



Agriculture and Markets

KATHY HOCHUL
Governor

RICHARD A. BALL
Commissioner



February 2, 2022

Town of Wappinger Planning Board

Bruce Flower, Chairman

20 Middlebush Road

Wappingers Falls, NY 12590

RE: SEQR Town of Wappinger – Central Hudson Gas & Electric Corp., 69 kV “KM” Transmission Line Replacement Project

Dear Mr. Flower,

In response to the Town Planning Boards “*Notice to Involved Agencies SQRA Declaration of Intent to be Lead Agency*”, the Department does not object to the Town Planning Board’s request to act as lead agency pursuant to NYCRR Title 6, Chapter 10, §617.6 (b)(2) and (3). Based upon information provided and Department review, the Department confirms that the proposed action will occur within a Dutchess County adopted, NYS certified, Agricultural District . Although the utility’s proposed action will occur on an existing electric transmission line, these transmission facilities are on active agricultural lands within an agricultural district. The protection of active farmland is a priority of the Department of Agriculture and Markets (AGM).

Regardless of any easement agreement, the Department requires the implementation of available construction mitigation guidance entitled “*Guidelines for Electric Transmission Right-of-Way Projects*” (<https://agriculture.ny.gov/system/files/documents/2019/10/electric-transmission-row-guidelines.pdf>), as well as the associated “*Fertilizing, Lime, and Seeding Recommendations for Restoration of Construction Projects*” (https://agriculture.ny.gov/system/files/documents/2019/10/fertilizer_lime_and_seeding_recommendations.pdf) on active agricultural lands. The guidelines provide the Applicant standards to follow, particularly for the planning and implementation of construction access and work areas, as well as standards for agricultural restoration. In this regard, the “*Planimetric and Profile Drawing*” provided may require revision on Sheet No. 3 of 9, to accommodate for the proposed agricultural access.

If you have any questions concerning the Department position, please contact me at (518) 457-5606.

Sincerely,

Jason Mulford, Senior Environmental Analyst

Cc: Brian Dimisko, Central Hudson Gas & Electric Corp.