

Stipulation 25-1001.25 Exhibit 25: Effect on Transportation

The Applicant agrees to provide a discussion of the nature of risks associated with increased construction traffic, such as increased risk of collisions, and potential measures to mitigate the risks associated with increased construction traffic. Exhibit 25 shall also contain:

- a) A conceptual site plan, drawn at an appropriate scale, depicting all Facility site driveway and roadway intersections, showing access road locations and widths. A Route Evaluation and Transportation Impact Study also will be prepared for the Facility. This study will begin with a desktop evaluation of the conceptual site plan with potential delivery routes and identification of intersections and other areas that require more detailed investigation. The study will include a site investigation component, where all potential routes will be reviewed by the Applicant or its consultant. The site investigation will evaluate the anticipated delivery vehicle path(s) from the Interstate System to the construction site(s). This will include evaluating the condition(s) of the roadway pavements, lateral clearances, vertical clearances, intersecting roadway control, speed limits, posted truck size and weight restrictions, major roadway intersection configurations, primary route selection, and development of preliminary mitigation measures.
- b) A description of the pre-construction characteristics of the roadways in the vicinity of the Facility, including:
 - 1) A review of existing data on vehicle traffic, use levels and accidents. The most recently available shapefiles from the NYSDOT containing information on vehicle traffic and use levels will be used. A review of accident data contained in the NYSDOT's Accident Location Information System (ALIS) will be included;
 - 2) The Route Evaluation and Transportation Impact Study will include a review of transit facilities and routes, including areas of school bus service to be obtained through consultation with local school districts;
 - 3) An identification of potential approach and departure routes to and from the Facility site for police, fire, ambulance and other emergency vehicles. This would include an assessment of Mercy Flight routes;
 - 4) A review of available load bearing and structural rating information for expected Facility traffic routes; and
 - 5) Because the Facility would not be within a congested urbanized area, the Application will not include the results of twenty-four-hour traffic volume counts and peak turning movement counts.

- c) An estimate of the trip generation characteristics of the Facility during both construction and operation, including:
- 1) For each major phase of construction, and for the operation phase, an estimate of the number and frequency of vehicle trips, including time of day and day of week arrival and departure distribution, by size, weight and type of vehicle;
 - 2) An identification of approach and departure routes to and from the Facility site out to a 5-mile distance for vehicles carrying water, fuel oil, bulk fuels (including wood, biomass, coal and municipal solid waste), chemicals or hazardous materials for construction or operation of the Facility;
 - 3) For major cut or fill activity (spoil removal or deposition at the Facility site and affected interconnection areas), a separate estimate of the number and frequency of vehicle trips, including time of day and day of week arrival and departure distribution, and including a delineation of approach and departure routes, by size, weight and type of vehicle; and
 - 4) An identification of approach and departure routes to and from the Facility site for construction workers and employees of the Facility.
- d) Traffic and transportation impact information including:
- 1) A comparison of projected future traffic conditions with and without the proposed Facility, the analysis to be conducted separately for the peak construction impacts of the Facility and for the typical operations of the completed Facility;
 - 2) An evaluation of the adequacy of the road system to accommodate the projected traffic, the analysis to be conducted separately for the peak construction impacts of the Facility and for the typical operations of the completed Facility, the analysis to also include an identification of the extent and duration of traffic interferences during construction of the Facility and any interconnections;
 - 3) An assessment of over-size load deliveries and the adequacy of roadway systems to accommodate oversize and over-weight vehicles; improvements necessary to accommodate oversize or overweight deliveries; impacts associated with such improvements; and mitigation measures appropriate to minimize such impacts;
 - 4) An identification and evaluation of practicable mitigation measures regarding traffic and transportation impacts. Potential mitigation measures, which could be incorporated into a road use agreement or similar document, could include: time restrictions, the use of alternative technologies, the construction of physical roadway improvements (if necessary for accommodating loads associated with construction or operation of the Facility), the installation of new traffic control devices, and the repair of local roads due to damage by heavy equipment or construction activities during construction or operation of the Facility; and

- 5) A description of all road use and restoration agreements between the Applicant and landowners, municipalities, or other entities, regarding repair of local roads damaged by heavy equipment or construction activities during construction or operation of the Facility, and limits on the use of roads, such as during times of school bus runs. Included will be a description of proposed monitoring of work on local roads and coordination with Highway Superintendents, to the extent applicable.
- e) An analysis and evaluation of the impacts of the facility on airports and airstrips, railroads, buses and any other mass transit systems in the vicinity of the facility. The analysis and evaluation shall include impacts on military training and frequent military operations in the National Airspace System and Special Use Airspace designated by the Federal Aviation Administration.
- f) An analysis of the impact on crop dusting operations in the project area.
- g) Because construction of the Facility will require a Notice of Proposed Construction to be submitted to the administrator of the Federal Aviation Administration (FAA) in accordance with 14 Code of Federal Regulations, Part 77 pursuant to 49 U.S.C. §44718:
 - 1) The Application will include a statement that the Applicant has:
 - i. Received an informal Department of Defense review of the proposed construction or alteration in accordance with 32 C.F.R. § 211.7; or
 - ii. Received a formal Department of Defense review of the proposed construction or alteration in accordance with 32 C.F.R. § 211.6.
 - 2) Where the facility is located:
 - i. Within 12 miles of the nearest point of the nearest runway of a commercial service, cargo service, reliever or general aviation (public use) airport or a military airport with at least one runway more than 3,200 feet in actual length; or
 - ii. Within 6 miles of the nearest point of the nearest runway of a commercial service, cargo service, reliever or general aviation (public use) airport or a military airport with its longest runway no more than 3,200 feet in actual length; or
 - iii. Within 3 miles of the nearest point of the nearest point of the nearest landing and takeoff area of a commercial service, cargo service, reliever or general aviation (public use) heliport or military heliport:

The Application shall include a statement that the Applicant has consulted with the operators of such airports and heliports that are non-military facilities, has provided a detailed map and description of such construction or alteration to

such operators, and has requested review of and comment on such construction or alteration by such operators.

The Application shall include a statement that the Applicant has provided a detailed map and description of such construction or alteration to the operators (Base Commanders) of such airports and heliports that are military facilities.

- 3) The application shall include a detailed description of the responses received in such reviews and consultations required in Paragraphs (1) and (2) of this Subdivision, including specifically whether and why such operators believe such construction or alteration should be:
 - i. unrestricted;
 - ii. subject to site-specific requirements; or
 - iii. excluded from certain areas.

Stipulation 26-1001.26 Exhibit 26: Effect on Communications

Exhibit 26 shall contain:

- a) An identification of all existing broadcast communication sources within a two-mile radius of the Facility and the electric interconnections (unless otherwise noted), including:
 1. Detailed technical data of any Federal Communications Commission (FCC) licensed AM radio station within 30 kilometers of the Facility. This information will be obtained from the FCC's database of AM radio station licenses.
 2. Detailed technical data of any Federal Communications Commission (FCC) licensed FM radio station within 30 kilometers of the Facility. This information will be obtained from the FCC's database of FM radio station licenses.
 3. An identification of any television stations in a 150 kilometer radius of the Facility and communities served. This information will be obtained from the FCC and local cable providers, as available.
 4. An identification of wireless communication antennas and tower structures within a two-mile radius of the Facility. This information will be obtained from the FCC's Antenna Structure Registration (ASR) database, Universal Licensing System (ULS), national and regional tower owner databases, and the local planning and zoning boards.
 5. An identification and map of non-Federal Government microwave transmission paths that intersect the coordinate block that covers the Facility. This information will be obtained through a third-party firm that specializes in microwave interference analysis and maintains a database of all non-government licensed, proposed and applied paths from 0.9-23 GHz. This analysis will not include unlicensed microwave paths or federal government paths that are not registered with the FCC.
 6. A *Land Mobile and Emergency Services Report* that provides detailed technical data of public safety and first responder communication licenses, including Mercy Flight, in the