

## The Climate Leadership and Community Protection Act (CLCPA):

### ELM Frequently Asked Questions

#### What is the Climate Leadership and Community Protection Act (CLCPA)?

The Climate Leadership and Community Protection Act (CLCPA) was signed into law in 2019. It called for the reduction of economy-wide greenhouse gas emissions: 40% by 2030 and no less than 85% by 2050 in comparison to previous 1990 levels. Additionally, the CLCPA targets 70% renewable energy by 2030 and 100% emissions-free energy by 2040.

As a result, in May 2020, the New York State Public Service Commission (NYSPSC) directed all NYS electric utilities to identify electric system investments to support CLCPA goals.

#### Why is the company approaching me?

Projects take time to plan, engineer, and construct. We may be approaching you to negotiate the purchase of certain land rights, or simply to make you aware of the upcoming work in your neighborhood. Reaching out to the affected landowners early enough gives us plenty of time to answer any questions regarding the project and its potential impacts to you and the community.

The Project's need for land rights may include an easement or an outright purchase, called fee ownership, depending on the project's scope.

#### What is an easement?

An easement is a right and interest in real property for a specific use, such as a transmission line to deliver power. The property owner still owns the land encumbered by the easement area, but the utility company is given the permanent right to build, operate, and maintain (including removing vegetation) within the easement area. The property owner may be restricted from placing certain structures or obstructions within this area. This easement will be in place indefinitely (forever) as it pertains to the specific land parcel.

#### What is fee ownership?

Fee simple is the highest form of real property ownership in the United States. When a parcel or part of a parcel is purchased "in fee," all its associated rights are transferred to the grantee/buyer without restriction and the buyer is now the new property owner. It is common for utilities to purchase land in fee for substations, permanent facilities, and environmental compatibility reasons (e.g., wetland mitigation).

#### What is a right of way?

Is the legal right, established by an easement, to pass along the route over the lands belonging to individual property owners. The Right of Way typically refers to the entire route of the transmission corridor.

#### What are temporary easements?

Temporary easements are taken for a specified period of time, which is determined by the project's needs. Temporary easements are common for construction activities such as access roads and laydown areas for staging materials.

#### Is there a standard size for a transmission corridor?

Each transmission corridor width is determined by the project's scope so the company can install, maintain, repair, and replace structures and equipment as needed, while trying to minimize impact to your property.

#### What is a structure and what does it look like?

A transmission tower or power pole is usually made of steel, and it is used to support overhead power lines. They also may be made of materials other than steel, such as concrete, wood, or wood composites.

### **What takes place before and during a project?**

Certain activities that occur before a project begins construction may include surveying the property, performing necessary diligence and feasibility studies, permitting, and securing land rights. We may also lay down ground mats to protect the land and our equipment. We may also work with you to remove any encroachments on existing rights-of-way. Such encroachments would include the removal of vegetation, trees, or other structures that will interfere with construction and may not be allowed within the right of way.

### **Who pays the property taxes on the land?**

Where we have acquired rights, the landowner is responsible for paying taxes on the land. However, we would pay taxes assessed on the utility equipment located within the easement area for situations where these improvements are assessed separately, often called “special franchise” or “personal property” taxes.

### **What happens after project construction is completed?**

We enter into fee and easement agreements with landowners with the mindset that we are neighbors, and after the agreement is signed, our relationship will continue for years. The company’s real estate representatives will be available during and after construction should any issues or questions arise. An easement allows the company to enter the property to perform the necessary inspections, repairs, and maintenance of the company’s equipment, which are critical for the longevity and reliability of the company’s grid infrastructure.

### **What is Vegetation Management?**

The company’s vegetation management program is designed to control any vegetation that may impact the facilities. Vegetation is removed and trimmed according to the provisions documented within the easement. All of these activities are performed safely and according to best practice standards.