



Lockport – Batavia Line #112

Rebuild Project

Appendix AF

Proposed 401 Water Quality Certification

APPENDIX H

PROPOSED 401 WATER QUALITY CERTIFICATION NEW YORK STATE PUBLIC SERVICE COMMISSION WATER QUALITY CERTIFICATION

Pursuant to: Section 401 of the Federal Water Pollution Control Act,
33 U.S.C. § 1341, and Article VII of the New York Public
Service Law

Certification Issued to: Niagara Mohawk Power Corporation
d/b/a National Grid
300 Erie Boulevard West
Syracuse, New York 13202

Location of Project

Niagara Mohawk Power Corporation d/b/a National Grid ("National Grid") is proposing to rebuild Existing Line 112, from the Lockport Substation (Existing Structure 1-2) to Existing Structure #211 in the Town of Alabama, Genesee County, NY. The Project is broken down into six (6) segments. The transmission line segments to be rebuilt are Segments 1 to 5 and Segment 7. The Project is located substantially in the existing right-of-way traversing the Towns of Lockport and Royalton in Niagara County and the Town of Alabama in Genesee County. The Project will continue to serve a portion of National Grid's Western New York Service Territory.

Project Description

Existing Line 112 is a 115kV circuit that originates at the Lockport Substation and terminates at the Batavia Substation, extending a distance of approximately 35.0 miles. The Project will encompass the section of Existing Line 112 from the Lockport Substation to existing Structure #211, which is a total of 21.7 miles. The main need for the Project relates to the condition of these lines. The Project will replace deteriorated structures, conductor and shield wire along this approximately twenty (21.7) mile section of the transmission lines which are over one-hundred ten (110) years old and have reached the end of their service lives. The replacement of structures and conductor will also address capacity concerns that are frequently encountered during system operation. As part of this Project, the Applicant proposes removal of all remaining steel tri-leg towers; replacement of tangent structures with galvanized tubular steel structures directly embedded into native soils; replacement of angle and dead-end structures with steel poles on caisson foundations; and replacement of existing conductor and shield wire. In select locations, Existing Line 112 shares double-circuit towers with Existing Line 111. In these locations, the existing double-circuit lattice tower structures will be replaced with

galvanized tubular steel pole double-circuit structures set upon foundations. As more fully described in Exhibit 2 of the Application, as updated in November 2022, the Project consists of a number of different activities involving the existing Line 112 on each of six different Segments. In Segments 1 through 5 and 7 (including the proposed alternate route Segment 4 Relocated), with the exception of Segment 4 - Existing (where the Existing Line 112 structures are proposed to be removed), the Applicant proposes to rebuild the existing Line 112, with 795 kcmil ACSR "Drake" (26/7) conductor. The Applicant also proposes to install shield wire that will be optical ground wire (OPGW).

National Grid has field delineated 29 wetland complexes, 7 of which are also NYSDEC regulated wetlands, and 11 stream crossings for the Project, with the NYS Barge Canal, Tributaries to Tonawanda Creek, Unnamed Tributaries to Mud Creek, Tributaries to Mud Creek, and Mud Creek being the water bodies crossed by the Project. These resources will be protected during the construction of the Project by following the EM&CP (the Specifications for which are contained in Appendix E to the Joint Proposal approved by the order issuing the Article VII Certificate in Case 22-T-0654). These Specifications detail the measures to be prescribed on the EM&CP Plan and Profile drawings and used in the construction of the Project and are directed at minimizing impact to natural resources.

Certification

The New York State Public Service Commission hereby certifies pursuant to Section 401 of the Federal Water Pollution Control Act, 33 U.S.C. Section 1341(a)(1) and Article VII of the New York Public Service Law that the Project, as conditioned herein, complies with applicable requirements of Sections 301, 302, 303, 306 and 307 of the Federal Water Pollution Control Act, as amended, and applicable New York State water quality standards, limitations, criteria and other requirements set forth in 6 NYCRR §608.9(a) and Parts 701 through 704, provided that all of the conditions listed herein are met. This Water Quality Certification is issued in conjunction with the Article VII Certificate ("Certificate") sought by National Grid in, and based on the record of, Case 22-T-0654.

Conditions

1. Construction of the Project may not commence until National Grid has prepared a SWPPP and filed a Notice of Intent in accordance with the SPDES General Permit for Stormwater Discharges from Construction Activity - GP-0-20-001.
2. Construction of the Project may not commence until National Grid has received approval from the Commission for its EM&CP which shall include a compensatory wetland mitigation plan developed in consultation with NYSDEC.
3. Construction of the Project may not commence until National Grid has received a "Notice to Proceed with Construction" letter from DPS Staff.

4. No in-water work shall commence until all pre-construction conditions relating to such work contained in the Certificate and any Order approving the Environmental Management and Construction Plan ("EM&CP") have been met to the satisfaction of the New York State Department of Public Service.
5. Construction of the Project shall at all times be in conformance with (a) the application and Joint Proposal in Case 22-T-0654, to the degree not superseded by the Certificate, (b) all conditions of approval contained in the Certificate, (c) the, EM&CP and (d) all conditions incorporated in any order approving any revisions to the EM&CP required by the Certificate, to the extent the documents referenced in (b) and (c) pertain to compliance with New York State Water Quality Standards necessary and appropriate for issuance of, and compliance with, this Water Quality Certification.
6. Construction, operation, and maintenance of the Project will be in accordance with the Article VII Certificate, the EM&CP, and National Grid's Transmission Right-of-Way Management Program (TROWMP) approved by the Commission in Case 27605.
7. National Grid shall provide a copy of this Water Quality Certification to the U.S. Army Corps of Engineers along with a copy of the application, Joint Proposal, Certificate, EM&CP, and order approving any revisions to the EM&CP required by the Certificate (and all subsequent EM&CPs and approval orders) in Case 22-T-0654 so that the U.S. Army Corps of Engineers will have a complete record of the conditions that apply hereto.
8. National Grid shall provide to all construction contractors complete copies of the Article VII Certificate, the approved EM&CP, and this Water Quality Certification.

Certified by:

Date

**New York State Department of Public Service
Three Empire State Plaza
Albany, New York 12223-1350**