

Subject: Permit Application No. NAN-2024-00408-MMI — Opposition to New York Transco / Propel NY Energy Project

Christopher W. Minck, U.S. Army Corps of Engineers, New York District, Regulatory Branch Christopher.W.Minck@usace.army.mil

Comments Regarding Hempstead Harbor, Long Island Sound, Navigation, Environmental Protection, and Public Use

Dear Mr. Minck:

I am writing as a resident of an impacted community along Hempstead Harbor regarding the proposed Propel NY Energy transmission project. Municipalities, environmental organizations, and residents have identified significant unresolved concerns that should be addressed before the Corps makes any permit decision.

Hempstead Harbor and Long Island Sound are public waters—not utility corridors. Hempstead Harbor has received years of public investment in restoration, including more than two million spat-on-shell oysters planted in Hempstead Harbor and neighboring bays, including areas near the proposed transmission route. Long Island Sound is **a federally recognized Estuary of National Significance and part of the EPA’s National Estuary Program**, where decades of public effort have been devoted to improving water quality, restoring habitat, and recovering shellfish resources. These public investments should not be placed at risk without a complete and enforceable assessment of sediment disturbance, turbidity, water quality, shellfish and benthic habitat, and long-term restoration.

Propel’s own materials acknowledge that trenching, jetting, and cable installation will disturb the seabed and may resuspend contaminants including **arsenic, copper, mercury, and dioxins/furans**. Given Hempstead Harbor’s industrial history, these impacts cannot simply be dismissed as temporary. The Corps should require a thorough assessment of contaminant resuspension, turbidity, shellfish impacts, benthic habitat, and cumulative impacts from the transmission project, expanded substation infrastructure, future interconnections, and reasonably foreseeable battery energy storage facilities in Glenwood Landing.

Navigation and public use require equal scrutiny. Hempstead Harbor is a **Harbor of Refuge** used for boating, anchoring, fishing, sailing, and commercial and recreational activities. The Applicant’s proposed cable burial depth raises serious concerns because existing deeper-buried transmission lines have experienced anchoring strikes. Propel proposes two attempts to achieve its stated burial depth but does not clearly establish what depth or protection will result if those attempts fail. Concrete mattresses and proposed anchorage restrictions could fundamentally alter existing use of the Harbor. The Corps should also address navigation-safety and aids-to-navigation concerns raised by the Coast Guard.

Underwater property rights and third-party infrastructure must be resolved. The Village of Sea Cliff has identified historic Grants of Lands Under Water and questioned whether Propel has established the rights necessary to occupy, cross, disturb, or burden the Harbor bottom. The Corps need not adjudicate title, but Propel should demonstrate that it possesses, or can lawfully obtain, the rights necessary to perform the proposed work. Iroquois Gas has likewise raised concerns regarding land rights and Propel’s proposed crossing of critical gas infrastructure and potential effects on its ability to safely operate that system.

The Applicant’s environmental protections should be **preventative, not reactive**. The permit should establish enforceable requirements for prevention, monitoring, emergency response, restoration, and work stoppage when environmental conditions cannot be adequately controlled. Restoration should not depend upon an undefined concept of “full energization,” which could leave affected waterways subject to degradation for an uncertain period if the project is delayed, modified, or never fully energized.

Finally, the Corps should require a transparent examination of the project’s **purpose, need, alternatives, and cumulative impacts**. The proposed transmission lines, substations, offshore wind generation, and reasonably foreseeable battery energy storage are interrelated components of the broader energy buildout and should not be evaluated as isolated projects when their combined infrastructure and environmental consequences are foreseeable. Wind leasing has ceased but this wind infrastructure is being advanced despite its need statements falling apart.

For these reasons, I respectfully request that the Corps **withhold or deny the permit unless and until these issues are fully addressed**, including contaminant resuspension, turbidity, shellfish and habitat protection, navigation and anchoring, burial depth and cable protection, underwater property rights, restoration, third-party infrastructure, and cumulative impacts.

I further respectfully request that the Corps **hold a public hearing before making any permit decision** so affected residents, municipalities, harbor users, environmental organizations, shellfish-restoration partners, waterfront businesses, and other stakeholders have a meaningful opportunity to be heard.

Thank you for your consideration.

Respectfully submitted,

Name: _____

Address: _____

Date: _____