

COUNTIES OF WARREN AND WASHINGTON INDUSTRIAL DEVELOPMENT AGENCY

CHPE/TDI PUBLIC HEARING MINUTES

DECEMBER 28, 2021

Dave O'Brien, Chair of the Counties of Warren and Washington Industrial Development Agency (the "Agency"), called to order a duly noticed Public Hearing for CHPE/TDI at 6:00 p.m. on the 28<sup>th</sup> day of December 2021 at the Washington County Municipal Building and via Zoom.

**Present:**

**Representing:**

Dave O'Brien	Chair, WWIDA/WWCDC
Alie Weaver	Office Administrator, WWIDA/WWCDC
Craig Leggett	Vice Chair, WWIDA/WWCDC and Town Supervisor of Chester
Ginny Sullivan	Member WWIDA
Michael Bittel	Sec/Treasurer WWIDA
Mike Wild	Member WWIDA
Mary King	Member WWIDA
Michael Ostrander	Executive Director WWIDA
Nick Caimano	Member WWIDA
Todd Singer	TDI CFO/Treasurer
Joe Scott	Attorney, Hodgson Russ LLP
Dave Armando	Fort Edward Code Enforcement
Pete Schwartz	Attorney, TDI
Dan Ward	Superintendent of Hudson Falls School District
Kevin	Hudson Falls School District

Mr. O'Brien stated that the purpose of this Public Hearing is to consider new information provided by Champlain Hudson Power Express and Transmission Developers Incorporated for an increase from their original project costs. Mr. O'Brien stated that the project cost increase is approximately 40% and noted that the municipality benefits also increase 40%.

Alie Weaver, WWIDA Office Administrator read into the minutes the published statement (legal notice) describing the proposed project.

Mr. O'Brien stated that this second public hearing notice was sent to all taxing jurisdictions involved as well as a certified letter outlining the PILOT changes. He noted that the first public hearing resulted in only positive comments on this project.

Mr. Ward thanked the groups involved for their hard work and stated that this is a good project that will benefit our local communities.

Mr. Singer concurred with Mr. Ward's sentiments and stated that he looks forward to partnering with and supporting the communities and will be apprising the involved groups with construction updates when underway. He also stated that this project is a 339-mile transmission line with a public amount of \$3+ billion.

Mr. O'Brien noted that his rough calculations accounted Washington County as 12% of the distance of the project.

Mr. O'Brien asked if there were any questions or comments on the subject matter of this Public Hearing at three separate intervals.

There being no other questions or comments via Zoom or via the livestream YouTube, Mr. O'Brien adjourned the Public Hearing for CHPE/TDI at 6:15 p.m.

NOTICE OF PUBLIC HEARING  
ON PROPOSED PROJECT  
AND FINANCIAL ASSISTANCE  
RELATING THERETO

SUPPLEMENTAL HEARING

Notice is hereby given by the Counties of Warren and Washington Industrial Development Agency (the "Agency") that a public hearing (the "Public Hearing") pursuant to Section 859-a of the General Municipal Law of the State of New York will be held by the Agency on the 28<sup>th</sup> day of December, 2021 at 6:00 o'clock p.m., local time, in connection with the CHPE LLC Project, as described below. The Public Hearing will be held electronically via video conference call and in person. Members of the public may attend the Public Hearing by viewing or attending in person at the Washington County Municipal Building located at 383 Broadway in the Town of Fort Edward, New York and comment on the Project and the benefits to be granted to CHPE LLC, a New York State limited liability company (the "Company") by the Agency during the Public Hearing by joining the Zoom meeting or calling in:

Join Zoom Meeting

<https://us02web.zoom.us/j/89908741859?pwd=UUxLVURmV0Z1VUIRbmRKVHI4TUdJUT09>

Meeting ID: 899 0874 1859

Passcode: 152794

One tap mobile

+16465588656,,89908741859#,,, \*152794# US (New York)

Dial by your location

+1 646 558 8656 US (New York)

Meeting ID: 899 0874 1859

Passcode: 152794

Find your local number: <https://us02web.zoom.us/j/89908741859?pwd=UUxLVURmV0Z1VUIRbmRKVHI4TUdJUT09>

On July 8, 2021, the Agency conducted a public hearing for the benefit of the Company with respect to a project (the "Project") outlined in an application (the "Application") submitted to the Agency, a copy of which Application is on file at the office of the Agency, said Project consisting of the following: (A)(1) the acquisition of an interest in the Company's interest in certain upland parcels of land and in the Company's interim permit and easement issued or to be issued by the New York State Office of General Services ("OGS") in relation to submerged State-owned land, such upland and submerged lands located in the Towns of Putnam, Dresden, Whitehall, Fort Ann, Hartford, Kingsbury and Fort Edward, and Villages of Whitehall, Fort Ann and Fort Edward, Washington County, New York (collectively, the "Land"), (2) the construction, installation and equipping on or under the Land of a fully-buried, up to 1,250-megawatt ("MW") high-voltage direct current ("HVDC") electric transmission line and related infrastructure (collectively, the "Improvements") and (3) the acquisition and installation thereon and therein of certain related machinery and equipment, including but not limited to, two (2) five-inch diameter HVDC transmission cables (collectively, the "Equipment") (the Land, the Improvements and the Equipment hereinafter collectively referred to as the "Project Facility"), all of the foregoing to be used and operated by the Company as a portion of an electric power transmission line from the U.S.-Canada border to New York City; (B) the granting of certain "financial assistance" (within the meaning of Section 854(14) of the Act) with respect to the foregoing, including potential exemptions from certain sales and use taxes, real property taxes, real estate transfer taxes and mortgage recording taxes (collectively, the "Financial Assistance"); and (C) the lease of the Project Facility to the Company or such other person as may be designated by the Company and agreed upon by the Agency.



Subsequently, the Agency received additional information from the Company relating to the Project (the "Additional Information"), which describes revised Project costs resulting in the need for the Agency, pursuant to Section 859-a of the Act, to hold a supplemental public hearing with respect to the Project and the amount of the Financial Assistance.

The Agency is considering whether (A) to undertake the Project, and (B) to provide certain exemptions from taxation with respect to the Project, including (1) exemption from mortgage recording taxes with respect to any documents, if any, recorded by the Agency with respect to the Project in the office of the County Clerk of Washington County, New York or elsewhere, (2) exemption from transfer taxes on any real estate transfers, if any, with respect to the Project, (3) exemption from sales taxes relating to the acquisition, construction, equipping and installation of the Project Facility, and (4) in the event that the Project Facility would be subject to real property taxation if owned by the Company but shall be deemed exempt from real property taxation due to the involvement of the Agency therewith, exemption from real property taxes (but not including special assessments and special ad valorem levies), if any, with respect to the Project Facility, subject to the obligation of the Company to make payments in lieu of taxes with respect to the Project Facility. If any portion of the Financial Assistance to be granted by the Agency with respect to the Project is not consistent with the Agency's uniform tax exemption policy, the Agency will follow the procedures for deviation from such policy set forth in Section 874(4) of the Act prior to granting such portion of the Financial Assistance.

If the Agency determines to proceed with the Project, the Project Facility will be acquired, constructed, equipped and installed by the Agency and will be leased by the Agency to the Company or its designee pursuant to a lease agreement requiring the Company or its designee to make certain payments to the Agency (the "Lease Agreement") and consistent with a project agreement (the "Project Agreement") regarding the terms of the granting by the Agency of the Financial Assistance to the Company.

The Agency has made a determination pursuant to Article 8 of the Environmental Conservation Law (the "SEQR Act") that the Project constitutes a "Type II" action within the meaning of the SEQR Act.

The Agency will at said time and place hear all persons with views on either the location and nature of the proposed Project, or the Financial Assistance being contemplated by the Agency in connection with the proposed Project. A copy of the Application filed by the Company with the Agency with respect to the Project, including an analysis of the costs and benefits of the Project, is available for public inspection during business hours at the offices of the Agency. A transcript or summary report of the hearing will be made available to the members of the Agency.

Additional information can be obtained from, and written comments may be addressed to: Dave O'Brien, Chairman, Counties of Warren and Washington Industrial Development Agency, 5 Warren Street, Suite 210, Glens Falls, New York 12801; Telephone: 518-792-1312 and electronically at [info@warren-washingtonida.com](mailto:info@warren-washingtonida.com).

Dated: December 14, 2021.

COUNTIES OF WARREN AND WASHINGTON  
INDUSTRIAL DEVELOPMENT AGENCY