June 14, 2024

THE NARRAGANSETT ELECTRIC COMPANY D/B/A RHODE ISLAND ENERGY

L14 and M13 Mainline Rebuild Project

Joint Application for a Category B Assent and a Freshwater Wetlands Permit to Rhode Island Coastal Resources Management Council

PROJECT NUMBER: 0245768

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Joint Application for a Category B Assent and a Freshwater Wetlands Permit to Rhode Island Coastal Resources Management Council

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ACRONYMS AND ABBREVIATIONS

AAC	All Aluminum Conductor
ac	acres
ACSR	Aluminum Conductor Steel Reinforced
ACSS	Aluminum Conductor Steel Supported
AMSL	Above Mean Sea Level
ASSF	Area Subject to Storm Flowage
ASF	Area Subject to Flooding
BFE	base flood elevation
BMP	Best Management Practice
CMP	corrugated metal pipe
CMR	Code of Massachusetts Regulations
Company	Narragansett Electric Company d/b/a Rhode Island Energy
CRMC	Rhode Island Coastal Resources Management Council
CRMP	Coastal Resources Management Program
CWA	Clean Water Act
E2EM	Estuarine Intertidal Emergent
EFH	Essential Fish Habitat
ESA	Endangered Species Act
FEMA	Federal Emergency Management Agency
FIRM	Flood Insurance Rate Map
FWWIVC	Freshwater Wetlands in the Vicinity of the Coast
ft	feet
GNSS	global navigation satellite system
HAPC	Habitat Areas of Particular Concern
HUC	Hydrologic Unit Code
IPaC	Information for Planning and Consultation
ISO-NE	ISO New England, Inc., the independent system operator of the New England electric transmission system.
kcmil	One thousand circular mils, approximately 0.0008 square inch, a measure of conductor cross-sectional area
kV	kilovolt
m	meter
MA	Massachusetts
Mainline	L14 and M13 Mainline

M.G.L.	Massachusetts General Law		
MHW	Mean High Water		
NEP	New England Power Company		
NOAA	National Oceanic and Atmospheric Administration		
NRHP	National Register of Historic Places		
NWI	National Wetlands Inventory		
OHWM	ordinary high-Water Mark		
OPGW	Optical Ground Wire		
Project	Mainline Rebuild Project		
PCN	Pre-Construction Notification		
PEM	Palustrine Emergent		
PFO	Palustrine Forested		
POWER	POWER Engineers, Inc.		
PSS	Palustrine Scrub-shrub		
RI	Rhode Island		
RIDEM	Rhode Island Department of Environmental Management		
RIDOT	Rhode Island Department of Transportation		
RI EFSB	Rhode Island Energy Facility Siting Board		
RIGIS	Rhode Island Geographic Information System		
R.I.G.L.	Rhode Island General Law		
RIHPHC	Rhode Island Historical Preservation and Heritage Commission		
RISESCH	Rhode Island Soil Erosion and Sediment Control Handbook		
RITBA	Rhode Island Turnpike and Bridge Authority		
ROW	Right-of-way		
SAV	Submerged Aquatic Vegetation		
sf	square feet		
SFHA	special flood hazard area		
SRPWs	Special Resource Protection Waters		
SWPPP	Stormwater Pollution Prevention Plan		
TARA	Terrestrial Archaeological Resources Assessment		
THPO	Tribal Historic Preservation Offices		
TMDL	total maximum daily load		
TNEC	The Narragansett Electric Company		
USACE	US Army Corps of Engineers—New England District		
U.S.C.	United States Code		

USCG	United States Coast Guard
USEPA	United States Environmental Protection Agency
USFWS	U.S. Fish & Wildlife Service
USGS	United States Geological Survey
VMP	Vegetation Management Procedures
Wetlands Act	Rhode Island Freshwater Wetlands Act
WISCP	Wetland Invasive Species Control Plan
WOTUS	waters of the United States

1.0 INTRODUCTION

The Narragansett Electric Company d/b/a Rhode Island Energy (the Company) is proposing the L14 and M13 115 kilovolt (kV) Mainline Rebuild Project (the Project) which is located in Tiverton and Portsmouth, Rhode Island and Fall River, Massachusetts. The Company is seeking authorization under a Category B Assent and Freshwater Wetlands Permit from the Rhode Island Coastal Resources Management Council (CRMC).

The Project includes a rebuilding of the existing L14 and M13 115 kV transmission lines (L14 and M13 Lines), a distance of approximately 7.9 miles through Tiverton and Portsmouth. The L14 and M13 Lines are the lines that supply power to Aquidneck Island and Jamestown. The Project area includes the portion of the L14 and M13 Lines located in a right-of-way (ROW) that begins approximately 0.1 miles east of the Canonicus Substation located at 421 Canonicus Street in Tiverton and continues in a southerly direction to the Dexter Substation at 182 Freeborn Street in Portsmouth. See the Project Locus Map, Figure 1-1 in Appendix A and the Erosion and Sediment Control Plan Index, Appendix B.

The Project also includes reconfiguring the existing alignment of the Sakonnet River crossing from Tiverton to Portsmouth. The Company is currently working on expanding its existing rights in that area by obtaining new easements and amending an existing easement. All of this work is limited to the Tiverton side of the Sakonnet River crossing. Additional rights are not required on the Portsmouth side. Due to the timing of the Project and coordination with the Independent System Operator of the New England (ISO-NE) electric operators, reliability needs, and planning of future outages, it is imperative that the Project move forward simultaneous with the Company's efforts to obtain the easements. Project activities are expected to begin in September 2024 to accommodate the scheduled outage in October 2024. This Application describes the entire scope of the Mainline Rebuild, including the realigned Sakonnet River Crossing. The Company is requesting CRMC accept this Category B and Freshwater Wetlands Application for completeness review and intends to have secured the required easements by the time technical review commences. The Company does not anticipate any modifications to the proposed Sakonnet River crossing that is detailed in this Application.

This narrative serves as the technical document to accompany the CRMC Category B Assent application, and describes the proposed Project activities, required permits, and environmental effects relative to the Pre-Construction Notification (PCN) application to the United States Army Corps of Engineers (USACE) - New England District.

The wetlands and waters on the Project ROW fall under jurisdiction of the CRMC and the Rhode Island Department of Environmental Management (RIDEM). The coastal areas crossed by the Project are regulated by the CRMC. The CRMC Coastal Resources Management Program (CRMP) maintains regulatory jurisdiction under Sections 1.2.1, Tidal and Coastal Pond Waters and Section 1.2.2 Shoreline Features (see Section 2.4). Therefore, Project activities will require a Category B Assent for the installation of Energy-related Activities/Structures within the 200-foot contiguous area of shoreline features.

The Company is filing a joint permit application for the CRMC Category B Assent and a permit under the Rules and Regulations Governing the Protection and Management of Freshwater Wetlands in the Vicinity of the Coast (FWWIVC). The Towns of Tiverton and Portsmouth are identified as municipalities where the CRMC has freshwater wetlands jurisdiction.

Herein is an Application for Category B State Assent and an application to Alter Freshwater Wetlands under work regulated by the provisions of Chapter 279 of the Public Laws of 1971 Amended. The Assent Application has been prepared in accordance with CRMC's Red Book addressing the CRMC's guidelines and stipulations for work activities proposed within state waters and within the coastal zone.

1.1 **Project Overview**

The affected portion of the L14 and M13 Mainline (the Mainline) ROW begins at the existing Dexter Substation located off Freeborn Street in Portsmouth, Rhode Island, runs north for approximately 7.9 miles, crossing the Sakonnet River between Portsmouth and Tiverton, and terminating at structure 20 located off Canonicus Street in Tiverton, Rhode Island. The span between structures 20 and 19 (located off Mariano Bishop Boulevard in Fall River, Massachusetts) encompasses the Rhode Island/Massachusetts state line. The Mainline consists of a 75- to 100-foot-wide cleared ROW with an approximate 100-foot-wide easement (variable width) in Portsmouth and a similar easement in Tiverton (Appendix B, Erosion and Sediment Control Plan Index).

All work will occur within the ROW easement held by the Company with access to locations obtained via existing, previously established access roads, as shown on the attached plans. The Company anticipates commencement of the activity in October 2024.

1.2 Regulatory Requirements and Applicability

1.2.1 Regulatory Requirements

Appendix B, Erosion and Sediment Control Plan Index, depicts the overall location of the Project and shows the limits of CRMC jurisdiction applicable to the Application herein. As shown, Project components including regulated shoreline features, coastal wetlands, FWWIVC, biological freshwater wetlands, and jurisdictional drainage features including Areas Subject to flooding (ASFs) and Areas Subject to Storm Flowage (ASSFs) are subject to the CRMP. Project components are primarily assumed to be located within the 200-foot contiguous area of shoreline features and not within Rhode Island coastal waters.¹ The area of tidal waters associated with Founders Brook and Boyd Marsh Area, as well as Structures 56-62X, are associated with Type 2 Low Intensity Use Waters. Structures 56-62X are located in coastal wetlands associated with Type 2 waters, however, according to the Activity Matrix in Table 1, under CRMP § 1.1.5(A) footnote 3, utility lines are reviewed as Category B. Therefore, it is the Company's understanding that all Project components will be filed under a Category B Assent, included herein, and will not require and variance or special exception.

¹ "Coastal Waters" is defined in the Coastal Zone Management Act (CZMA) §304(3) as "waters, adjacent to the shorelines, which contain a measurable quantity or percentage of sea water, including, but not limited to, sounds, bays, lagoons, bayous, ponds, and estuaries." Using the definition from CZMA, and for the purposes of this application, it is assumed that coastal waters begin at Mean High Water (MHW) extending seaward.

1.2.2 Regulatory Applicability

Wetlands were identified and delineated in accordance with requirements of the following jurisdictions:

- Clean Water Act (CWA) (33 United States Code [U.S.C.] §§ 1251 et seq., Section 404 and Section 401)
- Rhode Island Freshwater Wetlands Act (Wetlands Act) (Rhode Island General Law [R.I.G.L.] § 2-1-18 et seq.) and associated RIDEM rules (250-RICR-150-15-3)
- CRMC (R.I.G.L. § 46-23 et seq.) and associated regulations (650-RICR-20-00-1 and 650-RICR-20-00-9)

Pursuant to the recently updated definition of "waters of the United States" (WOTUS) effective September 8, 2023, relatively permanent standing or continually flowing bodies of water, including wetlands with a continuous surface connection to those waters, are subject to the federal CWA. Wetlands display evidence of three wetland indicators – predominance of hydrophytic (wetland) vegetation, hydric soils, and surface hydrology. This three-parameter approach was used by the field team to identify and delineate the wetlands in accordance with the 1987 USACE Wetland Delineation Manual (Environmental Laboratory 1987) and the subsequent Regional Supplement to the USACE Wetland Delineation Manual: Northcentral and Northeast Region (USACE 2012). Apart from unusual or atypical situations, evidence of wetland must be exhibited by all three parameters for an area or position to be designated as wetland.

In 1971, the Rhode Island General Assembly passed the Wetlands Act and authorized the CRMC regulatory authority, protecting inland freshwater wetlands and coastal resources, respectively. Wetlands identified during the field review comply with the definition of "Freshwater Wetland" pursuant to the Wetlands Act and/or coastal features and wetland resources consistent with definitions provided in current RIDEM rules and CRMC regulations. Updated RIDEM freshwater wetland rules and CRMC regulations relating to FWWIVC went into effect on July 1, 2022. Under the new regulations, RIDEM and CRMC no longer regulate "Riverbank Area" and "Perimeter Wetland." Instead, RIDEM and CRMC regulate a "Jurisdictional Area" which includes the resource (i.e., wetland, stream, or shoreline feature) and a contiguous area extending 100 feet (ft) outward from a freshwater wetland and 200 ft outward from a stream or inland border of a shoreline feature. The contiguous area includes the resource's Buffer Zone, and Buffer.

On behalf of the Company, POWER Engineers, Inc. (POWER) wetland scientists completed a delineation of wetlands and WOTUS on February 9 and 14, 2023; June 6, 2023; September 11-15, 2023; and October 3-6, October 10-13, and October 19, 2023. During field surveys, wetlands were identified and delineated in accordance with requirements of the CWA (33 U.S.C. §§ 1251 et seq., Section 404 and Section 401). A two-person field team comprised of a wetland ecologist and an environmental specialist performed a field survey to identify, characterize, and map coastal and freshwater wetland and watercourse resources along the ROW.

The field team utilized a Juniper Geode GNS2 global navigation satellite system (GNSS) receiver paired with an iPad (or similar device) running Esri Field Maps software with a Project-specific base map to provide real time sub-meter accuracy resource mapping. Wetland and stream boundary flags (pink and blue, respectively) were labeled with Resource ID and Flag Number and hung on persistent vegetation in the field.

The field-delineated wetlands map, Erosion and Sediment Control Plan Index included as Appendix B, show the extent of field delineated wetlands, streams, shoreline features, and associated contiguous area (Rhode Island) or buffer zone (Massachusetts) in accordance with current regulations.

Field Reviewed Wetlands and Watercourses

POWER identified and mapped 22 wetlands within the review area. Specific wetland features identified during the field review include:

- Freshwater Wetlands
- Coastal Wetlands
- Freshwater Wetlands in the Vicinity of the Coast
- Buffer Zone and Buffer²
- Areas Subject to Flooding
- Areas Subject to Storm Flowage

Definitions of these features according to applicable regulations are as follows:

- Freshwater Wetlands in Rhode Island are defined by RIDEM as "those areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and under normal circumstances do support a prevalence of vegetation adapted for life in saturated soil conditions including, but not limited to, marshes, swamps, bogs, emergent and submergent plant communities, rivers, streams, ponds, and vernal pools or any combination thereof" (250-RICR-150-3-3.4.A.32.a).
- Coastal Wetlands are defined by the CRMC as "salt marshes and freshwater or brackish wetlands contiguous to salt marshes or physiographical features. Areas of open water within coastal wetlands are considered a part of the wetland. In addition, coastal wetlands also include freshwater and/or brackish wetlands that are directly associated with non-tidal coastal ponds and freshwater or brackish wetlands that occur on a barrier beach or are separated from tidal waters by a barrier beach" (650-RICR-20-00-1.1.2.A.30).

² The resource's Buffer Zone, and Buffer, are included in the contiguous area.

- FWWIVC are defined by the CRMC as "consistent with the R.I. Gen. Laws § 46-23-6, freshwater wetlands and the associated jurisdictional area³ seaward of the jurisdictional boundary⁴ that are regulated by the CRMC in accordance with the Rules and Regulations Governing the Protection and Management of Freshwater Wetlands in the Vicinity of the Coast (650-RICR-20-00-9)" (650-RICR-20-00-9.4.A.35).
- Buffer Zone is defined by the CRMC as "a land area on or contiguous to a shoreline feature that is retained in its natural undisturbed condition" (650-RICR-20-00-1.1.2.A.21).
- ASF is defined by the CRMC as "areas that include, but are not limited to, low-lying areas that collect, hold or meter out storm and flood waters from any of the following: rivers, streams, intermittent streams or areas subject to storm flowage" (650-RICR-20-00-9.5.A.5).
- ASSF is defined by the CRMC as "areas that include drainage swales and channels that lead into, out of, pass through or connect other freshwater wetlands or coastal wetlands, and that carry flows resulting from storm events, but may remain relatively dry at other times" (650-RICR-20-00-9.5.A.6).

Of the 22 wetlands identified within the review area, four wetlands designated as salt marsh systems (PW11, PW12, PW13, and SM01) qualify as Coastal Wetlands per the CRMC Red Book regulatory definition listed above. Additionally, four freshwater wetlands (PW10, PW14, PW15, and TW01) qualify as FWWIVC. See Sections 2.8 and 2.9 for a more detailed discussion on wetlands located within the Project Area.

There was one ASF identified during wetland surveys on the ROW. ASSFs are recognized by evidence of scouring and/or other marked change in vegetative density and/or composition. Ten ASSFs were identified during wetland surveys on the ROW. Where there are areas which have been identified as ASSFs and need to be crossed within the ROW for access to structure locations, the Company has proposed to use and installation of an air-bridge and/or in the installation of permanent stone/rock fords to at those locations to allow for continuous unrestricted flow and to minimize erosion across the ROW.

The National Wetlands Inventory (NWI) wetlands and deepwater habitat classification system (Federal Geographic Data Committee 2013) defines wetland and deepwater habitat resources via a series of alpha-numeric codes which correspond to the classification nomenclature that best describes a particular wetland habitat type. Wetlands within the review area were assigned the following NWI classification codes as determined by the Wetland Ecologist during the field review:

• Estuarine Intertidal Emergent (E2EM) wetlands include deepwater tidal habitats and adjacent tidal wetlands that are usually semi enclosed by land but have open, partly

³ "Jurisdictional area" is defined in the CRMC regulations as "pursuant to R.I. Gen. Laws § 2-1-20(9), the following lands and waters, except as provided for in R.I. Gen. Laws § 2-1-22(k), that shall be subject to regulation under these Rules: a. Freshwater wetlands; b. Buffers; c. Floodplains; d. Areas subject to storm flowage; e. Areas subject to flooding; and f. Contiguous area that extend outward: 1) Two hundred feet (200') from the edge of a river or stream; 2) Two hundred feet (200') from the edge of a drinking water supply reservoir; and 3) One hundred feet (100') from the edge of all other freshwater wetlands" (650-RICR-20-00-9.4.A.41).

⁴ "Jurisdictional boundary" is defined in the CRMC regulations as "the line determined by the Department of Environmental Management and the CRMC, pursuant to R.I. Gen. Laws § 46-23-6, that designates areas of freshwater wetland-related authority as depicted on the map in § 9.22 of 650-RICR-20-00-9" (650-RICR-20-00-9.4.A.42).

obstructed, or sporadic access to the open ocean, and in which ocean water is at least occasionally diluted by freshwater runoff from the land. The substrate in these habitats is flooded and exposed by tides and includes the associated splash zone. These wetlands are dominated by emergent plants—i.e., erect, rooted, herbaceous hydrophytes, excluding mosses and lichens—as the tallest life form with at least 30% areal coverage. This vegetation is present for most of the growing season in most years. These wetlands are usually dominated by perennial plants.

- **Palustrine Emergent (PEM)** wetlands are nontidal wetland systems dominated by emergent plants—i.e., erect, rooted, herbaceous hydrophytes, excluding mosses and lichens—as the tallest life form with at least 30% areal coverage. This vegetation is present for most of the growing season in most years. These wetlands are usually dominated by perennial plants.
- **Palustrine Forested (PFO)** wetlands are nontidal wetland systems where trees are the dominant life form—i.e., the tallest life form with at least 30% areal coverage. Trees are defined as woody plants at least 6 meters (m) (20 ft) in height.
- **Palustrine Scrub-shrub (PSS)** wetlands are nontidal wetland systems where woody plants less than 6 m (20 ft) tall are the dominant life form—i.e., the tallest life form with at least 30% areal coverage. The "shrub" life form includes true shrubs, young specimens of tree species that have not yet reached 6 m in height, and woody plants (including tree species) that are stunted because of adverse environmental conditions.

1.3 Purpose and Need

The Company manages approximately 400 miles of overhead and underground transmission lines exclusively in the state of Rhode Island. The system needs are identified through a combination of data collection activities, including desktop review, ground inspections, aerial inspections, and third-party condition assessments. The Company utilizes the collected data to apply a proactive asset management strategy to upgrade or rebuild transmission facilities to improve reliability and the longevity of the system while reducing maintenance costs.

The M13 Line is a 12.3-mile line connecting Pottersville Substation (New England Power Company [NEP] owned) and Jepson Substation (Company owned). The L14 Line is a 12.3-mile line connecting Bell Rock Substations (NEP owned) and Jepson Substation (Company owned). The M13 and L14 lines change ownership at the Massachusetts/Rhode Island state border.⁵ The Project needs and scope cover only the Rhode Island portion of the Lines.

This Project focuses on improving the condition and performance of the M13 and L14 Lines between the Massachusetts/Rhode Island state border and Dexter Street Substation. The lines provide an important source of energy to the Aquidneck Island area and they have been identified for refurbishment due to extensive outages stemming from lightning flashing over insulation and trees falling into the line due to heavy snow. Since the lines were originally constructed in 1964, design criteria for the area have changed and designed wind-loads have increased due to the proximity of the coast. Due to the physical deficiencies on the line, the M13 line has experienced 12 momentary outages and three sustained outages, while the L14 line has experienced seven sustained outages and four momentary outages since 1998. Due to the

⁵ The M13 and L14 line cross the Massachusetts/Rhode Island state border; NEP will be responsible for addressing reliability concerns on NEP owned infrastructure.

poor performance, these lines have been designated as two of the worst performing circuits in the Company's system.

Aerial inspections have identified conductor deficiencies along the entirety of the lines, including broken strands. All aluminum conductors (AAC) and aluminum conductor steel reinforced (ACSR) conductors also lose mechanical strength over their service life due to corrosion and annealing, leading to an increased likelihood of broken strands and eventual conductor failure.

There are a total of 292 single-circuit structures and 9 double-circuit structures on the M13 and L14 Mainlines. The predominant structure type on the Mainlines is a single wood pole davit arm structure. The wood structures are exhibiting signs of deterioration such as discoloration, bowing, rotting, and woodpecker holes seen during ground inspections.

To address the deficiencies along the lines and the aging infrastructure, the M13 and L14 lines need to be upgraded and rebuilt. If the L14 and M13 Lines are not rebuilt, the area may face future reliability issues resulting from the asset conditions of the L14 and M13 Lines. The Project is needed to address the asset condition issues of the current Lines. As noted, due to the timing of the Project and coordination with ISO-NE operators, reliability needs, and planning of future outages, it is imperative that the Project move forward to utilize the selected outage in October 2024.

1.4 Work Description

If permits are obtained on schedule, Project activities will consist of the prioritized replacement of two lattice structures (Structures 40 and 41) on either side of the Sakonnet River with doublecircuit steel pole structures installed on concrete caisson foundations, followed by the replacement of the L14 and M13 structures within the ROW. Structures along the affected portion of the line (approximately 7.9 miles) will be replaced with single-circuit structures except for Structures 48 through 58, which will be replaced by double-circuit steel pole structures. Dead-end and angle structures will be installed with concrete caisson foundations, and tangent structures will be direct-embed installations.

The Project involves the following improvements to the existing transmission assets:

- Rebuild the existing L14 and M13 115 kV transmission line between Canonicus Street in Tiverton extending south a distance of approximately 7.9 miles to the existing Dexter Substation located off Freeborn Street in Portsmouth, which includes replacing 253 existing transmission structures.
 - Rebuild the existing overhead crossing of the Sakonnet River with a proposed distance of approximately 1,245 ft.
 - Replace 24 of the existing transmission structures that cross the Montaup Country Club in Portsmouth with 12 double-circuit steel pole structures.⁶
- Reconductor with 1113.0 kcmil aluminum conductor steel supported (ACSS) overhead conductor.

⁶ Existing transmission line structures in Montaup Country Club are single-circuit; these single-circuit structures will be removed and replaced with one double-circuited steel pole structure.

- Replace existing overhead shield wire with new overhead 48 count fiber Optical Ground Wire (OPGW) on double-circuit structures. Each structure will have dual shielding.
- Restore and stabilize the affected areas within the ROW.

1.5 List of Adjacent Property Owners (Relative to Category B Work Activities)

A list of adjacent property owners whose property adjoins the Project where proposed work will occur is provided in Appendix C. The list includes current names and mailing address of each property owner for notification. Demonstration of property ownership, rights, and/or interest for the proposed Project activities has been provided in Appendix C.

1.6 Summary of Other Permits, Reviews, and Approvals

The Company conducted a significant amount of permit-needs research, agency coordination, and stakeholder outreach in anticipation of Project execution. Table 1-1 provides a summary of the other required approvals and permits along with dates of approval or estimated dates of approvals for those permits that have not been issued.

	PERMIT / APPROVAL	STATUS	
Federal			
U.S. Army Corps of Engineers (USACE)	IClean Water Act (CWA) Pre-Construction Notification Section 404 Permit. Rivers and Harbors Act of 1899 Section 10 Permit.	Pre-application meeting held May 3, 2024. Pre-Construction Notification (PCN) for Project activities filed on June 14, 2024.	
United States Coast Guard (USCG)	Local Notice to Mariners.	Filing planned for prior to wire stringing over the Sakonnet River.	
U.S. Fish & Wildlife Service (USFWS)	Section 7 Endangered Species Act (ESA) Consultation, information for Planning and Consultation (IPaC) review.	IPaC consultation created June 4, 2024, and to be filed with USACE Section 404/10 Permit application.	
Federal Aviation Administration	49 CFR Part 77 Safe, Efficient Use and Preservation of the Navigable Airspace Determination of No Hazard.	To be filed (if required).	
State/Rhode Island			
	Category B Assent and Submerged Lands License pursuant to R.I. Gen. Laws § 46-23 and 650-RICR-20-00-1 and 650-RICR-20- 00-2.	Filing submitted herein.	
Rhode Island Coastal Resources Management Council (CRMC)	Freshwater Wetlands Permit pursuant to the Rules and Regulations Governing the Protection and Management of Freshwater Wetlands in the Vicinity of the Coast (650- RICR-20-00-2.1 et seq.) (R.I.G.L. 46-23-6).	Filing submitted herein.	
Rhode Island Energy Facility Siting Board (RI EFSB)	License to Construct & Alter Major Energy Facilities (R.I.G.L. §§ 42-98-1, et seq.). Certificate of necessity/public utility.	Filing planned for Q2.	

TABLE 1-1 SUMMARY OF THE PROJECT'S FEDERAL, STATE, AND LOCAL PERMITS, REVIEWS, AND APPROVALS

AGENCY/REGULATORY AUTHORITY	PERMIT / APPROVAL	STATUS
Rhode Island Historical Preservation and Heritage Commission (RIHPHC)	Permission to conduct archaeological field investigations (pursuant to the Antiquities Act of R.I.G.L. 42-45 and the Rhode Island Procedures for Registration and Protection of Historic Properties).	Phase 1 Permit (No. 24-01) issued on January 9, 2024. Terrestrial Archaeological Resources Assessment (TARA - Phase 1A/1B Report) to be filed by August 15, 2024.
	Section 106 Consultation.	To be initiated by USACE.
Rhode Island Department of Environmental Management (RIDEM)	Consultation with the Rhode Island Natural Heritage Program and Division of Fish and Wildlife.	Information provided by RIDEM on July 11, 2023.
Municipal		
Tiverton Building Official	Approval of Stormwater Pollution Prevention Plan (SWPPP) for consistency with Tiverton Soil Erosion & Sediment Control Ordinance	To be filed with Town of Tiverton.
Portsmouth Building Official	Approval of SWPPP for consistency with Chapter 320 Soil Erosion & Sediment Control Ordinance	To be filed with Town of Portsmouth.

2.0 PROJECT SETTING AND EXISTING ENVIRONMENTAL CONDITIONS

The Project Area and existing environmental conditions are described in the following sections. The tidal waters of Mount Hope Bay and the Sakonnet River are the primary coastal resources associated with the Project. One area of tidal coastal wetlands near Montaup Country Club in Portsmouth, Rhode Island is also included in the Project Area and described in detail herein.

2.1 Project Area

The Project involves the rebuild of the existing L14 and M13 co-located 115 kV transmission lines entirely within the Company's existing ROW easements and within the maintained portion of the existing ROW. As a result, the Project is anticipated to have only limited and temporary impacts on the natural environment including, soils, vegetation, surface water, wetland and waterbodies, and wildlife. The Project is anticipated to have no impact on geology and therefore the geological characteristics are not included in the below assessment. The Project ROW traverses portions of Portsmouth and Tiverton, Rhode Island and Fall River, Massachusetts. Most of the existing corridors run through forested and residential areas proximate and parallel with major transportation routes (Rhode Island State Routes 24 and 138) and a private railway (Newport Dinner Train). The corridor also crosses numerous local roads and the Sakonnet River.

Adjacent land uses include mixed forest, medium density residential, commercial, and recreational areas, including the Montaup Country Club located in Portsmouth, Rhode Island.

2.2 Soils

Because soils will be disturbed and graded for access roads, work pads and pull pads during Project construction, information concerning the physical properties, classification, agricultural

suitability, and erodibility of soils near the Project Area (see Appendix B, Erosion and Sediment Control Plan Index) were obtained from the Natural Resource Conservation Service. The Soil Survey delineated map units that may consist of one or more soil series and/or miscellaneous non-soil areas that are closely and continuously associated on the landscape. In addition to the named series, map units include specific phase information that describes the texture and stoniness of the soil surface and the slope class. The soil series within the Project Area were identified. Common soil types found within the Project Area include udorthents-urban land complex, Newport silt loams, Canton and Charlton fine sandy loams, 3% to 15% slopes, very rocky, Freetown Muck, Newport-Urban land complex, and Paxton-Urban land complex, 3% to 15% slopes. These soil types make up approximately 52% of the Project Area soils. Project Area hydric soil status is depicted on Figure 2-1, Appendix A.

2.3 Water Resources

2.3.1 CRMC Water Type Classifications

CRMC designates the waters of the Sakonnet River where the L14 and M13 Lines cross from Tiverton into Portsmouth, Rhode Island as Type 3 High Intensity Boating Waters (CRMP § 1.2.1.D). A portion of Long Neck Cove, which is parallel on the southern side of Structures L44 to M/L52 in Portsmouth, Rhode Island, are designated as Type 2 Low Intensity Use (CRMP § 1.2.1.C). Additionally, the waters of Mount Hope Bay, parallel to the northern side of Structures M/L53 to M/L56, are also designated as Type 2 Low Intensity Use along the coastline. Figure 2-2 in Appendix A shows the CRMC Water Types, as depicted on CRMC's Map of Water Type Classifications.

2.3.2 Surface Waters

The Project Area lies entirely within the Narraganset Bay subbasin. Within the subbasin, the Project crosses two watersheds including Narragansett Bay-Frontal Rhode Island Sound in Fall River, Massachusetts and Tiverton and Portsmouth, Rhode Island and the Lower Taunton River watershed in Fall River, Massachusetts and Tiverton, Rhode Island (RIGIS 2007). Watersheds are further delineated into smaller sub watersheds identified by a unique level, Hydrologic Unit Code (HUC-12). The Project crosses four sub watersheds, including Mount Hope Bay, Quequechan River, Sakonnet River, and Upper East Passage, as detailed in Table 2-1.

LINE SEGMENT	BEGIN STRUCTURE	END STRUCTURE	HUC12 CODE AND NAME
L14 & M13 Mainline	19(78)	M9/L9	010900040905 Mount Hope Bay
L14 & M13 Mainline	M10/L10	M11/L11	010900040803 Quequechan River
L1 & M13 Mainline	M12/L12	M13/L13	010900040910 Sakonnet River
L14 & M13 Mainline	M14/L14	M15/L15	010900040905 Mount Hope Bay
L14 & M13 Mainline	M16/L16	M20/L20	010900040910 Sakonnet River
L14& M13 Mainline	M21/L21	M42/L42	010900040905 Mount Hope Bay
L14 & M13 Mainline	M43/L43	M/L51X	010900040910 Sakonnet River
L14 & M13 Mainline	M/L52	M75/L75	010900040905 Mount Hope Bay

TABLE 2-1 HYDROLOGIC UNIT CODE-12 SUB WATERSHEDS CROSSED BY THE PROJECT

L14 & M13 Mainline M76/L76 M90/L90 010	010900040907 Upper East Passage
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The named surface water resources and classifications within the Project Area are listed in Table 2-2 below. Pursuant to the Rhode Island Water Quality Regulations (250-RICR-150-05-1), the waters of the state of Rhode Island (meaning all surface water and groundwater of the State) are assigned a Use Classification which is defined by the most sensitive uses which it is intended to protect. Waters are classified according to specific physical, chemical, and biological criteria which establish parameters of minimum water quality necessary to support the water Use Classification. The water quality classification of the major surface waters within the Project Area are identified in the descriptions of the water bodies that follow.

- 1. All streams tributary to Class A waters shall be Class A.
- 2. All waters tributary to Class AA waters shall be Class AA.
- All freshwaters hydrologically connected by surface waters and upstream of Class B, B1, SB, SB1, C, or SC waters shall be Class B unless otherwise identified in Section 1.25 of the Water Quality Regulation.
- 4. All other fresh waters, including, but not limited to, ponds, kettleholes and wetlands not listed in Section 1.25 of the Water Quality Regulation shall be considered to be Class A.
- All seawaters not listed in Section 1.25 of the Water Quality Regulation shall be considered to be Class SA. All saltwater and brackish wetlands contiguous to seawaters not listed in Section 1.25 of this Part shall be considered Class SA.
- 6. All saltwater and brackish wetlands contiguous to seawaters listed in Section 1.25 of the Water Quality Regulation shall be considered the same class as their associated seawaters.

Special Resource Protection Waters (SRPWs) are high quality surface waters identified as having significant ecological or recreation uses. No SRPWs are located within the Project Area.

WATER BODY NAME	TOWN	USE CLASSIFICATION	FISHERY DESIGNATION	WATER BODY CROSSED
Sucker Brook	Tiverton, RI	А	Warm	No
Tributary to Sin and Flesh Brook	Tiverton, RI	В1	Warm	Yes
Creamer Pond	Tiverton, RI	А	Unassessed	No
Sakonnet River	Tiverton, RI Portsmouth, RI	SB	No Designation	Yes
Mount Hope Bay	Tiverton, RI Portsmouth, RI	SB SA	No Designation	Yes
Founders Brook	Portsmouth, RI	А	Warm	Yes
Town Pond	Portsmouth	Not Listed, Determined A	Unassessed	No
Tributary to The Cove	Portsmouth	А	Warm	No
Barker Brook	Portsmouth	A	Warm	Yes

TABLE 2-2 NAMED SURFACE WATER RESOURCES WITHIN THE PROJECT AREA

Notes:

Use Classification:

A: These waters are designated for primary and secondary contact recreational activities and for fish and wildlife habitat. They shall be suitable for compatible industrial processes and cooling, hydropower, aquacultural uses, navigation, and irrigation and other agricultural uses. These waters shall have excellent aesthetic value.

B1: These waters are designated for primary and secondary contact recreational activities and fish and wildlife habitat. They shall be suitable for compatible industrial processes and cooling, hydropower, aquacultural uses, navigation, and irrigation and other agricultural uses. These waters shall have good aesthetic value. Primary contact recreational activities may be impacted due to pathogens from approved wastewater discharges. However, all Class B criteria must be met.

SA: These waters are designated for shellfish harvesting for direct human consumption, primary and secondary contact recreational activities, and fish and wildlife habitat. They shall be suitable for aquacultural uses, navigation and industrial cooling. These waters shall have good aesthetic value. SB: These waters are designated for primary and secondary contact recreational activities; shellfish harvesting for controlled relay and depuration; and fish and wildlife habitat. They shall be suitable for aquacultural uses (other than shellfish for direct human consumption), navigation, and industrial cooling. These waters shall have good aesthetic value.

Source: State of Rhode Island Water Quality Regulations 250-RICR-150-05-01. Available at https://rules.sos.ri.gov/regulations/part/250-150-05-1, accessed on February 23, 2024.

Pursuant to the requirements of Section 305(b) of the federal CWA, water bodies that are determined to be not supporting their designated uses in whole or in part are considered impaired and scheduled for restoration. The causes of impairment are those pollutants or other stressors that contribute to the actual chemical contaminants, physical parameters, and biological parameters. Sources of impairment are not determined until a total maximum daily load (TMDL) assessment is conducted on a water body. Table 2-3 lists the impaired surface water resources in the Project Area based on the State of Rhode Island 2022 Impaired Waters Report (RIDEM 2022).

WATER BODY NAME	IMPAIRMENT	CATEGORY
Cuelear Dreek	Enterococcus	4A
SUCKEI BLOOK	Copper	5
Mount Hope Bay	Dissolved Oxygen	5
	Total Nitrogen	5
	Fecal Coliform	4A
Founders Brook	Enterococcus	5
Sakonnet River	Fecal Coliform	4A

TABLE 2-3 IMPAIRED SURFACE WATER RESOURCES IN THE PROJECT AREA

Notes: Category 4A

TMDL has already been completed. Waterbodies are listed and tracked under Category 4A when the TMDL has been completed by RIDEM and approved by United States Environmental Protection Agency.

Category 5 Impaired or threatened for one or more uses and requires a TMDL, development of TMDL needed.

2.3.3 Groundwater Resources

The RIDEM classifies all the State's groundwater resources and establishes groundwater quality standards for each class. The four classes are designated GAA, GA, GB, and GC. Groundwater classified as GAA and GA is to be protected to maintain drinking water quality. Groundwater classified GB are those groundwater resources which may not be suitable for public or private drinking water use without treatment due to known or presumed degradation resulting from overlying land uses. Class GC groundwater is known to be unsuitable for drinking water use due to waste disposal practices such as landfills. Class GB and GC areas are served by a public water supply (RIDEM 2023). The presence and availability of groundwater resources is a direct function of geologic deposits in the vicinity of the Project.

Groundwater resources within the Project Area are depicted on Figure 2-3, Appendix A. Rhode Island groundwater resources within the Project Area include GA and GB. The total acreage of groundwater resources within the Project Area is approximately 5,015 acres (ac) of this >99% is classified GA and <1% is classified as GB. Because GAA and GA are suitable for drinking water use without treatment, both classes are subject to the same groundwater quality standards.

The United States Environmental Protection Agency (USEPA) has designated Sole Source Aquifer status to aquifers that supply at least 50% of the drinking water for its service area and for which there are no reasonably available alternative drinking water sources should the aquifer become contaminated. The purpose of sole source aquifer designation is to manage land use practices within the aquifer recharge area to protect groundwater quality. There are no sole source aquifers in the Project Area.

2.3.4 Riverbed Characteristics

A river is typically a named body of water designated as a perennial stream by United States Geological Survey (USGS). A perennial stream maintains flow year-round and is also designated as a solid blue line on a USGS topographic map. Eleven perennial waterbodies, including the Sakonnet River, are located within the Project Area based on a GIS analysis of National Hydrography Dataset. Seven perennial streams including the tidal Sakonnet River were identified during wetland surveys of the ROW.

2.3.5 Special Flood Hazard Area Zones

The Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) No. 44005C0039J, effective September 4, 2013, depicts special flood hazard area (SFHA) zones for the area where the Lines cross from Tiverton to Portsmouth across the Sakonnet River (see Figure 2-4 in Appendix A). The FEMA FIRM No. 44005C0038J, effective September 4, 2013, depicts SFHA zones for the majority of the line from the Sakonnet River crossing, until approximately where the Lines cross at Boyds Lane, where Boyds Lane and Anthony Road intersect in Portsmouth, Rhode Island River (see Figure 2-5 in Appendix A). The remainder of the Project Area remains outside of SFHA zones.

The Sakonnet River at the river crossing, is mapped as being associated with a coastal SFHA (Zone VE) with a base flood elevation (BFE) of 17 ft NAVD88 upriver, towards Mount Hope Bay. Downriver, on the southern side of the river crossing, is mapped as being associated with a coastal SFHA (Zone VE) with a BFE of 16 ft NAVD88. The remainder of the Lines located in SFHA zones coincide with a coastal SFHA (Zone AE) with a BFE of 13 ft NAVD88.

2.3.6 Floodplain

A floodplain is the land area adjacent to a river, stream or other body of flowing water which is, on average, likely to be covered with flood waters resulting from a 100-year frequency storm event as mapped by FEMA. Floodplain areas within the Project Area are shown on Figure 2-6. Several FEMA-mapped 100-year (Zone A/AE) and 500-year (Zone X) floodplains are present within the Project area. These floodplains are associated with large low-lying coastal wetland complexes adjacent to Mount Hope Bay and north and east of Boyds Lane and State Route 24 in Portsmouth, as well as low-lying areas bordering the tidal Sakonnet River. In addition, FEMA-mapped 100-year floodplains with additional hazard associated with storm waves (Zone VE) are present within the Project area bordering Mount Hope Bay and the Sakonnet River.

Several FEMA-mapped 100-year floodplains are present within the Project area, as shown on mapping in Appendix A and B. The floodplains are associated with wetland complexes adjacent to major drainageways such as the Sakonnet River and Founders Brook and along coastal floodplains associated with Mount Hope Bay.

2.3.7 Area Subject to Storm Flowage

ASSF are channel areas which carry storm, surface, groundwater discharge or drainage waters out of, into, and/or connect freshwater wetlands or coastal wetlands. ASSFs are recognized by evidence of scouring and/or other marked change in vegetative density and/or composition. Ten ASSFs were identified during wetland surveys on the ROW.

2.3.8 Area Subject to Flooding

ASFs include, but are not limited to, flood plains, depressions or low laying areas flooded by rivers, streams, intermittent streams, or areas subject to storm flowage which collect, hold, or meter out storm water and flood waters. ASFs do not connect to other freshwater or coastal wetlands as ASSFs do. One ASF was identified during wetland surveys on the ROW.

2.4 CRMC Regulated Shoreline Features

The wetlands and waters on the Project route fall under the jurisdiction of the CRMC and the RIDEM, with the majority of the transmission line within area regulated by RIDEM. Therefore, a Freshwater Wetlands Permit will be required. The coastal areas crossed by the Project are regulated by the CRMC. The CRMC Coastal Resources Management maintains regulatory jurisdiction under Sections 1.2.1, Tidal and Coastal Pond Waters and Section 1.2.2 Shoreline Features. Therefore, Project activities will require a Category B Assent for the installation of Energy-related Activities/Structures within the 200-ft contiguous area of shoreline features.

Specific coastal features identified within the review area by POWER during the field review, and defined in the CRMC Red Book regulations (650-RICR-20-00-1.1.2.A), include:

- Coastal Beaches
- Coastal Headlands, Bluffs, and Cliffs
- Dunes
- Manmade Shorelines

Definitions of these features according to the CRMC regulations are as follows:

- **Coastal Beaches** are defined as "expanses of unconsolidated, usually unvegetated sediment commonly subject to wave action, but may also include a vegetative beach berm. Beaches extend from mean low water landward to an upland rise, usually the base of a dune, headland bluff, or coastal protection structure, pilings, or foundation" (650-RICR-20-00-1.1.2.A.25).
- **Coastal Headlands, Bluffs, and Cliffs** are defined as "elevated land forms on headlands directly abutting coastal waters, a beach, coastal wetland, and rocky shore" (650-RICR-20-00-1.1.2.A.27).
- **Dunes** are defined as "elevated accumulations of sand formed by wind action. Dunes which are undisturbed appear as hills, mounds, or ridges of sand and are typically vegetated with beach grass and shrubs. The more or less continuous ridge of dunes parallel to, and just inland of, the beach is termed the foredune zone" (650-RICR-20-00-1.1.2.A.50).
- **Manmade Shorelines** are defined as "shorelines that are characterized by concentrations of shoreline protection structures and other alterations, to the extent that natural shoreline features are no longer dominant" (650-RICR-20-00-1.1.2.A.84).

Based on a review of Rhode Island Geographic Information System (RIGIS) Wetland Types mapping and the United States Fish and Wildlife Service (USFWS) Coastal Barrier Resources System Maps for Rhode Island that are part of the John H. Chafee Coastal Barrier Resources System, there are no barrier beaches mapped within the Project ROW (see Appendix D, USFWS Coastal Barrier Resources System Maps, displaying the Prudence Island Complex Unit D02B [barrier beach]). There are two additional areas that are recommended for inclusion into the barrier beach system which the Project does overlap. However, these two areas are only recommended for inclusion and have not yet been adopted by Congress. Therefore, it is the Company's position that the Project ROW is not currently included in a barrier beach system.

2.4.1 Coastal Features (Coastal Beach, CRMP § 1.2.2.A; Coastal Bluff, CRMP § 1.2.2.D; Coastal Dune, CRMP § 1.2.2.G; and Manmade Shoreline, CRMP § 1.2.2.F)

Coastal Features (Coastal Beach, Coastal Bluff, Coastal Dune, and Manmade Shoreline) were mapped in the Project Area. Coastal features meeting the CRMC Red Book regulatory definitions listed above were identified where the L14 and M13 Mainline existing Structures 53-56 and associated ROW run parallel to the shoreline immediately north of the Montaup Country Club at the southern end of Mount Hope Bay. This location features Coastal Beach, consisting of an unconsolidated and unvegetated gravel, sand, and shell shoreline with a gradual slope originating at the mean low water mark of Mount Hope Bay and terminating at the base of a Coastal Bluff, consisting of an unconsolidated, partially vegetated, steep slope of sand and gravel.

Additional coastal features were identified on both the east and west sides of the Sakonnet River where the L14 and M13 Mainline crosses from Portsmouth to Tiverton, Rhode Island. The west side of the Sakonnet River crossing features Coastal Beach, consisting of unconsolidated and unvegetated gravel and sand shorelines with a gradual slope extending from the mean low water mark of the Sakonnet River; a Manmade Shoreline, consisting of a rip-rap revetment at the site of a historic railroad crossing peninsula; and a single remnant Dune, located immediately south of the Manmade Shoreline peninsula and consisting of wind-deposited sand vegetated with beach grass and rugosa rose (Rosa rugosa) shrubs. The east side of the Sakonnet River crossing features several small Coastal Beach areas, and Manmade Shoreline, including the rip rap revetment along the historic railroad crossing peninsula and around Riverside Marina.

At the Sakonnet River crossing, the limit of the CRMC 200-ft contiguous area is measured from the top of the seawall, as it is the most landward coastal feature in this area.

2.4.2 Coastal Wetlands (CRMP § 1.2.2.C)

POWER field biologists identified 22 wetlands within the Project Area. Out of the 22 wetlands, four wetlands were designated as salt marsh systems and qualify as Coastal Wetlands per the CRMC Red Book regulatory definition listed above. These include PW11, PW12, PW13, and SM01and are individually summarized in Table 2-4 below.

WETLAND ID	WETLAND CLASS ¹	MUNICIPALITY	HYDRIC SOIL RATING ²	DOMINANT VEGETATION
PW11	E2EM	Portsmouth, RI	Yes	Saltwater cord grass (Spartina alterniflora)
PW12	E2EM	Portsmouth, RI	Yes	Common reed (Phragmites australis), Pussy willow (Salix discolor)
PW13	E2EM	Portsmouth, RI	Yes	Common reed (Phragmites australis), Pussy willow (Salix discolor)
SM01	E2EM	Portsmouth, RI	No	Saltwater cord grass (Spartina alterniflora)

TABLE 2-4 COASTAL WETLANDS WITHIN SURVEY AREA

Notes: Acronyms and abbreviations are listed at the beginning of this report.

¹ Wetlands classified according to Cowardin et al. 1979.

² Hydric soil data derived from the USDA Natural Resource Conservation Service's online Web Soil Survey tool (2023).

Salt marshes (classified as E2EM) are estuarine intertidal wetland systems which occur on the bay side of barrier beaches and the outer mouth of tidal rivers where salinity is not much diluted by freshwater input (Enser et al. 2011). The typical salt marsh profile, from sea to land, features a low, regularly flooded marsh dominated by salt marsh cordgrass (*Spartina alterniflora*); a higher, irregularly flooded marsh dominated by salt meadow cordgrass (*Spartina patens*) and saltgrass (*Distichlis spicata*); low hypersaline pannes characterized by saltwort (*Salicornia sp.*); and a salt scrub ecotone characterized by marsh elder (*Iva frutescens.*), groundsel-tree (*Baccharis halimifolia*), and switchgrass (*Panicum sp.*). Common reed also borders much of the high marsh found within the Project Area.

A section of the existing ROW traverses estuarine/ salt marsh coastal wetlands associated with Town Pond and Mount Hope Bay in Portsmouth. Representative photographs of the coastal wetlands within the existing ROW are provided in Appendix E, Coastal Resources Photographic Log. According to the CRMC Portsmouth (north) Water Type Classification mapping, the CRMC water type classification associated with this area is Type 2, low intensity use waters.

Salt marsh is associated with the area adjacent to the Mount Hope Bay shoreline near the Montaup Country Club. This section of salt marsh is the combined identified wetlands PW11, PW12, and PW13. These wetlands begin just before Structure 56 and run parallel to Mount Hope Bay and then turn south with the ROW near Founders Brook and Town Pond, ending along the ROW after the proposed Structures L/M-62X.

There is one additional coastal wetland identified in the Erosion and Sediment Control Plan Index (Appendix B). Wetland SM01 is located in Portsmouth, Rhode Island, just after the crossing of the Sakonnet River from Tiverton to Portsmouth, Rhode Island and just south of the mainline and the railroad. Therefore, it is outside of the scope of work but within the 200-ft CRMC Contiguous Area. This salt marsh is associated with CRMC water type classification Type 3, high intensity boating, as it is associated with the shore near the Sakonnet River crossing from Portsmouth to Tiverton, Rhode Island.

2.5 Freshwater Wetlands in the Vicinity of the Coast

Non-tidal FWWIVC are present at four locations, wetlands PW10, PW14, PW15, and TW0, which are individually summarized in Table 2-5 below. These wetlands are subject to the Rules and Regulations Governing the Protection and Management of Freshwater Wetlands in the Vicinity of the Coast (650-RICR-20-00-9) (Freshwater Wetlands Rules). CRMC will be the lead-review agency for activities within freshwater wetlands jurisdictional areas. These Freshwater Wetland Rules are incorporated into the CRMP by reference, however, the criteria for describing and evaluating wetlands, documenting avoidance, minimization, and mitigation and responding to specific review criteria differ from the CRMP. Brief descriptions of the resources are presented here. FWWIVC were mapped based on state mapping data (RIDEM 2023a), the National Hydrography Dataset (USGS 2011), and field verification by POWER as previously described in Section 1.2. The following contiguous areas around the mapped Freshwater Wetlands were also mapped:

- 100-ft Contiguous Area of a Freshwater Wetland
- 200-ft Contiguous Area of a River/Stream
- 200-ft Contiguous Area of a Coastal Wetland

WETLAND ID	WETLAND CLASS ¹	MUNICIPALITY	HYDRIC SOIL RATING ²	DOMINANT VEGETATION
PW10	PEM	Portsmouth, RI	Yes	Spotted touch-me-not (<i>Impatiens capensis</i>), Common reed (<i>Phragmites australis</i>)
PW14	PEM	Portsmouth, RI	No	Common reed (Phragmites australis)
PW15	PEM	Portsmouth, RI	No	Common reed (Phragmites australis)
TW01	PEM	Tiverton, RI	No	Common reed (Phragmites australis)

TABLE 2-5 FWWIVC WITHIN PROJECT AREA

Notes: Acronyms and abbreviations are listed at the beginning of this report.

¹ Wetlands classified according to Cowardin et al. 1979.

² Hydric soil data derived from the USDA Natural Resource Conservation Service's online Web Soil Survey tool (2023).

Wetland TW01

Wetland TW01 is an irregularly-shaped palustrine emergent wetland that is approximately 0.5 ac in size and is located downslope of a residential area along Pierce Ave in Tiverton, Rhode Island. Wetland TW01 features two stream resources, TS02 and TS07, and is dominated by common reed (*Phragmites australis*).

This wetland surrounds Project work occurring at Structures L/M-37. On the northern side of the Structures, within the work pad area, a portion of the wetland will be temporarily impacted from the use of construction matting to mitigate impacts. On the southern side of the Structures, there is an existing access road which briefly travels over wetland TW01 and crosses intermittent stream TS01. This area of TW01 will also experience temporary impacts due to the use of construction matting. There will be no impacts to the stream, as contractors will install a temporary air-bridge on location to allow for continuous flow. The total temporary impacts to TW01 include approximately 3,798 square feet (sf) (0.09 ac) which will be restored post-construction when matting is removed.

Wetland PW14

Wetland PW14 is a palustrine emergent wetland occupying a small depression (<0.1 ac in size) between Main Road and the eastern end of the Montaup Country Club golf course in Portsmouth, Rhode Island, and is dominated by common reed (*Phragmites australis*).

Temporary impacts to PW14 will occur due to the use of construction matting and include approximately 807 sf (0.02 ac) which will be restored post-construction when matting is removed. This is associated with Structures L/M-47, which are located to the west of the wetland.

Wetland PW15

Wetland PW15 is a palustrine emergent wetland approximately 0.2 ac in size located in Portsmouth, Rhode Island, within a depression bordered by Massasoit Ave to the north, Anthony Road to the west, and the old railroad bed to the south; and is dominated by common reed (*Phragmites australis*).

Wetland PW15 lies partially within the work area associated with Structures L/M-46. Therefore, this wetland will experience both permanent impacts from replacing the structures on the Lines, as well as temporary impacts as a result of construction matting to protect the wetland from heavy equipment. Temporary impacts include approximately 3,767 sf (0.09 ac), and permanent impacts resulting from larger structure diameters and a slight shift in location will result in approximately 50 sf (<0.00 ac).

Wetland PW10

Wetland PW10 is a palustrine emergent wetland associated with, and bordering on both sides of, an approximately 1.5-ac unnamed riverine nontidal open water body north of Boyd's Lane and immediately west of the Aquidneck Land Trust at Town Pond in Portsmouth, Rhode Island. Wetland PW10 is dominated by common reed (*Phragmites australis*).

This wetland is near Structures L/M-64. Proposed Structure L-64 does lie over wetland PW10 and will result in approximately 50 sf (<0.00 ac) of permanent impacts as a result of the structure replacement. PW10 also partially overlaps with the work area and will have approximately 10,7444 sf (0.25 ac) of temporary impact as a result of the construction matting used for mitigation.

Cumulative project impacts can be found in Section 3.2, Tables 3-1, 3-2, and 3-3, which includes summaries of permanent and temporary impacts to coastal wetland and FWWIVC within the Project area.

2.6 Biological Freshwater Wetlands

Of the 22 wetland resources identified within the survey area, 14 are identified as Biological Freshwater Wetlands (not FWWIVC), as described in Section 1.2.2, and these wetlands are individually summarized in Table 2-6 below, and identified in Appendix B, Erosion and Sediment Control Plan Index. Information included in Table 2-6 includes field-verified wetland community type(s) assigned to wetlands per the NWI wetlands and deepwater habitat classification system (Federal Geographic Data Committee 2013). Hydric ratings of soils underlying wetland areas were determined from the United States Department of Agriculture's Natural Resources Conservation Service's Web Soil Survey (2023) online interactive mapping system. Dominant vegetation types were identified by the wetland ecologist during the field review.

WETLAND ID	WETLAND CLASS ¹	MUNICIPALITY	HYDRIC SOIL RATING ²	DOMINANT VEGETATION
PW01	PEM	Portsmouth, RI	No	Flat-top goldenrod (<i>Euthamia graminifolia</i>), Wrinkle-leaf goldenrod (<i>Solidago rugosa</i>)
PW02	PEM	Portsmouth, RI	No	Wrinkle-leaf goldenrod (Solidago rugosa), Lamp rush (Juncus effusus)
PW03	PEM	Portsmouth, RI	Yes	Common reed (<i>Phragmites australis</i>), Spotted touch-me-not (<i>Impatiens capensis</i>)
PW04	PEM	Portsmouth, RI	Yes	Common reed (Phragmites australis)

TABLE 2-6 FRESHWATER WETLANDS WITHIN SURVEY AREA

WETLAND ID	WETLAND CLASS ¹	MUNICIPALITY	HYDRIC SOIL RATING ²	DOMINANT VEGETATION
PW05	PEM	Portsmouth, RI	Yes	Common reed (Phragmites australis)
PW06	PEM	Portsmouth, RI	No	Common reed (Phragmites australis), Southern arrowwood (Viburnum dentatum)
PW07	PEM	Portsmouth, RI	Yes	Common reed (<i>Phragmites australis</i>), Common winterberry (<i>Ilex verticillata</i>)
PW08	PEM	Portsmouth, RI	Yes	Spotted touch-me-not (Impatiens capensis), Wrinkle-leaf goldenrod (Solidago rugosa)
PW09	PEM/PSS	Portsmouth, RI	Yes	Speckled alder (<i>Alnus incana</i>), Wrinkle-leaf goldenrod (<i>Solidago rugosa</i>)
TW06	PEM	Tiverton, RI	No	Hairy hedge-nettle (<i>Stachys pilosa</i>), Riverbank grape (<i>Vitis riparia</i>)
TW05	PEM	Tiverton, RI	No	Flat-top goldenrod (Euthamia graminifolia), Lamp rush (Juncus effusus)
TW03	PEM	Tiverton, RI	Yes	Soft rush (Juncus effusus), Flat-top goldenrod (Euthamia graminifolia),
TW02	PEM	Tiverton, RI	No	Common reed (<i>Phragmites australis</i>), Spotted touch-me-not (<i>Impatiens capensis</i>)
FW01	PEM	Tiverton, RI	Yes	Common greenbrier (<i>Smilax rotundifolia</i>), Deer-tongue grass (<i>Dichanthelium</i> clandestinum)

Notes: Acronyms and abbreviations are listed at the beginning of this report.

¹ Wetlands classified according to Cowardin et al. 1979.

² Hydric soil data derived from the USDA Natural Resource Conservation Service's online Web Soil Survey tool (2023).

3.0 PROPOSED PROJECT ACTIVITIES AND ASSOCIATED ENVIRONMENTAL EFFECTS

The L14 and M13 Mainline ROW is approximately 100-foot-wide in Portsmouth and Tiverton with a cleared width ranging between 75 and 100 ft. The height of the existing Mainline transmission structures generally ranges from 46 to 103 ft and consist of wood monopoles and steel H-frame structures. The height of the steel lattice towers near the Sakonnet River crossing ranges from 81 to 143 ft and the height of the steel lattice structure at Canonicus Switching Station is 101 ft.

The Project components described herein will occur on shoreline features and within the 200-ft Contiguous Area. Proposed Project activities will occur within CRMC's jurisdiction as regulated under the CRMP. Refer to the Erosion and Sediment Control Plan Index, Appendix B, for reference of the limits of Project activities. CRMP regulatory aspects of the proposed Project are discussed in Section 4.0.

3.1 **Project Access**

The proposed rebuild will require the construction and re-establishment of access roads to safely access the structures and perform the necessary work. Access to perform the proposed

activities will be mostly provided via existing, historically used access routes, many of which will be widened and improved to accommodate construction vehicles. Temporary placement of timber construction mats to gain access across wetlands will also be conducted. All work will occur within the existing ROW easements held by the Company and access to the site locations will be provided within the existing ROW to the extent practicable. Where access within the ROW is not possible, off-ROW access will be utilized where rights have been obtained. In ROW and off-ROW access routes are shown in Appendix B, Soil Erosion and Sediment Control Plan Index.

Construction Sequence and Methods

The Project will be constructed using conventional overhead electric transmission line construction techniques. The Company and its consultants conducted detailed constructability field reviews to determine access and workspace requirements, and to evaluate measures to avoid or minimize environmental impacts. The construction sequence is listed below.

- 1. Removal of vegetation and mowing within the ROW in advance of construction.
- 2. Installation of soil erosion and sediment controls.
- 3. Access road and work pad maintenance, and access route construction.
- 4. Installation of transmission structure foundations.
- 5. Installation of replacement structures and installation of conductors and OPGW.
- 6. Removal and disposal of existing transmission line components.
- 7. Restoration and stabilization of the ROW.

Each construction activity is further described below.

Removal of Vegetation and ROW Mowing in Advance of Construction

The Company implements its Vegetation Management Procedures (VMP) to maintain lowgrowing vegetation on its transmission ROW to provide safe clearances between vegetation and conductors as well as access to existing structures for maintenance and emergencies. Taller vegetation that may interfere with the operation and maintenance of the overhead wires is routinely managed, as well as growth of vegetation that may interfere with access to existing transmission structures. The Company is currently performing routine vegetation maintenance on its existing ROW as part of the normal maintenance cycle in compliance with the Company's VMP.

Construction of the Project will require additional vegetation maintenance to provide safe vehicular and equipment access to existing structure locations and safe work sites for personnel within the ROW. This will include mowing of low-growing shrubs, vines and herbaceous vegetation, removal of taller trees below the conductors, and removal of danger and hazard trees as determined by the Company's Forestry group under the VMP. Danger and hazard trees must be removed to provide safe clearances between vegetation and transmission line conductors for the life of the asset to assist the reliable operation and maintenance of the transmission facilities.

Prior to vegetation removal and mowing, wetland boundaries will be clearly marked to prevent unauthorized encroachment into wetland areas. Appropriate forestry techniques will be

implemented within wetlands to minimize ground disturbance. Other sensitive resources, such as cultural resource features, will be flagged and encompassed with protective fencing prior to removal of vegetation on the ROW. Existing access routes within the ROW will be used by vegetation management personnel and equipment. Road improvements will be kept to a minimum during this phase of the work. Temporary construction mats will be used to gain access to and across wetlands, to minimize wetland disturbance, and to provide a stable platform for safe equipment operation. Typical construction mats used for construction access consist of timbers that are bolted together into 4-ft by 16-ft sections and placed over wetland areas to distribute equipment loads and minimize impacts to the wetland and soil substrates in accordance with the Company's *ROW Access, Maintenance, and Construction Best Management Practices* document (EG-303NE, Appendix F). Temporary construction mat roads placed in wetlands for vegetation removal will be installed, used for vegetation removal, and then removed by the contractor.

Mowing will occur on all access points and at work and pull pads. Limited tree removal will occur within the ROW, as needed. Generally, trees to be removed will be cut close to the ground, leaving the stumps and roots in place, which will reduce soil disturbance and erosion. The Company is planning to use the existing network of access roads previously established on the ROW to the greatest extent practicable. Small trees and shrubs within the limits work pads/grading and the ROW will be mowed as necessary with the intent of preserving root systems and low-growing vegetation to the extent practical. Brush, limbs, and cleared trees will be mowed or chipped. Chipped material will be removed from the site or applied to upland areas as an erosion control measure, with prior approval. Post-construction, the ROW will be allowed to naturally revegetate.

In certain environmentally sensitive areas such as wetlands, it may be necessary and desirable to leave felled trees and snags to decompose in place rather than to disturb soft organic substrates while removing them. Where the ROW crosses streams and brooks, vegetation along the stream bank will be selectively cut to minimize the disturbance to bank soils and to reduce the potential for Project-related soil erosion. A minimum of a 25-ft-wide riparian zone will be maintained along watercourses, to the extent feasible.

Installation of Soil Erosion and Sediment Controls

Following vegetation management activities, soil erosion and sediment control devices such as straw wattles/bales, siltation fencing, and/or chip bales will be installed in accordance with approved plans and permit requirements. The soil erosion and sediment control program for the Project will follow the procedures identified in the Rhode Island Soil Erosion and Sediment Control Handbook (RISESCH), the RIDEM *Wetlands Best Management Practices Manual*, and EG-303NE, Appendix F.

The installation of sediment control devices, as listed and described in the Erosion and Sediment Control Plan Index, Appendix B, will be overseen by the Company's environmental compliance monitor. During construction, these devices will be periodically inspected by the environmental compliance monitor, and the findings will be reported regularly to the Company's Construction Supervisor. The soil erosion and sediment controls will be installed between the work site and environmentally sensitive areas such as wetlands, streams, drainage courses, roads and adjacent properties when work activities will disturb soils and result in the potential for soil erosion and sedimentation. The devices will function to mitigate construction-related soil erosion and sedimentation and will also serve as a physical boundary to demarcate the limits of disturbance and to contain construction activities within approved areas. Where dewatering is necessary during excavations within or adjacent to wetland areas, water will be pumped into appropriate dewatering basins or filter bags. At all times, dewatering will be performed in compliance with EG-303NE (Appendix F) and all relevant permits and approvals. The dewatering basins and all accumulated sediment will be removed following dewatering operations and the area will be seeded and mulched. Soil erosion and sediment controls will be used to contain excess soil, see Appendix B.

Staging areas and equipment storage, where feasible, will be situated outside of 100-ft and 200-ft regulated contiguous areas, where feasible. Equipment refueling (except for fixed equipment such as drill rigs) will occur outside of environmentally sensitive areas and secondary containment will be utilized when refueling and when equipment containing fuel or oil is stored onsite. Where structures are located in or near wetlands, proper soil erosion and sediment controls will be installed to contain the work areas.

In accordance with Best Management Practice (BMPs), construction mats, soil erosion and sediment controls, and other preventative measures will be implemented, as appropriate, in resource areas temporarily disturbed by construction. Herbaceous vegetation in disturbed areas will be restored using a native wetland or conservation seed mix, where necessary. A wetland seed mix will be used in wetlands, where supplemental seeding may be required to promote re-establishment of wetland vegetation. In tree removal areas, enhancements may be proposed as mitigation for important wildlife features lost due to tree removal and construction activities. Potential enhancement activities include seeding, planting native shrub species, leaving snags, and placing woody debris, slash, or stone piles to create wildlife cover.

Construction and Improvements to Access Roads

The Company proposes to improve existing access roads and construct new access routes to reach replacement structures locations, and to provide the ability to construct, inspect and maintain the L14 and M13 Lines. Where feasible, the Company plans to use its existing network of access roads to construct the Project. Many of these existing access roads will require maintenance or upgrading to support construction vehicles and equipment. For example, clean gravel, clean washed stone or trap rock may be used to stabilize and level the roads for construction vehicles. Construction of new access roads and access road improvement and maintenance will be carried out in compliance with the conditions and approvals of the appropriate federal and state regulatory agencies. Stabilized crushed stone aprons underlain by geotextile fabric will be used at all access road entrances to public roadways to clean the tires of construction vehicles and minimize the migration of soil off-site. Access roads and work pads located in uplands and within 100-ft and 200-ft contiguous areas will be left in-place and will be stabilized with a top dressing of topsoil and seed.

Access across wetlands and streams, where upland access is not available, will be accomplished by the temporary placement of construction mats. Construction mats will be removed following completion of construction, and areas will be restored to reestablish preexisting topography and hydrology. The use of construction mats allows for heavy equipment access within wetland areas. The use of construction mats minimizes the need to remove vegetation beneath the access way and helps to reduce the degree of soil disturbance by distributing the weight of equipment over a larger area, minimize soil compaction and rutting in soft wetland soils. The use of construction mats will also help to protect root masses and help the wetland revegetate faster. Construction mats will be certified clean by the vendor prior to installation. Clean is defined as being free of plant matter (stems, flowers, roots, etc.), soil, or other deleterious materials prior to being brought to the Project site. Any equipment or construction mats that have been placed or used within areas containing invasive species within the Project site shall be cleaned of plant matter, soil, or other deleterious materials at the site of the invasive species prior to being moved to other areas on the Project site to prevent the spread of invasive species from one area to another. Mats will be cleaned prior to removal at the completion of the Project.

Installation of Structure Work Pads and Staging Areas

Upland work pads will be constructed at structure locations by grading or adding gravel and clean washed stone to provide a level work surface for construction equipment and crews. Once construction is complete, the work pads in uplands will remain in place, and will be stabilized with topsoil and mulched and seeded to allow vegetation to re-establish. In uplands and in state regulated 100-ft and 200-ft contiguous areas, stone-covered work pads will remain in place on a case-by-case basis to facilitate future access for inspection, operation, and maintenance purposes. At locations in 100-ft and 200-ft contiguous areas where stone-covered work pads may remain in place, those work pads will be stabilized and reseeded or, as an alternative, constructed with temporary construction mats. In wetlands, these work pads will be constructed with temporary construction mats and will be removed after the completion of construction activities. Wetlands will be restored to pre-construction configuration and elevations to the extent practicable. If necessary, vegetation will also be restored within the wetland through native seeding.

Installation of Foundations and Structures

Structures will be installed either on reinforced concrete caisson foundations or direct embedment into buried steel casings, dependent upon the structure type and location. Angle and dead-end transmission structures and the river crossing structures are proposed to be installed on concrete caisson foundations.

The predominance of the proposed transmission structures will be direct-embed structures where the pole butt is inserted into an excavated hole in the ground. The overhead conductors are placed in a vertical configuration on one side of the transmission pole structure. To address engineering design requirements and construction feasibility, each direct-embed pole structure will be encased within a corrugated metal pipe (CMP). Inside the CMP, the pole structure will be backfilled with crushed stone and the outside of the CMP will be backfilled with flowable fill for additional strength to stabilize the pole structure and to prevent shifting of the pole structure to account for high winds, coastal storm events and freeze and thaw events. This engineering design will result in a more reliable and robust transmission grid.

Excavation for direct embedment structures will be performed using a soil auger or standard excavation equipment depending on field conditions. Excavations will range from approximately 15 ft to 18 ft in depth, with diameters averaging 8 ft wide. A CMP will be placed vertically into the hole and backfilled. The poles will be field assembled and inserted by cranes into the embedded steel casings. The annular space between the pole and the steel casing will then be backfilled with crushed stone.

Some structures will require drilled concrete caisson foundations, typically 20 ft to 35 ft deep, with typical diameters in the range of approximately 6 ft and 10 ft with an average of 8 ft in

diameter. These structures will include steel monopoles and steel H-frame steel structures. Caissons will be constructed by drilling a vertical shaft, installing a steel reinforcing cage, placing steel anchor bolts, pouring concrete, and backfilling. Typical structure details are provided in Appendix G. Structures will be lifted by a crane and placed and secured onto the anchor bolts. On the L14 and M13 Mainline, there are 239 new transmission structures to be installed and 251 existing transmission structures to be removed.

Excavated soil will be temporarily stockpiled next to the excavation; however, this material will not be placed directly into wetland areas. The stockpile of excavated material will be enclosed by staked straw bales or other sediment controls. Additional controls, such as watertight mud boxes, will be used for saturated stockpile management in work areas in wetlands (i.e., construction mat platforms) where sediment-laden runoff would pose an issue for the surrounding wetland. Following the backfilling operations, excess soil will be spread over unregulated upland areas or removed from the site in accordance with the Company's policies and procedures.

Dewatering may be necessary during excavations or pouring concrete for foundations. Dewatering will be performed in compliance with the Company's EG-303NE. Handling and management of wetland soils will be performed in accordance with a wetland soils management plan to be prepared by the contractor and accepted by the Company. Rock that is encountered during foundation excavation will generally be removed by means of drilling with rock coring augers. This method allows the same drill rig to be used and maintains a constant diameter hole. However, in some cases, rock hammering and excavation may be used to break up the rock. If overnight dewatering is required, the contractor will develop a plan for review and approval by the Company prior to commencing overnight dewatering activities to include fulltime monitoring of overnight dewatering activities.

Dust suppression methods will be used during drilling operations, as deemed necessary, to minimize fugitive dust emissions. In addition, minimal quantities of earth will be moved or impacted during construction at each structure locations. Therefore, any impacts from fugitive dust particles will be of short duration and localized.

Installation of Conductor, Optical Ground Wire, and Shield Wire

Following the construction of transmission line structures, insulators will be installed to isolate the energized power conductors from the structure. OPGW, shield wire, and power conductors will then be installed using stringing blocks and wire stringing equipment. First, a temporary lead line will be installed on the structures within a given stringing section. The lead line will then be used to pull the final wire into place. The wire stringing equipment will be used to pull the conductors from a wire reel on the ground through stringing blocks attached to the structures to achieve the desired sag and tension condition. During the stringing operation, temporary guard structures or boom trucks will be placed at road and highway crossings and at crossings of existing utility lines. These guard structures are used to ensure public safety and uninterrupted operation of other utility equipment by keeping the wire away from other utility wires and clear of the traveled way at these crossing locations. Construction of temporary wire stringing and pulling sites on the ROW will be required to provide safe and level locations for equipment and personnel to perform wire stringing operation.

The Company plans to install overhead wires between Structures 41 and 40 (i.e., to cross the Sakonnet River) and may elect to use a helicopter, boat to tow the lead line across the river, or

to string the wires from upland areas located on either side of the river. The Company may also use helicopter installation in other locations.

Removal and Disposal of Existing Transmission Line Components

As part of the Project, the Company will need to remove existing structures from the ROW. The Company proposes to recycle as much of the removed material as possible. Those components that are not salvageable and any debris that cannot be recycled will be removed from the ROW and disposed of at an approved off-site facility. Such materials will be handled in compliance with applicable laws and regulations and in accordance with the Company's policy and procedures.

Lead paint may be encountered during lattice tower removal. The Company will follow Rhode Island Energy's Safety and Environmental Guidance Documents (Appendix F) for handling lead paint chip debris during the tower removal process. Towers will be dismantled and recycled while paint chip debris will be managed as hazardous waste.

The Company's Investment Recovery Department manages the recycling and disposal of company facilities, equipment, and materials. The Investment Recovery Department will oversee the recycling and disposal activities associated with the Project and incorporate these materials into the recycling program as appropriate.

Restoration and Stabilization of the ROW

Restoration efforts, including removal of construction debris, final grading, stabilization of disturbed soil, and the installation of permanent sediment control devices, will be completed following construction. All disturbed areas around structures and other graded locations will be seeded with an appropriate conservation seed mixture and/or mulched to stabilize the soils in accordance with applicable regulations. Temporary sediment control devices will be removed following the stabilization of disturbed areas. Existing stone walls will be restored to the pre-existing conditions, if affected during construction. The Company has identified locations on the ROW where access roads and work pads will remain in place but will be covered with topsoil and seeded to more fully restore sections of the ROW. Where authorized by property owners, permanent gates and access roadblocks will be installed at key locations to restrict unwarranted access and trespass onto the ROW by unauthorized persons or vehicles. Regulated environmental resources that are temporarily disturbed by construction will be restored in accordance with applicable permit conditions.

After the Project is complete, disturbed wetland areas will be stabilized using a specialized wetland seed mix and straw mulch (if needed) as outlined in Rhode Island Energy's Environmental Guidance Document EG-303NE (Appendix F), facilitating natural revegetation. Construction mats used during the Project will be thoroughly cleaned before they are reused.

Temporary impacts to wetlands will be mitigated by the removal of construction matting by the Company. Existing poles in wetlands will be removed after new poles are installed and operational. The replacement poles, located in freshwater or coastal wetlands, will be larger and equipped with concrete caisson foundations to meet contemporary engineering and safety standards. These changes may increase environmental impacts compared to the poles being replaced, and any specific mitigation will be implemented as directed by the Council or CRMC staff.

3.2 Summary of Project Effects in Coastal Wetlands and FWWIVC

The Company expects no impacts to take place in the Sakonnet River, wire pulling will be done via helicopter, tow boat, or other non-intrusive manner.

Permanent impacts associated with structure replacements which will occur in Coastal Wetlands and FWWIVC include fill from larger structures with larger pole and foundation diameters. As noted, the structures are to be replaced to meet current Rhode Island Energy engineering standards and improve reliability in the region. As a result, replacement structures are slightly larger than the original wooden monopiles of the L14 and M13 Lines. Tables 3-1 and 3-2 below identify structures associated with Coastal Wetlands and FWWIVC respectively. Permanent impacts identified include the assumed impacts of proposed structures (both direct embedded and caisson foundations), calculated under the assumption that an 8-foot diameter would be necessary for all foundations.

WETLAND ID	WETLAND TYPE	STRUCTURES ASSOCIATED	PERMANENT IMPACT FROM STRUCTURE REPLACEMENT (SF)	PERMANENT IMPACT FROM STRUCTURE REPLACEMENT (AC)
PW11	Coastal Wetland	M/L56	50.3	0.00
		M/L57	50.3	0.00
		M/L58	50.3	0.00
		L59	50.3	0.00
		M59	50.3	0.00
		L59X	32.3	0.00
		M59X	50.3	0.00
		L60	50.3	0.00
		M60	50.3	0.00
		L62	50.3	0.00
		M62	50.3	0.00
		L62	50.3	0.00
		M62X	13.3	0.00
PW12	Coastal Wetland	N/A	0.0	0.00
PW13	Coastal Wetland	N/A	0.0	0.00
SM01	Coastal Wetland	N/A	0.0	0.00
	Total:		548.3 sf	0.01 ac

 TABLE 3-1
 PERMANENT IMPACTS ASSOCIATED WITH STRUCTURE REPLACEMENTS IN COASTAL WETLANDS

WETLAND ID	WETLAND TYPE	STRUCTURES ASSOCIATED	PERMANENT IMPACT FROM STRUCTURE REPLACEMENT (SF)	PERMANENT IMPACT FROM STRUCTURE REPLACEMENT (AC)
PW10	FWWIVC	L64	50.3	0.00
PW14	FWWIVC	N/A	0.0	0.00
PW15	FWWIVC	L46	50.3	0.00
TW01	FWWIVC	N/A	0.0	0.00
		Total:	100.5 sf	0.00 ac

TABLE 3-2	PERMANENT IMPACTS	ASSOCIATED	WITH STRUCTURE	REPLACEMENTS	IN FWWIVC
		1000011 (ILD	WITH STRUCTORE		

In total, permanent impacts from replacement structures are expected to be:

- Approximately 548 sf (0.01 ac) within coastal wetlands.
- Approximately 101 sf (<0.00 ac) within FWWIVC.
- Combined permanent impacts in coastal wetlands and FWWIVC are approximately 649 sf (0.01 ac).

Throughout Project planning and design, wetland impacts have been minimized to the greatest extent practicable by performing pre-construction constructability field assessments, spotting structures outside of resources (to the extent practicable) and utilizing the existing transmission line corridors and access roads. However, given the scale and landscape setting of the Project, certain wetland impacts cannot be avoided. Construction will result in temporary impacts to wetland resources and watercourses from the placement of construction mats. Construction activities will be performed in the winter and spring months at a time when the soil is most compact to minimize impacts to resources. These impacts are further described in Table 3-3.

The Project as proposed requires temporary impacts to coastal wetlands and FWWIVC. These impacts include:

- Approximately 116,174 sf (2.67 ac) total of temporary impacts to Coastal Wetlands will occur for the purposes of temporary construction matting for access roads, work pads, pull pads, and storage of construction mats.
- Approximately 19,115 sf (0.44 ac) total of temporary impacts to FWWIVC will occur for the purposes of temporary construction matting for access roads and work pads.
- The combined temporary impacts from Project work include approximately 135,290 sf (3.11 ac) to both Coastal Wetlands and FWWIVC, see Table 3-3 below.
| WETLAND ID | COASTAL WETLAND OR
FWWIVC | TEMPORARY IMPACTS (SF) | TEMPORARY IMPACTS (AC) |
|------------|------------------------------|------------------------|------------------------|
| PW10 | FWWIVC | 10,743.5 | 0.25 |
| PW11 | Coastal Wetland | 113,716.9 | 2.61 |
| PW12 | Coastal Wetland | 1,064.6 | 0.02 |
| PW13 | Coastal Wetland | 1,392.89 | 0.03 |
| PW14 | FWWIVC | 806.67 | 0.02 |
| PW15 | FWWIVC | 3,767.4 | 0.09 |
| TW01 | FWWIVC | 3,797.6 | 0.09 |
| | Total: | 135,289.59 sf | 3.11 ac |

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3.3 Summary of Project Effects in Freshwater Wetlands

Project activities that will result in temporary impacts to freshwater wetlands involve the placement of temporary timber construction mats to serve as access routes for construction vehicles and equipment. Construction mats will also be installed in freshwater wetlands on a temporary basis to serve as level work pads for installation of the proposed structures and removal of the existing structures. These construction mats will be removed in their entirety after construction.

Project activities that will result in permanent impacts to freshwater wetlands include the installation of larger diameter poles and larger diameter foundations to meet current codes and engineering design standards for pole transmission structures located in freshwater wetland resource areas. There will be no other permanent impacts (fill or discharged of dredged material) into waters of the United States nor wetlands.

A total of 14 biological freshwater wetlands will be temporarily affected by placement of construction mats, works areas, work envelopes, existing access roads, and designated pull sites as summarized in Table 3-4. Construction mats will be installed and maintained in accordance with Rhode Island Energy's Environmental Guidance Document (Appendix F).

- Total temporary impacts to freshwater wetlands (from matting, stacked work pads, and temporary stone/restoring access roads): approximately 145,862 sf (3.45 ac).
- Total permanent impacts to freshwater wetlands (from new structure replacements): approximately 946 sf (0.02 ac).

Temporary impacts will also occur within the contiguous areas (buffer and buffer zone) and within 100-year floodplain from access road improvements and gravel work areas for a total of approximately 1496954 sf (34.4 ac) Please refer to Table 3-4 below for a summary of the proposed impacts to freshwater wetlands and buffer zones.

ACTIVITY	AMOUNT WITHIN WETLANDS (SF)	AMOUNT WITHIN 100-FT CONTIGUOUS AREA (SF)	AMOUNT WITHIN 200-FT CONTIGUOUS AREA (SF)	AMOUNT WITHIN 100- YEAR FLOODPLAIN ¹ (SF)
Road Widening & Improvement	1,407.9	40,764.1	57,685.1	14,180.9
New Road Construction	0.0	7,473.1	17,800.4	8502.2
Approximate Total:	1,407.9 sf (0.03 ac)	48,237.2 sf (1.11 ac)	75,485.5 sf (1.73 ac)	22,683.1 sf (0.52 ac)

TARLE 3-1	TEMPORARY IMPACTS IN	ERESHWATER WET	ANDS AND BLIEFER	70NES/CONTIGUOUS AREAS
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Note: 1100-year Floodplain values overlap with total impacts in buffer and contiguous area.

TABLE 3-5 PERMANENT IMPACTS IN FRESHWATER WETLANDS AND BUFFER ZONES/CONTIGUOUS AREAS

ACTIVITY	AMOUNT WITHIN 100-FT BUFFER AREA (SF)	AMOUNT WITHIN 200-FT CONTIGUOUS AREA (SF)	AMOUNT WITHIN 100-YEAR FLOODPLAIN ¹ (SF)
Replacement Structures	1477.9	732.2 sf	831.9
Approximate Total:	153,268.1 sf (3.52 ac)	36,766.9 sf (0.84 ac)	28,440.9 sf (0.65 ac)

Note: 1100-year Floodplain values overlap with total impacts in buffer and contiguous area.

3.4 Fisheries, Wildlife, and Rare, Threatened, and Endangered Species

Minor, temporary disturbances of wildlife may result from equipment travel and construction crews working in the Project corridor and minor tree cutting and trimming is required for the Project. During construction, displacement of wildlife may occur due to disturbance associated with ROW mowing, tree clearing, and the operation of construction equipment. Wildlife currently utilizing the forested edge of the cleared ROW may be affected by construction of the Project.

Larger, more mobile species, such as eastern white-tailed deer or red fox, will temporarily leave the construction area. Individuals of some bird species will also be temporarily displaced. Depending on the time of year of these operations, this displacement could affect breeding and nesting activities. Smaller and less mobile animals such as small mammals, reptiles, and amphibians may be affected during vegetation mowing/removal and the transmission line construction. The species impacted during the refurbishment of the transmission line are expected to be limited in number. Effects will be localized to the immediate area of construction around structure locations and along existing access roads. However, this is anticipated to be a temporary effect as it is expected that existing wildlife utilization patterns will resume, and population sizes will recover once work activities are completed.

3.4.1 Fisheries

Rhode Island State Listed Species

RIDEM has listed Designated Trout Waters for the 2023/24 season, which include Adamsville Brook and Pond, Eight Rod Farm Pond, Stafford Pond, and Tiverton Trout Pond in Tiverton, Rhode Island; and Upper and Lower Melville Ponds in Portsmouth, Rhode Island (RIDEM 2023b). No Designated Trout Waters occur within the Study Area.

Although Rhode Island does not have a formal definition of cold-water fishery, the term generally means the waterbody has the capacity to support, on a year-round basis, wild or stocked brook trout (*Salvelinus fontinalis*). Warm-water fisheries are waters which cannot support brook trout populations but have the capacity to support species such as brown bullhead (*Ameriurus nebulosus*), bluegill (*Lepomis macrochirus*), smallmouth bass (*Micropterus dolomieu*), largemouth bass (*M. salmoides*), and yellow perch (*Perca flavescens*).

Essential Fish Habitat within the Project Area

The Company reviewed the National Oceanic and Atmospheric Administration (NOAA) Fisheries' EFH Mapper (<u>https://www.fisheries.noaa.gov/resource/map/essential-fish-habitat-mapper</u>) and the high priority EFH conservation areas, called Habitat Areas of Particular Concern (HAPC). EFH areas include aquatic habitat where fish spawn, breed, feed, or grow to maturity, such as wetlands, seagrasses, and rivers, and HAPC can include coastal estuaries and seagrass (NOAA Fisheries 2022).

To assess EFH habitat within the Project Area, a Study Area of a 5,000-ft-wide corridor, measured 2,500 ft on either side of the centerline of the ROW, was used to identify the span of area and potential EFH within the Project Area, see Figure 3-1 in Appendix A. The majority of the identified Study Area includes EFH for ten different fish species including ocean pout (*Zoarces americanus*), pollock (*Pollachius*), silver hake (*Merluccius bilinearis*), Atlantic cod (*Gadus morhua*), little skate (*Leucoraja erinacea*), winter skate (*Leucoraja ocellata*), windowpane flounder (*Scophthalmus aquosus*), Atlantic herring (*Clupea harengus*), red hake (*Urophycis chuss*), and winter flounder (*Pseudopleuronectes americanus*).

Submerged Aquatic Vegetation (SAV) is a HAPC protected under the EFH provisions of the Magnuson-Stevens Act (RI CRMC 2019) and under the Rhode Island Coastal Resources Management Program (CRMP) Section 300.18 requires avoidance and minimization of impacts to SAV habitat for projects including filling in tidal waters (CRMP Section 300.10). Using the CRMC eelgrass mapper, the Company confirmed there is no SAV within the Project Area (RI CRMC 2021).

The EFH habitat identified, Figure 3-1, Appendix A, overlaps with areas on land where Project work will take place in upland areas, as well as near smaller rivers and streams identified within the Project ROW. It is unlikely work in those areas will affect EFH habitat, and where matting is necessary across streams, air bridges will be installed to allow for continuous flow of water and no in water work will be conducted. The mapping also identifies EFH within the waters of the Sakonnet River and Mount Hope Bay.

While the general region of coastal Tiverton, Rhode Island and Aquidneck Island in Portsmouth, Rhode Island, are encompassed by EFH habitat, it is not expected that any EFH or HAPC will be impacted as a result of Project construction activities at the Sakonnet River Crossing where the L14 and M14 transmission lines cross from Tiverton into Portsmouth, Rhode Island and where the stringing of aerial conductors, shield wire and OPGW will take place. It is also not expected that EFH or HAPC will be impacted where replacement structures are required along the coastal wetland area associated with Founders Brook and Town Pond located between Anthony Road northward to Mount Hope Bay in Portsmouth. The Sakonnet River crossing may utilize a vessel tow boat to assist with installing the overhead conductors and wires from Structure 40 located on the eastern side of the crossing in Tiverton, to Structure 41 on the western side in Portsmouth, a distance of approximately 1,245 ft. A tow boat will only be used if the work cannot reasonably be done by helicopter, or another means, and it is not expected that the temporary transport of wires will require any anchoring within the Sakonnet River during construction activities. There will be no dredging or in-water operations required for this work and no discharge of dredged materials to the marine environment is required, therefore no impact to EFH or HAPC is expected.

Where temporary construction matting will be needed in areas which extend below mean highwater (MHW), such as at the Riverside Marina in Tiverton, a temporary crane pad will extend below the spring high tide line. This area consists of a marina and remnants of a boat launch. The temporary construction matting will be anchored in place, and monitored during construction and removed if a major coastal storm is forecast. It is not expected that this matting will have long-term impacts on EFH and the matting will be removed promptly once construction is finalized. Again, no SAV has been recorded in this area either and therefore there will be no impacts to eelgrass which is an essential and protected HAPC under EFH provisions.

Five perennial streams and three intermittent streams will be impacted by the installation of temporary access roads and work pads. Temporary air-bridges constructed of timber mats will be installed to span the streams above the Ordinary High-Water Mark (OHWM) and stream flows will be maintained during construction. Controls will be installed to prevent or minimize turbidity and sediment loading into watercourses.

Where work will take place near the tidal Sakonnet River and within salt marsh, the Company will perform the work at low tide, to the greatest extent feasible. The Company will place erosion controls around the structure work areas within coastal wetlands, dewater into an approved temporary dewatering device (e.g., filter bag placed on geotechnical fabric and encompassed with erosion controls.) Any soil excavated would be contained within an onsite mud box and any excess soil that is not otherwise used to backfill the pole structure would be removed from the coastal wetlands.

Endangered Species Under NOAA Fisheries

The Company reviewed the NOAA Fisheries' Section 7 Mapper for federally-listed species, under NOAA jurisdiction, at <u>The Greater Atlantic Region ESA Section 7 Mapper | NOAA</u> <u>Fisheries</u>. To assess Endangered Species Act (ESA) listed species within the Project Area, a Study Area of a 5,000-ft-wide corridor, measured 2,500 ft on either side of the centerline of the ROW, was used to identify the potential waters overlapping the Study Area and to assess which potential ESA listed species fell within that region, see Appendix A, Figure 3-2.

The Study Area overlaps with waters which include ESA Section 7 listed species shortnose sturgeon (*Acipenser brevirostrum*), Atlantic sturgeon (*Acipenser oxyrinchus oxyrinchus*) and sea turtles including the adult and juvenile green sea turtle (*Chelonia mydas*), Kemp's ridley sea turtle (*Lepidochelys kempii*), leatherback sea turtle (*Dermochelys coriacea*), and the loggerhead sea turtle (*Caretta caretta*), see Appendix A, Figure 3-2. These species are included in waters along the western border of Tiverton and the Sakonnet River crossing between Tiverton and Portsmouth, Rhode Island, as well as an area of water north of the Montaup Country Club in Portsmouth, adjacent to Structures 53-59. ESA species are also identified in the enclosed portion of the Sakonnet River, known as The Cove, located south of Anthony Road and State Routes 24 and 138 in Portsmouth. Within this area and a small portion of area along the

southern edge of the Study Area at the Sakonnet River crossing, a small portion of the area is also associated with ESA listed Atlantic Large Whales (NOAA Fisheries 2022a).

Construction work associated with Structures 53-59 along the stretch of water where Mount Hope Bay, north of Montaup Country Club in Portsmouth, will not impact ESA species under the jurisdiction of NOAA Fisheries, as there will be no in-water work which could cause harm or impact listed species of sturgeon or sea turtles in the area. Where work will occur at the Sakonnet River crossing between Tiverton and Portsmouth, Rhode Island, the use of a tow boat is possible if the stringing of wires across the river is not otherwise feasible by helicopter or other means. If a tow boat is used for this portion of Project work, the selected contractor will be advised of vessel strike reduction practices to avoid impacts to sturgeon and sea turtles that could be present in the area. These practices include advising vessel operators to remain alert, wear polarized sunglasses to improve visibility of marine animals, to follow speed zones and local signage, and to travel at the safest minimum speed in areas which sea turtles are known to frequent (NOAA Fisheries 2021). Overall, impacts to NOAA listed endangered species are not expected as a result of the Project.

3.4.2 Wildlife

As previously noted, the Project Area is located within previously disturbed and developed areas, including existing roadway ROWs and existing access paths, avoiding sensitive wildlife habitats to the greatest extent practicable. The Project Area includes a variety of aquatic and terrestrial habitats and the wildlife assemblages present vary according to habitat characteristics. Typical wildlife species found commonly in the habitat types within the Project Area may include the following:

- Mammals such as white-tailed deer, foxes, raccoons, weasels, squirrels, and bats.
- A variety of birds such as passerine songbirds, waterfowl, birds of prey, and gamebirds.
- Amphibians and reptiles such as salamanders, frogs, toads, turtles, and snakes.
- Many different species of invertebrates.

During initial field activities in 2023, there was an established osprey (*Pandion haliaetus*) nest on a platform adjacent to the ROW nearest Structure 63 at the Aquidneck Land Trust Town Pond Trail in Portsmouth, Rhode Island. Osprey are protected under the Migratory Bird Treaty Act and a permit from the USFWS must be obtained prior to relocating active nests if deemed necessary for Project activities.

Larger, more mobile species, such as eastern white-tailed deer or red fox, will temporarily leave the construction area. Individuals of some bird species will also be temporarily displaced. Depending on the time of year of these operations, this displacement could affect breeding and nesting activities. Smaller and less mobile animals such as small mammals, reptiles, and amphibians may be affected during vegetation mowing/removal and the transmission line construction. The species impacted during the refurbishment of the transmission line are expected to be limited in number. Effects will be localized to the immediate area of construction around structure locations and along existing access roads. However, this is anticipated to be a temporary effect as it is expected that existing wildlife utilization patterns will resume, and population sizes will recover once work activities are completed.

3.4.3 USFWS IPaC Consultation

The current USFWS Endangered Species Consultation Procedure makes use of the online Information for Planning and Conservation (IPaC) Form (https://ecos.fws.gov/ipac/) which streamlines the USFWS environmental review process. POWER completed and submitted the IPaC Form on June 4, 2024 (Appendix H). Results indicated that the Project would have no effect on the endangered northern long-eared bat (*Myotis septentrionalis*). However, the endangered roseate tern (*Sterna dougallii*), and a candidate species, the monarch butterfly (*Danaus plexippus*), were listed as potentially occurring in the Project ROW.

The tricolored bat (*Perimytois subflavus*) was identified as a proposed endangered species within the Project Area; however, this is not a currently listed species at the time of submitting the Application enclosed herein. Results also indicated that no federally designated Critical Habitat occurs within Project Area. Species descriptions and habitat requirements for the roseate tern and monarch butterfly are further described below.

Roseate Tern

Roseate tern may occur along ocean facing coastline. The onshore Project activities are not likely to affect the roseate tern due to the minimal anticipated shoreline disturbance from Project activities. Suitable shoreline nesting habitat for the roseate tern was not identified along the Sakonnet River nor Mount Hope Bay where the existing transmission line ROW intersects these shorelines.

The roseate tern is a medium-sized gull-like tern that is approximately 15 inches (38 centimeters) long and prefers shoreline habitat (USFWS 2022). The roseate tern is a specialist feeder, eating fish almost exclusively, and feeding by plunge diving. Habitat for the roseate tern includes nesting habitat along sandy shores and barrier islands and under hollows or dense vegetation. Roseate tern is identified in the 2015 Rhode Island Wildlife Action Plan as a species of greatest conservation need (RIDEM 2015). No more than five pairs of roseate terns have nested in Rhode Island since the 1950s. The last breeding record is of two individuals in 1984, although immature and summer roseate terns continue to be observed in Rhode Island, indicating that the species may still nest in small numbers. Roseate terns are seasonally common in Rhode Island as a migrant, typically during post-breeding dispersal, and have been consistently recorded construction at a few coastal sites including Trustom Pond, Charlestown Breachway, Great Salt Pond on Block Island, and at Napatree Point (RIDEM 2015).

POWER completed the USFWS electronic IPaC consultation in accordance with the Section 7 consultation process. The Project did receive a "may effect" determination on the roseate tern (*Sterna dougallii dougallii*) which is a federally endangered species. Based on POWER's assessment of the Project ROW, there does not appear to be suitable nesting habitat on the ROW, either where the existing transmission lines cross over the Sakonnet River from Tiverton to Portsmouth nor along a short section of coastal beach located along the shoreline of Mount Hope Bay located on the north side of Portsmouth (north of Montaup Country Club). Roseate terns typically nest within dense vegetation to protect their young, the short section of coastal beach within the ROW lacks vegetation suitable for nesting. The Company is aware that suitable nesting habitat may occur on Spar Island to the north of the Project, on Addams Island to the south of the Project, and on Gould Island located to the west of Portsmouth, Rhode Island. We also understand that the presence of the roseate tern in the Project area generally extends from late-April through late-September. Based on the proposed work activities including

installation of replacement transmission structures, installation of replacement overhead lines and wires, and removal of the existing transmission structures/towers, combined with the lack of suitable nesting habitat on the ROW, we do not anticipate an adverse effect to roseate tern. The Company understands that this final determination needs to come from the USFWS in consultation with the USACE.

Monarch Butterfly

Due to declining populations resulting from habitat loss and degradation, continued exposure of pesticides, and climate change, the monarch butterfly (*Danaus plexippus*) was listed as a candidate species for listing under the federal ESA on December 17, 2020. The USFWS conducted a 12-month review of the monarch's status and determined listing is warranted but precluded as of the 2022 notification of review (USFWS 2022a). The USFWS continues to evaluate the monarch butterfly at the species level. As a candidate species, there are currently no Section 7 consultation requirements for federal agency actions (USFWS 2020a). The monarch butterfly is also identified in the 2015 Rhode Island Wildlife Action Plan as a species of greatest conservation need (RIDEM 2015).

Monarchs use milkweed as their host plant to lay their eggs. Larvae emerge after two to five days and develop over nine to 18 days using the milkweed to feed on. Larvae then pupate into a chrysalis and emerge six to 14 days later as an adult butterfly. During the breeding season, multiple generations of monarchs are produced with a life span of approximately two to five weeks.

In some regions, monarchs will breed year-round but in temperate climates such as the northeastern United States, monarchs will migrate and live for an extended period (six to nine months). Monarchs who overwintered in Mexico begin their northward migration in March and breed. Generation one monarchs, offspring of the overwintering generation, are born in the south and begin to migrate north in April to May. After an additional one or two generations, northward migrating monarchs arrive on their New England summer breeding grounds in June-July. These individuals will reproduce one or two additional generations over the summer into early fall. The last offspring of the northern population begin their southerly migration to Mexico in late summer through October. These monarchs, which originally migrated to Mexico, will overwinter and fly back to the southern breeding grounds at which point their offspring will start the generational migration cycle over again (USFWS 2021).

The Company will take steps necessary to minimize disturbance to preferred pollinator habitat throughout the construction period, such as selecting non-milkweed dominated areas for on-site foundation spoils management. The Company's Forestry Department's practices do include management of the ROW to encourage the growth of plants species that are conducive to pollinator species. In-situ restoration of disturbed soils will allow natural revegetation, including recolonization of milkweed and other important nectar sources used by monarchs.

3.4.4 **RIDEM Natural Heritage Area Review**

Pursuant to the Rhode Island Endangered Species Act, the Company has consulted with the Rhode Island Natural Heritage Program on June 29, 2023, and again on January 26, 2024. Based on correspondence and follow up communication with the RIDEM, no Rhode Island state-listed species have been documented on or near the Project ROW.

3.5 Stormwater Management

In alignment with Rhode Island's Stormwater Management Rules, the Company will implement stormwater management strategies during the refreshing of existing access roads and routine maintenance activities, will incorporate the Environmental Guidance Document EG-303NE (Appendix F) and the use of stone and other construction BMPs to effectively manage stormwater runoff, particularly in areas made impervious by the Project's activities. This approach is tailored to minimize environmental impact while enhancing the resilience and sustainability of the Project infrastructure.

Stormwater Management Techniques

The Project will focus on the strategic use of infiltration techniques and erosion controls to manage stormwater runoff. Key components include:

- Stone Usage: Stones, particularly those available from construction and maintenance activities, will be strategically placed to aid in water infiltration and runoff management. This use of stone will be especially emphasized where necessary to strengthen and stabilize the ground without creating additional impervious surfaces.
- Erosion Controls and Construction BMPs: To mitigate potential soil erosion and sedimentation, a comprehensive set of erosion controls and construction BMPs will be implemented. These measures will include the installation of silt fences, straw bales, compost filter socks, water bars, and diversion channels. Additionally, efforts will be made to promptly reestablish vegetation and apply dust control measures where applicable.

Environmental Compliance and Monitoring

The Company is committed to maintaining the highest standards of environmental compliance throughout the construction phase of the Project. To this end, the company will engage an environmental compliance monitor to oversee and report on adherence to all relevant federal, state, and local permit requirements, as well as the Company's internal policies and procedures. This includes regular inspections of environmental controls, especially after periods of significant precipitation.

Project personnel will undergo comprehensive training on Project-specific environmental requirements, permit conditions, and BMPs. This environmental awareness training will cover critical areas such as erosion and sediment controls, stormwater management, and the protection of sensitive environmental resources.

Using the Environmental Guidance Document (EG-303NE, Appendix F), the Company will develop and implement a detailed plan outlining specific BMPs and inspection protocols. This plan will focus on minimizing soil compaction, ensuring effective soil stabilization, and reducing the potential for increased erosion and sedimentation during construction activities.

Implementation of Temporary Soil Erosion Controls

Temporary soil erosion controls will be strategically placed in key areas to minimize environmental impact, including along cleared ROW and access roads within the transmission

line ROW and across slopes leading to streams and wetlands and around construction sites located in sensitive areas. These controls will be maintained throughout active construction and until the successful restoration of the affected areas. Permanent stabilization measures, such as seeding and mulching, will be performed post-construction as necessary.

Post-Construction Management

After completion of work on the transmission facilities, the Company will stabilize, seed and mulch impacted areas with appropriate grass-type mixes and straw mulch. The Company will promote the re-growth of desirable species by implementing vegetative maintenance practices to control tall-growing trees and incompatible, invasive species that conflict with line clearances, thereby enabling native plants to dominate.

Upon completion of construction activities, the Company will conduct periodic inspections to assess the need for the removal of temporary soil erosion controls. These decisions will be based on the effectiveness of restoration efforts, in line with the Project's commitment to environmental stewardship and compliance with regulatory requirements.

4.0 CRMC REGULATORY COMPLIANCE

The CRMP requires the Applicant (the Company) to provide sufficient information about the Project for the CRMC to fully understand the Project and render a permitting decision. The following sections outline the applicable CRMP regulatory criterion and provides the Company's response and compliance with the applicable CRMP standards.

4.1 CRMP § 1.1—Authorities and Purpose, Definitions, and Procedures

4.1.1 CRMP § 1.1.5—Review Categories and Water Types

The Company has reviewed the applicable review categories and water types within the 200foot area contiguous to shoreline features as listed in Table 2 under CRMP § 1.1.5(B). As noted in Section 1.2.1, Project components are primarily located within the 200-ft contiguous area of shoreline features and not within Rhode Island coastal waters. Project structures are located above MHW and under CRMP § 1.1.5(B), within the 200-foot contiguous area, energy related structures are to be reviewed as a Category B Assent which is included herein. However, temporary work pads may be required in a few locations below the MHW mark. Matting associated with Structures 39 and 40 will overlap with approximately 2,663 sf (0.06 ac) below MHW in the Sakonnet River (Type 3 Waters) for portions of a temporary crane pad, as well as 4,607 sf (0.11 ac) of matting associated with Structure 55 located below MHW at Mount Hope Bay (Type 2 Waters) for the purposes of a temporary work pad to dismantle an existing transmission structure. This matting is necessary to allow for adequate space to conduct the structure replacements and necessary upgrades and provide a safe, level workspace. In those locations and in areas where the matting is located in 100-year floodplain, the mats will be anchored in place and will be monitored and removed if a major coastal storm is forecast.

Structures 56-62X are associated with and adjacent to Type 2 Waters located in coastal wetlands associated with Founders Brook and Boyd Marsh Area. According to the Activity Matrix in Table 1, under CRMP § 1.1.5(A) footnote 3, utility lines are reviewed as Category B

and it is the Company's Understanding that all Project components, including Structures 56-62X, will be filed under a Category B Assent, included herein, and will not require and variance or special exception.

The Sakonnet River at the Mainline crossing from Tiverton to Portsmouth, Rhode Island is designated as Type 3 High Intensity Boating waters. Type 3 waters are defined by the CRMC as intensely utilized water where recreational boating activities dominate and where the adjacent shorelines are developed as marinas, boatyards, and associated water-enhanced and water-dependent business. Abutting properties in this vicinity are primarily inundated with marinas which are the principal means in which the boating public gains access to tidal waters.

According to Table 1 in Section 1.1.5(A) of the CRMP, activities classified as "Energy-related Activities/Structures" in Tidal Waters designated as Type 3 require a Category B Assent. Similarly, activities listed in Table 2 in Section 1.1.5(B) of the CRMP specify energy related structures within the 200-foot contiguous area to shoreline features require a Category B Assent Application. Therefore, work associated with the work on the railroad jetty at the river crossing, and at the crane pad behind the marina on the eastern side of the Sakonnet River crossing, are covered under a Category B Assent.

At the Sakonnet River crossing, structure work proposed at M/L-39, 40, and 41 are located adjacent to Coastal Beach. This area is associated with Type 3 waters and impacts from energy-related activities and structures are prohibited in coastal beach. No permanent structures are proposed on Coastal Beach and therefore a special exception for a Category B Assent is not required, see section 4.2.4.

Table 2 under CRMP § 1.1.5(B) identifies energy related activities/structures within the 200-ft Contiguous Area to shoreline features requires a Category B Application.

4.2 CRMP § 1.1.6—Applications for Category B Council Assents

Subparts A-E, G and H of Section 1.1.6 of the CRMP are noted and/or do not apply to the Project and are therefore not restated herein. Subparts F through I of Section 1.1.6 are applicable to the Project and addressed below.

4.2.1 CRMP § 1.1.6(F)—Category B Applications

Applicants for activities and alterations listed as "B" in Tables 1, 2, or 3 in § 1.1.5 of this Part, in addition to adhering to the applicable policies, prerequisites, and standards, are required to address all Category B requirements as listed in applicable sections of the program and, where appropriate, other issues identified by the Council.

In accordance with CRMC § 1.1.6(F)(1), it fully is the Applicant's intention to demonstrate adherence to the applicable CRMC policies, prerequisites, and standards, or identify thoroughly why such standards cannot be met, and to adequately address all applicable Category B requirements listed in the CRMP.

4.2.2 CRMP § 1.1.6(I)—Coastal Hazard Analysis Application Requirements

It is the Company's opinion that the Project, a rebuild of the existing L14 and M13 Lines located in a previously disturbed and existing ROW established in 1964, does not fall under CRMP §

1.1.6(I)(1)(e), construction of any new infrastructure project subject to § 1.3.1(H)—energyrelated activities. This is because these are not considered new infrastructure, but rather, previously established infrastructure which is being brought up to current engineering standards in compliance with the required maintenance of the existing utility line. The Project also does not fall within any of the categories listed under CRMP § 1.1.6(I)(2) regarding modification to existing projects. Therefore, the Company does not believe that the Project requires a coastal hazard analysis. The Company did review the CRMC Coastal Hazard Analysis Worksheet for structures 42-64 on the Mainline as applicable to climate change and sea level rise, see Section 4.2.6.

4.2.3 CRMP § 1.1.7—Variances

The Company does not anticipate requiring a variance from any standard in the CRMP.

4.2.4 CRMP § 1.1.8—Special Exceptions

The Company has reviewed the proposed Project elements as outlined in Section 3 in relationship to CRMP prohibited activities. The Company understands the term "coastal waters" to begin at MHW and all Project components are located above the MHW line. However, temporary work pads may be required in a few locations below the Mean High Tide Line. Matting associated with Structures 39 and 40 will overlap with approximately 2,663 sf (0.06 ac) below MHW in the Sakonnet River, as well as 4,607 sf (0.11 ac) of matting associated with Structure 55 located below MHW at Mount Hope Bay. This matting is necessary to allow for adequate space to conduct the structure replacements and necessary upgrades and provide a safe, level workspace. In those locations and in areas where the matting is located in 100-year floodplain, the mats will be anchored in place and will be monitored and removed if a major coastal storm is forecast.

Regarding activities within tidal waters, according to the Activity Matrix in Table 1, under CRMP § 1.1.5(A) footnote 3, utility lines are reviewed as a Category B Assent. Therefore, Project activities requiring the replacement of proposed Structures 56-62X located within Coastal Wetlands associated with Type 2 waters, will not require a special exception, and are included in the Category B Application herein.

4.2.5 CRMP § 1.1.9—Setbacks

The Project does not fall under the categories of activities and alterations identified under CRMP § 1.1.9(B) which indicate where setbacks shall be maintained, and therefore the Company is in the opinion that the Project does not require a minimum setback distance for the replacement structures or need to apply for a variance for those structures which do not meet the minimum setback distance. While the Project does not require setbacks be maintained at the minimum distance per CRMP § 1.1.9(B), the engineering team has taken climate change and sea level rise and resiliency into consideration, see Section 4.2.6. Proposed Structures 54 and 55 are near the coastline, adjacent to Mount Hope Bay, and north of Montaup Country Club and have been spotted further inland as feasible.

4.2.6 CRMP § 1.1.10—Climate Change and Sea Level Rise

As mentioned in Section 4.2.2, a coastal hazard analysis is not required for the Project. However, the Company reviewed the CRMC Coastal Hazard Analysis Worksheet and StormTools application for the siting and engineering of the transmission structures near the coast, Structures M/L42- M/L64, to provide a more resilient and robust system and to prepare the system for future climate change, sea level rise, and coastal storm surges.

In addition to using the StormTools application, engineers additionally performed a flood hazard analysis combined with a rise in sea level. Structures M/L43-M/L64 also fall into the areas identified as being at risk of flooding and sea level rise analysis showed excessive foundation reveals. These structures have been designed to have a minimum set top of concrete at mean sea level (AMSL) to the range of eight ft to address design standards for projected sea level rise and storm surge, and to install more robust and resilient transmission assets. Each has a site specific top with additional COR-COTE®.⁷

The structures in the zones identified as subject to potential flooding will also have an additional coating on the pole to the flood elevation height AMSL as well as heavy corrosion protection, more than that specified in ASTM A-123, for the whole structure.

4.2.7 CRMP § 1.1.11—Coastal Buffer Zones

The Company understands that coastal buffer zones are required in accordance with the requirements for activities subject to § 1.3.1(H), energy-related activities, and acknowledges these policies and notes that the Project will not negatively affect the benefits of the Coastal Buffer Zones. The Company acknowledges the multiple uses and benefits of coastal buffer zones such as protection of water quality, protection of coastal habitat, protection of scenic and aesthetic quality, erosion control, flood control, and protection of historic and archaeological resources.

As previously discussed, the Project will occur within an existing ROW and will use existing access roads to the greatest extent possible, thereby largely avoiding and minimizing adverse environmental impacts. While the Company is still consulting with the Rhode Island Historical Preservation and Heritage Commission (RIHPHC) to demonstrate no adverse effect, no longterm adverse impacts to water quality, coastal habitat, scenic and aesthetic quality, flood or erosion control, or historic and archaeological resources are anticipated to occur as a result of the replacement of the existing transmission structures and overhead wires. Any potential sedimentation impacts, and other short-term construction impacts to wetlands and surface waters will be mitigated using soil erosion and sediment control BMPs and construction mats to protect wetland soils, vegetation root stock, and streams. Minor, temporary disturbances of wildlife may result from the establishment of construction work areas, equipment travel and construction crews working in the Project corridor. Any wildlife displacement will be negligible and temporary since wildlife will be expected to return and re-colonize the ROW after construction. An environmental monitor will be part of the Project team to ensure compliance with all regulatory programs and permit conditions, and to oversee the proper installation and maintenance of the soil erosion and sediment control BMPs.

⁷ COR-COTE® is a two-component, 100% solids, high chemical-resistant, self-leveling hybrid novolac epoxy coating and lining.

Restoration efforts, including final grading and installation of permanent erosion control devices, and seeding of disturbed areas, will be completed following construction. Construction debris will be removed from the Project site and disposed of at an appropriate landfill. Pre-existing grades, drainage patterns, ditches, roads, fences, and stone walls will be restored to their former condition, where appropriate. Permanent slope breakers and erosion control devices will be installed in areas where the disturbed soil has the potential to impact wetland resource areas.

Vegetation maintenance of the ROW will be accomplished with methods identical to those currently used in maintaining the existing ROW. The Company's ROW vegetation maintenance practices encourage the growth of low-growing shrubs and other vegetation which provides a degree of natural vegetation control. In addition to reducing the need to remove tall growing tree species from the ROW, the vegetation maintained on the ROW inhibits erosion.

4.2.8 CRMP § 1.1.12—Fees

The Company acknowledges the fee policy and that the Council may impose fees whenever they receive an application for assent and may charge an administrative fee.

4.3 CRMP § 1.2—Areas Under Council Jurisdiction

4.3.1 CRMP § 1.2.1(C)—Type 2 Low Intensity Use

As previously described in Section 4.1.1, the tidal waters associated with Founders Brook, Boyd Marsh Area and Structures 56-62X, are associated with Type 2 Low Intensity Use Waters. Again, as previously mentioned, Activity Matrix in Table 1, under CRMP § 1.1.5(A) footnote 3, indicates utility lines are reviewed as a Category B Assent and that no special exception for these impacts associated with Energy-related activities/structures.

The Company believes that the Project activities are consistent with the Council's Policies for Type 2 Waters. The L14 and M13 Circuits provide an important source of energy to Aquidneck Island and surrounding Rhode Island communities, and the objective of the Project is to improve upon the reliability and resiliency of the existing L14 and M13 Lines to provide a more robust transmission system to serve Rhode Island customers. The aging L14 and M13 transmission assets have exceeded their expected service life, and the Project is of public benefit to address extensive outages which have occurred on both the L14 and M13 Lines.

The Company understands the Council's goal is to maintain and, where possible, restore the high scenic value, water quality, and natural habitat values of Type 2 waters, while providing for low intensity uses that will not detract from these values. Project work does not include dredging of the waters, nor will activities require maintenance to marina operations or residential boating facilities. Runoff will not affect or discharge into waters listed at CRMP § 1.2.1(C)(2)(e). No long-term impacts to water quality, coastal habitat, scenic and aesthetic quality, flood or erosion control, or historic and archaeological resources will occur. Specifically, the Project's scenic impacts are minimized due to its location in an already-developed transmission line ROW and the limited need for tree removal near sensitive areas, see Section 4.4.9 for Project compliance under CRMP § 1.3.5, Policies for the Protection and Enhancement of the Scenic Value of the Coastal Region.

4.3.2 CRMP § 1.2.1(D)—Type 3 High Intensity Boating

As previously described in Section 4.1.1, the Sakonnet River at the mainline crossing from Tiverton to Portsmouth, Rhode Island is designated as Type 3 High Intensity Boating Waters. The Council's policies for Type 2 Waters apply to Type 3 waters as well, with emphasis on marinas and boating, especially to enhance public access to tidal waters.

The Company plans to replace the overhead wires between Structures 41 and 40, spanning the Sakonnet River from Tiverton to Portsmouth, Rhode Island. To accomplish this, the Company may consider several options for installing the overhead wires such as employing a helicopter, using a boat to tow the lead line across the river, stringing the wires from upland areas on either side of the river, or another non-intrusive method. Consequently, the Project is not expected to result in negative long-term impacts on or around the Type 3 Waters at the mainline crossing. No in-water impacts will occur in Type 3 waters and all replacement structures adjacent to these structures are to be installed onshore.

Temporary disruption to the privately owned Riverside Marina on the east side of the Sakonnet River crossing will occur during construction activities, however, the Marina will see improvements post construction and the Company plans to support the rebuild of a new pier at the Marina. No major disruption should occur at, or impact, the nearest public boat ramp with access at Land south of Sakonnet Bridge, CRMC Designation T-5 (URI Coastal Institute, 2024). Further, the Company will be seeking authorization from the USACE to replace the aerial river crossing under Section 10 of the Rivers and Harbors Act.

4.3.3 CRMP § 1.2.2(A)—Coastal Beaches

Coastal Beach has been identified on both the eastern and western sides of Mount Hope Bay at the Sakonnet River crossing, which is associated with Type 3 water. As part of the Mainline rebuild, some work will be performed adjacent to coastal beach and within the 200-ft contiguous area on the western side of the crossing. This will include temporary construction matting to support the installation of the new proposed Structures 41-42. Temporary work area matting will also be installed along the railroad, which is adjacent to coastal beach and within the 200-foot contiguous area, see Appendix B, Erosion and Sediment Control Plan Index.

On the eastern side of the Sakonnet River crossing, temporary construction matting will be used adjacent to coastal beach to support the new proposed Structures 39-40. Within the 200-ft contiguous area, temporary construction matting, and work area construction mats will be used near Structures L/M-38. Where work will be performed on the back side of Riverside Marina, temporary matting will be necessary within an area identified as coastal beach, see Appendix B, Erosion and Sediment Control Plan Index.

Temporary construction matting will also be placed on portions of the coastal beach on the Portsmouth side of the Sakonnet River to support the installation of transmission Structure L/M-41. The structure itself will be installed outside of coastal beach. The temporary timber construction matting will be removed following construction.

Coastal beach was also identified where the L14/M13 Mainline existing Structures 53 through 56 and associated ROW run parallel to the shoreline immediately north of the Montaup Country Club at the southern end of Mount Hope Bay.

CRMP § 1.2.2(A) does not prohibit alterations on beaches adjacent to Type 3 Waters, however, the construction of new structures other than access ways, walkover structures, and beach facilities, are prohibited in setback areas. As discussed in Sections 4.2.3 and 4.2.5, it is necessary to install new Structures 39-41 within the setback area (minimum of 50 ft), and a variance is requested by the Company to complete this work in accordance with the CRMP regulations. The Company plans to comply with the remainder of the Council's goals and policies pertaining to coastal beaches and the Company has considered all reasonable alternatives and have determined that the rebuild of the line is necessary to support electric reliability in the region, see Section 1.3. Additionally, temporarily affected coastal resources, including coastal beach, will be restored by removing the temporary construction matting, once construction of the Project is complete. After matting is removed, the area will be restored to pre-construction conditions and elevations, to the extent practicable.

4.3.4 CRMP § 1.2.2(C)—Coastal Wetlands

As previously discussed, coastal wetlands PW11, PW12, PW13, and SM01 and FWWIVC PW10, PW14, PW15, and TW01, are included in the Project area. Apart from SM01, which is not impacted by Project activities, all other coastal wetlands and FWWIVC wetlands are associated with Type 2 Waters, see Section 2.2 and 2.8.2.

The work proposed in coastal wetlands will primarily be temporary. The wetlands proposed for impacts are located within an existing transmission line ROW and activities include the replacement of existing structures and the placement of temporary construction matting only. Following completion of the work, matting will be removed, and the area will be monitored to ensure restoration to pre-construction conditions to the extent practicable. While replacement structures are proposed to be larger in diameter and height to meet engineering and code requirements, no significant permanent impacts are proposed within coastal wetlands and FWWIVC.

As discussed in Section 4.2.4, regarding activities within tidal waters, according to the Activity Matrix in Table 1, under CRMP § 1.1.5(A) footnote 3, utility lines are reviewed as a Category B Assent. Therefore, Project activities requiring the replacement of proposed Structures 56-62X located within Coastal Wetlands associated with Type 2 waters, will not require a special exception, and are included in the Category B Application herein.

4.3.5 CRMP § 1.2.2(D)—Coastal Bluffs

In the vicinity immediately north of Montaup Country Club, at the southern edge of Mount Hope Bay, the section between Structures 53 to 56 of the L14/M13 Mainline and its associated ROW lies parallel to the shoreline, marking the boundary of Coastal Beach. This stretch of shoreline concludes at the base of a Coastal Bluff, adjacent to Type 2 Waters. No structure replacements are projected to be placed within coastal bluff habitat, and permanent impacts for the utility line rebuild will occur within the 200-ft contiguous area.

The Company acknowledges the Council's commitment to preserving coastal cliffs and bluffs. These natural formations play a crucial role in contributing sediment to adjacent beaches and act as a natural defense against storm-induced waves and flooding. The CRMP emphasizes the importance of safeguarding these landscapes from construction or alterations that could compromise their structural integrity, pose hazards, or diminish their scenic and ecological significance.

Construction or alteration to coastal cliff and bluffs contiguous to Type 2 Waters may be permitted if the applicant has examined all reasonable alternatives and the Council has determined that the alternative is the most reasonable, see Section 5.1 for a discussion on the alternatives analysis for the Project. The Company plans to comply with the remainder of the Council's goals and policies pertaining to coastal bluffs and as previously mentioned, the Company is of the opinion that all reasonable alternatives have been identified and the rebuild of the existing transmission structures, conductors and wires within the existing ROW has been selected as the most reasonable alternative to support electric reliability in the region. Being that the lines were previously established within the ROW which coincides with a section of coastal bluff, the impacts to this coastal feature are likely to be incurred whether the line was torn down and replaced in an alternative location, or if the structures in this location are replaced in the near future and result in minimal impacts at that time. Impacts as a result of temporary construction matting are necessary to provide safe, level workspace to perform the necessary replacement activities and the area will be restored to pre-construction elevations to the extent feasible.

4.3.6 CRMP § 1.2.2(F)—Manmade Shorelines

The Council's Policies under CRMP § 1.2.2(F) encourage the maintenance of structures that effectively mitigate erosion and/or sustain landforms adjacent to the water and prevent the accumulation of debris along the shore where such structures are ineffective or are no longer in active use. Manmade shoreline can be found on both the eastern and western sides of the Sakonnet River crossing, adjacent to Type 3 Waters.

The existing manmade shoreline includes the east side of the Sakonnet River crossing where rip rap revetment is installed along the historic railroad crossing peninsula and around Riverside Marina. Similarly, the west side of the Sakonnet River crossing also features manmade shoreline consisting of a rip-rap revetment at the site of the historic railroad crossing peninsula. Replacement rip rap may be installed where revetment has been previously eroded, improving the shoreline and features. Any proposed stone below MHW at the Sakonnet River Jetty is maintenance work to replace previously existing shoreline protection which has eroded and needs to be maintained. The Company is proposing to repair the armored shoreline at the railroad jetty with similar sized stone to protect the elevated jetty and the transmission structures.

Project activities will not significantly disturb or impact the established manmade shorelines. The railroad jetty located on the Tiverton side of the Sakonnet River will be graded to allow construction access from Riverside Avenue (see Appendix I- Grading Plan). The existing steel lattice towers located on either side of the Sakonnet River will be dismantled and removed. The existing the revetment found around the railroad peninsula and Marina will primarily remain inplace, with some sections being replaced or added to as needed. Temporary construction mats will be used to build the temporary crane pad that extends below the spring high tide line are to be anchored in place and removed following construction.

4.3.7 CRMP § 1.2.2(G)—Dunes

Within the Project area, a single remnant Dune is located on the eastern side of the Sakonnet River Crossing. This dune is immediately south of the Manmade Shoreline peninsula and consisting of wind-deposited sand vegetated with beach grass and rugosa rose (*Rosa rugosa*) shrubs. This dune is associated with Type 3 Waters and located within the 200-ft contiguous

area, near salt marsh SM01. The Company does not anticipate any impacts to this feature and no work is proposed within this feature.

4.3.8 CRMP § 1.2.3—Areas of Historic and Archeological Significance

Section 106 of the National Historic Preservation Act of 1966 requires federal agencies to review federally funded or permitted projects for their potential impacts to historic and cultural resources. Potential resources addressed under this review include known and unknown properties that are listed or are determined eligible for listing on the National Register of Historic Places (NRHP). Once a review has been initiated, the agency, in consultation with the State Historic Preservation Officer and appropriate Tribal authorities, must identify historic properties, assess whether effects to the properties will be adverse, and then work to minimize, resolve, or mitigate any adverse effects.

Eligibility for inclusion on the NRHP is based on four criteria, at least one of which must be met (36 Code of Federal Regulations Part 60). In order to be eligible, historic resources must:

- be "associated with events that have made a significant contribution to the broad patterns of our history";
- be "associated with the lives of persons significant in our past";
- "embody the distinctive characteristics of a type, period, or method of construction, or ... represent a master, or ... possess high artistic values, or ... represent a significant and distinguishable entity whose components may lack individual distinction"; or
- "have yielded, or may be likely to yield, information important in prehistory or history" (United States National Park Service 1990).

In addition to meeting at least one of these four criteria, an eligible property must retain integrity in its location, design, setting, materials, workmanship, feeling, and/or association. Resources can include both above-ground/architectural resources and archaeological sites; NRHP criteria and standards of integrity are applied to both types of resources.

The Company contracted POWER to conduct a cultural resources due diligence literature review for the Project in the fall of 2023. POWER coordinated with the RIHPHC to identify previously recorded archaeological resources and is currently undertaking a review of publicly available records to identify historic above-ground resources, within the Project survey area. These reviews included both above-ground historic resources and archaeological resources that are listed or evaluated as eligible for listing in the State or National Registers as well as surveyed properties that have not been evaluated or listed, within a study area determined in consultation with the RIHPHC (1 kilometer [km] for archaeology, 0.25 mi for above-ground structures). POWER archaeologists also conducted a pedestrian survey in the Project corridor, and completed an archaeological sensitivity assessment of the Project ROW to provide information about cultural resources that could be affected by the proposed Project.

Architectural Resources

POWER performed cultural resources due diligence review including a background literature review of the entire L14 and M13 Main Line and a pedestrian survey and sensitivity assessment. On December 11, 2023, POWER sent a notification letter to RIHPHC, informing

them of the proposed geotechnical boring program and requesting a permit for subsurface archaeological survey along the ROW corridor. Subsurface testing at proposed soil boring locations was conducted and bore holes placed precisely within the bounds of the shovel test, so the surrounding soils will not be impacted. Phase I subsurface survey for the remainder of the Project impacts began on April 30, 2024, and will continue through May. POWER's cultural staff has also completed an inventory and assessment of historic above-ground resources within 0.25 miles of the Project corridor at the request of RIHPHC and will continue to consult with RIHPHC about identifying and addressing potential visual impacts to these resources.

Archeological Resources

The due diligence review identified 36 previously recorded archaeological sites within the survey area: 21 Pre-Contact Native American sites and 15 historical period archaeological sites. POWER has a permit from RIHPHC to conduct Phase 1 subsurface archaeological survey in the Project corridor where construction impacts are proposed within areas determined to be of moderate or high archaeological sensitivity. POWER, on behalf of the Company, will be performing intensive archaeological testing on the ROW during the 2nd and 3rd Quarters of 2024, and will coordinating its findings with the RIHPHC.

Tribal Historic Preservation Offices (THPOs) for the Narragansett Indian Tribe, Mashpee Wampanoag Tribe, and Wampanoag Tribe of Gayhead (Aquinnah), received POWER's Phase 1 permit application from RIHPHC in December 2023, and are did not issue any comments on the research design. The RIHPHC issued a State Archaeologist's Permit to POWER to conduct the Phase 1 survey when weather and ground conditions allow. Representatives of the THPOs will be notified of the field work schedule and will be kept informed of the work progress through regular email updates by POWER.

4.4 CRMP § 1.3—Activities Under Council Jurisdiction

Subparts A-B, F, G-H, J, L, and N of CRMP § 1.3.1 are applicable to the Project and addressed in the following subsections. Subparts C-E, I, K, M, and O-R of CRMP § 1.3.1 are not applicable to the Project and are therefore not restated herein.

4.4.1 CRMP § 1.3.1(A)—Category B Requirements

The subsequent outline details the requirements for a Category B Assent, essential data and information required for federal consistency evaluations. The Company has formulated replies to each of the stipulated requirements laid out in the CRMP, with the original mandates presented in italicized text below, followed by the Company's corresponding responses in standard font.

a) Demonstrate the need for the proposed activity or alteration;

As previously mentioned, the Project is necessitated by the critical state of the L14 and M13 aging transmission infrastructure which have surpassed their expected lifespan, leading to increased maintenance costs and higher failure rates. Significant reliability issues stem from outdated design standards, including vulnerability to lightning and severe weather, which compromise the energy supply to vital regions like Aquidneck Island. To address these urgent needs, the Project will undertake a comprehensive rebuild to meet current design and safety

codes and standards, ensuring enhanced reliability and performance across affected areas. See Section 1.3 for a more detailed response.

b) Demonstrate that all applicable local zoning ordinances, building codes, flood hazard standards, and all safety codes, fire codes, and environmental requirements have or will be met; local approvals are required for activities as specifically prescribed for nontidal portions of a project in §§ 1.3.1(B), (C), (F), (H), (I), (K), (M), (O) and (Q) of this Part; for projects on state land, the state building official, for the purposes of this section, is the building official;

See Section 1.6, Summary of Other Permits, Reviews, and Approvals to review local, state, and federal required approvals and permits along with dates of approval or estimated dates of approvals for those permits that have not been issued.

c) Describe the boundaries of the coastal waters and land area that is anticipated to be affected;

The Project Area includes work over the Sakonnet River and Mount Hope Bay tidal crossing, as well as limited portions of tidal waters within the coastal wetlands and freshwater wetlands associated with Founders Brook and Town Pond. The boundary of proposed work activities in tidal waters is within the footprint of the existing ROW and within CRMC's regulated 200-ft Contiguous Areas. As previously mentioned, some temporary matting is also located below MHW to support the replacement of Structures 39, 40, and 55. Other work areas and work pads associated with the Project are primarily located within the existing ROW and Contiguous Areas.

No in water work will take place at the Sakonnet River crossing, as the Company plans to install overhead wires between Structures 41 and 40 (where the Mainline crosses the Sakonnet River from Tiverton to Portsmouth, Rhode Island) and may elect to use a helicopter, boat to tow the lead line across the river, or to string the wires from upland areas located on either side of the river.

Section 4.3 above further describes Project activities and tidal and land areas which will be affected. Impacts are, again, primarily temporary in nature and the Company plans to restore and stabilize the disturbed work areas after construction activities are complete. A minimal number of permanent impacts will take place in contiguous area, coastal wetlands, FWWIVC, and freshwater wetlands but these are primarily associated with the replacement of existing structures, improvements to existing access, and creation of work pads which are necessary impacts to serve a public need of electric reliability and bring the Lines up to current engineering standards.

d) Demonstrate that the alteration or activity will not result in significant impacts on erosion and/or deposition processes along the shore and in tidal waters;

During Project development and planning activities, no evidence of significant erosion was observed within the Project Area. Areas observed near the Sakonnet River crossing are surrounded by manmade shoreline. No significant change in shoreline configuration is proposed at the crossing, so changes in tidal erosion and deposition processes are not anticipated as a result of the Project. The Company is proposing to repair the existing armored shoreline along sections of the railroad jetty where there has been erosion of soil and the stone rip-rap protection measures.

e) Demonstrate that the alteration or activity will not result in significant impacts on the abundance and diversity of plant and animal life;

As previously mentioned, the Project is sited in an existing and established ROW where the original Lines were installed in 1964. Therefore, general impacts on the abundance and diversity of plant and animal life are expected to be minimal and the area has been previously disturbed. The Company has been in communication with RIDEM and no Rhode Island state-listed species have been documented on or near the Project ROW.

The Company has also submitted a USFWS IPaC consultation. The results of that consultation are outlined in detail in Section 3.4.3 and discuss potential impacts to the roseate tern and the monarch butterfly (candidate species). The onshore Project activities are not likely to affect the roseate tern due to the minimal anticipated shoreline disturbance from Project activities, and lack of suitable nesting habitat within the limits of the ROW. Regarding the monarch butterfly, the Company will take steps necessary to minimize disturbance to preferred pollinator habitat throughout the construction period, such as selecting non-milkweed dominated areas for on-site foundation spoils management. In-situ restoration of disturbed soils will allow natural revegetation, including recolonization of milkweed and other important nectar sources used by monarchs. Further, the Company's Forestry Department implements its vegetation management program to promote plant species that are conducive to attract pollinators. IPaC results (Appendix H) also indicated that no federally designated Critical Habitat occurs within Project Area.

Disturbed wetland areas, including salt marsh areas, will be stabilized after construction is complete using a specialized wetland seed mix and straw mulch as outlined in EG-303NE, Appendix F. The Project is not located in Rhode Island Natural Heritage Areas. Overall, Project impacts are anticipated to be predominately temporary in nature and the Company plans to mitigate where appropriate and Project activities will not result in significant impacts on the abundance and diversity of plant and animal life.

f) Demonstrate that the alteration will not unreasonably interfere with, impair, or significantly impact existing public access to, or use of, tidal waters and/or the shore;

Not applicable. The Project area does not include areas where public access will be impaired or interfered with, other than potential detours for purposes of public safety during the construction phase of the Project.

g) Demonstrate that the alteration will not result in significant impacts to water circulation, flushing, turbidity, and sedimentation;

There are no appreciable changes in shoreline configuration which would result in impacts to water circulation, flushing, turbidity, and/or sedimentation. Where there are areas which have been identified as an ASSF and need to be crossed within the ROW for access to structure locations, the Company has proposed to use and installation of an air-bridge and/or in the installation of permanent stone/rock fords to at those locations to allow for continuous unrestricted flow and to minimize erosion across the ROW.

Again, no in water work is proposed at the Sakonnet River crossing location. All work is proposed overhead via helicopter, tow boat, or other, and will not impact the turbidity or sedimentation in the River.

h) Demonstrate that there will be no significant deterioration in the quality of the water in the immediate vicinity as defined by DEM;

There will be no significant deterioration in the quality of the water in the immediate vicinity as defined by DEM. There is no significant change in the impervious surface area of the Project area and the Project will not be a generator of stormwater pollutants. Again, the Project is a rebuild of the existing and previously established L14 and M13 Lines and there should be no significant change in stormwater runoff within the Project area.

Stormwater management plans have been designed to include effective strategies to prevent potential harm from stormwater runoff entering the coastal areas. The designs do not include any direct discharges and stormwater runoff will be managed using the implementation of temporary soil erosion control measures and following Rhode Island Energy's EG-303NE (Appendix F). The Company and selected contractors will utilize and maintain appropriate BMPs to protect water quality.

i) Demonstrate that the alteration or activity will not result in significant impacts to areas of historic and archaeological significance;

No architectural above-ground resources were identified within the Project ROW. Accordingly, the Project will not directly affect architectural above-ground resources. Potential visual impacts to NRHP eligible or listed resources will be assessed by RIHPHC using data provided by POWER in a historic above-ground resources inventory. This inventory will be complete in the spring of 2024 and submitted to RIHPHC for review and comment.

POWER performed cultural resources due diligence review including a background literature review of the entire L14 and M13 Main Line and a pedestrian survey and sensitivity assessment. On December 11, 2023, POWER sent a notification letter to RIHPHC, informing them of the proposed geotechnical boring program and requesting a permit for subsurface archaeological survey along the ROW corridor. Subsurface testing at proposed soil boring locations was conducted and bore holes placed precisely within the bounds of the shovel test, so the surrounding soils will not be impacted. Phase I subsurface survey for the remainder of the Project impacts began on April 30, 2024, and will continue through May 2024. POWER's cultural staff has also completed an inventory and assessment of historic above-ground resources within 0.25 miles of the Project corridor at the request of RIHPHC and will continue to consult with RIHPHC about identifying and addressing potential visual impacts to these resources.

POWER cultural resources staff have maintained a dialogue with Tribal cultural resource monitors throughout the Project in order to identify and address Tribal concerns and to enable a collaborative approach to investigation strategy. If necessary, the Company will prepare an Archaeological Site Avoidance and Protection Plan for avoidance and protection of documented sites. See Section 4.3.8 for more detail on Areas of Historic and Archeological Significance.

j) Demonstrate that the alteration or activity will not result in significant conflicts with water dependent uses and activities such as recreational boating, fishing, swimming, navigation, and commerce, and;

As previously mentioned, no in water work will occur at the Sakonnet River crossing, which is the only Section 10 navigable waterway within the Project area, with the exception of Mount Hope Bay. Any work to support the overhead crossing from Structure 40 on the east side of the

Sakonnet River, to Structure 41 on the west side, will be minimal and temporary in nature and should not greatly impact water dependent uses of the Sakonnet River or Mount Hope Bay. The duration to pull and clip in the conductor across the river would be approximately five days for each line across the river span.

Work associated with Founders Brook and Town Pond will occur on Company-owned land within the established ROW and should not prevent or impact public fishing opportunities.

k) Demonstrate that measures have been taken to minimize any adverse scenic impact (see § 1.3.5 of this Part).

Visual resources include elements of the surrounding area that may be sensitive to changes to their visual setting; including historic sites, scenic landscapes, lighthouses, state parks/beaches, wildlife refuges, designated scenic areas, and other recreation and tourism areas. Effects to visual resources can be perceived by both residents (year-round and seasonal) and tourists.

Overall, the Project's visual impacts are limited by the location of the Project within an alreadydeveloped transmission ROW, and by the relatively limited need for tree removal in locations near sensitive receptors. New pole structures have been sited adjacent to existing structures, where feasible, to minimize the potential for visual impact. The Company will work with abutting landowners who experience a material change in view to identify reasonable and practical screening that could be provided on their properties, in "soft" form (e.g., compatible vegetation), "hard" form (e.g., fencing), or a combination of the two. With the implementation of these measures, the visual impacts of the Project will be minimized.

The heights of existing transmission structures ranges from 46 to 143 ft, with the tallest structures at the Sakonnet River crossing measuring approximately 143 ft in height. The heights of the replacement structures will range in heights from 42 to 176 ft, with the average structure height being approximately 75 ft. The tallest proposed transmission structures will the structures located at the Sakonnet River crossing and to the east of Paul James Drive in Tiverton, with heights of 172 and 176 ft above-ground, respectively.

Representative viewpoint locations were selected along the Project route for development of visual simulations to demonstrate how the constructed Project would appear to future viewers (proposed conditions). Overall, the potential for visual impact on landscape character and sensitive viewers has been minimized through use of an existing and primarily cleared transmission line ROW and replacement of existing transmission structures that would create weak or no visual contrast. Therefore, the Project will not materially change the existing appearance of the ROW, and no significant impacts to visual resources are anticipated as a result of the Project.

4.4.2 CRMP § 1.3.1(B)—Filling, Removing, or Grading of Shoreline Features

The Project will generally conform with the Council's Policies outlined in CRMP § 1.3.1(B). Erosion and Sediment Control plans have been prepared, included in Appendix B. All plans are consistent with applicable policies and standards in the CRMP, and the standards and specifications set forth in the most recent edition of the RISESCH.

Cumulative Project activities for coastal wetlands and FWWIVC will require the excavation and/or filling of less than 1 ac of permanent impacts—approximately 649 sf (0.01 ac). Total

permanent impacts to freshwater wetlands are approximately 946 sf (0.02 ac). The combined fill required to sensitive wetlands (coastal, FWWIVC, and freshwater wetlands) is approximately 1,595 sf (0.04 ac) and will not be associated with areas designated as being historic or as being archaeologically sensitive. Permanent impacts are associated with the replacement of structures only.

The areas of coastal wetlands and FWWIVC were described in Section 2.8.2 and include the existing ROW which traverses estuarine/ salt marsh coastal wetlands associated with Town Pond and Mount Hope Bay in Portsmouth near Montaup Country Club, adjacent to Type 2 waters. As previously described in Section 3.4, the new replacement structures will be installed either on reinforced concrete caisson foundations or direct embedment into buried steel casings, dependent upon the structure type and location. The installation of foundations and new replacement structures may constitute the incremental filling of salt marsh where the rebuild and replacement structures are larger diameter poles and foundations necessary to address construction within the coastal environment. These proposed fills are required to complete the Project, as the Lines are previously established along the ROW, and previously overlapping with coastal wetlands. This work is permitted per the Activity Matrix in Table 1, under CRMP § 1.1.5(A) footnote 3, which states utility lines are reviewed as a Category B Assent and that it is understood that no special exception is needed for these impacts associated with Energy-related activities/structures.

The Company is also proposing minor grading for placement of mats to be used near the section of coastal bluff near Structures 53-56, as well as grading to smooth the top of the coastal bluff for access and to reduce impact on the property at the Montaup Country Club and associated golf course. On the seaward side of the bluff, a planting plan of coastal tolerant plant species may be recommended to stabilize the bluff and to provide wildlife enhancements after construction.

No removal of shoreline or its contiguous area will take place. Structures to be removed will not result in taking away any portion of shoreline by excavation. As part of the Project, the Company will be removing the existing steel lattice and other transmission structures from the ROW. Once the replacement structures are set and the lines are energized, the old structures will be cut below the ground line and removed from the ROW. All reasonable attempts will be made to remove original pole structures in their entirety, including the pole butts, and if this is not feasible, the pole butt will be left in-place and cut 18" below the ground surface. Regardless, no additional material will be removed as a result of the removal of original pole structures.

During Project activities, The Company plans to adhere to the standards under CRMP § 1.3.1(B)(3), including, but not limited to, not undertaking any construction on a barrier beach and storing construction materials and excavated soils away from shoreline features, apart from manmade shorelines, if necessary. Where upland earthwork will take place on shoreline features, such as coastal wetlands, disturbed soils will be graded to a smooth finish with a slope not exceeding 3:1 and stabilized post-construction, and where machinery is required, a protective cover will be deployed to minimize disturbance.

The need to dewater tidal "groundwater" intrusion during construction is anticipated, and pumping and sediment retention will occur in general conformance to the standard listed at CRMP § 1.3.1(B)(3)(d)(5). The concrete type to be used for caisson foundations will conform to CRMP § 1.3.1(B)(3)(c)(7) to guard against salt spray deterioration over time and is expected to be Type II air entrained Portland cement, or equivalent, and low strength flowable fill.

The Company will incorporate the standards and specifications set forth in the most recent edition of RISESCH and will follow permit conditions and CRMC guidance as applicable. Filling, removing, or grading of Shoreline Features is not proposed at any location not shown on the Project plans or identified in this narrative.

4.4.3 CRMP § 1.3.1(F)—Treatment of Sewage and Stormwater

Stormwater management techniques and implementation of erosion control can be found above in Section 3.5. No prohibited activities under CRMP § 1.3.1(F) are proposed for the Project and all standards pertaining to stormwater management are expected to be met.

Following the guidelines of CRMP § 1.3.1(F)(4)(g), the stormwater management plans have been designed to include effective strategies to prevent potential harm from stormwater runoff entering the coastal areas. The designs do not include any direct discharges and stormwater runoff will be managed using the implementation of temporary soil erosion control measures and following Rhode Island Energy's EG-303NE (Appendix F). As a result, negative impacts on coastal wetlands and tidal waters, including changes to salinity, temperature, and dissolved oxygen levels, are not expected.

4.4.4 CRMP § 1.3.1(G)—Shoreline Protection

Not applicable. The Project does not include construction of shoreline protection facilities. The Company is shifting Structure 53, 54 and 55 further away from the Mount Hope Bay shoreline. Replacement rip rap revetment, as needed, is discussed in Section 4.3.6.

4.4.5 CRMP § 1.3.1(H)—Energy-Related Activities and Structures

- 1. Planning for energy facilities; and
 - a) Planning policies.

(1) For applicable policies and standards pertaining to offshore renewable energy facilities see Subchapter 05 of this Chapter (CRMC Rhode Island Ocean Special Area Management Plan).

Response: Not applicable. The Project is a rebuild initiative for the L14 and M13 which are electric transmission lines. The Project does not include any offshore renewable energy facilities.

2. Siting of energy facilities

a. Policies and regulations

(1) Facilities for the processing, transfer and storage of petroleum products and the production of electrical power provide services necessary to support and maintain the public welfare and the state's economy. Such facilities, whether sited in the coastal region or elsewhere, have a high probability of affecting coastal resources and land uses because of their large size, environmental and aesthetic impacts, and impacts on surrounding land uses and broad development patterns.

(2) In order to properly and effectively discharge legislatively delegated responsibilities related to the location, construction, alteration and/or operation of energy facilities, including facilities for

the processing, transfer and storage of petroleum products and the production of electrical power, the Council finds a need to require in all instances a permit for such location, construction, alteration and/or operation within the State of Rhode Island where there is a reasonable probability of conflict with a Council plan or program, or damage to the coastal environment.

Response: Not applicable. Again, the L13 and M14 Lines were established in the existing ROW since installation in 1964, therefore, the lines have been previously sited and comply with the policies and regulations regarding the siting of energy facilities. The Company has filed a 90-Day Notice of Intent and Project Siting Report with the RI EFSB for the rebuild and reconductoring of the existing transmission lines.

(3) The siting, construction, alteration and/or operation of petroleum processing, transfer or storage facilities and power generating facilities within the State of Rhode Island shall require a Council permit when there is reasonable probability demonstrated by reliable and probative evidence that the proposal will:

(AA) Conflict with any Council management plan or program.

Response: The Company complies with CRMC's management plans and programs as documented herein.

(BB) Make any area unsuitable for any uses or activities to which it is allocated by a Council Plan or Program, or

Response: The Company complies with this policy. Project components will replace preexisting structures, and once construction is completed it is not anticipated that the area will be substantially altered. The ROW is predominately owned by the Company and should not make any area unsuitable for any uses or activities allocated by a Council Plan or Program. The Company intends to maintain and repair structures as necessary and should repair or replacement of Project components be required in the future, temporary disruption in the area may occur at that time.

(CC) Significantly damage the environment of the coastal region.

Response: The Company has conducted an extensive analysis of environmental conditions in the Project area and performed multiple constructability field reviews. The Project will not result in significant damage to the environment. Where impacts are unavoidable, the Company intends to implement various avoidance, minimization, and mitigation measures, as outlined in Section 5.0.

(4) Applicants for energy facilities must consider the projected impacts of climate change, including but not limited to projected storm surge, coastal erosion and sea level rise to these facilities.

Response: Refer to Section 4.2.6 of this Category B Assent application.

(5) Applicants shall be further required to demonstrate by reliable and probative evidence that:

(AA) Alternative sites have been considered and rejected for environmental, economic and/or operational reasons.

Response: Refer to Section 1.3 for a description of alternatives considered.

(BB) Construction and/or operation will be in conformance with all applicable environmental standards, guidelines and objectives.

Response: In addition to the Category B Assent requested in this application, the Project requires other local, state, and federal permits and approvals summarized in Table 1-1 in Section 1.6. The Company has initiated consultation with the agencies having jurisdiction over the Project and will be required to meet the standards, guidelines, and objectives of these agencies. The Company to hold and participate in open house meetings held in the municipalities of Tiverton and Portsmouth to seek input from the general public and municipal officials.

(CC) Siting will not cause secondary developments that are inconsistent with the State Guide Plan or approved municipal comprehensive plans.

Response: New or unprecedented siting of energy-related activities are not a component of the Project. The Lines are previously established and predominately located on Company owned land, within the existing ROW. Secondary developments that are inconsistent with the State Guide Plan or approved municipal comprehensive plans within the Town or Portsmouth or the Town of Tiverton are not anticipated. The initiative of the plan is to serve the regional electric generation needs and to bring the current structures up to safety and engineering standards, serving public benefit.

(DD) Operation will not degrade aquifers or water bodies utilized for public water supply, and

Response: Refer to Sections 2.3 of this application.

(EE) Adequate procedures for the safe transport and/or disposal of products, materials and/or wastes hazardous to man or the coastal environment will be taken, including emergency containment and cleanup.

Response: The Company will comply with this standard. See Section 3.1 for a description of the Company's plan for removal, salvage and/or disposal of existing transmission line components. Additionally, the Project will comply with the applicable state and federal regulations regarding solid waste and hazardous waste storage, transport and disposal, and oil pollution control, should impacted materials be encountered during construction.

(6) Where on the basis of such evidence and/or demonstrations the Council finds a reasonable probability of noncompliance with any applicable policy or regulation, including § 1.3.8(B) of this Part, it shall require appropriate modification of or shall deny the application in question.

Response: The Company has designed the Project to comply with applicable policies and regulations.

(7) Recipients of approved Council permits shall be required to maintain such records as may be necessary to monitor and ensure compliance of facility operations with all applicable Policies as set forth above.

Response: The Company will comply with this standard.

(8) Offshore renewable energy projects shall comply with the policies and standards in Subchapter 05 of this Chapter (CRMC Rhode Island Ocean Special Area Management Plan).

Response: Not applicable. The Project is not an offshore renewable energy project.

3. Certified verification agent (CVA) requirement for energy-related activities defined in § 1.1.2 of this Part for which the CRMC has jurisdiction or requires a permit in accordance with §§ 1.1.4 and 1.3.3 of this Part, and as required by the CRMC executive director to review projects that are outside the scope of CRMC staff expertise. (subparts omitted)

Response: The Company has not submitted a CVA nomination, as the ROW and Lines are previously established and have existed since 1964, therefore, no new siting or routing has been planned for the scope of the Project. It is our understanding that a CVA nomination is required for offshore renewable energy projects similar to the process followed by the Bureau of Ocean Energy Management (BOEM).

4. Prerequisites

a. Applicants must demonstrate that all relevant local zoning ordinances, building codes, flood hazard standards, and all state safety codes, fire codes, and environmental requirements have or will be met.

Response: Refer to Section 1.6 of this application.

5. Prohibitions

a. Industrial operations and structures are prohibited in Type 1 and 2 waters or on shoreline features and their contiguous areas abutting these waters.

Response: Not applicable. The Project is an electric utility project and does not propose any long-term industrial operations in Type 1 or Type 2 waters.

6. Additional Category B requirements

a. Unless preempted under the regulations of the Federal Energy Regulatory Commission the following summary defines the scope of the topics that shall be addressed by applicants for power generating and petroleum processing and storage as they apply to construction, operation, decommissioning, and waste disposal:

Response: The Company has addressed the below-referenced criteria herein this Category B Assent application.

(1) Environmental impacts,

Response: The avoidance, minimization and mitigation measures to be implemented by the Company to reduce environmental impacts are described in Section 5.0.

(2) Social impacts,

Response: The Project involves existing transmission lines within existing ROW. No long-term impacts to residential, commercial or industrial land uses will occur as a result of the Project. Any construction noise impacts are expected to be temporary and localized. No visual impacts will result from the Project. Traffic control plans will be employed as necessary at the ROW access points off local and state roads, and for the installation of conductors across roadways. The Project will not adversely impact the social and economic conditions in the Project area. To the contrary, the Project will ensure the continued reliability of the electric system.

(3) Economic impacts,

Response: The Project will not adversely impact the overall social and economic condition of the Project area. The Project does not require, nor will it lead to long-term residential or business disruption. Temporary construction impacts, primarily related to construction traffic and equipment operation, are expected to be minor. As described in Section 1.1, the proposed work will be located entirely within an existing 115 kV transmission line ROW. By providing continued reliable supply of electricity, the Project will support existing and forecasted economic growth.

(4) Alternative sites,

Response: The Company evaluated several alternatives, see Section 1.3. The Lines were previously established and therefore, the best alternative chosen was to rebuild the lines within the pre-existing ROW to reduce environmental and social impacts, and to support the reliability needs of the region within a reasonable timeframe.

(5) Alternative means to fulfill the need for the facility,

Response: The Company evaluated several alternatives in the development of the Project as described in Section 1.3. Ultimately, the Company concluded that upgrading and reconductoring the existing L14 and M13 Lines is significantly preferred to the other alternatives because it will: resolve the age, condition, and reliability concerns with the L14 and M13 Lines while meeting the reliability need for the Project at the lowest possible cost; be constructed while minimizing environmental impacts; and be completed in the shortest timeframe, in accordance with the standards reviewed by the RI EFSB.

(6) Demonstration of needs, and

Response: See Section 1.3 herein.

(7) Consistency with state and national energy policies.

Response: The L14 and M13 Lines were previously established and installed in 1964, consistent with state and national energy policies at the time. This Project focuses on improving the condition and performance of the M13 and L14 Lines between the Massachusetts/Rhode Island state border and Dexter Street Substation as well as the taps to Tiverton and Tiverton Power. The lines provide an important source of energy to the Aquidneck Island area and they have been identified for refurbishment due to extensive outages stemming from lightning flashing over insulation and trees falling into the line due to heavy snow. Since the lines were originally constructed in 1964, design criteria for the area have changed and designed wind-loads have increased due to the proximity of the coast. Due to the physical deficiencies on the

line, the M13 line has experienced 12 momentary outages and three sustained outages, while the L14 line has experienced seven sustained outages and four momentary outages since 1998. Due to the poor performance, these lines have been designated as two of the worst performing circuits in the REI system.

The system needs have been identified through a combination of data collection activities, including desktop review, ground inspections, aerial inspections, and third-party condition assessments. The Company utilizes the collected data to apply a proactive asset management strategy to upgrade or rebuild transmission facilities to improve reliability and the longevity of the system while reducing maintenance costs.

Aerial inspections have identified conductor deficiencies along the entirety of the lines, including broken strands. AAC and ACSR conductors also lose mechanical strength over their service life due to corrosion and annealing, leading to an increased likelihood of broken strands and eventual conductor failure. If the L14 and M 13 Lines are not rebuilt, the area may face future reliability issues resulting from the asset conditions of the L14 and M13 Lines. The Project is needed to address the asset condition issues of the current line and will bring the Lines up to current engineering and safety standards, which is consistent with state and national energy policies.

b. Shorefront sites shall demonstrate the need for access to navigable waters or cooling and/or process water.

Response: Not applicable. The Project does not require access to navigable waters or cooling and/or process water.

c. The above requirements for energy facilities do not have to be addressed if the proposal is for an electrical generating facility of forty (40) megawatt capacity or less, or for a petroleum storage facility of less than two thousand four hundred (2,400) barrel capacity. Such small-scale facilities shall be considered commercial or residential structures (see § 1.3.1(C) of this Part).

Response: Not applicable. The Project is not a generation facility.

7. Standards

a. See standards given in "Filling, removing, or grading" in § 1.3.1(B) of this Part, as applicable.

Response: Refer to Section 4.4.2 of this Category B Assent application.

b. See standards given in "Residential, commercial, industrial, and public recreational structures" in § 1.3.1(C) of this Part, as applicable.

Response: Not applicable. The Project involves improvements to existing electric transmission infrastructure.

c. See standards given in "Treatment of sewage and stormwater" in § 1.3.1(F) of this Part, as applicable.

Response: Refer to Section 4.4.3 of this Category B Assent application.

8. Transfer of petroleum products (list omitted)

Response: Not applicable. The Company is not proposing the transfer of petroleum products.

4.4.6 CRMP § 1.3.1(J)—Filling in Tidal Waters

The Project requires the installation of replacement structures, including concrete caisson foundations and directly embedded structures that are to be backfilled with low-strength concrete flowable fill, to be placed in coastal wetland and near areas contiguous with coastal resources. The Company understands that it is the council's policy to discourage and minimize the filling of coastal waters and has made all reasonable attempts to minimize and mitigate the work that will occur in and around the coastal resources. To reiterate, the Lines are previously established in these resource areas and temporary and minimal permanent impacts will occur as a result of the larger diameter replacement structures and foundations to meet current engineering and safety standards and codes. These replacement structures are also necessary to serve a public reliability need in the region, see Section 1.3.

Filling is not a result of or incidental to shoreline protection in accordance with CRMP § 1.3.1(G), nor are any bulkheading or coastal erosion controls proposed. Work is associated with Type 2 waters, which is permitted under Category B review, included herein, for utility lines per CRMP § 1.1.5(A) footnote 3.

To comply with the prerequisites under CRMP § 1.3.1(J), the Company is filing a Freshwater Wetlands Permit, included herein with this Category B Assent Application. The Company also filed a PCN application on June 14, 2024, with the USACE - New England District for an Individual Permit for activities subject to the jurisdiction of Section 404 of the CWA, and Section 10 of the Rivers and Harbors Appropriation Act of 1899.

4.4.7 CRMP § 1.3.1(L)—Coastal Wetland Mitigation

As described throughout this application and in Sections 2.4.2 and 4.3.4, construction matting will be utilized to mitigate for impacts to coastal wetland resources. The placement of temporary construction matting is a standard industry-practice that is used to minimize impacts to wetlands and waters and is considered a construction best management practice.

Access across wetlands and streams, where upland access is not available, will be accomplished by the temporary placement of construction mats. Construction mats will be removed following completion of construction, and areas will be restored to reestablish preexisting topography and hydrology. The use of construction mats allows for heavy equipment access within wetland areas. The use of construction mats minimizes the need to remove vegetation beneath the access way and helps to reduce the degree of soil disturbance by distributing the weight of equipment over a larger area, minimize soil compaction and rutting in soft wetland soils.

Construction mats will be certified clean by the vendor prior to installation. Clean is defined as being free of plant matter (stems, flowers, roots, excess soil, etc.), soil, or other deleterious materials prior to being brought to the Project site. Any equipment or construction mats that have been placed or used within areas containing invasive species within the Project site shall be cleaned of plant matter, soil, or other deleterious materials at the site of the invasive species

prior to being moved to other areas on the Project site to prevent the spread of invasive species from one area to another. Mats will be cleaned prior to removal at the completion of the Project.

The Company understands that the disturbed wetland shall be restored, to the satisfaction of the council, immediately following the permitted activity.

4.4.8 CRMP § 1.3.1(N)—Maintenance of Structures

The L14 and M13 Lines were constructed in 1964 which predates the 1971 creation of the CRMC and applicable regulations and therefore, the line and existing structures was not previously assented by the CRMC. The CRMC defines maintenance of structures as, *"the reconstructing or repairing to previously approved conditions and dimensions a damaged or deteriorated structures or facility. Maintenance includes only those activities that do not significantly alter the assented design, purpose and size of the structure."* Per § 1.3.1(N)(1)(f), the Company understands that a valid Council Assent will be needed for the Project as it involves Type 2 waters and does not meet the definition of maintenance in these regulations due to change of structure size/configuration. The request for Council Assent is included herein this application.

4.4.9 CRMP § 1.3.5—Policies for the Protection and Enhancement of the Scenic Value of the Coastal Region

The Project's visual impacts are minimized due to its location in an already-developed transmission line ROW and the limited need for tree removal near sensitive areas. New poles are scoped to be placed next to existing ones wherever possible to reduce visual disturbances. The Company will collaborate with neighboring landowners affected by changes in view to provide appropriate screening, either through vegetation or fencing, or a combination of both.

Visual simulations from selected viewpoints along the Project route demonstrate that the construction will maintain the landscape's character and have minimal impact on sensitive viewers. This is achieved by using an existing, mostly cleared ROW and replacing old structures with new ones that do not contrast sharply with their surroundings. Consequently, the Project is not expected to significantly alter the ROW's current appearance or impact visual resources.

Additionally, the Rhode Island Scenic Landscape Inventory (RIGIS 2021b) confirms that there are no designated scenic areas, National Recreational, Scenic, or Historic Trails, or protected rivers within or adjacent to the Project area, further indicating minimal visual or scenic impacts from the Project.

4.4.10 CRMP § 1.3.6—Protection and Enhancement of Public Access to the Shore

The Project will not impact public access to the shore, as it is sited in a pre-existing and established ROW and does not propose any changes in access to Rhode Island shoreline. The nearest public access point to the shore is a public boat ramp with access, Land south of Sakonnet Bridge, CRMC Designation T-5 (URI Coastal Institute 2024), in Tiverton, Rhode Island perpendicular to Riverside Drive under the Sakonnet River Bridge. This access is approximately 335 ft (102 km) away from the transmission lines where Project work will occur.

5.0 RHODE ISLAND CRMC REVIEW CRITERIA—WETLANDS IMPACTS, AVOIDANCE, MINIMIZATION AND MITIGATION

As with any construction Project, potential adverse impacts can be associated with the construction, operation, or maintenance of an electric transmission line. These impacts have been minimized to the greatest extent feasible through thoughtful design, construction, operation, and maintenance practices.

Potential impacts associated with the Project can be categorized based on construction-related (temporary) impacts and operation-related (permanent) impacts. Examples of potential temporary construction-related impacts include wetlands impacts due to construction mats, traffic impacts, and construction noise associated with the operation of heavy equipment. The Project will be constructed in a manner that minimizes the potential for adverse environmental impacts. A monitoring program implemented through the Company's inspection, operation and maintenance program will be conducted by the Company to verify that the Project is constructed in compliance with all relevant licenses and permits and all applicable federal, state, and local laws and regulations along with BMPs. Design and construction mitigation measures will be implemented so that construction-related environmental impacts are minimized or avoided. The Company will be assigning an environmental compliance monitor to the Project to monitor compliance with the issued permits and approvals for the Project.

Avoidance, minimization, and mitigation measures are addressed in the following sub-sections, followed by § 9.7.2 Review Criteria (650-RICR-20-00-9) of the Coastal Management Program.

5.1 Avoidance Measures

The Company previously evaluated several alternatives in the development of the Project and an important goal in the planning and development of the proposed electric transmission system improvements was to ensure that the solutions selected to meet the electrical system needs were the most appropriate in terms of cost and reliability, and that environmental impacts are minimized to the fullest extent possible—including probable impacts to freshwater wetlands, buffers, floodplains, areas subject to flooding and areas subject to storm flowage functions and values. Analyses were undertaken to evaluate the feasibility of alternatives, including a no-action alternative, a line remediation alternative and a rebuild alternative, to the Project to ensure these objectives were met. Section 5.1.1 describes the no-action alternative, Section 5.1.2 describes the line remediation alternative, and Section 5.1.3 describes the Project.

Ultimately, the Company concluded that upgrading and reconductoring the existing L14 and M13 Lines is significantly preferred to the other alternatives because it will: resolve the age, condition, and reliability concerns with the L14 and M13 Lines while meeting the need for the Project at the lowest possible cost; be constructed while minimizing environmental impacts; and be completed in the shortest timeframe. The construction phase of the Project will include the replacement of existing structures, conductor, shield wire, and OPGW within the existing ROW. This work will require only minor disturbances to the surrounding natural environment.

5.1.1 No-Action Alternative

The no-action alternative would leave the M13 and L14 Lines in their current condition, not meeting existing reliability and safety standards. In 2024, the M13 Line is ranked as the third

worst performing circuit while the L14 Line is ranked as the eighth worst performing circuit out of the total 46 circuits on the Rhode Island Energy transmission system. The existing wood poles along the line are showing signs of significant asset deterioration due to rotting, woodpecker holes, bowing, and discoloration. Insulators on all structures throughout the line also show signs of flashing, chips, and breaks. The conductor damage indicates a high risk of failure due to historical operations and insufficient design against increased severe weather patterns. Failures along the line due to the current asset condition will not only impact customer interruptions but pose severe public safety risks. For these reasons, the No Action is not an acceptable alternative for maintaining a firm and reliable electric supply for customers as it would not address the need to bring the M13 and L14 lines up to current codes and resolve the condition and reliability issues. The no-action alternative is not acceptable from either an operational or reliability perspective.

5.1.2 Parallel Circuit Transmission Line Rebuild (Preferred Alternative)

The Company concluded that the proposed Project is the preferred alternative to meet the identified need. The proposed Project includes structure replacements along approximately 10.9 miles of the existing M13 and L14 Mainlines. The existing conductor will be replaced (reconductored) with new single 1113 kcmil ACSS conductor. The existing shield wire will be replaced with OPGW from the Massachusetts/Rhode Island state border to Dexter substation. The Company will be maintaining and upgrading access roads, signage and grounding along the full length of Project, as applicable. This option is the only alternative that addresses the need to bring the M13 and L14 Lines up to current codes and resolve the condition and reliability issues with the existing Line.

The proposed Project was determined to be the most economical solution that met the identified need.

5.1.3 New Underground Route Alternative

The Company considered two configurations for new underground transmission cables. The Company first considered the feasibility of constructing two new parallel 115 kV transmission cables within the existing ROW. The Company easements associated with the L14 and M13 Mainline ROW extending from the Massachusetts/ Rhode Island border to the Dexter Substation convey rights for overhead transmission/ distribution facilities only, but do not convey rights for underground transmission. The Company would be required to obtain rights from each individual landowner located along the ROW corridor, which would likely result in extensive negotiations affecting the Project schedule and Project costs. The Rhode Island Turnpike and Bridge Authority (RITBA) and the Rhode Island Department of Transportation (RIDOT) would need to approve the construction of the transmission cables on the Sakonnet River Bridge (e.g., bridge attachment) in order to cross the Sakonnet River. Previous experience has revealed that the RIDOT is unlikely to approve a utility crossing if there is a feasible alternative available to the Project proponent. The ROW rights are held in fee by the Company. In this case, the Company may have the ability to propose underground as an option. One exception, though. may be at the high-pressure natural gas pipeline crossing located in Tiverton, as the natural gas facility predates the Company's acquisition of the fee interest. Algonquin Gas Transmission, the pipeline operator, could argue that an underground electric transmission facility may conflict with their rights to operate and maintain the natural gas pipeline. Impacts to the natural environment would be significantly more than the preferred alternative due to the need to excavate two,

continuous trenches within the ROW to install the duct bank and manhole systems that would house the underground transmission cables.

The Company considered a second underground configuration which would involve identifying and securing a route to construct two parallel 115 kV underground cables. The most feasible route would be identifying a route along existing public (state and local) roadways. Detailed surveys would be required to identify and evaluate the existing inventory and density of underground and overhead utilities located along the roadway route(s) to determine if there is available real estate to install two series of concrete duct bank and manhole systems. Relocating existing buried utilities is a high probability. Impacts to the social environment would be significantly more than the preferred alternative because of the need for continuous construction with the public roadways affecting commuter traffic, and residential and commercial land uses along the public roadways. The cost of an underground alternative is at least ten times more costly that an overhead alternative, which would affect the Company's customer base.

For the reasons outlined above, the Company dismissed the underground alternative from further consideration.

5.2 Minimization Measures

The Company will implement several measures during construction which will minimize impacts to the environment. These include the use of existing access roads and structure pads wherever possible, installation of erosion and sedimentation controls, supervision and inspection of construction activities within resource areas by an environmental compliance monitor and minimization of disturbed areas. Stabilization of soil will occur when areas are disturbed.

When the existing transmission lines were originally constructed, and as the lines have been maintained over the years, access roads were established within most portions of the ROW. During construction of the Project, vehicles will utilize these existing access roads where practical to minimize disturbance within the ROW. The following section details various mitigation measures which will be implemented to minimize construction related impacts.

5.3 Mitigation Measures

Mitigation measures for this Project will be used to reduce the impacts of the work upon the functions or values of freshwater wetlands, coastal wetlands, contiguous areas, buffers, floodplains, areas subject to flooding and areas subject to storm flowage. The Project consists of upgrades of existing transmission lines within an existing ROW, there are no long-term impacts to mitigate as a result of this Project. Therefore, mitigation efforts are focused on the short-term temporary construction phase of the Project.

Access through wetlands will be provided by using construction mats from the existing maintained portion of the ROW. Excavated soils will be stockpiled and spread in approved upland areas outside all biological wetland areas and floodplains in such a manner that general drainage patterns will not be affected. Construction access will be limited to the existing structure locations, work pads, and proposed access routes, and will be lined with erosion and sedimentation control BMPs where needed. Each area will be restored following installation of the structures and installation of the new wires and conductors.

Vegetation management and tree removal will be necessary along access routes and work pad locations. These activities will require minor vegetation maintenance including brush removal up to a width of 20 ft centered on the access road and pruning limbs to a height of 12 to 15 ft to maintain clearances and allow safe passage of construction equipment and vehicles.

The Company will adhere to a site-specific Wetland Invasive Species Control Plan (WISCP) (Appendix I) which will require that all equipment and temporary construction matting brought on-site will be certified as clean. Temporary matting will be removed upon completion of the Project and the area under jurisdiction of the Rhode Island Freshwater Wetlands Act will be restored back to pre-existing conditions and contours to the extent practicable.

Restoration efforts, including final grading and installation of permanent erosion control devices, and seeding of disturbed areas, will be completed following construction. Construction debris will be removed from the Project site and disposed of at an appropriate landfill. Pre-existing grades, drainage patterns, ditches, roads, fences, and stone walls will be restored to their former condition, where appropriate. Permanent slope breakers and erosion control devices will be installed in areas where the disturbed soil has the potential to impact wetland resource areas.

5.4 RI CRMC Review Criteria for Freshwater Wetlands

The subsections below address the regulatory review criteria for work in or adjacent to freshwater wetlands and FWWIVC. See Sections 3.4 and 3.5 to review Project activities and associated environmental impacts to freshwater wetlands and FWWIVC.

5.4.1 Review Criteria

The RI CRMC Rules and Regulations Governing the Protection and Management of Freshwater Wetlands in the Vicinity of the Coast at Section 9.7.2 Review Criteria states that:

A. The following review criteria will be used by the CRMC to determine the impacts of all projects and activities, either individually or cumulatively, upon the functions or values of freshwater wetlands, buffers, floodplains, areas subject to flooding and areas subject to storm flowage. All such projects and activities shall be subject to all of the review criteria contained within this Part and must incorporate those best management practices, best available technologies, and any maintenance or inspection schedules necessary to comply with the applicable criteria.

1. A project or activity determined by the CRMC to meet the standards in § 9.7.1 of this Part is presumed to satisfy the review criteria below in § 9.7.2(B);

Response: Each criterion of the CRMC standards is addressed below.

2. No project or activity shall result in the adverse impacts identified in § 9.7.2(B) of this Part below; and

Response: This Application covers work activities required within wetlands and buffer zones for the improvement to or installation of access roads, work pads and wire pull pads within the existing Project ROW necessary to facilitate the rebuild of the existing 115 kV transmission assets within the Towns of Portsmouth and Tiverton, Rhode Island. Additionally, spotting of the

new transmission structures has occurred as close as possible to the existing transmission structures. However, since some of the construction work will occur while the overhead lines are energized, the replacement structures cannot be sited directly in the existing pole locations. Spotting of the new structures is based on, in part, topography, structure height, span length, wire sag, structure loading, and constructability. As a result, some of the new replacement structures will require installation in freshwater wetlands, in close proximity to the existing structures which will be removed from the buffer to the wetlands.

Where temporary impacts will occur in wetlands due to the use of construction matting as a mitigation method, habitat will be restored when matting is removed after Project construction. Where temporary impacts in contiguous areas, impacts will be minimized through restoration efforts, including final grading and installation of permanent erosion control devices, and seeding of disturbed areas following construction.

The Project will occur within an existing ROW and will use existing access roads to the greatest extent possible, thereby largely avoiding and minimizing adverse environmental impacts. Responses to review criteria § 9.7.2(B) are further discussed below.

3. No project or activity shall result in any random, unnecessary or undesirable alteration of a freshwater wetland, buffer, floodplain, area subject to flooding or area subject to storm flowage.

Response: The Company previously evaluated several alternatives in the development of the Project and an important goal in the planning and development of the proposed electric transmission system improvements was to ensure that the solutions selected to meet the electrical system needs were the most appropriate in terms of cost and reliability, and that environmental impacts are minimized to the fullest extent possible within the State of Rhode Island. The Project does occur within FEMA100-year floodplain, one ASF and ten ASSFs, and over surface waters as noted in Section 2.3. Where temporary impacts occur within these resource areas, the Project will focus on the strategic use of infiltration techniques and erosion controls to manage stormwater runoff and follow BMPs and Rhode Island Energy's Environmental Guidance Document, Appendix F.

Access roads and work pads located in buffer area will be restored to the extent practicable and will be stabilized with a top dressing of topsoil and seed to ensure no impacts to adjacent wetlands.

B. Before issuing a permit, the CRMC must determine that a proposed project or alteration will not result in:

1. Significant reduction in the overall wildlife production or diversity of a freshwater wetland or buffer;

Response:

The proposed activities are not expected to result in a reduction in the overall wildlife production or diversity of freshwater wetland or buffer. The proposed activities are associated with necessary structure replacements within an existing utility ROW. Permanent impacts will primarily occur within the buffer to wetlands associated with the improvement and widening of existing roads and creation of workspace for the Project. In fact, these impacts will be minimized as following the completion of construction, the proposed gravel work pads will be topped with
topsoil and seeded to aid in restoration of the area. The matting installed will be completely removed and the area will be restored to pre-construction conditions to the extent practicable.

Only a minimal amount of permanent impacts are proposed as part of the project and is primarily related to the improvement and widening of existing access roads within the buffer. Minor (if any) impacts to wetlands may also occur from the installation of new replacement structures in wetlands where the structures, due to various site constraints, need to shift from the buffer to the wetland. All impacts regardless of exemption status have been calculated and included herein to provide RIDEM with full transparency of all probable impacts. Where temporary impacts occur in wetlands from temporary construction matting, the wetlands will be restored to pre-construction conditions to the extent practicable. Temporary impacts from access roads and work pads located in buffer zone will be restored to the extent practicable and will be stabilized with a top dressing of topsoil and seed to ensure no impacts to adjacent wetlands.

Additionally, the Lines are located within an existing and long-established transmission ROW. As mentioned, the selected alternative of rebuilding the transmission line within the established ROW was the most appropriate in terms of cost and reliability, and environmental impacts will be minimized to the fullest extent possible. Therefore, since the previously existing line was already established, the new structures have been sited in close proximity to existing structures, and minimal permanent impacts will occur with temporary impacts restored to the extent possible, there will not be a significant reduction in the overall wildlife production or diversity of freshwater wetland or buffer in and adjacent to the Project area.

2. Significant reduction in the ability of a freshwater wetland or buffer to satisfy the needs of a particular wildlife species;

Response: As stated above, the Project is scoped within an existing ROW and should not have significant impacts on the reduction in the ability of a freshwater wetland or buffer to satisfy the needs of a particular wildlife species.

3. Significant displacement or extirpation of any wildlife species from a freshwater wetland or surrounding areas due to the alteration of the freshwater wetland or buffer;

Response: The limited footprint proposed within the freshwater wetland buffer will not result in the displacement or extirpation of wildlife species that currently inhabit or utilize the freshwater wetlands or buffers. The activities proposed in wetlands will be temporary and will be returned to pre-construction conditions to the extent practicable after the work is complete. Wildlife displacement (if any) will be temporary since wildlife will be expected to return and re-colonize the ROW after construction. An environmental compliance monitor will be part of the Project team to ensure compliance with all regulatory programs and permit conditions, to oversee the proper installation and maintenance of the soil erosion and sediment control BMPs, and to ensure disturbed wetlands/buffer are restored.

4. Any reduction in the ability of the freshwater wetland or buffer to ensure the long-term viability of any rare animal or rare plant species;

Response: See Section 3.6.4. The Company will continue to communicate with RIDEM regarding mitigation of state protected species to seek concurrence on the Company's proposed measures to reduce potential impacts.

5. Any degradation in the natural characteristic(s) of any rare freshwater wetland type;

Response: No degradation to freshwater wetlands is expected, as soil erosion and sediment control measures will be implemented to protect freshwater wetlands and wetlands will be restored to pre-construction conditions to the extent practicable.

6. Significant reduction in the suitability of any freshwater wetland or buffer for use by any resident, migratory, seasonal, transient, facultative, or obligate wildlife species, in either the short or long-term as a travel corridor; feeding site; resting site; nesting site; escape cover; seasonal breeding or spawning area;

Response: Minor, temporary disturbances of wildlife may result from equipment travel and construction crews working in the Project corridor. During construction, displacement of wildlife may occur due to disturbance associated with ROW mowing, tree removal, and the operation of construction equipment. Wildlife currently utilizing the forested edge of the cleared ROW may be affected by construction of the Project.

Larger, more mobile species, such as eastern white-tailed deer or red fox, will temporarily leave the construction area. Individuals of some bird species will also be temporarily displaced. Depending on the time of year of these operations, this displacement could affect breeding and nesting activities. Smaller and less mobile animals such as small mammals, reptiles, and amphibians may be affected during vegetation mowing/removal and the transmission line construction. The species impacted during the refurbishment of the transmission line are expected to be limited in number. Effects will be localized to the immediate area of construction around structure locations and along existing access roads. However, this is anticipated to be a temporary effect as it is expected that existing wildlife utilization patterns will resume, and population sizes will recover once work activities are completed.

Minor tree cutting and trimming is required for the Project. Based on communication with RIDEM, there are no maternity roost trees or hibernaculum located in the Project area; therefore, no impacts to northern long-eared bats are anticipated. The Company will take steps necessary to minimize disturbance to preferred pollinator habitat throughout the construction period, such as selecting non-milkweed dominated areas for on-site foundation spoils management. In-situ restoration of disturbed soils will allow natural revegetation, including recolonization of milkweed and other important nectar sources used by monarchs. No long-term impacts to general wildlife are expected to result from the Project.

7. Any more than a minimal intrusion of, or increase in, less valuable, invasive or exotic plant or animal species in a freshwater wetland or buffer;

Response: Wetlands that contain a predominance of invasive plant species have been noted by POWER's wetland scientists. These wetlands will be specifically called out during the construction phase of the Project for implementation of the invasive species control plan proposed by the Company.

8. Significant reduction in the wildlife habitat functions and values of any freshwater wetland or buffer which could disrupt the management program for any game or non-game wildlife species carried out by State or Federal fish, game, or wildlife agencies;

Response: The Company does not anticipate any long-term effects on the freshwater systems, wetlands, or buffer zones that provide habitat for potential state or federal rare species.

9. Significant reduction in overall current or potential ability of a freshwater wetland or buffer to provide active or passive recreational activities to the public;

Response: The Project will continue to be compatible with the various land uses along the route, including recreational use, and construction within the freshwater wetland buffer should not reduce active or recreational use of adjacent wetlands. Because the Project occurs within an area dedicated for use for electrical facilities, it is not intended to displace any existing land uses, nor will it affect any future development proposals.

10. Significant disruption of any on-going scientific studies or observations performed by or in cooperation with Federal, State, or municipal agencies or educational institutions;

Response: The Company is not currently aware of any scientific studies or observations that may be performed within proximity to the Project area. The Company is aware that osprey nests and platforms are generally inventoried, and the Aquidneck Land Trust does manage the trail system along the Founders Brook and Town Pond areas in Portsmouth.

11. Elimination of, or severe limitation to traditional human access to, along the bank of, up or down, or through any rivers, streams, ponds, or other freshwater wetlands or buffers;

Response: As mentioned in Section 4.4.10, the Project will not impact public access to the shore, as it is sited in a pre-existing and established ROW and does not propose any changes in access to any of the associated natural resources such as streams, rivers, or freshwater wetlands or buffer zones.

12. Any reduction in water quality functions and values or negative impacts to natural water quality characteristics, either in the short or long-term, by modifying or changing: water elevations, temperature regimes, volumes, velocity of flow regimes of water; increasing turbidity; decreasing oxygen; causing any form of pollution; or modifying the amount of nutrients so as to negatively impact freshwater wetland functions and values;

Response: Soil erosion and sediment control measures will be selected to minimize the potential for soil erosion and sedimentation in areas where soils are impacted. The Company will adhere to its *ROW Access, Maintenance, and Construction Best Management Practices* document (EG-303, Appendix F), the Rhode Island Soil Erosion and Sediment Control Handbook, and the RIDEM Wetland BMP Manual. The Company will pay particular attention to the highly erodible soils that are encountered within the Project Area. On all slopes greater than eight percent which are above sensitive areas, impacted soils will be stabilized with straw or chipped brush mulch to prevent the migration of sediments.

Temporary dewatering of excavations and open trenches, as required, will be conducted in compliance with the Erosion and Sediment Control Permit Plan (Attachment B). If groundwater is encountered, the Company will perform dewatering measures using standard construction BMPs for dewatering, including, but not limited to, use of temporary settling basins, dewatering filter bags, or temporary holding or frac tanks.

Therefore, reductions in water quality functions and values or negative impacts to natural water quality characteristics are not expected from the Project.

13. Any placement of any matter or material beneath surface water elevations or erection of any barriers within any ponds or flowing bodies of water which could cause any hazards to safety;

Response: No barriers to any ponds, rivers or streams is proposed within the scope of the Project, as any necessary construction matting will require the installation of a temporary airbridge over streams and will allow for continuous flow.

14. Significant loss of important open space or significant modification of any uncommon geologic features or archaeological sites that are listed on the National Register of Historic Places or eligible for listing;

Response: See Section 4.3.8. Based on the due diligence and field investigations performed on behalf of the Company, there are no known uncommon geologic features on or along the Project Route where transmission structures are proposed.

15. Significant modification to the natural characteristics of any freshwater wetland or buffer area of unusually high visual quality;

Response: The Company does not anticipate any long-term adverse effect on what may be considered unusually high viewsheds. All work will take place in the existing ROW and replacement structures have been proposed in close proximity to existing structures.

16. Any decrease in the flood storage capacity of any floodplain or area subject to flooding which could impair its ability to protect life or property from flooding or flood flows;

Response: There is no decrease in flood storage capacity or impact to flood flows anticipated within the scope of the Project.

17. Significant reduction of the rate at which flood water is stored by any floodplain or area subject to flooding during any flood event;

Response: See response to Standard 16 above.

18. Restriction or significant modification of the path or velocities of flood flows for the one (1) year, ten (10) year, or one hundred (100) year frequency, twenty-four (24) hour, Type III storm events so as to cause harm to life, property, or other functions and values provided by freshwater wetlands, buffers or floodplain;

Response: During construction, the Company will implement measures to safeguard the work site and adjacent properties should a severe coastal storm occur during the construction phase of the Project. This includes removing any anchored mats which lie below the spring high tide line.

19. Placement of any structure or obstruction within a floodway so as to cause harm to life, property, or other functions and values provided by freshwater wetlands or their associated buffers;

Response: During construction, the structures installed will be replacing existing structures and will not cause harm to life, property, or other functions and values provided by freshwater wetlands or their associated buffers.

20. Any increase in run-off rates over pre-project levels or any increase in peak flood elevations within freshwater wetlands, buffers, floodplains, areas subject to flooding or areas subject to storm flowage for the one (1) year, ten (10) year, or one hundred (100) year frequency, twenty-four (24) hour, Type III storm events which could impair their ability to protect life or property from flooding or flood flows;

Response: The proposed structures are not expected to result in an increase in rates or volumes of runoff that could affect freshwater wetlands. The existing transmission structures are to be dismantled and removed from these same affected freshwater wetlands. The Company will implement soil erosion and sediment control measures and construction BMPs, including Appendix F, EG-303NE, to reduce the potential of stormwater runoff from construction adversely affecting freshwater wetlands.

Grading of sections of the access route onto the railroad jetty in Tiverton will occur within the 100-year floodplain and this construction is overall net impact is anticipated. The Company is proposing to remove existing soil/fill to grade a safe and level access route and will be importing clean durable materials to build the access routes.

21. Any increase in run-off volumes and discharge rates which could, in any way, exacerbate flooding conditions in flood-prone areas;

Response: As stated in the response to Standard 20 above, the Project is not expected to result in exacerbating stormwater runoff of flooding conditions in flood-prone areas.

22. Significant changes in the quantities and flow rates of surface or groundwater to or from isolated freshwater wetlands (e.g., those freshwater wetlands without inflow or outflow channels);

Response: Along the Mainline, wetlands PW14, PW15, and PW06 can be considered isolated freshwater wetlands. As previously mentioned, PW14 and PW15 are additionally identified as FWWIVC. Project work is not anticipated to significantly change quantities or flow rates of surface or groundwater or stormwater, nor affect the water balance of bordering or isolated freshwater wetlands. Where proposed structures will be installed within PW06 and PW15, the work will be conducted in previously disturbed transmission ROW and is not expected to divert or interfere with groundwater or surface water flows that would adversely impact freshwater wetlands. In wetland PW14, no structures will be placed, temporary construction matting will be utilized and will not alter the flow of water.

23. Placement of any structural stormwater best management practices within freshwater wetlands, or proposal to utilize freshwater wetlands as a stormwater best management practice;

Response: The Company will implement soil erosion and sediment control measures during the construction phase of the Project. However, soil erosion and sediment controls will be setback from the edges of freshwater wetlands to the greatest extent feasible. No freshwater wetlands or waters will be used for the impoundment of stormwater that may be temporarily generated by the Project.

24. Any more than a short-term decrease in surface water or groundwater elevations within any freshwater wetland;

Response: The Project is not expected to result in any short-term decrease in surface water or groundwater elevations. As stated in the response to Standard 12 above, temporary dewatering of excavations and trenches may be required, and will be performed in accordance with industry accepted dewatering methods in in compliance with State of Rhode Island requirements.

25. Non-compliance with the RIDEM's Water Quality Regulations, 250-RICR- 150-05-1; or

Response: The Company intends to comply with the RIDEM's Water Quality Regulations, 250-RICR- 150-05-1, and during construction an environmental compliance monitor will be part of the Project team to ensure compliance with all regulatory programs and permit conditions, and to oversee the proper installation and maintenance of the soil erosion and sediment control BMPs.

26. Any detrimental modification of the ability of a freshwater wetland or buffer to retain or remove nutrients or act as a natural pollution filter.

Response: The Project does not entail the alteration or modification of a freshwater wetland or buffer that would affect the functions or nutrient retention. The Company will implement soil erosion and sediment control measures, Appendix B, and utilize the Company's environmental guidance document, EG-303NE, Appendix F, which has been developed from The Narragansett Electric Company's environmental mitigation measures.