

**STATE OF NEW YORK
PUBLIC SERVICE COMMISSION**

Application of Deepwater Wind South Fork, LLC for a Certificate of Environmental Compatibility and Public Need for the Construction of Approximately 3.5 Miles (3.1 Nautical Miles) (138 kilovolt [kV]) of Submarine Export Cable from the New York State Territorial Waters Boundary to the South Shore of the Town of East Hampton in Suffolk County and Approximately 4.1 Miles (138 kV) of Terrestrial Export Cable from the South Shore of the Town of East Hampton to an Interconnection Facility with an Interconnection Cable Connecting to the Existing East Hampton Substation, in the Town of East Hampton in Suffolk County

Case ____- T - ____

APPLICATION

Deepwater Wind South Fork, LLC (DWSF or the Applicant), pursuant to New York Public Service Law (PSL) § 122 and the New York State Public Service Commission's (NYSPSC) implementing regulations, hereby submits this application (Application) for a Certificate of Environmental Compatibility and Public Need under Article VII of the PSL to construct, operate, and maintain the South Fork Export Cable (SFEC) an electric cable that will connect the South Fork Wind Farm (SFWF), located offshore in federal waters on the Outer Continental Shelf (OCS), to the existing mainland electric grid in the Town of East Hampton, on Long Island, Suffolk County, New York. The SFEC includes the submarine segment of the cable in New York State territorial waters (SFEC-NYS), the terrestrial underground segment of the cable (SFEC-Onshore), and the new interconnection facility (SFEC-Interconnection Facility), all of which are subject to review and approval under Article VII and will hereafter be referred to as "the Project". In support of this Application, the Applicant submits the attached Exhibits and Testimony. Pursuant to Title 16 of the New York Codes, Rules, and Regulations (NYCRR) § 85-2.8, this Application details the:

- (a) Project Location;
- (b) Description of the Project;
- (c) Summary of Environmental Studies and Environmental Impact;

- (d) Need for the Project;
- (e) Description of Reasonable Alternative Routes and Technology; and
- (f) Other Relevant Information.

A. Project Location

The Project includes both offshore and onshore segments that are defined as:

- SFEC-NYS: the submarine segment of the export cable buried beneath the seabed within state territorial waters from the boundary of New York State waters (three nautical miles [nm] offshore) to a sea-to-shore transition vault located in the Town of East Hampton on Long Island, Suffolk County, New York. The SFEC-NYS includes the sea-to-shore transition.
- SFEC-Onshore: the terrestrial underground segment of the export cable from the sea-to-shore transition vault to the SFEC-Interconnection Facility where the SFEC will interconnect with the Long Island Power Authority (LIPA) electric transmission and distribution system in the Town of East Hampton, New York.
- SFEC-Interconnection Facility: a new onshore facility, primarily consisting of a transformer and a 69 kV interconnection cable that will connect to the 69 kV bus in the existing LIPA East Hampton Substation in the Town of East Hampton, New York.

The SFEC-NYS is located in the waters south of Wainscott Beach, East Hampton, New York. The SFEC-NYS transitions onshore under the beach and beach access located at the southern end of Beach Lane in the Town of East Hampton, New York. The SFEC-NYS is approximately 3.5 miles long from the boundary of New York State territorial waters to the sea-to-shore transition vault located in Beach Lane. The SFEC-Onshore is located in the Town of East Hampton, New York, both in the public road ROW (including Beach Lane, Wainscott Main Street, Sayre’s Path, Wainscott Stone Road, and Wainscott Northwest Road) and in the Long Island Railroad (LIRR) ROW. The SFEC-Onshore is approximately 4.1 miles long from the transition vault located in Beach Lane to the SFEC-Interconnection Facility off Cove Hollow Road. The SFEC-Interconnection Facility will be located on the same parcel as the existing East Hampton Substation.

Exhibit 2: Location of Facilities further describes the Project location, including associated maps, and also describes the corridor the Applicant is proposing to certify. The Project will be sited within the proposed corridor during preparation of the Project Environmental Management and Control Plan (EM&CP).

B. Description of the Project

Exhibit 2 provides a description of the Project, as summarized in Section A and the introductory paragraph of this Application. The Applicant is proposing to construct, operate, and maintain the Project. The SFEC is an alternating current (AC) electric cable (138 kilovolt [kV]) which will transmit electricity generated by the SFWF and will interconnect with the LIPA electric transmission and distribution system at the existing East Hampton Substation.

The SFWF and SFEC-OCS (submarine segment of the export cable within federal waters) are subject to review and approval by the Bureau of Ocean Energy Management (BOEM), as required by 30 Code of Federal Regulations (CFR) Part 585, and are discussed separately within the Construction and Operations Plan (COP) submitted to the BOEM.

C. Summary of Environmental Studies and Environmental Impact

The Applicant has proposed to design, construct, and operate the Project in a manner that avoids or minimizes impacts to environmental resources. On behalf of the Applicant, extensive environmental surveys, environmental assessments, and literature reviews were conducted by technical experts consulting on the Project. Consultations with relevant state and federal agencies were conducted by both the Applicant and retained technical experts. Additionally, land use policy plans were reviewed to determine whether the Project “minimizes conflict with any present or future planned land use.”

Exhibit 4: Environmental Impact summarizes the results of the environmental surveys, environmental impact assessments, literature reviews, and agency correspondences conducted for the Project under the following categories:

- Land Use;
- Visual and Aesthetic Resources;
- Cultural and Historical Resources;

- Topography, Geology, Soils, and Groundwater;
- Terrestrial Vegetation and Wildlife;
- Wetlands and Waterbodies;
- Marine Physical and Chemical Characteristics;
- Finfish;
- Benthic and Shellfish Resources;
- Important Habitats and Rare, Threatened, and Endangered Species;
- Noise;
- Air Quality; and
- Electric and Magnetic Fields or electromagnetic fields (EMF).

Reports summarizing the existing resources based on the environmental surveys, environmental assessments, literature reviews, and agency consultations conducted for the Project include:

- Biological Resources Report (Appendix A)
- Visual Resource Assessment (Appendix B)
- Historical Architectural Resources Survey (Appendix C)
- Phase I Archaeological Survey (Appendix D)
- Sound Study Technical Reports (Appendix E)
- Phase 1 Environmental Site Assessments (Appendix F)
- Geotechnical and Geophysical Data Reports (Appendix G)
- Hydrodynamic and Sediment Transport Modeling Results (Appendix H)
- Essential Fish Habitat Assessment (Appendix I)
- Pre-Construction Sediment Profile and Plan View Imaging Benthic Assessment Report (Appendix J)
- Consistency with New York State Coastal Management Program Policies and Town of East Hampton Local Waterfront Revitalization Program Policies (Appendix L)
- Preliminary Invasive Species Control Plan (Appendix O)
- EMF Reports (Appendix P)

Exhibit 4 and the associated reports listed above describe existing conditions, methodologies used in the investigation, the anticipated environmental effects of the Project, and, where appropriate, recommended mitigation measures to avoid or minimize any adverse impacts.

D. Need for the Project

The purpose of the Project is to transmit electricity generated by the SFWF to the East Hampton Substation. The Project, in conjunction with the SFWF, addresses the need identified by the LIPA for new sources of power generation that can cost-effectively and reliably supply the South Fork of Suffolk County, Long Island, as an alternative to constructing new transmission facilities. The SFWF and the Project will also help LIPA achieve its renewable energy goals and will enable DWSF to fulfill its contractual commitments to LIPA pursuant to a Power Purchase Agreement (PPA) executed in 2017 resulting from LIPA's technology-neutral competitive bidding process.

E. Description of Reasonable Alternative Routes and Technology

The Applicant comprehensively assessed and selected the preferred Project by analyzing several alternatives for the routing of the SFEC-NYS and SFEC-Onshore, the location of the sea-to-shore transition where the cable will be landed, and the location of the SFEC-Interconnection Facility. In order to comprehensively assess each alternative, desktop analyses were conducted utilizing available geographic information systems (GIS) data to analyze critical issues with the locations or routes; site control, development, and engineering factors were considered in conjunction with the desktop analyses; and field surveys were conducted and assessed.

Based on these assessments, the preferred Project includes the sea-to-shore transition located at Beach Lane, routing for the SFEC-Onshore from Beach Lane along public road ROWs and a portion of LIRR ROW, and locating SFEC-Interconnection Facility on Cove Hollow Road adjacent to the existing East Hampton Substation. The Applicant considers this the preferred route if the Applicant is able to obtain the necessary property rights for the Beach Lane landing site from the Town of East Hampton and the Trustees of East Hampton. The Applicant also considers the sea-to-shore transition location at Hither Hills State Park and the associated SFEC-Onshore route back to the Interconnection facility as a viable alternative.

Exhibit 3: Alternatives provides a description and evaluation of each alternative considered, including an explanation of why the preferred siting is best suited for the Project. Exhibit 3 also addresses alternative technologies and explains why the Project best meets the public necessity.

F. Other Relevant Information

Exhibit 1: General Information Regarding Application provides the names, addresses, and phone numbers of the Applicant, the principal officer of the Applicant, and those persons upon whom documents and correspondence are to be served.

Exhibit 7: Local Ordinances provides information on relevant local ordinances and requests that the NYSPSC grant waivers of specified provisions of those local ordinances that the Applicant believes would be unduly restrictive if applied to the Project.

G. Conclusion

The Applicant respectfully requests that the NYSPSC issue an order pursuant to Article VII of the PSL granting the following:

- A Certificate of Environmental Compatibility and Public Need for the construction, operation, and maintenance of the Project described herein; and
- Such other and further authorizations, consents, permissions, approvals, waivers and permits, as necessary, for the construction, operation, and maintenance of the project, including but not limited to, the issuance of a Water Quality Certification pursuant to Section 401 of the Federal Water Pollution Control Act (33 U.S.C. § 1341), the Motion for Waivers filed concurrently with this Application that seeks NYSPSC approval to waive certain Exhibit 2 map specifications required by 16 NYCRR § 86.3, and approval of the waivers of certain Local Ordinances as described within Exhibit 7.

Dated: September 14, 2018

Respectfully Submitted,

Deepwater Wind South Fork, LLC

By:


Jeffery Grybowski, CEO