder supervisory personnel, or in the presence of such personnel who, after consultation with the DPS Staff representative, refuse to take appropriate action – direct the field crews to stop the specific potentially harmful activity immediately. If responsible Certificate Holder personnel are not on site, the DPS Staff representative will immediately thereafter inform the construction inspector or environmental inspector of the action taken. The stop work order may be lifted by the DPS Staff Representative if the situation prompting its issuance is resolved;

b) If the DPS Staff representative determines that a significant threat exists such that protection of the public or the environment at a particular location requires the immediate implementation of specific corrective measures, the DPS Staff representative may, in the absence of responsible Certificate Holder supervisory personnel, or in the presence of such

personnel who, after consultation with the DPS Staff representative, refuse to take appropriate action, direct the Certificate Holder or its Contractors to implement the corrective measures identified in the approved EM&CP. The field crews shall comply with the DPS Staff representative's directive immediately. The DPS Staff representative will immediately thereafter inform the Certificate Holder's c onstruction i nspector or environmental inspector of the action taken.

NG Response: *National Grid will comply.*

CONDITION 76. The Certificate Holder shall organize and conduct progress meetings and site-compliance audit inspections for DPS Staff as needed, but not less frequently than once per month during the site preparation, construction, and restoration phases, or as otherwise agreed between the Certificate Holder and DPS Staff. Such inspections shall conclude upon the final sign-off of the SWPPP by the SWPPP inspector or as agreed to by the Certificate Holder and DPS Staff.

a) The monthly inspections shall include a review of the status of compliance with all conditions contained in the Certificate and any other order issued in this proceeding and with all other legal requirements and commitments, as well as a field review of the Facility site, if necessary. The inspections also shall include:

    1. review of all complaints received, and their proposed or actual resolutions;

    2. review of any significant comments, concerns or suggestions made by the public, local governments, or other agencies, and the Certificate Holder's response(s);

    3. review of the status of the Project in relation to the overall schedule established prior to the commencement of construction; and,

    4. other items the Certificate Holder or DPS Staff considers appropriate.

b) The Certificate Holder shall provide a written record of the results of the inspection, including resolution of issues and additional measures to be taken, to all agencies involved in the inspection audit (and uninvolved agencies requesting copies) and as part of its scheduled construction update reports.

NG Response: *National Grid will comply.*

CONDITION 77. The Certificate Holder shall ensure that each inspector, before entering onto any work site to work on the Project, has received the required safety rules and regulations in a documented meeting particular for such work site. The Certificate Holder also shall ensure that these rules and regulations have been interpreted for non-English speaking and reading-impaired personnel working on the Project. A separate meeting is required for each Project work site.

NG Response: *National Grid will comply.*

CONDITION 78. The Certificate Holder shall promptly notify DPS Staff and, for NYSDEC jurisdictional areas or SWPPP violations, NYSDEC of any activity that involves a violation of the Certificate.

NG Response: *National Grid will comply.*

J. Roads and Highways

CONDITION 79. The Certificate Holder shall delineate on the EM&CP drawings, the locations of proposed temporary roads, proposed permanent roads and existing access roads. Proposed access road improvements and measures for environmental impact minimization and access control shall be included in the EM&CP.

NG Response: *National Grid will comply. All proposed access roads, including all proposed permanent and temporary off-ROW access roads, are shown on the EM&CP Plan Drawings in Appendix A. Table N-1 in Appendix N provides a summary of all proposed off-ROW access road requirements for the Project along with the type of landowner agreement (permanent or temporary) being sought for each of the proposed roads. Minor access alignment changes may be necessary and will be made by the contractor in the field following proper approvals from National Grid and DPS Staff.*

CONDITION 80. The Certificate Holder shall minimize the impact of the Project construction on traffic circulation. Traffic control personnel and safety signage shall be employed to ensure safe and adequate traffic flow when secondary roadways are affected by construction.

NG Response: *National Grid will comply.*

CONDITION 81. The Certificate Holder shall consult periodically with municipal highway transportation agencies about traffic conditions near the Project site and shall notify each such transportation agency of the approximate date work will begin in its jurisdiction, using access points that take direct access from the highways in that jurisdiction.

NG Response: *National Grid will comply.*

CONDITION 82. In preparing the proposed EM&CP, the Certificate Holder shall consult with each transportation department or agency normally having jurisdiction over any roads in the Project vicinity that will be crossed by the certified Project ROW, used for direct access to the ROW or otherwise affected by Project construction. If the access road takes direct access from or lies within the limits of, such roads, the Certificate Holder shall notify each relevant transportation department or agency of the approximate date when work will begin.

NG Response: *National Grid will comply.*

CONDITION 83. NYSDOT shall have authority to place inspectors on site to monitor and observe the Certificate Holder's activities on state highways, or to request the presence of state or local police to ensure the safety of freeway travelers, at such times and for such periods as NYSDOT deems appropriate. All costs thereof shall be borne by the Certificate Holder.

NG Response: *National Grid will comply.*

CONDITION 84. The Certificate Holder shall coordinate with DPS Staff and NYSDOT for all work to be performed in the State highway rights-of-way. Prior to submitting its construction plan for any State highway right-of-way segment, the Certificate Holder shall provide to DPS Staff and NYSDOT a preliminary design marked to avoid conflict with potential future transportation projects that NYSDOT may seek to undertake in the future and shall offer to consult with NYSDOT concerning any comments it may offer and shall use reasonable efforts to accommodate any NYSDOT concerns.

NG Response: *National Grid will comply. As identified in Table J-1 in Appendix J, the Project traverses six highways that are under the jurisdiction of the State. The NYSDOT has reviewed the locations of the project crossings, but not the design. National Grid will coordinate with NYSDOT if there any conflicts with any known future NYSDOT projects. Highway permits will be secured for each of the crossings.*

CONDITION 85. In preparing the proposed EM&CP, the Certificate Holder shall consult with NYSDOT regarding any State highways and/or related structures in the Project vicinity that will be crossed by the Project or used for direct access to the Project ROW. If the access road takes direct access from, or lies within the limits of, such roads, the Certificate Holder shall notify NYSDOT of the approximate date when work will begin. Work hours in NYSDOT ROW will be under the control of NYSDOT, subject to the Commission's continuing jurisdiction as appropriate.

NG Response: *National Grid will comply.*

CONDITION 86. The Certificate Holder shall ensure that:

a) All Project-related work within State highway rights-of-way shall be designed and performed according to the traffic and safety standards and other substantive requirements contained in 17 NYCRR Part 131, entitled *Accommodation of Utilities Within State Highway Right-of-Way* and applicable design standards required by law or governmental regulation; and

b) For work within roads other than state highways, if any, the EM&CP shall provide details, including provisions for minimizing the duration and extent of open excavation, if any, traffic disruptions, and work within adjoining public streets and right-of-way.

NG Response: *National Grid will comply with all local, county and state highway traffic and safety standards and requirements. Traffic Management Plans can be found in Appendix X. No open excavations are currently planned within highways or public streets.*

K. Cultural Resources

CONDITION 87. The Certificate Holder shall comply with the Avoidance Plan approved by the NYS Office of Parks, Recreation & Historic Preservation and with the matting requirement contained in paragraph 35 of the Joint Proposal. The Certificate Holder shall not undertake construction in previously undisturbed areas where archeological surveys have not been completed until such time as the appropriate authorities, including New York State Office of Parks Recreation & Historic Preservation ("OPRHP") and DPS Staff, have reviewed the results of any additional historic properties and archeological surveys that are required.

NG Response: *National Grid will comply. A State Historic Preservation Office (SHPO) no adverse effect letter dated June 22, 2022, was received for the entire Project ROW. This letter included SHPO's agreement to a proposed Avoidance Plan for NGD Area 7 Precontact Site 1. National*

Grid will use matting during construction to protect the archeological site from construction impacts (see EM&CP Appendix H). National Grid will comply with the SHPO's approved Avoidance Plan and with the matting requirement contained in paragraph 35 of the Joint Proposal.

CONDITION 88. Should archeological materials be encountered during construction, the Certificate Holder shall stabilize the area and cease all construction activities in the immediate vicinity (i.e., 164 feet) of the find and protect the find from further damage. Within twenty-four (24) hours of such discovery, the Certificate Holder shall notify and seek to consult with DPS Staff and the OPRHP Field Services Bureau to determine the best course of action. No construction activities shall be permitted in the immediate vicinity of the archeological materials, except in situations threatening human life or in an emergency situation for the protection of property, until such time as the significance of the resource has been evaluated and the need for and scope of impact mitigation has been determined.

NG Response: *National Grid will comply.*

CONDITION 89. Should human remains or evidence of human burial(s) be encountered during the conduct of archeological data recovery fieldwork or during construction, all work in the vicinity (i.e., 164 feet) of the find shall be halted immediately and the remains shall be protected from further disturbance. Within twenty-four (24) hours of any such discovery, the Certificate Holder shall notify and consult with DPS Staff and the OPRHP Field Services Bureau. Treatment and disposition of any human remains that may be discovered shall be managed in a manner consistent with the OPRHP's *Human Remains Discovery Protocol*. All archaeological or remains-related encounters and their handling shall be reported in the status reports summarizing construction activities and reviewed in the site-compliance audit inspections.

NG Response: *National Grid will comply.*

CONDITION 90. The Certificate Holder shall avoid creating adverse impacts on heritage resource sites, archeological sites, and historic structures in the vicinity of the Project by implementing specific Project location, design, vegetation management, resource protection, and construction scheduling measures described in the EM&CP.

NG Response: *National Grid will comply.*

CONDITION 91. The Certificate Holder shall have a continuing obligation during the duration of

Project construction to respond promptly to complaints of negative archeological impacts and to mitigate any negative archeological impacts through on-site design modifications and off-site mitigation techniques developed in consultation with the OPRHP Field Services Bureau.

NG Response: *National Grid will comply.*

L. Terrestrial and Wildlife Resources

CONDITION 92. In accordance with the substantive requirements of the ECL governing the identification, avoidance, protection, impact minimization and, if necessary, compensation for the incidental take of T&E species, the Certificate Holder shall comply with the following provisions of the Section L.

NG Response: *National Grid will comply.*

CONDITION 93. Prior to the commencement or recommencement of construction or maintenance activities, the Certificate Holder shall provide all personnel who will work in the Project area with written information on any T&E animal or plant species and their associated habitat as identified by the New York Natural Heritage Program or that are within or contiguous to the Project area and shall indicate measures to minimize risks to the species during construction, operation, and maintenance.

NG Response: *National Grid will comply. In accordance with the United States Fish and Wildlife Service (USFWS) New York field office, the USFWS Information for Planning and Consultation (IPaC) online database system was reviewed to determine whether any federally listed T&E species could occur within the Project area. Per a USFWS official species list dated February 13, 2025, the Northern long-eared Bat (NLEB – Myotis septentrionalis) an endangered species, and the Tricolored Bat (TCB – Perimyotis subflavus), a proposed endangered species, were listed as potentially being within the Project vicinity. On February 13, 2025, a USFWS Determination Key (D-key) consistency letter was generated for the Project area, for the Northern Long-eared Bat and the Tricolored Bat through the USFWS IPaC database. The D-key consistency letter gave a May Affect determination. The official species list and D-key consistency letter are included in Appendix H. Federal agencies must consult with USFWS under section 7(a)(2) of the Endangered Species Act (ESA) when an action may affect a listed species. Consultation between the US Army*

Corps of Engineers and USFWS will occur when a Federal Wetlands and Waterways Joint Permit Application for a Nationwide Permit or an Individual Permit is submitted for the Project.

The Tricolored Bat is proposed for listing as endangered under the ESA , but is not yet listed. For actions that may affect a proposed species, agencies cannot consult, but they can confer under the authority of section 7(a) (4) of the ESA. Such conferences can follow procedures for a consultation and be adopted as such if and when the proposed species is listed. The Salamander Mussel (Simpsonaias ambigua), a proposed endangered species, as well as the Monarch Butterfly (Danaus Plexippus), a proposed threatened species, were also listed as having the potential to be found within the Project vicinity. Mud Creek (a Class C stream) is the only State mapped, mussel screening stream that the Project ROW (Segment 3) will cross, which will be disturbed by a proposed culvert replacement. As a result, a Freshwater Mussel Assessment for Suitable Habitat for the Culvert Replacement Project on Mud Creek, in Niagara County, dated February 16, 2024, was completed by Environmental Solutions & Innovations, Inc.(see Appendix H, Part 8 of 8). Mussel Assessment for Suitable Habitat (MASH) results did not indicate suitable mussel habitat presence within the assessment area and assessment revealed presence of only fine sediments. Therefore, it was determined that Mud Creek is deficient of habitat suitable to support freshwater mussels. This was the only Project location where possible mussel disturbance may have been a concern and per the MASH study this possibility has been ruled out.

The Monarch Butterfly (Danaus plexippus) is listed as a proposed threatened species with the potential to occur in the Project vicinity. Proposed threatened species are not protected by the take prohibitions of Section 9 of the ESA until the rule to list is finalized. The USFWS status of the Monarch Butterfly was recently changed from candidate to proposed threatened and new conservation guidelines are currently in development. Therefore, the candidate species guidelines for the Monarch Butterfly will be followed. There may be minor vegetative maintenance within the ROW to allow for safe access of equipment and workers. National Grid is a partner in the Nationwide Monarch Butterfly Candidate Conservation Agreement with Assurances ("CCAA"). As a partner, National Grid is required to implement certain management techniques and annual monitoring to encourage and maintain milkweed and pollinator habitat on its gas and electric ROWs in National Grid's U.S. territory. USFWS official species list are valid for 90 days. Prior to filing the EM&CP, National Grid, if needed will pull an updated official USFWS species list, to check for any updates or changes of known threatened or endangered species in the Project area.

The NYNHP was initially contacted on April 9th, 2020, regarding information on rare species records within the Project area. The NYNHP responded on May 5th, 2020, with information on State-listed rare, threatened, and endangered (RTE) species. The NYNHP was contacted again on September 7th, 2023, for updates or changes to known RTE species, habitat, or Significant Natural Communities in the Project area. The NYNHP responded on October 26th, 2023, with information that included: one (1) New York State endangered species (Short-eared Owl-Asio flammeus) has been documented at Segment 2. Nine (9) threatened/endangered species have been documented at or near Segments 3, 4, 4 Relocation and 5 which include: Northern Harrier (Circus hudsonius-threatened), Pied-billed Grebe (Podilymbus Podiceps-threatened), Black Tern (Chlidonias niger-endangered), Least Bittern (Ixobrychus exilis-threatened), Bald Eagle (Haliaeetus leucocephalus-threatened), Short-eared Owl (Asio flammeus-endangered), Henslow's Sparrow (Ammodramus henslowii-threatened), Sedge Wren (Cistothorus stellaris-threatened) and the King Rail (Rallus elegans-threatened). Five (5) species have been documented at Segment 7 of the project site which include: Northern Harrier (Circus hudsonius-threatened), Short-eared Owl (Asio flammeus-Endangered), Sedge Wren (Cistothorus stellaris-threatened) and the Pied-billed Grebe (Podilymbus Podiceps-threatened).

The following animals, while not listed by New York State as Endangered or Threatened, are of conservation concern to the state, and are considered rare by the New York Natural Heritage Program: Black Bullhead Fish (Ameiurus melas-critically imperiled in NYS) has been documented at the corner of Segment 4 Relocation where Lewiston Road meets Feeder Road. The Ruddy Duck (Oxyura jamaicensis- critically imperiled in NYS) has been documented within 200 yards northwest of Segment 4 Relocation. The Prothonotary Warbler (Protonotaria citrea- imperiled in NYS) has been documented within 0.5-miles southwest of Segments 3, 4, and 4 Relocation. The following plants are listed as Endangered or Threatened by New York State, and/or are considered rare by the New York Natural Heritage Program and are a vulnerable natural resource of conservation concern. Heart-leaved Plantain (Plantago cordata-rare-vulnerable in NYS) has been documented within 0.4-miles southwest of Segment 5. Frank's Sedge (Carex frankii-threatened-imperiled in NYS) has been documented within 0.25 mile southwest of Segment 5. Updates to NYNHP databases were requested on February 13th, 2025. A response has not yet been received but should be received within 4-6 weeks, so most likely by the end of March 2025.

NYNHP State listings of species documented in the Project vicinity are as follows:

- *Bald Eagle - State-listed as threatened*

- *Black Bullhead Fish - Rare (Unlisted) - critically imperiled in NYS*
- *Black Tern - State-listed as endangered*
- *Henslow's Sparrow - State-listed as threatened*
- *King Rail - State-listed as threatened*
- *Least Bittern - State-listed as threatened*
- *Northern Harrier - State-listed as threatened*
- *Pied-billed Grebe - State-listed as threatened*
- *Prothonotary Warbler - Rare (Protected Bird) – imperiled in NYS*
- *Ruddy Duck - Rare (Game Species) – critically imperiled in NYS*
- *Sedge Wren - State-listed as threatened*
- *Short-eared Owl - State-listed as endangered*
- *Heart-leaved Plantain – Rare, vulnerable in NYS*
- *Frank's Sedge – threatened, imperiled in NYS*

Most Project activities will be located within Existing ROW. Mitigation measures such as the use of tracked equipment and mats will be prescribed on a site-by-site basis in environmentally sensitive areas and erosion and sediment control measures designed to maintain and protect soil and water resources both during and after construction will be prescribed for all areas where soil disturbance occurs. Therefore, in-stream activities would not occur in Segment 4 Relocation area and impacts to the Black Bullhead fish species, if still present, are not anticipated.

Since the Project vicinity crosses both NYSDEC Region 8 Office (Genesee County) and NYSDEC Region 9 Office (Erie County) jurisdictional territories, a site-specific consultation request regarding threatened, endangered, and rare species was submitted to both offices. According to direct consultations with the NYSDEC Region 9 Office (regarding Segments 1, 2 and 3 in Erie County,) on October 7, 2020, the NYSDEC concurred that the Project is unlikely to result in an incidental take of any endangered or threatened species. However, the office noted that an occurrence of the short-eared owl has been recorded near the ROW along Bulmore Road in the Town of Royalton (Segment 2). The NYSDEC requested that work activities between Gasport Road and Oak Lane located in Segment 2 be avoided between November 1st and March 30th in order to reduce the likelihood of negative effects to the species. (See Appendix H – Agency Correspondence). National Grid will endeavor to schedule construction activities outside of specified Time of Year Restriction (TOYR) at Segment 2, avoiding November 1st and March 30th. National Grid will also endeavor to not schedule operation and maintenance activities during the

TOYR window.

According to a consultation response letter received on January 19, 2021 from the NYSDEC Region 8 Office (regarding Segments 4 Existing, 4 Relocated, 5 and 7 in Genesee County), there are multiple threatened and endangered species that breed within the wetlands and grasslands of Tonawanda Wildlife Management Area (TWMA), including Black Tern, Least Bittern, Pied-Billed Grebe, Sedge Wren, Bald Eagle, and Northern Harrier. Many of these species were confirmed by surveys in 2025. Therefore, NYSDEC requires work within the TWMA to avoid the breeding season for grassland and marsh birds which is from April 15th to September 1st. NYSDEC Region 8 discovered a new bald eagle nest within close proximity to Segment 3 within TWMA in 2025. The nest failed in 2025 and NYSDEC is unknown whether the eagles will use the nest again in a future years. National Grid will remain in consultation with NYSDEC on the status of the eagle nest and future guidance. The Northern Harrier and Short-eared Owl are known to winter in and around the TWMA and nearby Iroquois National Wildlife Refuge (NWR) within both grasslands and emergent habitat. The NYSDEC currently does not anticipate the Project will result in negative effects to these species and did not indicate wintering restrictive dates are needed. However, the NYSDEC requests additional coordination closer to construction. For the portion of work in and around the John White Wildlife Management Area (JWWMA), NYSDEC requests an ideal work period of August 16th to October 30th due to the presence of wintering Short-eared Owl and Northern Harrier and breeding Sedge Wren occupied habitat. National Grid plans to adhere to these restrictive dates as much as possible in order to minimize and avoid potential negative effects on state-listed threatened and endangered species.

Prior to filing the EM&CP, National Grid will contact the NYSDEC, NYNHP, and USFWS to check for any updates or changes of known T&E plant or animal species listed in New York or habitat or Significant Natural Communities in the Project area and will inform the DPS Staff of such updates.

All workers will be made aware of the potential for these species to occur in the Project ROW and information regarding these species will be placed in the office trailer. Workers will be instructed to immediately stop work and notify the Environmental Inspector if any of these species are thought to be observed.

CONDITION 94. If the Certificate Holder observes any T&E animal species, as defined in 6 NYCRR Part 182, or T&E plant species, identified under 6 NYCRR Part 193, on the Project ROW,

the Certificate Holder shall:

a) If the observation occurred during construction, including but not limited to any observation made by a bird monitor employed pursuant to Conditions 98 or 101[2], notify DPS Staff and NYSDEC within one business day of the observation, and immediately secure the surrounding area, in locations where the Certificate Holder has the necessary property rights to do so and, unless continued construction activities are necessary for protection of property or human life, safely cease construction activities within 500 feet of the approximate location of the observed listed species until DPS Staff in consultation with NYSDEC authorizes recommencement of activities; or

b) If the observation occurred during operation or maintenance, notify NYSDEC as soon as practicable, but not to exceed two business days, after the observation, and initiate consultation with NYSDEC in an effort to avoid, minimize, or, if necessary, mitigate for impacts to T&E species and their associated habitat during continued operation and maintenance activities.

NG Response: *National Grid will comply unless continued construction activities are necessary for protection of property or human life and NYSDEC staff will then be contacted for further guidance. Prior to construction, NYSDEC will provide a list of staff and their contact information who should be consulted, with the expectation that someone will be available to discuss the situation within two hours of making the initial contact. Construction will recommence after authorization from NYSDEC.*

CONDITION 95. If the Certificate Holder observes any T&E animal species on or near the Project ROW, including any dead, injured, and damaged T&E species, their eggs, or nest, the Certificate Holder shall maintain a record of such observation. All such records of observations of T&E animal species shall include the following information, to the extent known and practicable: species; number of individuals; age and sex of individuals; observation date(s) and time(s); GPS coordinates (as property rights allow) of each individual observed (if GPS coordinates are not readily ascertainable, the report should include the nearest Facility structure number and cross road location); behavior(s) observed; identification and contact number of the observer(s); the nature of and distance to any Project construction activity; and whether the death, injury, or

[2] Order adopting terms of the Joint Proposal incorrectly numbers these Certificate Conditions. Should be Conditions 97 and 100, respectively.

damage to the T&E species, their eggs, or nest was caused by such activity. The records of observations shall be provided to NYSDEC no later than 30 days following the observation of a T&E species.

NG Response: *National Grid will comply.*

CONDITION 96. In the event that an Indiana or Northern long-eared bat, little brown bat or tricolored bat hibernaculum or tree roost is identified on or near the Project ROW during the construction, operation, or maintenance of the Project, the Certificate Holder will consult DPS Staff and NYSDEC to comply with the substantive requirements of the ECL Article 11, and 6 NYCRR Part 182, or any other regulations or guidance as then applicable.

NG Response: *National Grid will comply.*

CONDITION 97. For the avoidance and protection of bald eagles, the Certificate Holder shall implement the following measures during construction:

a) At least two weeks prior to commencement of construction activities in any area, the Certificate Holder shall conduct a visual inspection in the area to determine if any bald eagle nests are present and consult with NYSDEC to determine if NYSDEC has records of any nests within one mile of the project area that may not have been detected by the visual inspection.

b) If any bald eagle nest is discovered within 0.25 miles of the work area, the Certificate Holder shall notify NYSDEC and DPS Staff within twenty-four (24) hours of discovery and, except to protect property and human life: (i) the nest shall not be approached; (ii) the 0.25 mile environmentally sensitive area shall be marked, where the Certificate Holder has property rights to allow such marking; and (iii) the 0.25 mile environmentally sensitive area shall be avoided until DPS Staff, after consultation with NYSDEC, authorizes construction activities in such area. In the presence of a visual barrier (i.e., tree line, topography) that obstructs the view from the nest and shields it from work activities, the 0.25 mile environmentally sensitive area shall be reduced to 660 feet.

c) Subject to subsection (d) of this Condition, no construction work (ground disturbance and construction related activities including boring, restoration and equipment staging, storing and transportation) shall occur during the bald eagle breeding season (January 1 to

September 30) within 0.25 mile (or 660 feet if there are visual barriers) of any existing known bald eagle nest except as necessary to protect property or human life. If monitoring of the nest by a bird monitor whose qualifications have been approved by DPS Staff and NYSDEC indicates that the nest has either failed prematurely or the chicks have fledged the nest and left the area, the Certificate Holder may perform construction work after NYSDEC confirms that the nest is no longer active.

d) Alternatively, if construction work during the bald eagle breeding season (January 1 to September 30) within 0.25 miles of an active nest is necessary, a bird monitor whose qualifications have been approved by DPS Staff and NYSDEC shall monitor any active nests within 0.25 miles of the proposed work during all times when construction activities are in progress. If the bald eagle(s) show signs of distress due to noise associated with the work, then all work, except work necessary to protect property or human life, must immediately cease and the area shall be avoided until DPS Staff, after consultation with NYSDEC, authorizes construction activities in such area.

NG Response: *National Grid will comply.*

CONDITION 98. To avoid direct impacts to identified T&E marsh birds, grassland breeding birds and wintering birds in occupied habitat as identified by the New York Natural Heritage Program ("Occupied Habitat") and included in the EM&CP, the Certificate Holder shall endeavor to schedule construction activities, including restoration and equipment staging, storage, and transportation, outside of the specified Time of Year Restriction ("TOYR") windows, as set forth in Condition 100[3]. The Certificate Holder also shall endeavor to not schedule operation and maintenance activities in Occupied Habitat with TOYR windows in effect at the time of such activities, following consultation with NYSDEC.

NG Response: *National Grid to comply.*

CONDITION 99. Subject to the provisions of Conditions 101 and 102[4], for T&E marsh bird (i.e. the least bittern, pied-billed grebe, black tern, and king rail), grassland breeding bird (i.e., sedge wren, Henslow's sparrow, and northern harrier) and wintering bird (i.e. short-eared owl and

[3] Order adopting terms of the Joint Proposal incorrectly numbers this Certificate Condition. Should be Condition 99.
[4] Order adopting terms of the Joint Proposal incorrectly numbers these Certificate Conditions. Should be Conditions 100 and 101, respectively.

northern harrier) species, the following TOYRs apply and no construction, except as necessary to protect property or human life, shall occur:

a) During the marsh bird breeding season from April 15 to September 1 within Occupied Habitat as included in the EM&CP.

b) During the grassland bird breeding season from April 23 to August 15 in contiguous open field areas greater than 25 acres within Occupied Habitat as included in the EM&CP. If sedge wren are documented within 500 feet of the planned work area during the grassland bird breeding season, the above restrictive period will be extended at this location until September 1 for that grassland bird breeding season. However, if fields are planted with row crops (i.e., hay, corn, beans, or vegetables) during the farming season of the year prior to the commencement of construction, and no significant grassland habitat is present based on NYSDEC habitat surveys, these fields are not subject to the foregoing TOYR for T&E grassland breeding bird species.

c) From November 1 to March 30 in contiguous open field areas greater than 25 acres within Occupied Habitat of wintering birds as included in the EM&CP.

NG Response: *National Grid will endeavor to comply with these TOYR or comply with Conditions 100 and 101*.

CONDITION 100. If avoidance as defined in clauses (a) to (c) in Condition 100[5] cannot be maintained, then minimization measures in Occupied Habitat consisting of preconstruction surveys, conducted within two weeks prior to the commencement of construction, and onsite continuous monitoring during construction activities, by a bird monitor whose qualifications have been approved by DPS Staff and NYSDEC, shall be employed. Preconstruction surveys and onsite monitoring plans for marsh, breeding grassland, and wintering bird species shall be developed in the EM&CP in consultation with, and approved by, NYSDEC and DPS Staff, and a determination of whether construction will occur within the TOYR windows, accompanied by the continuous onsite bird monitor, shall be based on the results of such surveys.

NG Response: *National Grid will comply. If avoidance, by complying with TOY restrictions, cannot be maintained, then minimization measures in Occupied Habitat consisting of preconstruction*

[5] Order adopting terms of the Joint Proposal incorrectly numbers this Certificate Condition. Should be Condition 99.

surveys, conducted within two weeks prior to the commencement of construction, and onsite continuous monitoring during construction activities will be employed. Preconstruction surveys and onsite monitoring plans for marsh, breeding grassland, and wintering bird species shall be developed in the EM&CP in consultation with, and approved by, NYSDEC and DPS Staff, and a determination of whether construction will occur within the TOYR windows, accompanied by the continuous onsite bird monitor, shall be based on the results of such surveys.

CONDITION 101. If NYDEC and DPS Staff determine that avoidance, as defined in clauses (a) to (c) in Condition 100[6], and minimization measures, as defined in Condition 101[7], are not sufficient to avoid a take, the Certificate Holder may conduct construction activities, provided the EM&CP includes and the Certificate Holder complies with a Breeding Grassland, Marsh, and Wintering Bird Net Conservation Benefit Plan (NCBP) that meets the substantive requirements of 6 NYCRR Part 182 and is developed in consultation with and accepted by NYSDEC and DPS Staff.

NG Response: *National Grid will comply.*

CONDITION 102. The foregoing provisions of this Section L are subject to any further avoidance or mitigation measures for T&E species set forth in the helicopter use plan or blasting plan, if any, included in the EM&CP pursuant to Condition 22.

NG Response: *National Grid will comply. There is presently no blasting or helicopter use anticipated for this Project. If blasting or the use of a helicopter becomes necessary, National Grid will submit a plan for such activity to DPS staff for review and approval as a change to the EM&CP.*

M. Waterbodies and Wetlands

CONDITION 103. The Certificate Holder shall perform all construction, operation or maintenance activities in a manner that avoids then minimizes adverse impacts to streams, waterbodies, wetlands, and the one hundred (100) foot adjacent area associated with any State-regulated wetland (adjacent area). The Certificate Holder shall ensure the provisions to protect wetlands, waterbodies, and adjacent areas are followed as specified in the approved EM&CP:

a) The Certificate Holder shall notify DPS Staff and NYSDEC within 2 hours of observing or

[6] Order adopting terms of the Joint Proposal incorrectly numbers this Certificate Condition. Should be Condition 99.
[7] Order adopting terms of the Joint Proposal incorrectly numbers this Certificate Condition. Should be Condition 100.

being made aware of a discharge to a wetland or waterbody resulting in a violation of New York State Water Quality Standards. In the event that construction results in an alteration to (i.e., lowering) of wetland hydrology, then the breach shall be immediately sealed and no further activity shall take place until DPS Staff and NYSDEC staff are notified and a remediation plan to restore the wetland and prevent future dewatering of the wetland has been approved by DPS Staff in consultation with NYSDEC.

b) Unless otherwise specified in the approved EM&CP all in-stream work is prohibited from September 15 through May 31 in cold water fisheries, and from March 1 through July 15 in warm water fisheries.

c) All work in streams shall be conducted in the dry, using appropriate water handling measures to isolate work areas and direct stream flow around the work area, unless approved otherwise specified in the approved EM&CP.

d) Water resulting from dewatering operations, equipment washing, or other construction related activities shall not be directly discharged into any wetland or waterbody.

e) Bridges shall be installed wherever a new permanent crossing is required for state-regulated streams (Class C(T) or higher and/or navigable), as defined in 6 NYCRR Part 608.1(u) and Part 608.1 (aa). The bridge shall span the bed and banks of the stream. If a bridge is not practicable the approved EM&CP shall provide justification for a non-bridge crossing, or if the installation of a bridge would require major re-configuration of the stream channel and banks, the permanent culvert shall be designed in accordance with the approved EM&CP.

f) When installation of a bridge to span a state-regulated stream is not practicable and a culvert is the only practicable option, it shall be designed as follows:

    i. To safely pass the 1% annual (100-year return) chance storm event;

    ii. To contain native streambed substrate or equivalent using an open bottom arch, three-sided box culvert, or round/elliptical culvert with at least 20% of the culvert height embedded beneath the existing grade of the stream channel at the downstream invert;

    iii. Shall be a minimum width of 1.25 times the width of the stream bank full width;

iv. The slope shall remain consistent with the slope of the pre-existing channel (upstream and downstream). For slopes greater than 3%, an open bottom culvert shall be used, where practicable; and

v. Shall facilitate downstream and upstream passage of aquatic organisms.

g) Concrete washout areas shall be located a minimum of 100 feet away from any wetland or waterbody; provided that if the minimum setback cannot be achieved, the approved EM&CP shall provide justification and demonstrate that impacts to wetlands and waterbodies from concrete washout areas shall be avoided or minimized to the maximum extent practicable.

h) Disturbed streams shall be restored to equal width, depth, gradient, length and character as the pre-existing stream channel and tie in smoothly to the profile of the stream channel upstream and downstream of the disturbance. All disturbed stream banks shall be mulched within (2) days of final grading, stabilized with 100% natural/biodegradable fiber matting, and seeded with an appropriate riparian seed mix specified in the approved EM&CP. In areas where vegetation has been uprooted or grubbed on stream banks, the vegetation shall be replaced with ROW compatible native plantings as site conditions and facility design allow, as appropriate and consistent with the use of the Facility.

i) Immediately upon completion of grading, and as consistent with existing land uses, the area shall be seeded with a seed mix of native plants specified in the approved EM&CP that is appropriate for wetlands and the 100-foot wetland adjacent area. Overall vegetative cover in restored areas shall be monitored until an 80% cover of plants with the appropriate wetland indicator status has been reestablished over all portions of the restored area. If 80% cover of plants with the appropriate wetland indicator status has not been achieved at the end of the second year of monitoring, a Wetland Planting Remedial Plan (WPRP) shall be prepared that evaluates the reasons for the results, including an analysis of poor survival; corrective actions to ensure successful restoration; and a schedule for conducting remedial work. Once approved by DPS Staff, in consultation with NYSDEC, the WPRP shall be implemented according to an approved schedule.

j) The Certificate Holder shall work with NYSDEC to develop a Wetland Mitigation Plan, if necessary, following NYSDEC Supplemental Specifications for Wetlands and Waterbodies contained in Appendix F to the Joint Proposal and will submit the Plan within six months of the start of construction for DPS Staff and NYSDEC Staff acceptance, subject to the

Commission's continuing jurisdiction as appropriate.

k) Wetland locations, and wetland adjacent areas located within the ROW or crossed by the ROW or any off-ROW access road constructed, improved or maintained for the Project, shall be delineated in the field as indicated on the EM&CP drawings.

l) Marshalling yards and staging areas constructed on previously undisturbed lands shall not be sited within wetlands, state regulated wetland adjacent areas, or within fifty feet of waterbodies or streams.

m) Construction through wetlands shall be done with low-ground pressure equipment or on temporary mats or geotextile/gravel access roads and shall be restricted to access roads and work areas set forth in the EM&CP. In the event that temporary matting will be placed in wetlands, those mats will be removed and wetlands hydrology soils and vegetation will be restored to the extent possible. Where new permanent access roads are to be constructed through wetlands, geotextile fabric or equivalent underlayment shall be used.

n) The Certificate Holder shall use measures to minimize soil compaction in wetlands and waterbodies, including the use of temporary matting, low-ground pressure equipment and constructing when soils are frozen. The EM&CP shall include a plan to restore wetlands and waterbodies, including restoration of pre-construction site conditions and stabilization of disturbed wetlands and waterbodies, within 48 hours or as soon as practicable after final construction.

o) All excess fill materials and spoils shall be completely removed to upland areas greater than 100 feet from wetlands and waterbodies.

p) Equipment shall not be washed in any stream, waterbody, or wetland or regulated 100 foot adjacent area. No runoff resulting from washing operations shall directly enter into these areas.

q) Excavated soil material resulting from pole structure installation shall not be stored within one hundred (100) feet of wetlands, streams or waterbodies, to prevent runoff into such areas; provided that if soil storage is required in wetlands, the soil is to be temporarily stored on construction mats and properly contained to prevent runoff.

r) Vegetation cut in wetlands areas may be left in place (drop and lop) or removed from

wetlands to upland areas. Cut vegetation shall not be permanently piled in the wetland areas.

s) Construction vehicle access across protected streams and waterbodies (streams classified as C(T) or higher) shall be limited to existing bridges, culverts or fords and to crossings installed in accordance with the provisions set forth in the EM&CP, except fords are not permitted in protected streams.

t) There shall be no substantial increase in visible contrast in water clarity or variation of flow volume due to construction activities between upstream reaches of work areas and downstream reaches of work areas.

u) Dewatering operations shall discharge into an approved dewatering device (i.e., temporary straw bale/silt fence barrier or filter bag). The dewatering device shall not be placed on or near the top of streambanks or within or adjacent to wetlands unless the EM&CP provides justification and demonstrates that impacts to wetlands and waterbodies shall be minimized to the maximum extent practicable. When dewatering within or next to a wetland, waterbody or stream is so authorized under this Condition and as set forth in the EM&CP, the return water shall not cause a substantial visual contrast from existing upstream conditions.

v) The EM&CP shall include measures to minimize impacts to fish and wildlife during wetland and waterbody construction including, where practicable, returning animals that become trapped within work areas to an appropriate and safe location outside of the work area. If it is determined that it is not practicable to return the animal, the Environmental Monitor shall notify DPS and NYSDEC Staff.

NG Response: *National Grid will comply. The EM&CP was developed to minimize impacts to waterbodies and wetlands. Measures to minimize disturbance to and protect waterbodies and wetlands will be implemented throughout all phases of the Project.*

As part of the EM&CP preparation, all wetland resources, streams and waterbodies, both on and off ROW that could be impacted by the Project were delineated (flagged) in the field and identified on the EM&CP Plan and Profile Drawings in Appendix A. All wetlands, streams and waterbodies will be re- flagged prior to the start of construction to help ensure their protection.

A total of eleven (11) watercourses were identified within the Project area (consisting of ROW and off-ROW access areas). Stream resource areas along the Project ROW were field delineated between August 6 and October 2, 2019, June 16, 2020, November 12 and 13, 2020 and July 28,

2023, and August 1, 2023, by Fisher Associates' environmental and wetland scientists. The Project ROW crosses eleven (11) stream channels, totaling approximately 5,000 linear feet. Delineated Stream 001, observed on the western end of the Project in Segment 1, is the NYS Barge Canal (Erie Canal). All other streams are either Unnamed Tributaries to Tonawanda Creek or to Mud Creek. Streams and waterbodies are keyed into Table C-3 in Appendix C where the waterbody name, water quality classification, water index number, GPS coordinates and proposed crossing method, if applicable, are provided in tabular form.

New permanent culverts will be installed within the Project at fifty (50) locations. Additionally, fourteen (14) culverts will be installed temporarily. Summary information for these proposed culvert replacements is provided in Appendix Y Culvert Drawings.

Wetland resource areas along the Project ROW were field delineated between August 6 and October 2, 2019, June 16, 2020, November 12 and 13, 2020, July 28, 2023, and August 1, 2023, through August 4, 2023. Thirty-one (31) Wetlands were delineated using the methods described in the USACE Wetlands Delineation Manual (1987) and the USACE Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Northcentral and Northeast Region (Version 2.0) (2012). Wetland boundaries were flagged by affixing consecutively numbered pink flagging tape with the words "WETLAND DELINEATION" to vegetation along the wetland boundary. Wetland flag locations were recorded using a sub-meter accurate Global Positioning System (GPS) receiver. Descriptions of field-delineated wetland areas are provided below. The wetland resources are keyed into Tables C-1 and C-4 in Appendix C which summarize the wetland information and provide the details of all activities that will occur in wetlands.

Segment 1

Five (5) wetlands were delineated along the portion of the Project area designated as Segment 1. These wetland areas were all PEM type wetlands. Plant species present in these wetlands included narrowleaf cattail (Typha angustifolia), purple loosestrife (Lythrum salicaria), common reed (phragmites australis), Canadian goldenrod (Solidago canadensis), and spotted knapweed (Centaurea stoebe). Soils within Segment 1 consisted of Canandaigua silt loam, Canandaigua silty clay loam, Cut and fill land, Hilton and Cayuga soils, Ovid silt loam, Phelps gravelly loam, Rhinebeck silty clay loam, Sun silt loam and Water. One (1) NYSDEC regulated wetland (LP-23) (class 2) occurs within Segment 1. Wetland 005 is associated with NYSDEC Wetland (LP-23).

There are currently six (6) existing structures (Existing Line 112) located in delineated wetlands on

Segment 1. There are five (5-) proposed transmission structures to be located in delineated wetlands in Segment 1.

Of the six (6) existing structures mentioned above, four (4) structures are located within a NYSDEC regulated wetland LP-23 (delineated wetland 005). Three (3) proposed structures will be installed within Wetland 005 within NYSDEC regulated wetland LP-23.

No tree clearing is anticipated within Segment 1.

Segment 2

Twenty (20) PEM/PSS/PFO wetlands were delineated along the portion of the Project area designated as Segment 2. Some common plant species present in these wetlands included purple loosestrife (Lythrum salicaria), common bonset (eupatorium perfoliatum), common reed (phragmites australis), common melilot (Melilotus officinalis), flat-top goldenrod (Euthamia graminifolia), white meadowsweet (Euthamia graminifolia), common rush (Juncus effusus), blue sedge (Carex flacca), tick seed (Bidens aristosa), reed canary grass (phalaris arundinacea) and sensitive fern (Onoclea sensibilis). Soils within Segment 2 consisted of Appleton silt loam, Arkport very fine sandy loam, Canandaigua silt loam, Cayuga and Cazenovia silt loams, Churchville silt loam, Collamer silt loam, Dunkirk silt loam, Hilton silt loam, Howard gravelly loam, Hudson silt loam, Lakemont silty clay loam, Lamson fine sandy loam, Madalin silt loam, Massena fine sandy loam, Niagara silt loam, Odessa silt loam, Ovid silt loam and Rhinebeck silt loam. There are several NYSDEC regulated freshwater wetlands within Segment 2 that include: (LP-23, LP-22, GA-22, GA-21 and GA-6).

There are currently thirty-one (31) existing transmission structures located in delineated wetlands within Segment 2. One (1) structure is located within delineated Wetland 007. One (1) structure is located within delineated Wetland 009. One (1) structure is located within delineated Wetland 011. One (1) structure is located within delineated Wetland 012. One (1) structure is located within delineated Wetland 013. Two (2) of these structures are within delineated Wetland 014 (DEC wetland LP-22). One (1) structure is located within delineated Wetland 015. Five (5) of these structures are within delineated Wetland 016 (DEC wetland GA-22). Two (2) of these structures are within delineated Wetland 017. Ten (10) of these structures are within delineated Wetland 018 (DEC wetland (GA-21). Three (3) of these structures are within delineated Wetland 020 (DEC wetland GA-6). One (1) structure is located within delineated Wetland 024. One (1) structure is located within delineated Wetland 025. One (1) structure is located within delineated Wetland

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There are currently thirty-four (34) proposed transmission structures to be located in delineated wetlands on Segment 2. Three (3) proposed transmission structures are proposed to be installed in delineated Wetland 005 (DEC wetland LP-23). One transmission structure is proposed in each of the following delineated Wetlands: 007, 009, 011, 012, 013, 015, 024, 025, and 026. Two (2) transmission structures are proposed to be installed in delineated Wetland 017, and two (2) transmission structures are proposed to be installed in Wetland 014 (DEC wetland LP-22). Five (5) transmission structures are proposed to be installed in delineated Wetland 016 (DEC wetland GA-22). Ten (10) transmission structures are proposed to be installed in delineated Wetland 018 (DEC wetland (GA-21). Three (3) transmission structures are proposed to be installed in delineated Wetland 020 (DEC wetland GA-6).

No tree clearing is anticipated within Segment 2.

Segment 3

One (1) PEM/PFO wetland was delineated along the portion of the Project area designated as Segment 3. Common plant species present in these wetlands included common reed (phragmites australis), narrowleaf cattail (Typha angustifolia) and purple loosestrife (Lythrum salicaria). Soils within Segment 3 consisted of Appleton silt loam, Cayuga and Cazenovia silt loams, Hilton silt loam, Lakemont silty clay loam, Madalin silt loam, Odessa silt loam, Ontario loam and Ovid silt loam. One NYSDEC regulated wetland (MD-1) occurs within Segment 3, which is a Class I wetland.

There are currently three (3) existing transmission structures located in delineated wetlands within Segment 3. These three (3) existing structures are located within delineated Wetland 027 (DEC wetland MD-1). Five (5) proposed structures are to be located within delineated Wetland 027 (DEC wetland MD-1). No structures are anticipated to be within a NYSDEC 100-foot adjacent area.

Segment 3 will require the clearing of approximately 0.44-acres of forested wetland within delineated Wetland 027 (DEC wetland MD-1) which is also located in NYSDEC Tonawanda Wildlife Management Area (WMA).

Segment 4 Existing

One (1) PEM/PSS wetland was delineated within the portion of the Project area designated as Segment 4 Existing. Common plant species present in the wetland consisted of sensitive fern (Onoclea sensibilis), common reed (phragmites australis), narrowleaf cattail (Typha angustifolia), purple loosestrife (Lythrum salicaria) and button bush (Cephalanthus occidentalis). Additional plant species information is located in the Wetland and Watercourse Delineation Report submitted with the Article VII Application (Appendix F). *Soils within the existing Segment 4 consisted of Appleton silt loam, Arkport very fine sandy loam, Canandaigua silt loam, Canandaigua mucky silt loam, Elnora loamy fine sand, Galen very fine sandy loam, Hilton silt loam, Lamson very fine sandy loam, Madalin silt loam, Ontario loam and Rhinebeck silt loam. Three (3) NYSDEC regulated wetlands (AK-2, AK-3 and AK04) occur within Segment 4 Existing, which are all Class 2 wetlands.*

There are currently sixteen (16) existing transmission structures located in the delineated wetlands within Segment 4 Existing. All sixteen (16) existing structures mentioned above, are located within NYSDEC regulated wetlands (AK-2, AK-3 & AK-4) which are also within the NYSDEC Tonawanda WMA. One (1) of the existing transmission structures is located within a NYSDEC 100-ft adjacent area.

There is no clearing of forested wetland proposed on Segment 4 Existing.

Segment 4 Relocation

One (1) PEM/PSS/PFO wetland was delineated within the portion of the Project area designated as Segment 4 Relocation. Plant species present in the wetland consisted of sensitive fern (Onoclea sensibilis), common reed (phragmites australis), purple loosestrife (Lythrum salicaria) and button bush (Cephalanthus occidentalis). Soils within Segment 4 relocation consisted of Appleton silt loam, Arkport very fine sandy loam, Canandaigua silt loam, Canandaigua mucky silt loam, Elnora loamy fine sand, Fonda mucky silt loam, Galen very fine sandy loam, Lamson very fine sandy loam, Madalin silt loam, Ontario loam, Palms muck, Phelps gravelly loam, Water and Wayland soils complex. Three (3) NYSDEC regulated wetlands (AK-2, AK-3 and AK-4) occur within Segment 4 Relocation which are all Class 2 wetlands. Three (3) NYSDEC regulated wetlands (AK-2, AK-3 and AK-4) occur within Segment 4 Existing, which are all Class 2 wetlands.

No existing transmission structures are currently within Section 4 Relocation. There are currently fifteen (15) proposed transmission structures to be relocated in the delineated wetland 023 (DEC wetland AK-2, AK-3, and AK-4) which are also within the NYSDEC Tonawanda WMA.

Segment 4 Relocation will require the tree clearing of approximately 0.29-acres in Wetland 023. Please refer to Appendix A, Appendix C and the Wetland and Watercourse Delineation Report submitted with the Article VII Application (Appendix F) for reference of tree clearing areas.

Segment 5

Two (2) PEM/PSS wetlands were delineated within the portion of the Project area designated as Segment 5. Plant species present in these wetlands included sensitive fern (Onoclea sensibilis), common reed (phragmites australis), purple loosestrife (Lythrum salicaria), gray dogwood (Cornus racemose), green ash (Fraxinus pennsylvanica), pussywillow (Salix discolor), reed canary grass (Phalaris arundinacea) and button bush (Cephalanthus occidentalis). Soils within Segment 5 consisted of Arkport very fine sandy loam, Canandaigua silt loam, Canandaigua mucky silt loam, Canandaigua mucky silt loam, Collamer silt loam, Galen very fine sandy loam, Lakemont silty clay loam, Madalin silt loam, Niagara silt loam and Scio silt loam. One (1) NYSDEC regulated wetland (Ak-4) occurs within Segment 5, which is a Class 2 wetland.

There are currently six (6) existing transmission structures located in delineated wetlands within Segment 5. Five (5) existing transmission structures are located within delineated Wetland 023 (DEC Wetland AK-4) which is also within the Tonawanda WMA. One (1) existing transmission structure is located within delineated Wetland 028.

There are currently five (5) proposed transmission structures to be located in delineated wetlands within Segment 5. Four (4) proposed transmission structures are to be located within delineated Wetland 023 (DEC Wetland AK-4) which is also within the Tonawanda WMA. One (1) proposed transmission structure is to be located within delineated Wetland 028.

Segment 7

One (1) PEM/PUB wetland was delineated along the portion of the Project area designated as Segment 7. Plant species present in these wetlands included reed canary grass (Phalaris arundinacea), common reed (phragmites australis) and narrowleaf cattail (Typha angustifolia). Soils within Segment 7 consisted of Canandaigua silt loam, Collamer silt loam, Hilton silt loam, Lima silt loam, Minoa very fine sandy loam, Niagara silt loam, Odessa silt loam, Ontario loam, Ovid silt loam, Romulus silt loam, Schoharie silt loam and water. There are no NYSDEC wetlands within Segment 7, however it is within the John White WMA.

There is currently one (1) existing structure located in the delineated Wetland 022 within Segment

7, and one (1) proposed structed is to be located within the delineated Wetland 022.

There is no clearing of forested wetland proposed in Segment 7.

Best Management Practices (BMPs) such as the installation of erosion and sediment control devices to prevent the introduction of sediment into aquatic resources will be carried out from the beginning to the end of construction in accordance with the approved SWPPP provided in Appendix G. All erosion and sediment control devices prescribed by the SWPPP are shown on the EM&CP Plan and Profile Drawings. Upon the completion of construction, all disturbed areas will be restored and seeded and mulched with a conservation seed mix to restore bank stability, habitat and vegetative cover. SWPPP inspections will occur at the frequency identified in the SWPPP provided in Appendix G until construction is completed and all disturbed areas have been stabilized and will then continue every 30 days until all disturbed areas have achieved 80% vegetative cover.

National Grid will submit a pre-construction notification and application package for authorization to proceed under a Nationwide Permit to the USACE. After consultation with the USACE, National Grid assumes that wetland credits will be purchased from Ducks Unlimited to satisfy the USACE wetland mitigation requirements. National Grid will work with the DPS Staff and the NYSDEC to prepare an acceptable on-site wetland mitigation plan to satisfy the NYSDEC wetland mitigation requirements within 6 months of the start of construction. More information regarding the wetland mitigation plan can be found in National Grid's response III.B.21. A conceptual wetland mitigation plan will be provided in Appendix R.

CONDITION 104. The Certificate Holder shall inform the USACE of any changes in the design of the Project that have the potential to impact any water resources under USACE jurisdiction and shall provide a copy of such correspondence to the Secretary with the USACE response.

NG Response: *National Grid will comply.*

CONDITION 105. NYSDEC Staff field representatives shall be permitted on the Project site. The NYSDEC Staff field representatives will notify the DPS Staff representative and the Certificate Holder's appropriate representative of any activities that violate or may violate either the terms of the Certificate, any permits issued by the NYSDEC, the ECL and/or 6 NYCRR.

NG Response: *National Grid will comply.*

N. Agricultural Resources

CONDITION 106. The Certificate Holder shall comply with the below guidelines for the Project ROW:

a) The Certificate Holder shall retain a qualified agricultural inspector for each phase of Project development, including design, construction, initial restoration, post-construction monitoring and follow-up restoration. The agricultural inspector shall be available to provide site-specific agricultural information as necessary for EM&CP development through field review, as well as to have direct contact with affected farm operators, County Soil and Water Conservation Districts, NYSAGM and others. The agricultural inspector shall maintain regular contact with the environmental inspector and/or the construction inspector throughout the construction phase. The agricultural inspector also shall maintain regular contact with the affected farmers and County Soil and Water Conservation Districts concerning farm resources and management matters pertinent to the agricultural operations and the site-specific implementation of the EM&CP. Whenever the Certificate Holder submits a request for an EM&CP change concerning agriculture, it shall consult with NYSAGM.

b) The Certificate Holder shall identify Black Cherry trees located on the ROW near active livestock use areas during EM&CP development. During the clearing phase, such vegetation shall be disposed of in a manner which prevents access by livestock.

c) As part of the line-location surveys conducted during the preparation of the EM&CP, the Certificate Holder shall locate all commercial sugarbushes maintained for maple syrup production within the ROW. The Certificate Holder shall attempt to adjust the centerline location within the ROW to avoid such operations.

d) The Certificate Holder shall design the Project to the extent possible to avoid or limit the placement of structures on crop fields or on other active agricultural land where the structures may significantly interfere with normal agricultural operations or activities. Where the location of a structure on such agricultural land is unavoidable, the Certificate Holder shall attempt to site the structure in a location that minimizes impact to normal farming operations.

e) During preparation of the EM&CP, a detailed drainage line repair procedure shall be

developed, in consultation with the local Soil and Water Conservation District, for the repair of crushed/severed clay tile and plastic drain lines. Drawings showing the generic technique to be implemented for drain line repairs shall be provided by the Certificate Holder. All new plastic drain tubing shall meet or exceed the AASHTO M252 specifications. The plan for the replacement of functional stone drainage systems severed during construction shall be prepared during the restoration phase, in consultation with NYSAGM and/or the Soil and Water Conservation District.

f) Where construction entrances are required from public roadways to the ROW in agricultural fields, an underlayment of durable, geotextile fabric shall be placed over the exposed subsoil surface prior to the use of temporary gravel access fill material. Complete removal of the construction entrance upon completion of the Facility and restoration of the affected site is required prior to topsoil replacement, except where retention of the construction entrance would be more conducive to the existing land use than removal, and is agreeable to the agricultural land owner.

g) Segments of existing farm roads utilized for access shall be improved as required following consultation with the farm operator and NYSAGM prior to use. Such improvements shall include the installation of geotextile fabric and crushed stone.

h) Farm drainage features, fences and gates affected by construction shall be rebuilt to like new condition upon completion of construction. The base of all new posts shall be secured to a reasonable depth below the surface to prevent frost heave.

i) Mats may be installed as an alternative to topsoil stripping. If so, the mats shall be layered where necessary to provide a level access surface. Once access is no longer required across agricultural areas, the mats shall be removed and the agricultural inspector shall use a soil penetrometer to determine if soil compaction has occurred as a result of construction activities. All compacted areas shall be remediated as specified below.

j) Where the installation of mats is not practical, such as access roads, work pads associated with pole structures, wire pulling sites and marshalling yards (laydown yards), the topsoil shall be removed, including all of the “A” horizon down to the beginning of the subsoil “B” horizon, generally not to exceed a maximum of 12 inches. Topsoil removal up to a depth of 16 inches may be required in specially designated soils encountered along the route and identified in the EM&CP. All topsoil shall be stockpiled directly adjacent to the travel

way on the ROW and separated from other excavated materials. The agricultural inspector shall determine depth of topsoil stripping on each affected farm by means of the County Soil Survey and on-site soil augering, if necessary. All topsoil material shall be stripped, stockpiled, and uniformly returned to restore the original soil profile. During the clearing/construction phase, site specific depths of topsoil stripping shall be monitored by the agricultural inspector.

k) If blasting is required in agricultural areas of till over bedrock, the blasting plan in the EM&CP shall require that: the Certificate Holder use matting or controlled blasting to limit the dispersion of blast rock fragments; all blasted rock not used as backfill shall be removed from croplands, haylands and improved pastures; the till and topsoil shall be returned in natural sequence to restore the soil profile; and the Certificate Holder give farm owners/operators timely notice prior to blasting on farm property.

l) During the restoration phase of the Project, the Certificate holder shall remove the crushed stone and geotextile fabric. In all agricultural sections of the ROW disturbed during construction, the Certificate Holder shall break up the subsoil compaction with deep tillage by such devices as a deep-ripper (subsoiler). Soil compaction results should be no more than 250 pounds per square inch (PSI) as measured with a soil penetrometer. Following the deep ripping (with tractor drawn farming equipment), all stone and rock material 4 inches and larger in size which has been lifted to the surface shall be collected and taken off site for disposal. The topsoil that has been temporarily removed for the period of construction shall then be replaced. Finally, deep subsoil shattering shall be performed, if the decompaction requirements are not met, with a subsoiler tool having angled legs. Stone removal shall be completed, as necessary, to eliminate any additional rocks and stones brought to the surface as a result of the final subsoil shattering process. In the event that subsequent construction or clean-up activities result in additional compaction, additional deep tillage should be performed to alleviate such compaction.

m) Soil compaction should be tested using an appropriate soil penetrometer or other soil compaction measuring device. Compaction tests will be made for each soil type identified on the affected agricultural fields. The soil compaction test results within the affected area will be compared with those of the adjacent unaffected portion of the farm field/soil unit. Where representative subsoil density of the affected area exceeds the representative soil density of the unaffected areas, additional shattering of the soil profile will be performed

using the appropriate equipment. Deep shattering will be applied during periods of relatively low soil moisture to ensure the desired mitigation and to prevent additional soil compaction. Oversized stone/rock material which is uplifted to the surface as a result of the deep shattering will be removed.

n) After topsoil replacement and seedbed preparation, apply seed and soil amendments in accordance with the NYSAGM recommendations contained in Fertilizer, Lime, and Seeding Recommendations for Restoration of Construction Projects on Farmland in New York (revised 9-25-2012) or as specified by the landowner.

o) All structures and guy anchors removed from agricultural areas as part of the construction activities should be removed to a minimum depth of 48 inches below the soil surface. All holes or cavities created by the removal of the old facilities shall be filled to the same level as the adjacent area, plus 6 to 12 inches of additional soil to allow for settling. All material will be slightly mounded to accommodate for settling.

p) Wherever existing structures are removed from agricultural fields, the immediate area will be restored to be compatible with agricultural production. Such restoration should include the removal of concrete foundations and steel structures down to a minimum of 48” below the ground surface, the removal of all vegetation from the structure area, and grading of the ground surface to match the adjacent field. All rocks 4 inches and greater in size shall be removed from the surface.

q) At the end of all construction, the ROW and respective work areas, including guying wire assembly and disassembly sites, shall be thoroughly cleared of debris such as nuts, bolts, spikes, wire, pieces of steel, and other assorted items.

r) The Certificate Holder shall provide a monitoring and remediation period of two growing seasons following completion of ROW restoration in active agricultural areas. The Certificate Holder shall retain the services of an agricultural inspector on at least a part-time basis through this period. The monitoring and remediation phase shall be used to identify any remaining agricultural impacts associated with ROW construction that are in need of mitigation and to implement the follow-up restoration.

s) During the monitoring and remediation period, on site monitoring shall be conducted at least three times during each growing season and shall include a comparison of growth

and yield for crops on and off the ROW. When the subsequent crop productivity within the affected ROW is less than that of the adjacent unaffected agricultural land, the agricultural inspector, in conjunction with the Certificate Holder and other appropriate organizations, shall help to determine the appropriate rehabilitation measures for the Certificate Holder to implement (soil de-compaction, topsoil replacement, etc.). During the various stages of the Project, all affected farm operators shall be periodically apprised of the duration of remediation by the agricultural inspector. Because conditions which require remediation may not be noticeable at or shortly after the completion of construction, the end of the remediation period shall not obviate the Certificate Holder's responsibility to fully redress all Project impacts, and the Certificate Holder shall continue to respond to the reasonable requests of the farmland owner/operators to correct Project related effects on the impacted agricultural resources after completion of the specific remediation period.

t) The Certificate Holder shall provide all farm owners/operators with a telephone number to facilitate direct contact with the Certificate Holder and the agricultural inspector(s) through all of the stages of the Project. The farm owner/operators shall also be provided with a telephone number to facilitate direct contact with the Certificate Holder's Project Manager (or other representative of the Certificate Holder) for the Project during operation and maintenance of the transmission line.

u) The agricultural inspector shall work with the farm operators during the planning phase to develop a plan to delay the pasturing of the ROW, following construction until pasture areas are adequately revegetated. The Certificate Holder shall be responsible for maintaining the temporary fencing on the ROW until the agricultural inspector determines that the vegetation on the ROW is established and able to accommodate grazing. At such time, the Certificate Holder shall be responsible for removal of the fences.

v) On affected farmland, restoration practices shall be postponed until favorable (workable, relatively dry) topsoil/subsoil conditions exist. Restoration shall not be conducted while soils are in a wet or plastic state. Stockpiled topsoil shall not be regraded until plasticity, as determined by the Atterberg field test is significantly reduced. No Project restoration activities shall occur in agricultural fields between the months of October through May unless favorable soil moisture conditions exist. The Certificate Holder shall monitor and advise NYSAGM and DPS Staff regarding tentative restoration planning. Potential schedules will be determined by conducting the Atterberg field test at appropriate depths

into topsoil stockpiles, and below the traffic zone for a mutual determination of adequate field conditions for the restoration phase of the Project.

w) Topsoil stockpiles on agricultural areas left in place prior to October 31 shall be seeded with Aroostook Winter Rye or equivalent at an application rate of 3 bushels (168 #) per acre and mulched with straw mulch at rate of 2 to 3 bales per 1000 sq. ft. Topsoil stockpiles left in place between October 31 and May 31 shall be mulched with straw mulch at a rate of 2 to 3 bales per 1000 sq. ft. Straw (not hay) mulch shall be used to prevent soil loss on stockpiled topsoil from October through May.

NG Response: *National Grid will comply, except regarding Condition 106l, where installed permanent gravel access roads will remain on fee-owned land between structures 77-86 and 94-116-1. Agriculture guidelines are presented in Appendix T.*

O. Petroleum and Hazardous Substances

CONDITION 107. The EM&CP shall include Fuel and Chemical Handling Procedures, and a spill response and route emergency plan, including the NYSDEC spill reporting contact number and the Certificate's reporting requirements. This plan shall provide proposed methods of handling spills of petroleum products and any hazardous or controlled substance which may be stored or utilized during construction, operation, or maintenance of this Facility.

NG Response: *National Grid will comply. National Grid and its Contractors will implement precautions during the storage, handling and transporting of fuels, oils, chemicals and other potentially harmful substances to avoid spills and releases to the environment. National Grid and its Contractors will take precautions to prevent spillage and will not store, mix, or load these materials beneath trees or within 100 feet of any wetlands, river, stream, or other body of water. Any hazardous substances will be transported, stored and handled as recommended by suppliers and/or manufacturers and in compliance with all applicable federal or state regulations. Specific procedures for the handling of petroleum and chemicals are put forth in Responses III.B.14a and III.B.14b of this EM&CP.*

Typical chemicals and waste anticipated for the Project are identified in Table V-1 in Appendix V along with copies of National Grid's spill reporting and cleanup procedures. A list of emergency contact personnel and area hospitals and a map showing the location of the nearest hospitals are provided in Appendix K.

CONDITION 108. All Certificate Holder and Contractor vehicles working on the Project shall have a spill kit that is appropriate for the volume of fuel carried by the vehicle.

NG Response: *National Grid will comply.*

CONDITION 109. The Certificate Holder's contractor will retain a qualified spill response company for the duration of the Project and provide that company with maps showing access roads, marshalling yards, and other information that will facilitate response to a spill location.

NG Response: *National Grid will comply.*

CONDITION 110. Equipment refueling, maintenance, and repair shall be conducted a minimum of 100 feet away from any wetland or waterbody, to the maximum extent practicable, unless otherwise specified in the EM&CP, which shall specify protective measures against spills.

NG Response: *National Grid will comply. Procedures for refueling are found in NG's Response to Condition III.B.14a.*

CONDITION 111. Stationary fuel tanks and hazardous chemical storage shall be a minimum of 300 feet from streams, waterbodies and wetlands; provided that, if minimum setback cannot be achieved, the approve EM&CP shall provide justification and demonstrate that impacts have been avoided or minimized to the maximum extent practicable, such as adequate secondary containment (containing at least 110% of the volume stored).

NG Response: *National Grid will comply. There are currently no plans for stationary fuel tanks or hazardous chemical storage within 300 feet of streams or wetlands. NG will notify DPS Staff of any changes.*

P. Contractors and Contractor Supplies / Materials

CONDITION 112. If an OSHA Recordable accident occurs in connection with work on the Project, the Certificate Holder shall report any such accident to DPS Staff as soon as possible. A copy of the accident report, if any, shall be provided to DPS Staff after it has been finalized.

NG Response: *National Grid will comply.*

CONDITION 113. The Certificate Holder shall provide DPS Staff with a copy of any police report and any insurance claim filed in connection with any theft of Project-related materials, as well as

a list of the stolen items.

NG Response: *National Grid will comply.*

CONDITION 114. A field review shall be conducted by the Certificate Holder to determine compliance with its design on a monthly basis and prepare a written report of the Company's findings on whether the Project is being constructed in accordance with the EM&CP design for the Project. The Certificate Holder shall provide a copy of each such report to DPS Staff within three (3) business days after the Certificate Holder receives the report. The Certificate Holder shall notify DPS Staff of when the field reviews will occur.

NG Response: *National Grid will comply.*

CONDITION 115. If the Contractor installs materials, structures, or components that do not conform to the specifications described in the EM&CP, the Certificate Holder shall, after becoming aware of such incident, prepare and deliver to the Chief of EC&C a summary report detailing the incident, the steps to be taken to rectify the mistake, the material and labor costs associated with rectifying the incident, and the manner in which such costs will be accounted for separately from other Project costs.

NG Response: *National Grid will comply.*

CONDITION 116. The Certificate Holder shall develop a quality control plan ("Quality Control Plan") for inclusion in the EM&CP describing how it will ensure that the major transmission line components it purchases for the Project conform to the specification for such components described in such EM&CP. At a minimum, the Quality Control Plan shall include: (i) the qualifications of the individual(s) who will conduct audits under the Quality Control Plan ("Quality Control Audits"); and (ii) the frequency with which the Quality Control Audits will be performed.

NG Response: *National Grid will comply. A copy of the Quality Control Plan is provided in Appendix U.*

CONDITION 117. Manufacturer recommendations for materials storage will be followed and materials will be stored in an orderly fashion, secured and protected from damage. To better ensure a safe working environment for all persons at each Project worksite, the Certificate Holder shall require its contractors or subcontractors, before any person who is authorized by the Certificate Holder to be present at the site that day, or any representative of a regulatory agency

present on official business, commences performing or observing Project activities, to give such person an on-site tailboard safety briefing. The Certificate Holder shall ensure that: (a) any document that a person participating in a tailboard safety briefing is required to sign at such briefing is legible; and (b) the person conducting the briefing shall use his/her best efforts to give accurate and complete responses to all requests by such persons for clarification of the scope of work, construction methodology, and other pertinent personal safety information. If a person participating in a tailboard safety briefing who signed such a document desires a copy thereof, he/she shall request it in writing and the Certificate Holder shall provide a copy thereof to the requester within 48 hours of the request.

NG Response: *National Grid will comply.*

Q. Invasive Species

CONDITION 118. The Certificate Holder shall prepare an Invasive Species Management Plan in accordance with the Invasive Species Management Plan Specifications in Appendix G to the Joint Proposal and in consultation with and accepted by DPS Staff and NYSDEC. The Certificate Holder shall implement said Invasive Species Control Plan as part of the approved EM&CP.

NG Response: *National Grid will comply. A copy of a draft Invasive Species Management Plan developed in consultation with DPS Staff, NYSAGM and NYSDEC is provided in Appendix M.*

R. Water Quality Certification

CONDITION 119. To obtain a Water Quality Certification from the Commission in connection with its application(s) for permit(s) under Section 404 of the Federal Water Pollution Control Act authorizing construction work in federal-jurisdictional waters and wetlands, the Certificate Holder shall comply with applicable federal and state regulations and complete any then-applicable forms and preapplication requirements for filing with the Secretary and submittal to the Chief of EC&C or their designee, pursuant to §401 of the Federal Water Pollution Control Act.

NG Response: *National Grid anticipates that a Water Quality Certificate will be issued upon approval of the EM&CP. A copy of the 401 Water Quality Certification once received from DPS can be found in Appendix AF. National Grid will comply with applicable federal and state regulations and complete any preapplication requirements for filing with the Secretary and submittal to the Chief of EC&C or their designee, to obtain a Water Quality Certification from the*

Commission pursuant to the federal Clean Water Act for construction work in federal jurisdiction waters and wetlands.

III. SPECIFICATIONS FOR THE DEVELOPMENT OF ENVIRONMENTAL MANAGEMENT AND CONSTRUCTION PLAN

Section A of the Specifications for the Development of Environmental Management and Construction Plan (Specifications) addresses the development of the plan and profile drawings, and maps portion of the Environmental Management and Construction Plan (EM&CP).

Section B addresses the description and statement of objectives, techniques, procedures, and requirements, i.e. the textual portion of the EM&CP. A table of contents will be included for the EM&CP and each section, appendix or exhibit containing ten or more pages. If any particular requirement of the Specifications is not applicable, so indicate and briefly explain.

A. EM&CP Plan and Profile Drawings And Maps

The EM&CP maps, charts, photostrip maps, and illustrations shall include, but need not be limited to, the following information:

1. Plan and Profile Details

A Line1[8] Profile (at an appropriate scale) and plan drawings (scale minimum 1 inch = 200 feet)[9] showing:

a) The boundaries of any new, existing, and/or expanded right-of-way (ROW)[10] or road boundaries, and where cables are to be constructed overhead or underground; plus, areas contiguous to the ROW or street within which the Certificate Holders will obtain additional rights.

b) The location of each Facility structure (showing its height, material, finish and color, and type), structural foundation type (*e.g.*, concrete, direct bury), fence, gate, down-guy

[8] The lowest conductor of an overhead design shall be shown in relation to ground at the maximum permissible conductor temperature for which the line is designed to operate, i.e., normally the short-time emergency loading temperature. If a lesser conductor temperature is used for the line profile, the maximum sag increase between the conductor temperature and the maximum conductor temperature shall be indicated for each ruling span. For underground project design, show relation of project to final surface grade, indicating design depth-of-cover.

[9] Contour lines (preferably at 5-foot intervals) are desirable on the photostrip map if they can be added without obscuring the required information.

[10] The term "right-of-way" in these Specifications includes property, whether owned in fee or easement, to be used for substations, disposal sites, underground terminals, storage yards, and other associated facilities. Where such cannot reasonably shown on the same plan or photo-strip, maps or plan drawings used for the transmission line, additional maps or drawings at convenient scales should be used.

anchor, and any counterpoise required for the Facility (typical counterpoise drawings will suffice recognizing that before field testing of installed structures the Certificate Holder may be unable to determine the specific location of all required counterpoise), conductors, insulators, mid-span splices, and static wires and other components attached to Facility structures.

c) Existing utility or non-utility structures on the ROW and indicate those to be removed or relocated (include circuit arrangements where new structures will accommodate existing circuits, indicate methods of removal of existing facilities, and show the new locations, types and configurations of relocated facilities).

d) Any underground utility or non-utility structure.

e) The relationship of the Facility to nearby fence lines; roads;trails; railways; airfields; property lines; hedgerows; surface waters; wetlands; other water bodies; significant habitats; associated facilities; flowing water springs; nearby buildings or structures; major antennas; oil or gas wells, and blowdown valves.

f) The location of any proposed new or expanded switching station, substation, or other terminal or associated utility or non-utility structure (attach plan[11] - plot, grading, drainage, and electrical - and elevation views with architectural details at appropriate scales). Indicate the type of outdoor lighting, including design features to avoid off-site illumination and minimize glare; the color and finish of all structures; the locations of temporary or permanent access roads, parking areas, construction contract limit lines, property lines, designated floodways and flood-hazard area limits, buildings, sheds, relocated structures, and any plans for water service and sewage and waste disposal.

g) The location and boundaries of any areas whether located on- or off- ROW proposed to be used for fabrication, designated equipment parking, staging, access, lay-down, and conductor pulling. Indicate any planned fencing, surface improvements, and screening of storage and staging areas.

h) The locations for ready-mix concrete chute washout and any other cleaning activities (e.g., control of invasive species).

[11] Preferably 1” = 50’ scale with 2-foot contour lines

NG Response III.A.1a: *The boundaries of any new, existing and/or expanded ROW or road boundaries and where cables are to be constructed overhead or underground plus areas contiguous to the ROW or street within which National Grid will obtain additional rights are shown on the EM&CP Drawings in Appendix A. A description of each Project segment and the additional rights required for that respective segment is provided in Response III.B.1 and in Table B-1 in Appendix B.*

NG Response III.A.1b: *The location of each facility structure, the proposed structure type, height, finish, and foundation type is depicted on the EM&CP Drawings in Appendix A. Appendix AA provides detailed drawings for the proposed structure types and indicates specific dimensions for structure arms and phase spacing along with applicable hardware assemblies associated with each structure. Appendix AB provides detailed hardware assembly drawings associated with the Project and Appendix AC shows examples of proposed fences, gates and temporary guard structures to be installed for the wire-stringing phase at road and underbuilt overhead utility crossings. Each type of structure and configuration showing size, type, conductors, and static wires and other components attached to Project structures are listed at each structure location and on tables on the EM&CP Drawings in Appendix A.*

NG Response III.A.1c: *The locations of existing utility and non-utility structures on the ROW are shown on the EM&CP Drawings in Appendix A. Locations where existing utility and non-utility structures will be removed or relocated are annotated accordingly. The Facility's conductor clearances from existing distribution and communication facilities and from any proposed relocated distribution or communication facilities are also shown on the EM&CP Drawings.*

NG Response III.A.1d: *All known underground utility and non utility structures are shown on the EM&CP Drawings in Appendix A. Underground facilities were identified based on observable above ground features, design Dig Safe information and input from adjacent landowners.*

NG Response III.A.1e: *The location of the Facility in relationship to nearby fence lines, roads, railways, airfields, property lines, hedgerows, fresh surface waters, wetlands, other water bodies, significant habitats, associated facilities, flowing water springs, nearby buildings or structures and major antennas is shown on the EM&CP Drawings in Appendix A. There are no oil or gas wells or blowdown valves in the Project area.*

NG Response III.A1f: *The Project does not involve the construction of any new substations or the expansion of any existing substations.*

NG Response III.A1g: *The location of one off-ROW marshalling yard as well as the boundaries of all other areas proposed to be used for fabrication, designated equipment parking, staging, access, lay-down, and conductor pulling and splicing along with any planned fencing and surface improvements are shown on the EM&CP Drawings in Appendix A. There is no screening planned for any storage area, staging area or marshalling yard.*

NG Response III.A.1h: *Concrete washout stations will be established within the bounds of the construction work areas with the final locations determined by the Contractor Construction Inspector or appropriate designee and the Environmental Inspector. Concrete washout stations shall not be located in state or federal wetlands, state regulated 100 foot adjacent areas or within 100 feet of streams or waterbodies. Waste collected at the concrete washouts will be removed from the Project ROW and disposed of at an off-site location approved by DPS staff.*

The general locations of invasive species cleaning areas are shown on the EM&CP Drawings. The final locations will be determined by the Construction Supervisor or the Environmental Inspector. The proposed locations are based on the results of the invasive species inventory which can be found in Appendix M. Vehicles, equipment and materials (including matting) will be cleaned of any visible soils, vegetation, insects and debris at the stations and the accumulated matter will remain in the invasive infested area of the ROW.

2. Stormwater Pollution Prevention

a) Include on the plan and profile drawings the acknowledged Storm Water Pollution Prevention Plan (SWPPP) details. Include the locations of soil erosion and sediment control measures developed in accordance with the latest version of the New York Standards and Specifications for Erosion and Sediment Control (e.g., stabilized construction entrances, silt fences, check dams, and sediment traps).

b) Include on the plan and profile drawings the approved SWPPP locations of all permanent stormwater management controls that are required based on site-specific conditions or conditions of the Certificate.

NG Response III.A.2a and 2b: *All erosion and sediment control measures prescribed in the SWPPP along with the locations of all permanent stormwater management controls are shown on the EM&CP Drawings in Appendix A. A copy of the approved and acknowledged SWPPP document is provided in Appendix G. All erosion and sediment control practices are in*

conformance with the technical standards found in the NYS Standards and Specifications for Erosion and Sediment Control (Blue Book) dated November 2016. The approved SWPPP as presented in Appendix G also includes MS4 review and approval by the Town of Lockport. The MS4 Acceptance Form can be found in the SWPPP document in Appendix G.

3. Vegetation Clearing and Disposal Methods

Identify on the plan and profile drawings:

a) The locations of sites requiring trimming or clearing of vegetation and the geographic limits of such trimming or clearing;

b) The specific methods for the type and manner of cutting and disposition or disposal method for cut vegetation (e.g., chip; cut and pile; salvage merchantable timber, etc.);

c) The methods for management of vegetation to be cut or removed at each site;

d) Any geographical area bounded by distinctly different cover types requiring different cut-vegetation management methods;

e) Any geographical area bounded at each end by areas requiring distinctly different cut-vegetation methods due to site conditions such as land use differences, population density, habitat or site protection, soil or terrain conditions, fire hazards, or other factors;

f) Different property-owners requesting specific vegetation treatment or disposal methods;

g) Areas requiring (off-ROW) danger tree removal; and,

h) The location of any areas where specific vegetation protection measures will be employed and the details of those measures to avoid damage to specimen tree stands of desirable species, important screening trees, or hedgerows.

NG Response III.A.3a-3h: *All areas that require the trimming or clearing of vegetation as well as the prescribed slash disposal types are shown on the EM&CP Drawings in Appendix A. In general, the right-of-way will be cleared fifty feet (50') on each side of the proposed centerline, all work areas and access roads will be mowed, and danger trees, on and off ROW, will be removed along the entire length of the Project after notification and approval by DPS. A description of each clearing and slash disposal method can be found in Appendix F and on the Notes Pages of the*

EM&CP Drawings. Lists of desirable low growing tree and shrub species that may, depending on site specific characteristics and location, be compatible with the Facility can be found in Appendix F. The off-site disposal of woody material, chips and stumps will be on an as-needed basis. The off- site disposal of any material will require prior approval by National Grid and DPS Staff.

Drop/lop tree cutting will be performed in NYSDEC wetlands and the Tonawanda WMA under the following conditions:

- *No trees should be dropped on or near dikes, ditches, mowed administrative roads/areas, grassland/agricultural fields, or in emergent marsh/water areas where logs may end up blocking control boxes.*
- *Trees should not be dropped in phragmites area.*
- *Trees should be dropped and/or dragged into dryer parts of woods. Placing logs on tops of invasive shrubs such as honeysuckle and autumn olive is also encouraged to help discourage these species.*
- *In the area of woods between North/South Feeder Marshes and the Tonawanda WMA east boundary, trees should not be dropped in vernal pools. One area of vernal pool/wet woods that should be avoided is located between Structure 166 and 167.*

4. Building and Structure Removal

Indicate the locations of any buildings or structures to be acquired, demolished, moved, or removed.

NG Response III.A.4: *Table 1 in Appendix O identifies all buildings and structures that presently occupy the Project ROW and those that will have to be removed for construction of the Project. Those buildings and structures that do not have to be removed for the construction of the Project will be evaluated in accordance with National Grid's ROW Encroachment Plan provided in Appendix O for a determination of compatibility and licensing, rectification and licensing, or removal.*

5. Waterbodies

a. Indicate the name, water quality classification and location of all rivers and streams,

(whether perennial and intermittent) and drainages crossed by the proposed ROW or any off-ROW access road constructed, improved, or maintained for the Facility. On the plan and profile drawings, indicate:

i. Stream crossing method and delineate any designated streamside "protective or buffer zone" in which construction activities will be restricted to the extent necessary to minimize impacts on rivers and streams;

ii. The activities to be restricted in such zones; and,

iii. Identify any designated floodways or flood hazard areas to be traversed by the Facility or access roads, or otherwise used for Facility construction or the site of associated facilities.

b. Show the location of all potable water sources, including springs and wells on the ROW or within 100 feet of the ROW or access roads, indicating, on a site-by-site basis, precautionary measures to be taken to protect each water source.

NG Response III.A.5a: *Field-verified aquatic resources and waterbodies and available floodways data in the form of FEMA 100-year floodplains are shown on the EM&CP Drawings in Appendix A. Streams and waterbodies are keyed into Table C-3 in Appendix C where the waterbody name, water quality classification, water index number, GPS coordinates and proposed crossing method, if applicable, are provided in tabular form.*

All streams are considered to have a one hundred (100) foot buffer zone on each side which will be marked in the field by the Environmental Inspector or designee prior to construction. Activities restricted in streamside buffer zones ***"Restricted Activities"*** *are as follows:*

a) *Concrete washout areas shall be located a minimum of one hundred (100) feet away from any waterbody or wetland. If the minimum setback cannot be achieved, the approved EM&CP shall provide justification and demonstrate that impacts to waterbodies and wetlands from concrete washout areas shall be avoided or minimized to the maximum extent practicable.*

b) *Marshalling yards and staging areas constructed on previously undisturbed lands may be staged on timber mats within wetlands, state regulated wetland adjacent areas, or within fifty feet of waterbodies or streams.*

c) *All excess fill materials and spoils shall be completely removed to upland areas greater than one hundred (100) feet from waterbodies and wetlands.*

d) *Excavated soil material resulting from pole structure installation shall not be stored within one hundred (100) feet of streams, waterbodies or wetlands unless it is temporarily stored on construction mat(s) and the soil is properly contained to prevent runoff into such areas.*

e) *Stationary fuel tanks and hazardous chemical storage shall be a minimum of 300 feet from streams, waterbodies and wetlands unless (i) the approved EM&CP provides justification, including that impacts have been avoided or minimized to the maximum extent practicable or (ii) adequate secondary containment (containing at least 110% of the volume stored) is otherwise provided, in which case storage can occur within one hundred (100) feet of such resources.*

f) *Contractors will take precautions to prevent spillage of any petroleum or chemicals and will not store, mix, or load these materials within one hundred (100) feet of any waterbodies or wetlands.*

g) *Pumps used for trench dewatering or dam and pump crossings operating within 100 feet of a water body or wetland will be placed in properly sized and temporary secondary containment structures during their use.*

h) *All equipment operating within one hundred (100) feet of a waterbody, wetland, or rare plant or unique natural community will have sufficient spill-containment equipment on board to provide for prompt control and cleanup in the event of a release.*

***NG Response III.A.5b**: National Grid reviewed resources published by the NYSDEC Bureau of Water Resource Management for known locations of potable water sources to obtain information regarding potable water sources on or near the Facility ROW (DEC Info Locator). Based on this information, there was one domestic water supply (well) located on the Facility ROW about 150 ft from structure 184, DEC well ID: G566 located at 6680 Crosby Road, Basom NY 14013. However, this well is not within any areas of the project where work is going to be taking place.*

6. Wetlands

a. All wetlands and wetland 100-foot adjacent areas (adjacent areas) located within the ROW or crossed by the ROW or any off-ROW access road constructed, improved, or maintained

for the Facility shall be depicted on EM&CP drawings. The plan and profile drawings shall delineate the wetland "protective or buffer zone" in which construction activities will be restricted to the extent necessary to minimize impacts on wetlands.

b. Indicate the location and type (i.e., identification code for regulated town, state, or federal wetlands) of any wetland (e.g., marsh, meadow, bog, or scrub-shrub or forested swamp) within or adjoining the ROW or any access road, as determined by site investigation and delineation.

c. Indicate type and location of precautionary measures (e.g., mats) to be taken to protect all wetlands, associated drainage patterns, and wetland functions.

NG Response III.A.6: *The location and type of all wetland resources delineated along the ROW and access roads, both on-ROW and off-ROW, are shown on the EM&CP Drawings in Appendix A. The mapped wetland resources are keyed into the Tables in Appendix C which summarize the wetland information and provide details of all activities that will occur in wetlands. The precautionary measures to protect state and federal wetlands during construction are identified in NG's responses to Condition 103.*

The installation of erosion and sediment control devices to prevent the introduction of sediment into aquatic resources will be carried out from the beginning to the end of construction in accordance with the Project SWPPP (Appendix G). Erosion and sediment control devices prescribed by the SWPPP, including filter sock, silt fence, matting, stabilized construction entrance, and pervious access locations, are shown on the EM&CP Drawings. SWPPP inspections will take place every 7 calendar days until construction is completed and all disturbed areas have been stabilized except in areas which discharge to a 303(d) waterbody segment as identified in GP-0-25-001 (i.e., portions of stormwater from the site directly discharge to 303(d) segments of Oak Orchard Creek, between proposed structures 159-160, 161-162, 163-164, 173-185 and 185-186), or where disturbance will be greater than 5 acres of soil at any one time, in which case 2 inspections will occur every 7 calendar days for the duration of soil disturbance activities. The two inspections will be separated by at least 2 full calendar days. and will then continue every 30 days until all disturbed areas have achieved 80% vegetative cover (Appendix A). Upon the completion of construction, disturbed areas will be restored and seeded and mulched with a conservation seed mix to restore bank stability and establish vegetative cover.

7. Land Uses

a. Agricultural Areas

i. Indicate the locations of sites under cultivation or in active agricultural use including rotational pasture, pasture, hayland, and cropland.

ii. Indicate the location of any unique agricultural lands including maple sugarbushes, organic muckland and permanent irrigation systems, as well as areas used to produce specialty crops such as vegetables, berries, apples, and grapes.

iii. Indicate the location of vulnerable soils in agricultural areas that are more sensitive than other agricultural soils to construction disturbance due to slope, soil wetness, and shallow depth to bedrock.

iv. Indicate the location of all land and water management features including subsurface drainage, surface drainage, diversion terraces, buried water lines, and water supplies.

v. Designate the site-specific techniques to be implemented to minimize or avoid construction-related impacts to agricultural resources.

b. Sensitive Land Uses and Resources

Indicate the location and identification of sensitive land uses and resources that may be affected by construction of the Facility or by construction-related traffic (e.g., hospitals, emergency services, sanctuaries, schools, and residential areas).

c. Geologic, Historic, and Scenic or Park Resources

Indicate the locations of geologic, historic, and existing or planned scenic or park resources and specify measures to minimize impacts to these resources (e.g., fencing, signs).

d. Recreational

Indicate the locations where existing or planned recreational use areas, would affect or be affected by the Facility location, construction or other ROW preparation.

NG Response III.A.7.a.i: *Active agricultural land is found in portions of Segment 2 with hay fields*

and fallow lands and a cornfield is found in the eastern end of Segment 2 crossing over into Segment 3. National Grid will comply with the New York State Department of Agriculture and Markets' Guidelines for Electric Transmission Right-of-Way Projects on this portion of the Project. Appendix D "Agriculture Lands and Vulnerable Soils" provides a map of the project and areas in which the project traverses agriculture and vulnerable soils.

NG Response III.A.7.a.ii: *No unique agricultural lands, maple sugarbushes, organic muckland, permanent irrigation systems or areas used to produce specialty crops were identified along the Project ROW.*

NG Response III.A.7.a.iii: : *For the purpose of this project, vulnerable soils are those that are in potential agricultural areas (defined as soils with Farmland Classes of: "All areas are prime farmland" or "Farmland of statewide importance"), and soils that typically have slopes of 8% or greater, are poorly drained, and/or have less than 36" depth to bedrock. Based on this criterion, the vulnerable soils in the Project ROW are:*

- *Canandaigua silt loam (Ca) and (CaA);*
- *Lakemont silt clay loam (La) and (Lc);*
- *Madalin silt loam (Ma) and (Md);*
- *Massena fine sandy loam (Mf);*
- *Ontario loam (OnC);*
- *Romulus silt loam (RsA); and*
- *Sun silt loam (Sw).*

Appendix D includes a figure showing which areas have potential vulnerability throughout the project.

NG Response III.A.7.a.iv: *Land and water management features such as subsurface drainage, surface drainage, diversion terraces, buried water and sewer lines, and water supplies have been identified on EM&CP drawings in Appendix A.*

NG Response III.A.7.a.v: *National Grid will comply with the New York State Department of Agriculture and Markets documents entitled "Guidelines for Electric Transmission Right-of-Way Projects" and "Fertilizing, Lime and Seeding Recommendations for Restoration of Construction Projects on Farmlands in New York State" to minimize or avoid construction related impacts to agricultural resources. The referenced guidelines can be found in Appendix T.*

NG Response III.A.7.b: *The location of sensitive land uses and resources that may be affected by construction of the Facility or by construction-related traffic (e.g., hospitals, emergency services, sanctuaries, schools, and residential areas) are shown and annotated on the EM&CP drawings in Appendix A and this Table can be found within Appendix E. The recently built Lockport Memorial Hospital is approximately 1000-feet north of the Project ROW and is included in the Sensitive Land Uses table as well as residential areas adjacent to the Project ROW. The sensitive areas identified include the following:*

Sensitive Land Uses			
Structure Number	*Segment*	*Land Use*	*Name*
5,6,7	*1,2*	*Vacant/Commercial*	*Lockport Memorial Hospital*
8-1,9	*2*	*Residential*	*Glendale Dr*
52,53	*2*	*Residential*	*Akron Rd*
20	*2*	*Residential*	*Locust St*
24,32	*2*	*Residential*	*Royal Parkway North*
9,10	*2*	*Residential*	*Glendale Dr*
34-36	*2*	*Rural*	*Dysigner Rd, Bowmiller Rd*
21-24	*2*	*Residential*	*Sherman Dr*
139	*3*	*Rural*	*Lewiston Rd*
84-132	*2*	*Residential*	*Ward Rd, Royalton Center Rd, Lewiston Rd, Johnson Rd*
121-132	*3*	*Residential*	*Johnson Rd*
142	*4*	*Subdivision*	*Lewiston Rd*
170-172	*5*	*Residential*	*Lewiston Rd*
185-198	*7*	*Residential*	*Judge Rd*
211	*7*	*Residential*	*Groton Rd*

NG Response III.A.7.c: *There are no geologic, historic, and existing or planned scenic or park resources within or adjacent to the Project ROW. Given this, there will be no need to minimize impacts to these areas through use of signage and temporary construction fencing. Even though the Project does cross a OPRHP/SHPO CRIS mapped area for the National Register Listed (NR # 14NR06559) New York State Barge Canal Historic District (between Structures 2 and 3) which is within the Western Erie Canal Heritage Corridor, work in this area is not of concern per the OPRHP response letter dated June 22, 2022 stating that the entire Project ROW, will have "No Adverse Effect" for archeological and historic resources.*

Resource Adjacent To or Crossed by the Project LOD	*Town*
Federal – State Recreation Lands	
Iroquois National Wildlife Refuge	*Alabama*
John White Wildlife Management Area	*Alabama*
Tonawanda Wildlife Management Area	*Royalton*
DEC Lands	
John White Wildlife Management Area	*Alabama*
Tonawanda Wildlife Management Area	*Royalton*
State Heritage Area System	
New York State Barge Canal Historic District – USN 00104.000641 – located within the larger Western Erie Canal Heritage Corridor	*Lockport/ Niagara County*

NG Response III.A.7.d: *While the Project ROW does not cross any State parks, it does intersect the Erie Canal biking and walking path in the Town of Lockport (Segment 1, between Structures 3 and3-1). The Canal path runs perpendicular to the Project ROW. The Applicant will implement appropriate construction safety practices, such as temporary barricades and fencing, to prevent pedestrians from entering construction work zones and avoid potential conflicts with pedestrian traffic during construction along the path that could be impacted by Project construction.*

A portion of Segment 3 (including Structures 134-138, 140, and 141) is within TWMA. In addition, Segment 4 Existing, which is approximately 1.75-miles in length (from Structure 140 to Structure 159) extends through the TWMA. Segment 4 Existing, Structures 141-159, are proposed for removal and replacement as part of Segment 4 Relocated work, which is along the southside of Lewiston Road (Route 77). Segment 4 Relocated extends approximately 2.20-miles from Structure 141 to Structure 159-1 and will also be within the TWMA. This re-route area will reduce impacts to large wetland areas containing sensitive plant and wildlife species and will provide better access for future utility line maintenance and restoration activities. A portion of Segment 5, from Structure 160 to 169 also lies within the TWMA. A portion of Segment 7, Structures 190 – 197, crosses JWWMA. These changes will not adversely affect land uses or visual aesthetics along or adjacent to the ROW in the TWMA and JWWMA areas. Best management erosion and sediment control practices, such as timber matting, low pressure ground equipment, and silt fence or filter sock will be put in place prior to construction to minimize impacts to these areas.

8. Access Roads, Lay-down Areas and Workpads

Indicate the locations of temporary and permanent on- and off-ROW access roads, laydown areas and workpads. Provide construction type, material, and dimensions. Indicate provisions for upgrading any existing access roads.

NG Response III.A.8: *The locations and dimensions of all temporary and permanent on and off-ROW access roads, pulling pad areas and work pads along with information regarding construction type, material and provisions for upgrading any existing access roads are shown on the EM&CP Drawings in Appendix A. The locations of all off-ROW access roads and wire stringing sites are provided in Tables N-1 and N-2 in Appendix N.*

9. Noise sensitive Areas Sites

Show the locations of noise-sensitive areas along the proposed ROW.

NG Response III.A.9: *Noise-sensitive areas are generally considered to be residential dwellings, residential developments, commercial businesses and institutional establishments (schools, churches, hospitals) located near the Project ROW. Table E-3 in Appendix E provides a list of all residences/buildings within 100 feet of the Project ROW. Information regarding noise mitigation can be found in Appendix E and in Response III.B.9 of this EM&CP. Notes regarding normal work hours (7:00 am to 7:00 pm Monday through Saturday) have been placed on the plan and profile drawings.*

10. Ecologically and Environmentally Sensitive Areas

Indicate the general locations of any known ecologically and environmentally sensitive sites (e.g., archaeological sites; fish and wildlife habitat; rare, threatened, and endangered species or habitats; forest and vegetation; open space; areas of important aesthetic or scenic quality; deer winter yards, etc.), within or nearby the proposed or existing ROW or along the general alignment of any access roads to be constructed, improved or maintained for the Facility. Specify the measures that will be taken to protect these resources (e.g., fencing, flagging, signs “Sensitive Environmental Areas, No Access”).

NG Response III.A.10: *There are no state parks within the Project ROW. The Project ROW does not fall within a State Forest Preserve. The Iroquois National Wildlife Refuge is located approximately 0.5 miles from the Project ROW in the Town of Alabama, Genesee County. There*

are no National Natural Landmarks, designated national or state Wild, Scenic, or Recreational Rivers, Scenic Byways, Scenic Areas of Statewide Significance within the Project ROW. There are no State or federally designated or proposed trails within the Project ROW. The Project ROW does intersect the Erie Canal biking and walking path (this is part of the larger Empire State Trail) in the Town of Lockport. The Applicant will implement appropriate construction safety practices, such as temporary barricades and fencing, to prevent pedestrians from entering construction work zones and avoid potential conflicts with pedestrian traffic during construction along the path that could be impacted by Project construction. There are no State Nature and Historic Preserve Areas or National Heritage areas within the Project ROW. The Project ROW does extend through John White and Tonawanda Wildlife Management Areas, within which many of the below listed state-listed species are known to occur.

Several occurrences of state and/or federal, threatened or endangered species have been reported in the vicinity of the Project ROW. They are as follows:

- *Northern Long-eared Bat –State and Federally listed-endangered*
- *Tricolored Bat – State and Federally listed-proposed endangered*
- *Short-eared Owl– State listed-endangered*
- *Black Tern— State listed-endangered*
- *Salamander Mussel – State and Federally listed-proposed endangered*
- *Northern Harrier – State listed-threatened*
- *Pied-billed Grebe – State listed-threatened*
- *Least Bittern – State listed-threatened*
- *Bald Eagle – State listed-threatened*
- *Sedge Wren – State listed-threatened*
- *King Rail – State listed-threatened*
- *Monarch Butterfly –State and Federally Proposed threatened*

Additional species identified during consultations with NYNHP, but not federally or State-listed, include:

- *Black Bullhead – state unlisted / critically imperiled in NYS*
- *Ruddy Duck – game species / critically imperiled in NYS*
- *Prothonotary Warbler – protected bird / imperiled in NYS*

More information about each of the above species is provided in Appendix S and National Grid's response to Condition III.B.10.

All workers will be made aware of the potential for these species to occur on the Project ROW. The Environmental Inspector will make observations when construction activities are scheduled for areas exhibiting the potential habitat for these species and will implement protection measures (e.g., work around, avoidance, stop work) should any observations of the target species occur.

An evaluation of existing cultural resources was undertaken for the preparation of the Article VII application for this Project. Cultural resources include archaeological and historic architectural resources that are listed on, eligible, or potentially eligible for listing on the National Register of Historic Places (NRHP). A review of publicly available information via the New York State Office of Parks, Recreation and Historic Preservation (OPRHP) New York State Historic Preservation Office (New York SHPO) Cultural Resource Information System (CRIS) was conducted January 20, 2021. A response letter from New York SHPO was received on February 16, 2022, requesting additional information. An update was sent back to OPRHP on March 16, 2021, with additional information. OPRHP letter dated March 30, 2021, was received and recommended a Phase IA Archaeological survey including Phase IB testing recommendations. A Phase IA Archaeological Assessment and Literature Review was performed by Hartgen Archeological Associates, Inc. dated July 2021. A Phase IB Archaeological Survey was performed by Hartgen Archeological Associates, Inc. dated January 2022. An Archeological Avoidance Plan was performed by Hartgen Archeological Associates, Inc., dated February 2022. A response letter was received by ORHP on March 11, 2022, requesting more information. In response, an Avoidance Plan for NGD Area 7 Site 1 (A0634.000517) was performed by Hartgen Archeological Associates, Inc. dated May 2022. An OPRHP letter dated June 22, 2022, to Fisher re: Response to Avoidance Plan for NGD Area 7 Site 1 (A0634.000517) and the entire Project ROW, came back as a "No Adverse Effect".

Based on examination of current records, there are no areas of unique forest or vegetation, designated open space, important aesthetic or scenic quality, deer wintering yards identified within or nearby the proposed or existing ROW.

11. Invasive Species of Special Concern

Identify the location(s) of invasive species of special concern and the prescribed method to control the spread and/or eradicate the identified species.

NG Response III.A.11: *An Invasive Species Management Plan (ISMP) prepared in consultation with DPS Staff, NYSDEC and NYSAGM can be found in Appendix M.*

12. Herbicide

On the plan and profile drawing notes, indicate areas where herbicides will not be used.

NG Response III.A.12: *Herbicides will not be used during the construction of the Project.*

B. Description and Statement of Objectives, Techniques, Procedures and Requirements

The textual portion of the EM&CP for the Facility shall include, but need not be limited to, all of the following information:

1. Facility Location and Description

Describe the location and limits of the site or ROW and explain the need for any additional rights. For each structure type, indicate the GSA-595A Federal standard color designation or manufacturer's color specification to be used for painted structures. State any objections raised by Federal, State, or local transportation (highways, waterways, or aviation) officials to the final location or manner of installation of, or access to, the certified Facility. Provide a rationale for the inclusion of any mid-span splice locations proposed.

NG Response III.B.1: *Section IA and IB of this EM&CP document provide a description of the location of the Project and the various Project components. Appendix A provides the EM&CP Drawings which show the location and limits of the Project ROW which is a combination of fee and easement holdings as well as structure locations and areas where additional rights are required. Table B-1 in Appendix B identifies the property rights that are to be acquired for the Project. New easements of the following types will be required as necessary:*

Operational (Gross) Easement: The perpetual right, privilege and easement to construct, reconstruct, relocate, extend, repair, maintain, operate, inspect, patrol, and, at its pleasure, remove any poles or lines of poles or both, supporting structures, cables, cross-arms, overhead and underground wires, guys, guy stubs, insulators, transformers, braces, fittings, foundations, anchors, lateral service lines, communications facilities, and other fixtures and appurtenances, with rights for ingress and egress, clearing and trimming.

Danger Tree Easement: The perpetual right to remove trees (all or any portion thereof) which are adjacent to an existing easement area or fee property that, in the opinion of National Grid, may jeopardize the integrity or safe and reliable operation of the National Grid's facilities.

Additional ROW in the form of Operational (Gross) Easements will be required as follows:

- *Segment 3 – operational easement rights and off right-of-way access easement rights required to meet current utility standards*
- *Segment 4 Relocated – operational easement rights and off right-of-way access easement rights required to meet current utility standards*
- *Segment 5 – operational easement rights and off right-of-way access easement rights required to meet current utility standards*
- *Segment 7 – operational easement rights and off right-of-way access easement rights required to meet current utility standards*

Danger Tree Easements will be acquired, as needed, on Segments 3, 4 Relocated, 5 and 7 of the Project.

Steel structures will be galvanized steel. There will be no painted structures used on this Project.

No objections were made by Federal, State, or local transportation officials to the final location, access to, or manner of installation associated with the Facility. The Company coordinated with all relevant agencies and adapted the Facility design to align with all applicable requirements.

There are no splice locations proposed on the conductor or shield wire associated with the Project. The placement of fiber optic ground wire (OPGW) splice box locations is detailed in Appendix A. Please note that these are not wire splices in which two ends of wire are compressed with a hardware element to provide continuous mechanical strength but are rather a means to keep the fiber optic elements within the OPGW continuous over the length of each circuit. The locations were selected based on safe wire pulling lengths, line angle, and accessibility.

2. Stormwater Pollution Prevention

a) The information included in the acknowledged SWPPP.

b) In areas of coastal erosion hazard, include plans to demonstrate compliance with the standards for coastal erosion hazard protection as required by 6 NYCRR Part 505 -

Coastal Erosion Management.

NG Response III.B.2.a: *A copy of the approved and acknowledged SWPPP document is provided in Appendix G. All erosion and sediment control practices are in conformance with the technical standards found in the NYS Standards and Specifications for Erosion and Sediment Control (Blue Book) dated November 2016.The approved SWPPP as presented in Appendix G has also had MS4 review and approval by the Town of Lockport. The MS4 Acceptance Form can be found in the SWPPP document in Appendix G.*

NG Response III.B.2.b: *The Project is not located in an area designated as coastal erosion hazard.*

3. Vegetation Clearing and Disposal Methods

a) Describe the specific methods and rationale for the type and manner of cutting and disposition or disposal methods for cut vegetation.

b) Detail specific measures employed to avoid damage to specimen tree stands of desirable vegetation, rare, threatened and endangered species, important screening trees, and hedgerows.

c) Identify the factors such as the attributes of the site, outcome of landowner negotiations, and attributes of the logs, upon which Certificate Holder's removal of the merchantable logs resulting from clearing the ROW for the Facility will be based.

d) Describe methods of compliance with 6 NYCRR Part 192 – Forest Insect and Disease Control, applicable New York State Department of Environmental Conservation (NYSDEC) quarantine orders, and New York State Department of Agriculture and Markets (NYSDAM) regulations.

NG Response III.B.3a: *All areas that require trimming, clearing or mowing of vegetation as well as the prescribed slash disposal types are shown on the EM&CP Drawings in Appendix A. In general, the right-of-way will be cleared fifty feet (50') on each side of the proposed centerline, all work areas and access roads will be mowed, and danger trees will be removed along the entire length of the Project after notification and approval by DPS. The definitions of each clearing and slash disposal method as well as the rationale for using each of the respective methods can be found in Appendix F and on the Notes Pages for the EM&CP Drawings in Appendix A.*

The off-site disposal of woody material, chips and stumps will be on an as-needed basis. The off-site disposal of any material will require prior approval by National Grid and DPS Staff.

***NG Response III.B.3b**: Desirable species consists of typical shrub and low-growing tree species which may be considered to be compatible with the operation of the line. These species will be retained, to the extent practicable, as they occur along the ROW. The appropriate clearing and slash disposal techniques will be selected to maximize the retention of these compatible species. The personnel employed for the clearing operation will be fully informed of these vegetation-retention requirements and directly supervised by a person or persons capable of identifying all compatible species native to the area of the ROW. Lists of desirable low growing tree and shrub species that may, depending on site specific characteristics and location, be compatible with the Facility can be found in Appendix F.*

There are no areas of rare, threatened or endangered vegetative species, important screening trees or protected hedgerows identified along the ROW where special protection measures have been prescribed.

All tree cutting will be performed from November 1st to March 31st, unless otherwise approved by NYSDEC, DPS and USACE.

***NG Response III.B.3c**: Factors that are considered in identifying areas of merchantable timber along the Project ROW are described in Definition of Wood Disposal Methods in Appendix F.*

***NG Response III.B.3d:** Removal of any wood from the ROW will be pursuant to the NYSDEC's firewood regulations to protect forests from invasive species found in 6 NYCRR Part 192, and any applicable NYSDEC quarantine orders and/or NYSAGM quarantine regulations. The clearing contractor and crews will be made aware of all applicable rules and regulations at the pre-construction meeting. In addition, clearing crews will be trained to identify the Asian Long Horned Beetle, the Emerald Ash Borer, and any other insects that the NYSDEC identifies as a potential problem. If evidence of the existence of these insects is found, they will be reported immediately to the appropriate NYSDEC regional forester.*

4. Building and Structure Removal

Indicate the locations of any buildings or structures to be acquired, demolished, moved, or removed. Provide the rationale for the acquisition and removal of buildings or structures.

NG Response III.B.4: *Table 1 in Appendix O identifies all buildings and structures that presently occupy the Project ROW and those that will have to be removed for construction of the Project. Those buildings and structures that do not have to be removed for the construction of the Project will be evaluated in accordance with National Grid's ROW Encroachment Plan provided in Appendix O for a determination of compatibility and licensing, rectification and licensing, or removal.*

5. Waterbodies

a) Describe the measures to be taken to protect stream bank stability, stream habitat, and water quality including, but not limited to: crossing technique; crossing structure type; timing restrictions for in-stream work; stream bed and bank restoration measures; vegetation restoration measures; and other site-specific measures to minimize impacts, protect resources, and manage Facility construction.

b) Indicate the procedures that were followed to inventory such resources and provide copies of any resulting data sheets and summary reports.

c) Develop a table of waterbodies crossed by the Facility and include: Town (location), Existing Structure Span (mileposts), Stream Name, Field/Map Identification Name, Perennial or Intermittent, New York Stream Classification, Water Index Number, Crossing Method and Length, Fishery Type, GPS coordinates.

NG Response III.B.5a: *The protection of stream bank stability, stream habitat, and water quality are of high priority during the development of the EM&CP and measures to protect and minimize disturbance to streams and waterbodies will be implemented throughout all phases of construction. As part of the EM&CP preparation, all streams and waterbodies, both on and off ROW, were delineated in the field and identified on the EM&CP Drawings. All streams and waterbodies, as well as a 100-foot adjacent area will be re-flagged prior to the start of construction to help ensure their protection. Protection measures and "Restricted Activities" within the 100-foot buffer zone are identified in National Grid's Response III.A.5a. Additional protection measures are described in Condition 103. The measures identified above will be implemented throughout all phases of construction.*

The installation of erosion and sediment control devices to prevent the introduction of sediment into aquatic resources will be carried out from the beginning to the end of construction in

accordance with the Project SWPPP (Appendix G). Erosion and sediment control devices prescribed by the SWPPP, including filter sock, silt fence, matting, stabilized construction entrance, and pervious access locations, are shown on the EM&CP Drawings in Appendix A. Upon the completion of construction, disturbed areas will be restored and seeded and mulched with a conservation seed mix to restore bank stability and establish vegetative cover. SWPPP inspections will take place every 7 calendar days until construction is completed and all disturbed areas have been stabilized except in areas which discharge to a 303(d) waterbody segment as identified in GP-0-25-001 (i.e., portions of stormwater from the site directly discharge to 303(d) segments of Oak Orchard Creek, between proposed structures 159-160, 161-162, 163-164, 173-185 and 185-186), or where disturbance will be greater than 5 acres of soil at any one time, in which case 2 inspections will occur every 7 calendar days for the duration of soil disturbance activities. The two inspections will be separated by at least 2 full calendar days. and will then continue every 30 days until all disturbed areas have achieved 80% vegetative cover.

NG Response III.B.5b and 5c: *Surface waterbodies crossed by and in the vicinity of the proposed Project were identified during the initial review of background information such as USGS topographic maps, NWI maps, NYSDEC stream maps, and aerial photography. Surface waterbodies were then field-verified during both the wetland delineation effort and the preparation of the EM&CP and were delineated and flagged in the field. Field-verified waterbodies are shown on the EM&CP Drawings in Appendix A and keyed into Table C-3 in Appendix C where the Town (location), Existing Structure Span, Stream Name, Field/Map Identification Name, Perennial or Intermittent, New York Stream Classification, Water Index Number, Crossing Method and Length, Fishery Type, and GPS coordinates are provided in tabular form. All streams and waterbodies will be re-flagged prior to the start of construction to help ensure their protection.*

6. Wetlands

a) For each State-regulated wetland, indicate the following: town (location); existing Structure Span (milepost); wetland field designation; NYSDEC classification code; wetland type; proposed structure located within wetland; total area of temporary disturbance/impact; dead end structures in NYSDEC wetlands; tangent structures in NYSDEC wetlands; total area of permanent disturbance in NYSDEC wetlands (sq. ft.); area crossed by Facility (sq. ft.); conversion of State-regulated forested wetlands (sq. ft.).

b) Describe all activities that will occur within State-regulated wetlands or adjacent areas (e.g., construction, filling, grading, vegetation clearing, and excavation) and assure that

the activity is consistent with the weighing standards set forth in 6 NYCRR 663.5(e) and (f). Describe how impacts to wetlands, adjacent areas, associated drainage patterns, and wetland functions will be avoided, and how impacts will be minimized.

c) Describe the precautions or measures to be taken to protect all other wetlands (e.g., town, federal wetlands) associated drainage patterns, and wetland functions.

NG Response III.B.6a – 6c: *A total of twenty-nine (29) wetlands were identified within the Project area, seven (7) of which are also NYSDEC regulated wetlands. Tables C-1, C-2, C-4 in Appendix C provide the requested information for all the wetlands traversed by the Project. Tables C-2 and C-4 puts forth a summary of all the temporary and permanent wetland impacts associated with State regulated wetlands and adjacent areas.*

The placement of permanent fill in NYSDEC wetlands and adjacent areas has been minimized to the extent possible and is primarily attributed to the installation of structure foundations and structures. Permanent wetland impacts are also considered to occur where there will be conversion of "forested wetlands" to "shrub wetlands" due to ROW clearing. Temporary impacts are considered to occur in all areas where timber matting is placed for the purposes of access or work pads.

All wetlands and the State-regulated 100-foot adjacent area will be re-flagged prior to construction and signage will be placed to ensure worker identification. Wetland protection measures and measures to minimize unavoidable wetland impacts are put forth in Certificate Conditions 103a-v and National Grid's Response III.A.5a.

The installation of erosion and sediment control devices to prevent the introduction of sediment into aquatic resources will be carried out from the beginning to the end of construction in accordance with the Project SWPPP (Appendix G). All erosion and sediment control devices prescribed by the SWPPP are shown on the EM&CP Drawings in Appendix A. Upon the completion of construction, all disturbed areas will be restored and seeded and mulched with a conservation seed mix to restore bank stability and establish vegetative cover. SWPPP inspections will take place every 7 days until construction is completed and all disturbed areas have been stabilized except in areas which discharge to a 303(d) waterbody segment as identified in GP-0-25-001, (i.e., portions of stormwater from the site directly discharge to 303(d) segments of Oak Orchard Creek, between proposed structures 159-160, 161-162, 163-164, 173-185 and 185-186), in which case 2 inspections will occur per 7 days for the duration of soil disturbance

activities. The two inspections will be separated by at least 2 full calendar days. and will then continue every 30 days until all disturbed areas have achieved 80% vegetative cover.

The proposed construction activities will cause minimum impact to State-regulated wetlands and adjacent areas and are consistent with the weighing standards set forth in 6 NYCRR 663.5(e) and

(f). The Project consists of reconstructing an existing overhead utility line that is in need of replacement and therefore benefits public health and welfare. Measures taken to minimize impacts include avoidance, where possible, and the prescription of sound construction practices to minimize unavoidable disturbance and impacts.

7. Land Uses

a) Agricultural Areas

i. Describe programs, policies, and procedures to mitigate agricultural impacts such as soil compaction. Explain how construction plans either avoid or minimize crop production losses and impacts to vulnerable soils.

ii. Indicate specific techniques and references to appropriate agricultural protection measures recommended by NYSDAM.

NG Response III.B.7.a: *The Project crosses active agricultural lands designated in the State's Agricultural Districts (Segments 2, 3, 5, and 7). These districts promote the use of such lands for production of food and other products. Agriculture is the most prevalent land use within approximately one-third of the Project's affected land area. National Grid will comply with the New York State Department of Agriculture and Markets documents entitled "Guidelines for Electric Transmission Right-of-Way Projects" and "Fertilizing, Lime and Seeding Recommendations for Restoration of Construction Projects on Farmlands in New York State" to minimize or avoid construction related impacts to agricultural resources. The referenced guidelines can be found in Appendix T.*

b) Sensitive Land Uses

Describe the sensitive land uses (e.g., hospitals, emergency services, sanctuaries, schools, residential areas) that may be affected by construction of the Facility or by construction-related traffic and specify measures to minimize the impacts on these land

uses.

NG Response III.B.7.b: *The location of sensitive land uses and resources that may be affected by construction of the Facility or by construction-related traffic (e.g., hospitals, emergency services, sanctuaries, schools, and residential areas) are shown and annotated on the EM&CP Drawings in Appendix A. There are no hospitals or emergency services within proximity to the Project. The areas identified include the following:*

Sensitive Land Uses			
Structure Number	*Segment*	*Land Use*	*Name*
5,6,7	*1,2*	*Vacant/Commercial*	*Lockport Memorial Hospital*
8-1,9	*2*	*Residential*	*Glendale Dr*
52,53	*2*	*Residential*	*Akron Rd*
20	*2*	*Residential*	*Locust St*
24,32	*2*	*Residential*	*Royal Parkway North*
9,10	*2*	*Residential*	*Glendale Dr*
34-36	*2*	*Rural Residential*	*Dysigner Rd, Bowmiller Rd*
21-24	*2*	*Residential*	*Sherman Dr*
139	*3*	*Rural Residential*	*Lewiston Rd*
84-132	*2*	*Residential*	*Ward Rd, Royalton Center Rd, Lewiston Rd, Johnson Rd*
121-132	*3*	*Residential*	*Johnson Rd*
142	*4 Proposed*	*Subdivision*	*Lewiston Rd*
170-172	*5*	*Residential*	*Lewiston Rd*
185-198	*7*	*Residential*	*Judge Rd*
211	*7*	*Residential*	*Groton Rd*

It is anticipated that the local community will experience minimal impact associated with the construction of the Facility or by construction-related traffic. All work will be carried out in accordance with Certificate Conditions 13-22 "Public Health and Safety" and Conditions 79-86 "Roads and Highways" in order to ensure public safety and minimal disruption to the public's daily activities. Maintenance and Protection of Traffic Plans (MPT Plans) are provided in Appendix X.

Public notices and a process to keep the public informed will be carried out in accordance with Conditions 35-39 "Notices and Public Complaints". Noise level changes resulting from the proposed construction activity associated with the Project are expected to be short term and minimal. Construction noise will be temporary and vary according to the construction equipment in

use and existing background or ambient noise. Generally, temporary noise levels are mitigated by the attenuating effects of distance, the intermittent and short-lived character of the noise, the presence of existing vegetation, the presence of homes and buildings (particularly in the more suburban areas), and the use of functional mufflers on all construction equipment. Transmission line construction is of short duration in the sense that equipment is generally located at a structure site for only three to five days, and then shifted to the next pole structure site in the Project ROW. No one residence will be exposed to significant noise levels for an extended period of time. Comparable work activity and the associated magnitude of noise level change include public works projects and tree service activity. To minimize noise impacts during construction, National Grid will limit construction activities on the Project to the hours of 7:00 a.m. to 7:00 p.m. Monday through Saturday. If due to safety or continuous operation requirements, construction activities are required to occur on Sundays or after 7:00 p.m., National Grid will notify the Department of Public Services ("DPS') Staff, the affected municipality, and potentially affected area residents, at least 48 hours in advance with the reasons justifying the extension of construction hours, unless safety considerations prohibit making such advance notice.

c) Geologic, Historic and Scenic or Park Resources

Describe the geologic, historic, and scenic or park resources that may be affected by construction of the Facility or by construction-related traffic and specify measures to minimize impacts on these resources. Indicate the procedures that were followed to identify such resources and specify the measures that will be taken to protect or preserve these resources. Reports prepared to identify and analyze such sites shall be made available to Department of Public Service (DPS) Staff upon request.

NG Response III.B.7.c: *The following is a summary of potential geologic, historic, and scenic or park resources that may be affected by construction of the Facility.*

- *There are no state parks within the Project ROW.*
- *The New York State Barge Canal Historic District follows the Erie Canal from the Town of Waterford, Albany County to the Town of Tonawanda, Erie County. The Erie Canal passes through the Town of Lockport within the Project ROW.*
- *The Project LOD does not fall within a State Forest Preserve.*
- *There are no National Natural Landmarks within the Project LOD.*
- *There are no designated national or state Wild, Scenic, or Recreational Rivers within the*

Project LOD.

- *There are no Scenic Byways within the Project LOD.*
- *There are no Scenic Areas of Statewide Significance within the Project LOD.*
- *There are no State Nature and Historic Preserve Areas within the Project LOD.*
- *There are no National Heritage Areas.*

GIS databases, federal and state agency information, and master plans were consulted to obtain information on existing visual resources within a one-mile radius of the Project ROW. Master plans and other town documents or online websites for the City of Lockport, Town of Lockport, Town of Royalton, and Town of Alabama were used to evaluate geologic, historic, and scenic, or park resources within the Project ROW.

There are five listed National Register of Historic Places sites in the Town of Lockport and the Town of Royalton, and there are six National Register-eligible sites located in the Town of Lockport and Town of Royalton. Two (2) precontact cultural sites were recorded within the Project ROW during a Phase IA/IB Archeological Study performed by Hartgen Archeological Associates. During consultation with NY State Office of Parks, Recreation and Historic Preservation (OPRHP or commonly known as SHPO), Hartgen Archeological Associates, Inc. submitted an Avoidance Plan for known NGD Area 7 Site 1, in which National Grid committed to the use of matting during construction to protect the archaeological site (i.e., Area 7 Site 1) from construction impacts. A State Historic Preservation Office (SHPO) no adverse effect letter dated June 22, 2022, was received for the entire Project ROW. It stated that it is the opinion of OPHRP that no properties, including archaeological and/or historic resources, listed in or eligible by New York State and National Registers of Historic Places will be Adversely Impacted by the Project. This letter included SHPO's agreement to the proposed, aforementioned Avoidance Plan for NGD Area 7 Precontact Site 1 (see EM&CP Appendix H). National Grid will comply with the SHPO approved Avoidance Plan and with the matting requirement.

Grading for access roads, grading and excavation for structure installation, stock piling of soils and clearing of vegetation are examples of activities that will be designed with sensitivity to minimize soil erosion during Project construction. General mitigation measures in areas with vulnerable soils will include the use of tracked equipment, low-ground-pressure equipment, and mats. Best management erosion and sediment control measures will be utilized to prevent or minimize impacts associated with topography and soils. There are no topography or soil related impacts anticipated as a result of this Project.

d) Recreation Areas

Explain how proposed or existing recreation areas will be avoided or accommodated during construction, operation, and maintenance of the Facility.

NG Response III.B.7.d: *While the Project ROW does not cross any State parks, it does intersect the Erie Canal biking and walking path in the Town of Lockport (Segment 1, between Structures 3 – 4). The Canal path runs perpendicular to the Project ROW. National Grid will implement appropriate construction safety practices, such as temporary barricades and fencing, to prevent pedestrians from entering construction work zones and avoid potential conflicts with pedestrian traffic during construction along the bike paths. These same safety measures will be taken for any other paths or multi-purpose trails identified, that could be impacted by Project construction.*

A portion of Segment 3 (including Structures 134-138, 140, and 141) is within TWMA. In addition, Segment 4 Existing, which is approximately 1.75-miles in length (from Structure 140 to Structure 159) extends through the TWMA. Segment 4 Existing, Structures 141-159, are proposed for removal and replacement as part of Segment 4 Relocated work, which is along the southside of Lewiston Road (Route 77). Segment 4 Relocated extends approximately 2.20-miles from Structure 141 to Structure 159-1 and will also be within the TWMA. This re-route area will reduce impacts to large wetland areas containing sensitive plant and wildlife species and will provide better access for future utility line maintenance and restoration activities. A portion of Segment 5, from Structure 160 to 169 also lies within the TWMA. A portion of Segment 7, Structures 190 – 197, crosses JWWMA. These changes will not adversely affect land uses or visual aesthetics along or adjacent to the ROW in the JWWMA. The relocation of the line within the TWMA will change visual aesthetics, moving the powerline closer to the road and more prominent to a majority of the WMA's recreational users. However, it will not severely impact their use of the WMA after construction, as the land use will be similar to current conditions, only with a stationary power line along it. Best management erosion and sediment control practices along, such as timber matting, low pressure ground equipment, and silt fence will be put in place prior to construction to minimize impacts to these areas.

Recreational use of TWMA and JWWMA have the potential to be impacted during construction activities. While both WMAs are used for hunting, TWMA sees a significant number of hunters, especially during the waterfowl season. National Grid will attempt to avoid work within the WMAs as much as possible and acknowledges that mid-October through mid-November is typically peak use of TWMA. In the event that work must occur during hunting seasons, National Grid will work

with the NYSDEC, in consultation with DPS, to restrict hunting areas in WMAs in order to protect the safety of the construction workers. Options to be considered include posting on NYSDEC website, social media sites, the project website, restricting the licenses issued by NYSDEC, setting up barricades to hunting trails, and signage that no unauthorized personnel shall enter the Project ROW during construction. It will be visually evident to potential hunters that there is large construction equipment (e.g., cranes and bucket trucks) in the area. The presence of active construction will likely deter hunters from hunting in the vicinity, forcing them to seek hunting opportunities elsewhere.

8. Access Roads, Lay-down Areas and Workpads

a. Discuss the necessity for access to the ROW, including the areas where temporary or permanent access is required; and the nature of access improvements based on natural features, equipment constraints, and vehicles to be used for construction and maintenance, and the duration of access needs through restoration and the maintenance of the Facility.

b. Discuss the types of access which will be used and the rationale for employing that type of access including consideration of:

    i. Temporary installations (e.g., corduroy, mat, fill, earthen road, geotextile underlayment, gravel surface, etc.);

    ii. Permanent installations (e.g., cut and fill earthen road, geotextile underlayment, gravel surface, paved surface, etc.);

    iii. Use of roads, driveways, farm lanes, rail beds, etc.; and,

    iv. Other access, e.g. helicopter or barge placement. For each temporary and permanent access type, provide a figure or diagram showing a typical installation (include top view, cross section, and side view with appropriate distances and dimension). Where existing access ways will be used, indicate provisions for upgrading to meet appropriate standards.

c. Indicate the associated drainage and erosion control features to be used for access road construction and maintenance. Provide diagrams and specifications (include plan and side views with appropriate typical dimensions) for each erosion control feature to be used,

such as:

i. staked straw bale or check dam (for ditches or stabilization of topsoil);

ii. broad-based dip or berm (for water diversion across the access road);

iii. roadside ditch with turnout and sediment trap;

iv. French drain;

v. diversion ditch (water bar);

vi. culvert (including headwalls, aprons, etc.);

vii. sediment retention basin (for diverting out-fall of culvert or side ditch); and,

viii. silt fencing.

d. Indicate the type(s) of stream crossing method to be used in conjunction with temporary and permanent access road construction. Provide diagrams and specifications (include plan and side view with appropriate dimensions) for each crossing device and rationale for their use. Stream crossing devices may include but not be limited to:

i. timber mat;

ii. culverts including headwalls;

iii. bridges (either temporary or permanent); and,

iv. fords.

e. All diagrams and specifications should include material type and size to be placed in streams and on stream approaches.

f. If access and workpad areas cannot be limited to upland areas, provide justification for any access and workpad areas which are proposed to be located in a wetland or stream or waterbody.

NG Response III.B.8: *For the construction of this Project, National Grid will need to gain access with heavy equipment to all of the proposed and existing structure locations. Providing reliable*

and readily available permanent access for future maintenance of the Facility is also a consideration in determining the location and type of access roads to be constructed. The type of heavy equipment necessary to install steel pole structures with concrete foundations makes it necessary to have a stable improved road surface to every structure location. This will be accomplished by improving existing gravel access roads (Type 1), constructing new permanent gravel access roads (Type 2), constructing new permanent pervious gravel roads (Shown in Appendix A as Type 3) or using temporary timber mats (Matting, Type 5).

Gravel and Pervious roads are typically prescribed for upland areas where a permanent road is desired for future inspection and maintenance of the new transmission facility. A portion of the Project has existing access or travel lanes in upland areas that can be improved with gravel in the same location. Pervious gravel roads will be used in lieu of tradition gravel roads in areas that exhibit poor soil characteristics or where the existing location does not allow adequate space for control of runoff. The use of a "geoweb" and "geogrid" in the design allows for the transfer of vehicle weight thereby minimizing soil compaction and creating an underlying gravel reservoir that will provide storage of water reducing runoff rates and volumes.

In areas where there are permanent roads with agricultural areas, a proposed farm access crossing was added to accommodate farming equipment.

Temporary timber mat roads will be used primarily in sensitive areas such as wetlands, residential areas and areas of active agriculture. The Contractor may choose to use temporary timber mat roads for other applications based on time of year, site conditions and cost. In addition, in some limited instances where construction activities are minimal, the number of trips across a sensitive area can be minimized and construction can be limited to times of dry or frozen soil conditions, the use of low ground pressure equipment may be prescribed in-lieu of temporary timber mat roads.

In areas where the existing lines traverse commercial/industrial areas, existing paved and gravel surfaces, parking lots and travel lanes that offer good access to the structure locations will be used to the fullest extent practicable to minimize disturbance during construction. Minor improvements to the existing surfaces will be made as necessary and all areas will be restored to pre-existing conditions.

In areas designated as "Improve As Necessary", temporary gravel access may be used by the Contractor on an as-needed basis. Upon completion of construction, all temporary gravel access

roads will be removed or restored to a permeable condition.

Significant environmental impacts to existing vegetation, water, and soil resources will be avoided by using and/or improving existing access roads or paths to the maximum extent possible and by properly locating any new access roads that may be required. The siting of new access roads will be based primarily on factors such as the avoidance of environmentally sensitive resource areas; facilitation of future maintenance work; minimization of potential erosion problems; and maximization of the use of existing roadways. In addition, with permission from affected landowners, off-ROW access may be prescribed in certain locations to avoid or minimize impact to sensitive site conditions such as steep slopes, streams, wetlands and agricultural operations.

Mitigation measures such as the use of temporary timber mats or low ground pressure equipment will be prescribed on a site-by-site basis in environmentally sensitive areas such as wetlands, streams, areas of active agriculture and residential areas. In addition, erosion and sediment control measures designed to maintain and protect soil and water resources both during and after construction will be prescribed for all areas where soil disturbance occurs.

The location and type of all access roads as well as the areas where improvements to existing access roads will be made are shown on the EM&CP Drawings in Appendix A. Areas where off-

ROW access is proposed are also shown on the drawings and are summarized in Table N-1 in Appendix N. Diagrams and specifications for all types of roads and stream crossing devices are also provided as part of the EM&CP Drawing set in Appendix A. Site specific details for culvert installations and areas requiring grading (>2 feet) are provided in Appendices Y and Z respectively.

Stormwater treatment using erosion and sedimentation (E&S) controls will be utilized to control stormwater runoff and to stabilize soil disturbed during the construction of the access roads, laydown areas and work pads. Stormwater runoff will be managed primarily by the use of filter stock and silt fence and infiltrating vegetated buffer strips. Since the ROW is currently under an existing detailed vegetation management plan that encourages the growth of herbaceous plant communities, vegetated buffer strips are ideally suited for infiltrating stormwater back into the groundwater table.

Stormwater E&S controls will also be installed to prevent soil erosion and sediments from leaving the controlled work area and Project ROW. E&S controls such as staked silt fencing, erosion

control socks, hydro-seeding, hydro-mulching will be extensively used throughout the site. rolled erosion control products (RECP), will be extensively used throughout the site. Gravel road locations including horizontal and vertical alignments have been engineered to minimize soil disturbance to the extent practicable thus further reducing the risk of erosion and sediment pollution.

All erosion and sediment control practices have been designed in conformance with the technical standards found in NYS Standards and Specifications for Erosion and Sediment Control (Blue Book) dated November 2016. Stormwater management measures and E&S controls are shown on the EM&CP Drawings in Appendix A and the details and specifications for each of the prescribed erosion control features are provided in the proposed SWPPP document in Appendix G.

To the extent possible, access roads and work pads have been laid out to avoid wetlands, adjacent areas, streams and waterbodies. Work pads and the majority of access in wetlands will be matted and will have only a temporary impact to the resource. The placement of fill in wetlands for access has been kept to a minimum and primarily occurs in areas where existing access is being improved with gravel. Tables C-1 and C-2 in Appendix C identifies those areas where fill will be placed in wetlands for access. Impacts for placing fill in wetlands will be mitigated through a compensatory wetland mitigation plan as described in Appendix R.

The location and type of all access roads, both on and off-ROW, and all mitigation measures and erosion and sediment control measures are shown on the EM&CP Plan and Profile Drawings in Appendix A.

9. Noise Sensitive Sites

Specify procedures to be followed to minimize noise impacts related to ROW clearing, and construction and operation of the Facility. Indicate the types of major equipment to be used in construction or Facility operation; sound levels at which that equipment operates; days of the week and hours of the day during which that equipment will normally be operated; any exceptions to these schedules; and any measures to be taken to reduce audible noise levels caused by either construction equipment or Facility operation.

NG Response III.B.9: *The construction work for the Project will not significantly increase ambient noise levels for appreciable durations and the operation of the new transmission lines will not result in any new permanent or long term significant adverse noise impacts. A discussion of noise*

related impacts and a presentation of the information requested by this Certificate Condition are provided in Appendix E.

10. Ecological and Environmentally Sensitive Sites

Indicate the procedures that were followed to identify ecological and environmental resources (e.g., archaeological sites; fish and wildlife habitat; rare, threatened, and endangered species or habitats; forest and vegetation; open space; areas of important aesthetic or scenic quality; deer winter yards) and specify the measures that will be taken to protect or preserve these resources. Reports prepared to identify and analyze such sites shall be identified and made available upon request.

NG Response III.B.10: *Section 7 of the Endangered Species Act ("ESA") outlines the procedures for Federal interagency cooperation to protect federally listed endangered and threatened species and designated critical habitats. The U.S. Fish and Wildlife Service (USFWS) provides information and consultation for the protection of federally listed rare species. State-listed rare species are protected under New York State law. The NYNHP provides information on State-listed rare species.*

In accordance with the United States Fish and Wildlife Service (USFWS) New York field office, the USFWS Information for Planning and Consultation (IPaC) online database system was reviewed to determine whether any federally listed T&E species could occur within the Project area. Per a USFWS official species list dated February 13, 2025, the Northern long-eared Bat (NLEB – Myotis septentrionalis) an endangered species, and the Tricolored Bat (TCB – Perimyotis subflavus),a proposed endangered species, were listed as potentially being within the Project vicinity. On February 13, 2025, a USFWS Determination Key (D-key) consistency letter was generated for the Project area, for the Northern Long-eared Bat and the Tricolored Bat through the USFWS IPaC database. The D-key consistency letter gave a May Affect determination. The official species list and D-key consistency letter are included in Appendix H. Federal agencies must consult with USFWS under section 7(a)(2) of the Endangered Species Act (ESA) when an action may affect a listed species. Consultation between the US Army Corps of Engineers and USFWS will occur when a Federal Wetlands and Waterways Joint Permit Application for a Nationwide Permit or an Individual Permit is submitted for the Project.

The Tricolored Bat is proposed for listing as endangered under the ESA , but is not yet listed. For actions that may affect a proposed species, agencies cannot consult, but they can confer under

the authority of section 7(a) (4) of the ESA. Such conferences can follow procedures for a consultation and be adopted as such if and when the proposed species is listed. The Salamander Mussel (Simpsonaias ambigua), a proposed endangered species, as well as the Monarch Butterfly (Danaus Plexippus), a proposed threatened species, were also listed as having the potential to be found within the Project vicinity. Mud Creek (a Class C stream) is the only State mapped, mussel screening stream that the Project ROW (Segment 3) will cross, which will be disturbed by a proposed culvert replacement. As a result, a Freshwater Mussel Assessment for Suitable Habitat for the Culvert Replacement Project on Mud Creek, in Niagara County, dated February 16, 2024, was completed by Environmental Solutions & Innovations, Inc. (see Appendix H, Part 8 of 8). Mussel Assessment for Suitable Habitat (MASH) results did not indicate suitable mussel habitat presence within the assessment area and assessment revealed presence of only fine sediments. Therefore, it was determined that Mud Creek is deficient of habitat suitable to support freshwater mussels. This was the only Project location where possible mussel disturbance may have been a concern and per the MASH study this possibility has been ruled out.

The Monarch Butterfly (Danaus plexippus) is listed as a proposed threatened species with the potential to occur in the Project vicinity. Proposed threatened species are not protected by the take prohibitions of Section 9 of the ESA until the rule to list is finalized. The USFWS status of the Monarch Butterfly was recently changed from candidate to proposed threatened and new conservation guidelines are currently in development. Therefore, the candidate species guidelines for the Monarch Butterfly will be followed. There may be minor vegetative maintenance within the ROW to allow for safe access of equipment and workers. National Grid is a partner in the Nationwide Monarch Butterfly Candidate Conservation Agreement with Assurances ("CCAA"). As a partner, National Grid is required to implement certain management techniques and annual monitoring to encourage and maintain milkweed and pollinator habitat on its gas and electric ROWs in National Grid's U.S. territory. USFWS official species list are valid for 90 days. National Grid will pull an updated official USFWS species list, to check for any updates or changes of known threatened or endangered species in the Project area.

The NYNHP was initially contacted on April 9th, 2020, regarding information on rare species records within the Project area. The NYNHP responded on May 5th, 2020, with information on State-listed rare, threatened, and endangered (RTE) species. The NYNHP was contacted again on September 7th, 2023, for updates or changes to known RTE species, habitat, or Significant Natural Communities in the Project area. The NYNHP responded on October 26th, 2023, with

information that included: one (1) New York State endangered species (Short-eared Owl-Asio flammeus) has been documented at Segment 2. Nine (9) threatened/endangered species have been documented at or near Segments 3, 4 Existing, 4 Relocation and 5 which include: Northern Harrier (Circus hudsonius-threatened), Pied-billed Grebe (Podilymbus Podiceps-threatened), Black Tern (Chlidonias niger-threatened), Least Bittern (Ixobrychus exilis-threatened), Bald Eagle (Haliaeetus leucocephalus-threatened), Short-eared Owl (Asio flammeus-endangered), Henslow's Sparrow (Ammodramus henslowii-threatened), Sedge Wren (Cistothorus stellaris-threatened) and the King Rail (Rallus elegans-threatened). Four (4) species have been documented at Segment 7 of the project site which include: Northern Harrier (Circus hudsonius-threatened), Short-eared Owl (Asio flammeus-Endangered), Sedge Wren (Cistothorus stellaris-threatened) and the Pied-billed Grebe (Podilymbus Podiceps-threatened).

The following animals, while not listed by New York State as Endangered or Threatened, are of conservation concern to the state, and are considered rare by the New York Natural Heritage Program: Black Bullhead Fish (Ameiurus melas-critically imperiled in NYS) has been documented at the corner of Segment 4 Relocation where Lewiston Road meets Feeder Road. The Ruddy Duck (Oxyura jamaicensis- critically imperiled in NYS) has been documented within 200 yards northwest of Segment 4 Relocation. The Prothonotary Warbler (Protonotaria citrea- imperiled in NYS) has been documented within 0.5- miles southwest of Segments 3, 4, and 4 Relocation. The following plants are listed as Endangered or Threatened by New York State, and/or are considered rare by the New York Natural Heritage Program and are a vulnerable natural resource of conservation concern. Heart-leaved Plantain (Plantago cordata-rare-vulnerable in NYS) has been documented within 0.4- miles southwest of Segment 5. Frank's Sedge (Carex frankii-threatened-imperiled in NYS) has been documented within 0.25 mile southwest of Segment 5. Updates to NYNHP databases were requested on February 13th, 2025. A NYNHP response was received on March 24, 2025 and is consistent with the October 26, 2023, letter from NYNHP.

NYNHP State listings of species documented in the Project vicinity are as follows:

- *Bald Eagle - State-listed as threatened*
- *Black Bullhead Fish - Rare (Unlisted) - critically imperiled in NYS*
- *Black Tern - State-listed as endangered*
- *Henslow's Sparrow - State-listed as threatened*
- *King Rail - State-listed as threatened*
- *Least Bittern - State-listed as threatened*

- *Northern Harrier - State-listed as threatened*
- *Pied-billed Grebe - State-listed as threatened*
- *Prothonotary Warbler - Rare (Protected Bird) – imperiled in NYS*
- *Ruddy Duck - Rare (Game Species) – critically imperiled in NYS*
- *Sedge Wren - State-listed as threatened*
- *Short-eared Owl - State-listed as endangered*
- *Heart-leaved Plantain – Rare, vulnerable in NYS*
- *Frank's Sedge – threatened, imperiled in NYS*

Most Project activities will be located within Existing ROW. Mitigation measures such as the use of tracked equipment and mats will be prescribed on a site-by-site basis in environmentally sensitive areas and erosion and sediment control measures designed to maintain and protect soil and water resources both during and after construction will be prescribed for all areas where soil disturbance occurs. Therefore, in-stream activities would not occur in Segment 4 Relocation area and impacts to the Black Bullhead fish species, if still present, are not anticipated. In addition, impacts to the bird species are not anticipated since construction activities will occur primarily within Existing ROW.

Since the Project vicinity crosses both NYSDEC Region 8 Office (Genesee County) and NYSDEC Region 9 Office (Erie County) jurisdictional territories, a site-specific consultation request regarding threatened, endangered, and rare species was submitted to both offices. According to direct consultations with the NYSDEC Region 9 Office (regarding Segments 1, 2 and 3 in Erie County,) on October 7, 2020, the NYSDEC concurred that the Project is unlikely to result in an incidental take of any endangered or threatened species. However, the office noted that an occurrence of the short-eared owl has been recorded near the ROW along Bulmore Road in the Town of Royalton (Segment 2). The NYSDEC requested that work activities between Gasport Road and Oak Lane located in Segment 2 be avoided between November 1st and March 30th in order to reduce the likelihood of negative effects to the species. (See Appendix H – Agency Correspondence). National Grid will endeavor to schedule construction activities outside of specified Time of Year Restriction (TOYR) at Segment 2, avoiding November 1st and March 30th. National Grid will also endeavor to not schedule operation and maintenance activities during the TOYR window. National Grid will comply with the Certificate Ordering Conditions 92-102.

According to a consultation response letter received on January 19, 2021 from the NYSDEC Region 8 Office (regarding Segments 4 Existing, 4 Relocated, 5 and 7 in Genesee County), there

are multiple threatened and endangered species that breed within the wetlands and grasslands of Tonawanda Wildlife Management Area (TWMA), including Black Tern, Least Bittern, Pied-Billed Grebe, Sedge Wren, Bald Eagle, and Northern Harrier. Many of these species were confirmed during surveys in 2025. Therefore, NYSDEC requires work within the TWMA to avoid the breeding season for grassland and marsh birds which is from April 15th to September 1st. Many of these species were confirmed during surveys in 2025. NYSDEC Region 8 discovered a new bald eagle nest within close proximity to Segment 3 within TWMA in 2025. The nest failed in 2025 and NYSDEC is unknown whether the eagles will use the nest again in future years. National Grid will remain in consultation with NYSDEC on the status of the eagle nest and future guidance. The Northern Harrier and Short-eared Owl are known to winter in and around the TWMA and nearby Iroquois National Wildlife Refuge (NWR) within both grasslands and emergent habitat. The NYSDEC currently does not anticipate the Project will result in negative effects to these species and did not indicate wintering restrictive dates are needed. However, the NYSDEC requests additional coordination closer to construction. For the portion of work in and around the John White Wildlife Management Area (JWWMA), NYSDEC requests an ideal work period of August 16th to October 30th due to the presence of both the wintering Short-eared Owl and Northern Harrier, and breeding Sedge Wren occupied habitat. National Grid plans to adhere to these restrictive dates as much as possible in order to minimize and avoid potential negative effects on state-listed threatened and endangered species. National Grid will comply with the Certificate Ordering Conditions 92-102.

Prior to the start of construction activities, National Grid will contact the NYSDEC, NYNHP, and USFWS to check for any updates or changes of known T&E plant or animal species listed in New York or habitat or Significant Natural Communities in the Project area and will inform the DPS Staff of such updates.

All workers will be made aware of the potential for these species to occur in the Project ROW and information regarding these species will be placed in the office trailer. Workers will be instructed to immediately stop work and notify the Environmental Inspector if any of these species are thought to be observed.

11. Invasive Species of Special Concern

a) Provide an invasive species prevention and management plan for invasive species of special concern, prepared in consultation with DPS Staff, NYSDEC, and NYSDAM, based on the pre-construction invasive species survey of invasive species within the ROW.

b) The plan shall include measures that will be implemented to minimize the introduction of invasive species of special concern and the spread of existing invasive species of special concern during construction (e.g., soil disturbance, vegetation clearing, transportation of materials and equipment, and landscaping/revegetation).

NG Response III.B.11: *A draft Invasive Species Management Plan prepared in consultation with DPS Staff, NYSDEC and NYSAGM is provided in Appendix M.*

12. Herbicides

a) Specify the locations where herbicides are to be applied. Provide a general discussion of the site conditions (e.g., land use, target and non-target vegetation species composition, height, and density) and the choice of herbicide, formulation, application method, and timing.

b) Describe the procedures that will be followed during application to protect non-target vegetation, streams, wetlands, potable waters and other water bodies, and residential areas and recreational users on or near the ROW.

NG Response III.B.12a and 12b: *Herbicides will be used for future vegetation management on the transmission line ROW in accordance with NG's TROWMP; however, no herbicides will be used during the construction of the Project. No herbicides will be used during the construction of this project.*

13. Fugitive Dust Control

Specify appropriate measures that will be used to minimize fugitive dust and airborne debris from construction activity.

NG Response III.B.13: *National Grid will take appropriate measures to minimize fugitive dust and airborne debris from construction activity. Exposed soils and roadways will be wetted as needed during extended dry periods to minimize dust generation. To the extent practicable, water for dust control shall come from municipal water supplies/sources. Dust control will conform to the NYSSESC Standards and Specifications for Dust Control.*

14. Petroleum and Chemical Handling Procedures

a) Include a plan for the storage, handling, transportation, and disposal of petroleum, fuels, oil, chemicals, hazardous substances, and other potentially harmful substances which

may be used during, or in connection with, the construction, operation, or maintenance of the Facility. Address how to avoid spills and improper storage or application in the vicinity of any wetland, river, creek, stream, lake, reservoir, spring, well, or other ecologically sensitive site, or existing recreational area along the ROW and access roads.

b) Include a plan for responding to and remediating the effects of any spill of petroleum, fuels, oil, chemicals, hazardous substances, and other potentially harmful substances in accordance with applicable State and Federal laws, regulations, and guidance, and include proposed methods of handling spills of petroleum, fuels, oil, chemicals, hazardous substances, and other potentially harmful substances which may be stored or utilized during the construction and site restoration, operation, and maintenance of the Facility.

NG Response III.B.14a: *National Grid and its Contractors will implement precautions during the storage, handling and transporting of fuels, oils, chemicals and other potentially harmful substances to avoid spills and releases to the environment. National Grid and its Contractors will take precautions to prevent spillage and will not store, mix, or load these materials beneath trees or within one hundred (100) feet of any wetlands, river, stream, or other body of water. Hazardous substances will be transported, stored and handled as recommended by suppliers and/or manufacturers, in compliance with all applicable federal or state regulations.*

A list of typical chemicals and waste anticipated for the Project is provided in Appendix V along with National Grid's spill reporting and cleanup procedures. A list of emergency contact personnel and local hospitals along with a map showing the location of the nearest hospitals are provided in Appendix K.

Preventive and protective practices for fuel chemical handling will be accomplished through implementation of the following principal restrictions on both contractors and company personnel:

- *Pumps used for trench dewatering or dam and pump crossings operating within 100 feet of a water body, wetland or rare plant or unique natural community will be placed in properly sized and temporary secondary containment structures during their use.*
- *Extreme caution will be exercised when handling fuel and while refueling to avoid spillage.*
- *Any equipment that must be refueled in the field will be refueled from tanks carried to the work site by truck.*
- *No equipment refueling will be performed within one hundred (100) feet of streams or*

wetlands except that the refueling of hand equipment (e.g. chainsaws), cranes and drill rigs may be allowed within one hundred (100) feet of wetlands or streams under the following conditions:

- *Refueling of hand equipment will be allowed within one hundred (100) feet of wetlands or streams when secondary containment is used. Secondary containment will be constructed of an impervious material capable of holding the hand equipment to be refueled and at least 110% of the fuel storage container capacity. Fuel tanks of hand-held equipment will be initially filled in an upland location greater than one hundred (100) feet from wetlands or streams in order to minimize the amount of refueling within these sensitive areas. Crews shall have sufficient spill containment equipment on hand at the secondary containment location to provide prompt control and cleanup in the event of a release. Crews will keep the Environmental Inspector informed that this procedure is being used and will immediately repot any spill to the Environmental Inspector.*
- *Refueling of cranes and drill rigs will be allowed within one hundred (100) feet of wetlands or streams when necessary to maintain continuous operations and where removing equipment from a sensitive area for refueling would increase adverse impacts to the sensitive area. Fuel tanks of such equipment will be initially filled in an upland location greater than one hundred (100) feet from wetlands or streams in order to minimize the amount of refueling within these sensitive areas. All refueling of cranes or drill rigs within one hundred (100) feet of wetlands or streams will be conducted under the direct supervision of the Environmental Inspector. Absorbent pads or portable basins will be deployed under the refueling operation. In addition, the fuel nozzle will be wrapped in an absorbent pad and the nozzle will be placed in a secondary containment vessel (e.g., bucket) when moving the nozzle from the fuel truck to the equipment to be refueled. All equipment operating within one hundred (100) feet of a wetland or stream shall have sufficient spill containment equipment on board to provide prompt control and cleanup in the event of a release.*
- *When there is a need to use portable power equipment such as pumps or generators near wetlands or waterbodies, they will be used and refueled employing basic spill prevention and containment procedures. These procedures will include the placement of the portable power equipment within a portable secondary containment basin large enough to hold the fuel container and the equipment being filled. Fuel- containing vessels used to fuel immobile equipment will not be stored within one hundred (100)*

feet of a wetland or waterbody following refueling activities.

- *All equipment operating within one hundred (100) feet of a water body, wetland, or rare plant or unique natural community will have sufficient spill-containment equipment on board to provide for prompt control and cleanup in the event of a release.*
- *Refueling of construction equipment on the ROW farther than one hundred (100) feet from streams or wetlands can only take place if absorbent pads or portable basins are deployed under the refueling operation. In addition, the fuel nozzle will be wrapped in an absorbent pad and the nozzle will be placed in a secondary containment vessel (e.g., bucket) when moving the nozzle from the fuel truck to the equipment to be refueled. All equipment shall have sufficient spill containment equipment on board to provide prompt control and cleanup in the event of a release. The Environmental Inspector will be informed of all equipment refueling that takes place on the ROW prior to refueling.*
- *All on-site construction vehicles including contractor employee vehicles will be monitored for leaks and will receive regular preventive maintenance to reduce the risk of leakage. Any equipment leaking oil, fuel, or hydraulic fluid will be repaired immediately or removed from the site. In the event of a release, the spill will be promptly cleaned up in accordance with the spill response and clean-up procedures identified in Appendix V.*
- *The Construction Contractor will not wash equipment or machinery in any watercourse, wetland, or rare plant or unique natural community, and will not permit runoff resulting from washing operations to directly enter any watercourses or wetlands.*
- *In the event of a spill or hazardous material release to the environment, reporting, containment, and cleanup procedures outlined in Appendix V must be followed.*

NG Response III.B.14b: *All spills or releases of oil or any other chemical to the environment in any quantity must be reported to National Grid's Western Regional Control Center (WRCC) at (716) 831-7325. National Grid's Environmental Guidance Documents EG-501NYN for Release Notification and EG-502NY for Spill and Release Cleanup are provided in Appendix V. These Guidelines address immediate incident activities, reporting instructions, notifications and general cleanup procedures.*

All on-site spills will be immediately reported to the Environmental Inspector, who is responsible for obtaining all relevant spill information needed to report the spill to the CRCC and to National

Grid's Central Division Environmental Engineer, and for completing the Release Report Form. If the Environmental Inspector cannot be reached within 15-minutes from the time the spill occurred the Construction Contractor will call National Grid's WRCC and Western Division Environmental Engineer and notify the Environmental Inspector as soon thereafter as possible. The Environmental Inspector will also be responsible for keeping a "Spill Tracker" spreadsheet for the purpose of tracking all spills that occur during the course of the Project. An example of the Spill Tracker Spreadsheet that will be used for this Project can be found in Appendix V. DPS staff also will be notified of all reportable spills as soon as possible and will receive a copy of the Spill Tracker spreadsheet on a monthly basis.

15. Environmental Supervision

a) Describe protocols for supervising demolition, vegetation clearing, use of herbicides, construction, and site restoration activities to ensure minimization of environmental impact and compliance with the environmental protection provisions specified by the Certificate.

b) Specify the titles and qualifications of personnel proposed to be responsible for ensuring minimization of environmental impact throughout the demolition, clearing, construction, and restoration phases, and for enforcing compliance with environmental protection provisions of the Certificate and the EM&CP. Indicate the amount of time each supervisor is expected to devote to the project.

c) Specify responsibilities for personnel monitoring all construction activities, such as clearing, sensitive resource protection, site compliance, EM&CP change notices, etc.

d) Explain how all environmental protection provisions will be incorporated into contractual specifications and communicated to those employees or contractors engaged in demolition, clearing, construction, and restoration.

e) Describe the procedures to "stop work" in the event of a Certificate violation.

f) Identify the company's designated contact including 24/7 emergency phone number, for assuring overall compliance with Certificate conditions.

NG Response III.B.15a, 15b and 15c: *Supervision of demolition, vegetation clearing, use of herbicides, SWPPP compliance, and construction, and site restoration activities will be done by the Environmental Inspector, Contractor Construction Inspector, and National Grid's Western*

Division Forester, each in their respective roles. The Environmental Inspector will also fill the role of the Agricultural Monitor. The responsibilities and qualifications for the Environmental Inspector, Contractor Construction Inspector and Agricultural Monitor are provided in Appendix W.

The name and qualifications of the Environmental Inspector(s), Agricultural Monitor and Contractor Construction Inspector will be submitted to DPS Staff at least two weeks prior to the start of construction.

NG Response III.B.15d: *The EM&CP document, including the EM&CP Drawings, will be made part of the bid specification package for all contract work and will be reviewed in detail at a pre-construction meeting with all contractors working on the Project.*

NG Response III.B.15e: *The Environmental Inspector, as well as the Contractor Construction Inspector, Contractor Safety Inspector and Division Forester will have "stop work" authority over all aspects of the Project. Protocol for "stop work" directives are described in Certificate Condition 66.*

NG Response III.B.15f: *The Company's designated contact for assuring overall compliance with Certificate conditions will be the Project Manager assigned to this Project. The name and contact number for the Project Manager will be provided to DPS staff at least two weeks prior to starting construction.*

16. Clean-up and Restoration

Describe the Certificate Holder's program for ROW clean-up and restoration, including:

a. The removal of any temporary roads; restoration of lay-down or staging areas; the finish grading of any scarified or rutted areas; the removal of waste (e.g. excess concrete), scrap metals, surplus or extraneous materials or equipment used;

b. Plans, standards and a schedule for the restoration of vegetative cover; including, but not limited to, specifications to address:

    i. design standards for ground cover:

        1. species mixes and application rates by site;

        2. site preparation requirements (soil amendments, stone removal,

subsoil treatment, or drainage measures);

3. acceptable final cover % by cover type;

ii. planting installation specifications and follow-up responsibilities;

iii. schedule or projected dates of any seeding and/or planting; and,

iv. plans to prevent unauthorized access to and along the ROW.

NG Response III.B.16*: All temporary roadways, whether gravel or timber mat, will be removed as part of final restoration after all construction for which they served has been completed. All disturbed areas, including temporary roadways, lay-down areas and scarified or rutted areas will be restored, seeded and mulched within fourteen (14) days from the time construction in that area has ended.*

During construction, the ROW will be kept free of construction debris and to the extent possible. As construction continues, each section of the ROW will be thoroughly cleaned within one week after construction is completed on that particular section. All debris resulting from construction such as piping, fencing, wiring, concrete and any other materials generated will be disposed of at an approved disposal site in compliance with all appropriate environmental regulations. Under no circumstances will any debris be burned or buried either on or off the ROW.

The plans, standards and schedule for restoration of the ROW are provided in the SWPPP in Appendix G. SWPPP inspections will take place on a weekly basis until construction is completed and all disturbed areas have been stabilized and will then continue on a monthly basis until all disturbed areas have achieved 80% revegetation. DPS staff will be copied on all SWPPP inspection reports.

National Grid's plans for preventing unauthorized access to and along the ROW are provided in Response 61 of this EM&CP. A post construction assessment of the Facility, in consultation with DPS Staff, shall be conducted to determine if any additional fences, gates or berms are necessary to prevent unauthorized access on the Facility ROW.

The person responsible for restoration of the ROW and full compliance with all Certificate Conditions will be the Project Manager assigned to this Project. The name and contact number of the Project Manager will be provided to DPS staff at least two weeks prior to starting

construction.

17. Visual Impact Mitigation

Provide details of screening or landscape plans prescribed at road crossings and for adjacent property owners. Discuss existing or proposed landscape planting, earthwork, or installed features to screen or landscape substations and other Facility components.

NG Response III.B.17: *There are no screening or landscape plans presently proposed for the Project. In accordance with Certificate Condition 60, within one year after completion of construction, National Grid will prepare a plan for any visual mitigation found necessary and will provide a draft of the plan to DPS staff for review subsequent to submittal of the final plan to the Secretary.*

18. ROW Encroachment Plan

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

NG Response III.B.18: *A ROW encroachment plan is provided in Appendix O.*

19. Wetland Mitigation Plan

Provide a proposal to address wetlands mitigation, for all permanent impacts to State-regulated wetlands and Federally- regulated wetlands, if prescribed by the Army Corps of Engineers, including, but not limited to, the permanent conversion of forested wetland to scrub-shrub wetland. If such proposal is to prepare a detailed mitigation plan for State regulated wetlands, it shall separately address impacts to each of the wetlands benefits described in ECL § 24-0105(7). Plans shall provide for wetland mitigation in the same watershed to the maximum extent possible.

NG Response III.B.21: *National Grid has been working with the NYSDPS, NYSDEC and the Army Corps of Engineers to develop a wetland mitigation plan for the Project, which will be developed and submitted per the Certificate of Environmental Compatibility and Public Need ("Certificate"). Final mitigation planning (e.g., quantitative assessment of wetland impacts, mitigation ratios, mitigation strategies and the process for selecting a suitable mitigation site(s)) is ongoing and will be provided upon completion and included in Appendix R. National Grid is currently in the process of screening potential mitigation sites as of the date of this filing. National*

Grid will continue to work with the NYSDPS, NYSDEC and the Army Corps of Engineers to select a mitigation site and finalize a wetland mitigation plan and will, in accordance with Condition 103j, submit the final plan within six months of the start of construction.