## RESOLUTION 60106

## OPPOSING CERTIFICATION OF THE NEW YORK REGIONAL INTERCONNECTION, INC. POWER TRANSMISSION LINE PROJECT

**WHEREAS,** the Town of Hancock has been made aware of a proposed high voltage, direct current (HVDC) electrical power transmission power line to be installed by New York Regional Interconnection Inc. between the Edic Substation in the Town of Marcy, Oneida County, NY and the Rock Tavern Substation in the Town of Windsor, Orange County, NY; and

**WHEREAS,** the route of the proposed transmission line is estimated to be 190 miles long running through the scenic and rural regions of Oneida, Madison, Chenango, Broome, Delaware, Sullivan, and Orange Counties, and

**WHEREAS,** NYRI's proposed route is the New York, Susquehanna and Western Railroad corridor from the Town of Marcy to Norwich, the New York State Electric and Gas transmission line from Norwich to Deposit, and the Millennium Pipeline Corridor from the Deposit to the Town of Deerpark. The alternate route will utilize the Central New York Railroad right of way from Norwich to Port Jervis; and

**WHEREAS,** the proposed route in the Town of Hancock is approximately 15.2 miles in length; and

**WHEREAS,** the publicly available information about the proposed transmission line describe it as a 1200 Megawatt, 400 kilovolt, three conductor system supported by towers estimated to be between 115 to 200 feet tall and spaced approximately 800 feet apart; and

**WHEREAS,** the proposed transmission line and supporting towers will be placed in close proximity to the Upper Delaware Scenic and Recreational River, which is a protected river under the Wild and Scenic Rivers Act; and

**WHEREAS,** NYRI is seeking waivers that are unduly restrictive which include allowing issuance of stop work orders by the Code Enforcement Officer, as well as, issuance of stop work orders by Local Flood Plain Administrator for any work found ongoing in a flood plain area without a permit; and

**WHEREAS,** New York Regional Interconnection's proposed route crosses or is located in eleven flood zones classified as A, AE, X, X500 within the boundaries of the Town of Hancock; and

**WHEREAS,** NYRI's proposed route crosses 14 rivers and streams within the boundaries of the Town of Hancock in which all are rated as Class C, two are rated as Trout Streams, and seven are rated as Trout Spawning Streams; and

**WHEREAS,** NYRI's proposed route crosses or is in close proximity to dens that are the habitat of the Timber Rattlesnake, and also the breeding and feeding grounds of the American Bald Eagle, both are on the Endangered Species list; and

**WHEREAS,** seventy two soil types have been identified in the County of Delaware and the Town of Hancock, of these soil types forty are classified as severe erosion hazards. Several types of these severe erosion type soils are located on slopes of 35% to 70%; and

**WHEREAS,** NYRI's proposed route crosses or is in close proximity to two NYSDEC regulated wetlands with a wetland classification of two, encompassing 64.1 acres within the boundaries of the Town of Hancock; and

**WHEREAS,** NYRI's proposed route crosses the following roads in the Town of Hancock. Bear Brook Road, Peas Eddy Road, French Woods Road, Jay Lord Road, Gilleran Road, Bouchoux Brook Road, Silas Tompkins Road, Hungry Hill Road, and Hoolihan Brook Road. Several of the roads listed above require seasonal weight restrictions in the spring to prevent permanent damage; and

**WHEREAS,** NYRI's proposed route crosses or is in close proximity to 16 Historic Sites within the Town Of Hancock, many dating to precontact era; and

**WHEREAS,** NYRI is seeking a waiver from the Village of Hancock's master plan which notes the importance of protecting scenic integrity of hillsides and ridgelines that encircle the Village; and

**WHEREAS,** the proposed transmission line centerline will cross or be in close proximity to the Hancock Golf Course eliminating the ability for future growth of the Golf Course. Also the proposed route will cross or be in close proximity to the Family School Foundation which will limit future growth. The proposed route will also affect the French Woods Festival of Performing Arts by preventing them from further growth.

**WHEREAS,** the proposed transmission line, if constructed, will be an eyesore on the pastoral and scenic beauty of the Town of Hancock and to the Village of Hancock; and

**WHEREAS,** tourism and recreation, fostered by the scenic beauty, rural setting and regional location, are a mainstay in the economy and character of the Town of Hancock and the affected communities; and

**WHEREAS,** the proposed transmission lines will have the potential for significant impact and degradation of the natural and human environments, tourism, recreation, businesses and the economy of the Town of Hancock and the affected communities; and

**WHEREAS,** the proposed transmission lines if approved will lead to the condemnation of land through the eminent domain process; and

**WHEREAS,** the primary consumers of power transmitted by the proposed transmission line are located far from the Town of Hancock and no power from the proposed transmission line will be available to serve the energy needs of Town of Hancock users. Further the proposed power line will result in an increase of electricity by 7% for residents located in Zone E; and

**WHEREAS,** the commercial nature of the proposed transmission line will provide benefit to speculative investors who live far from the hills and valleys of the Town of Hancock at great cost to the citizens of the area; and

**WHEREAS,** there are no apparent and meaningful benefits from this proposed transmission line to the citizens, residents and visitors to the Town of Hancock that can reasonably be judged to offset the adverse impacts of this project; and

**WHEREAS,** before a notice of intent to submit an application for certification of the proposed transmission line to the Public Service Commission have even been filed, citizens, interest groups, local governments and community groups along the proposed 190 plus mile route of the project have judged this project to be of great negative impact and have expressed opposition to this project for the reasons outlined above; and

**WHEREAS,** Article VII of the Public Service Law and 16 NYCRR, Chapter 1, Subchapter G (Parts 85 through 88) are the applicable law and regulation by which this proposed transmission line may be reviewed, certified and granted authority to proceed under the sole authority of the New York State Public Service Commission Certification Review Process; and

**WHEREAS,** the aforementioned statute and regulations outline the process and conditions under which the Town of Hancock and other interested parties may comment on any application and participate in the review process;

**NOW THEREFORE BE IT RESOLVED,** that the Town of Hancock Town Board opposes the certification of the proposed transmission line; and

**BE IT FURTHER RESOLVED,** that the Town of Hancock joins other counties, municipalities, and other parties opposed to the certification of the proposed transmission line; and

**BE IT FURTHER RESOLVED,** that the Town Supervisor of the Town of Hancock is hereby directed to communicate this resolution to the Public Service Commission and to further express opposition to this project; and

**BE IT FURTHER RESOLVED,** that the Town of Hancock is firmly resolved to participate in all phases and issues of the Article VII review and certification process as an active party; and

**BE IT FURTHER RESOLVED,** that the Town Supervisor of the Town of Hancock is hereby directed to communicate to the Public Service Commission, the town's intention to participate in all phases and issues relative to the Article VII review and certification of this project.

On Motion Of Samuel N Rowe Jr Seconded by William Weyrauch

Vote
Rowe yes Gardner yes Keesler yes Weyrauch yes Vetrone yes

Approved Yes Defeated _____

June 6, 2006