July 9, 2025

Ref: 73456.01

Mr. Jeffrey Willis, Executive Director
Coastal Resources Management Council
Oliver H. Stedman Government Center
4808 Tower Hill Road
Wakefield, Rhode Island 02879

Re: CRMC Assent Application 2024-12-004
Response to Public Comments
The Narragansett Electric Company
E183-3 and F184N-4/5 115kV Asset Condition Refurbishment Project
Warren, Rhode Island 02885

Dear Mr. Willis:

VHB received public comments on CRMC Assent Application 2024-12-004 from Anthony Sawaia via email on May 14, 2025, for the project referenced above. CRMC received public comments from Save The Bay (STB), The Warren Land Trust (WLT), and The Warren Conservation Commission (WCC). On behalf of our client, The Narragansett Electric Company (TNEC), please find responses to the public comments received below. Responses are in italics following the reiterated public comments.

STB Comment 1: We do not believe that the application meets the requirements to be granted Special Exceptions to 650-RICR-20-00 §1.2.2(C)(1)(c-d) and (C)(2)(a-b) in order to be approved. Based upon §1.1.8(A)(2) "Special Exceptions may be granted to prohibited activities to permit alterations and activities that do not conform to a Council goal… only if and when the application demonstrated that…" "All reasonable steps shall be taken to minimize environmental impacts to the habitat on site." Additionally, as stated in §1.1.8(C)(1), "in granting Special Exceptions, the Council shall apply conditions as necessary to promote the objectives of the program. Such conditions may include, but are not limited to, provisions for:" "Minimizing adverse impacts to the alteration upon other areas and activities by stipulating the type, intensity, and performance activities…" It is Save The Bay's position that the plan as proposed does not meet the Council's standards for Special Exceptions given that all reasonable steps have been taken to minimize environmental impacts to the habitat on site and that additional provisions need to be added to the draft proposal.

Save The Bay requests that additional measures be added to the application in order to minimize impacts to the wetlands habitats, to formalize additional future mitigation measures (should impacts to the wetlands be greater than anticipated, and that if/when permitted, all construction activities follow all plans as approved in the application.

Response 1: It is VHB's and TNEC's position that the application meets the necessary requirements stated in CRMP §1.1.8(A)(1-3). CRMP §1.1.8(A)(1) identifies a Special Exception for activities associated with

public infrastructure, such as utilities and energy that serve a compelling public purpose by providing benefits to the public as a whole. Inspections of the lines and analysis of lightning and avian risk models have revealed that the current condition of structures on both lines presents a risk to the reliability of the lines. TNEC has proposed the Project to prevent the failure of the E183 and F184N-4.5 Lines, which could result in power outages in Bristol and Warren.

CRMP §1.1.8(A)(2) identifies a Special Exception for projects provided all reasonable steps are taken to minimize environmental impacts and/or use conflict. The Project has been designed to avoid and minimize environmental impacts to the greatest extent practicable. Impacts to wetlands will be minimized by crossing wetlands at their narrowest point whenever possible and installing temporary construction mat access roads and work pads. Construction matting is considered essential as a best management practice and will minimize ground disturbance to the wetland. Additionally, staked compost filter sock (CFS) sediment control barriers (or approved equivalent) will be installed between excavation areas and coastal wetland resources to minimize sediment transport and consequent sedimentation. The access routes and work pads have been designed to avoid adverse effects to recorded occurrences of special-status species in the Project right-of-way (ROW) to the greatest extent practicable. The Project will not result in use conflicts for Tidal Waters within and adjacent to the Project ROW.

Finally, CRMP §1.1.8(A)(2) identifies a Special Exception for projects when there is no reasonable alternative means of, or location for, serving the compelling public service cited. As stated above the purpose of the Project is to improve condition and performance and to prevent failure of the lines that provide electrical power to Bristol and Warren. Due to the existing configuration of the utility ROW and lines through coastal wetlands and tidal waters, no reasonable alternative exists that would completely avoid impacts to those resources while also accomplishing the Project's purpose to improve the condition and performance of the lines.

Because the proposed activities are required to ensure a reliable power supply, all reasonable steps have been and will be taken to minimize environmental impacts, and with no reasonable alternative to serve the stated public purpose, it is VHB's interpretation of the CRMP that the Project does meet the requirements for the granting of a Special Exception. If CRMC or other regulatory agencies determine that additional measures are needed to further minimize the Project's impacts, then they will be implemented to the extent practicable.

TNEC has formalized additional mitigation measures, including the use of a low ground pressure (LGP) amphibious excavator equipped with a modified rake attachment to restore matting impressions. The use of the LGP amphibious excavator method has been formally approved by the United States Army Corps of Engineers (USACE) and National Marine Fisheries Service and has been reviewed with CRMC staff as a viable approach to restore the marsh surface.

STB Comment 2: While we are aware of the compensatory mitigation measures proposed in the permit application to address the immediate and permanent loss of wetlands from filling with concrete, this does not address the issue of peat compaction beneath the lengths of construction mat installed through the marsh to gain access to work locations. Functioning marshes rely on healthy peat as a substrate for many of their ecosystem services, and these services cannot persist in places where

the peat has been compacted. Save The Bay has already seen and documented compacted peat in this marsh as a result of the preliminary work performed during the drilling activities in January of 2025, where standing water can be seen in the footprint of the matting that supported heavy vehicles and drilling equipment on the marsh, and we are concerned about addition negative effects of future work in the marsh. Worsening the effects of the already impactful use of construction matting supporting the weight of heavy equipment, it appears that the construction matting was deployed during the first phase of work in January was not placed in accordance with the approved plans. These construction mats were assembled with stringers deployed first, running parallel to the direction of the path created, then with perpendicular timber placed on top creating the mat. This configuration resulted in the entirety of the weight of construction vehicles being focused on the two parallel stringers beneath, and not spread over all perpendicular timbers of the mat.

Response 2: The use of temporary construction matting is intended to minimize soil disturbance but is expected to result in some amount of compaction. The two parallel timber stringers used to construct the access for the geotechnical soil borings resulted in impressions where the stringers had been placed, however impressions were not observed in the marsh between them. This resulted in a smaller footprint of matting impressions that will be restored compared to if additional stringers had been used.

Temporarily matted access for construction will follow the same path used for the geotechnical soil borings. The equipment used for the Geotech investigation was small and light. For the line reconstruction the Company will be adjusting this substructure under the decking to include 3-4 timber stringers/runners where possible to spread the additional equipment weight if the matting contractor utilizes timber matting.

If the matting contractor utilizes composite matting, the substructure would typically be built to match the decking wherever possible. Marsh creeks/drainage ditches would still need to be bridged using timber matting and composite mat decks would cover them. The substructure would be composed of the high-density polyethylene mats which are pinned together so they remain in place. This pinned/connected composite mat system is lighter than timber mats and may provide better weight distribution across those connected mats which may result in shallower impressions in the marsh surface. All matting impressions resulting from the placement of temporary construction matting will be restored to pre-existing grade using a LGP amphibious excavator equipped with a modified rake attachment.

STB Comment 3: On March 8, 2025, Save The Bay and the Warren Land Trust, the owner of the marsh, met with representatives from RI Energy and Vanasse Hangen Brustlin Inc. (VHB) to assess the impacts of the matting from the January 2025 drilling activities. In the location of the matting, depressions remained in the area of the marsh which is dominated by smooth cordgrass (*Spartina alterniflora*). In the lowest elevation areas adjacent to existing drainage features, such as runnels and pre-existing ditches, the peat experience significant compaction from the matting and is unlikely to revegetate. During this site visit, we discussed mitigation strategies to address the observed compaction including using hand tools prior to this year's growing season to attempt to re-elevate the marsh platform. This technique should be assessed prior to the construction phase to

determine effectiveness. During the same site visit, RI Energy staff proposed to use a low ground pressure excavator with a rake attachment to elevate the peat after the mats are removed. If this approach is chosen, Save The Bay recommends that the low ground pressure excavator have a PSI of 2 or below. The excavator should follow the path of the affected area and the work should not be conducted perpendicular to it to reduce tracking of the excavator.

Response 3: Representative from TNEC and VHB met with representatives of Save The Bay and the Warren Land Trust to assess the impacts of the matting deployed for phase 2 of geotechnical soil borings that were conducted in January-March of 2025 and to discuss the restoration of the resulting matting impressions. The Project received a Project Construction Notification (PCN) approval from the United States Army Corps of Engineers (USACE) that included a condition to restore matting impressions back to the pre-existing elevation using hand tools only. This condition was the result of consultation with the National Marine Fisheries Service (NMFS) because of the status of the Palmer River as Essential Fish Habitat (EFH). TNEC coordinated with USACE and NMFS to seek approval to use a LGP amphibious excavator with a modified rake attachment to restore matting impressions because hand tools would be inadequate to restore some impressions in the marsh. USACE and NMFS have authorized the use of the LGP amphibious excavator for restoration and have conditioned that the equipment used be between 1.2 and 1.5 PSI. On April 23, 2025, hand restoration of matting impressions in higher elevations of the marsh was conducted (photos below). These areas of the marsh will be monitored through the 2025 growing season to assess the effectiveness of restoration with hand tools. Areas of the marsh where hand restoration has been implemented but where ponding and no revegetation are observed will be targeted for restoration with the LGP amphibious excavator following the completion of construction. The LGP amphibious excavator will follow the path of the affected area to reduce tracking in unimpacted areas of the marsh.

STB Comment 4: During a subsequent site visit in April, within these areas of observed degradation of the marsh platform and standing water from the January work, we observed increased fiddler crab (*Minuca spp.* and *Leptuca spp.*) activity (burrow digging and higher population density). These crabs thrive in areas of decreased marsh vegetation and decomposing roots, where burrow digging in the marsh peat is made easier, and this higher density of crab burrows exacerbates marsh degradation. Save The Bay is concerned that there will be additional severe compaction during the construction phase due to the increased weight of the heavy equipment, now including concrete trucks, which will traverse the marsh on matting, especially given that the matting footprint for the new construction areas will also be much larger than the matting that was conducted this past winter.

Response 4: In communications with STB and WLT prior to starting the geotechnical soil borings, representatives of the organizations stated that they had been observing increased fiddler crab activity in the marsh, as well as in other marshes in Rhode Island, as the species' ranges have expanded in recent years and populations in southern New England are increasing. VHB has observed fiddler crab burrows in an area of the marsh that was matted for the geotechnical soil borings. However, these burrows were observed adjacent to a drainage ditch dug by STB and WLT which drains to a mudflat where numerous fiddler crab burrows were documented prior to the installation of the construction matting.

The increased area of matting is needed for the foundation drilling operations which require more equipment than that used for the geotechnical investigation. Impressions in the marsh surface resulting from the temporary construction matting will be restored using the LGP excavator approach discussed above.

STB Comment 5: Finally, given the extent of marsh degradation already observed from winter work, we are increasingly concerned about the extent of damage to the marsh from the greater quantity of vehicles associated with the construction phase of this project, and the potential increased weight of vehicles gaining access to the marsh like full concrete trucks. Save The Bay would request to be made aware of the weight and pounds per square inch of construction equipment to be utilized in the construction phase of the project, as it compares to the weight of vehicles and equipment used in the drilling phase.

Response 5: The following list includes some of the equipment used in the geotechnical investigation and some of the equipment expected to be used for the line construction phase. Equipment weights and psi are from the manufacturer's specifications when available for specific models observed in use or proposed to be used. The weight and psi for equipment without a specified model are industry averages for a typical equipment type that were available via a web search of regional DOT lists of construction vehicles.

- *Log truck = maximum of 80,000 lbs*
- *Foundation drill rig (assuming HPM200) = 53,100 lbs, 70 psi*
- *Front Loader = 53,700 lbs, 17.25 psi*
- *Concrete Mixer Truck = 69,000 lbs full/28,400 lbs empty, 5.47 psi (front), 25/25 psi (back)*
- *Excavator for mat install (assuming Yanmar SV100) = 21,550 lbs, 5.5 psi*
- *Drill rig for soil boring = 10,500 lbs, 2.5 psi*
- *LGP Excavator for restoration (assuming CAT 306) = 23,900 lbs, 1.3 psi*

STB Comment 6: To address, and attempt to reduce, impacts to the marsh from the construction phase of this project, as outlined in the draft plans, Save The Bay recommends that the additional monitoring and mitigation efforts be required: 1) All construction activities associated with this project should follow the plans as approved, if/when they are approved, including but not limited to, proper deployment of construction matting to support vehicle traffic. 2) Conduct pre-construction elevation surveys of the marsh platform along the area where the construction mats are proposed to be installed to establish a baseline marsh platform elevation. This data will be used to indicate the level of marsh compaction as a result of the drilling phase. Upon completion of construction, conduct post-construction elevation surveys to determine the quantity and severity of marsh compaction and if additional mitigation measures are necessary. 3) After construction mats are removed, either by hand or with a low ground pressure excavator, elevate the compacted peat. After the mitigation measures have been implemented either by hand or with the low ground pressure excavation, conduct additional elevation surveys at the end of the first

full growing season after construction activities are completed. This monitoring period should be used to assess persistent marsh compaction, additional subsidence, vegetation die-off, and impounded water to identify areas of marsh requiring additional mitigation. 4) If after one growing season, the post-construction elevation monitoring identifies compaction of the marsh, conduct additional mitigation of the degraded habitat to address additional wetlands degradation and/or loss caused by the matting and construction activities. The Army Corps of Engineers should require, at minimum 2 to 1 compensatory mitigation to offset the damage from the construction matting. Additional mitigation could include restoration of the unvegetated depression caused by prior utility corridor maintenance activities. Sediment addition could be carefully used to elevate these depressions to restore salt marsh function. 5) Included in the application should also be formal language regarding the mitigation of the compacting of the marsh peat as a result of the drilling activities in January of 2025, as discussed on the site visit with RI Energy, and outlined above. The permit for the drilling activities included only hand raking of the salt marsh grasses to address any compacted peat, a technique which will certainly not be sufficient to mitigate the peat compaction already observed. 6) If post-work monitoring determines that the extent of marsh degradation and loss is greater than initially stated in the application, other compensatory mitigation site should be identified to perform additional wetlands restoration for the Army Corps of Engineers to meet its 2 to 1 compensatory mitigation requirements. If mitigation project sites cannot be identified on the Warren Land Trust property, Save The Bay recommends exploring the use of the two parcels adjacent to the northwest of the TNEC parcel proposed for compensatory mitigation, both of which are currently owned by the Town of Warren, and are locations where historic salt marsh filling was performed at the same time as filling which occurred at the site already proposed for wetlands restoration.

Response 6: TNEC has reviewed STB's recommendation above and has the following responses: 1) All work will be conducted in accordance with the approved plans and conditions set forth by CRMC and other regulatory agencies with jurisdiction over this project. 2) The condition of the marsh was photo documented prior to the installation of temporary construction matting for the geotechnical soil borings by the Project's Environmental Monitor. These photos will be used to assess compaction, additional subsidence, vegetation die-off, and standing water resulting from the Project and where restoration is needed. Visual observations of the matting impressions and the adjacent untouched marsh surfaces will be the primary metric used to determine which matted areas require their surfaces to be reestablished via the LGP amphibious excavator with a modified rake attachment. These areas would be restored to the height of the adjacent untouched marsh surface. Environmental monitors contracted by TNEC would be present during this restoration and monitor these areas following construction to confirm vegetation has reestablished and that the marsh surface was restored to a height similar to that of the adjacent unaffected areas. If the monitor determines additional restoration is needed, that would be communicated to the restoration contractor and be addressed as needed. TNEC does not expect that a preconstruction survey in this nearly flat environment would have enough detail to be more reliable than would be the direct observation of the restoration contractor and environmental monitors looking at the impressions and adjacent unaffected marsh surfaces in the field during the restoration work. 3) Following the completion of construction and removal of temporary matting, hand restoration will be conducted

to restore matting impressions in higher elevations of the marsh where practicable. A LGP amphibious excavator with a modified rake attachment will be used to restore matting impression in lower elevations of the marsh and higher areas of the marsh when hand tools are not adequate. The pre-construction photos of the marsh will be used to assess if restoration with hand tools and/or the LGP amphibious excavator addressed observed compaction, additional subsidence, vegetation die-off, and standing water observed following the removal of temporary construction matting. 4) An Environmental Monitor will continue to inspect the Project ROW following the completion of construction for compaction, additional subsidence, vegetation die-off, and standing water to determine if additional restoration activities are needed. If vegetation reestablishment is not observed in areas of the Project ROW that had been matted, the area will be seeded with a native New England wetland seed mix in non-tidal areas or planted with plugs of native New England salt marsh species and will be continued to be monitored. The compensatory mitigation requirements of CRMC will be met through the restoration of historically displaced salt marsh which is proposed at a 2.3:1 ratio. Compensatory mitigation for the Army Corps of Engineers will be established using their In-Lieu Fee (ILF) Program. If the initial restoration is determined to be ineffective through the post construction monitoring of the Project LOD, any additional restorative measures would be recommended and communicated to the regulatory agencies for their review and input.5) Matting impressions in higher elevation areas of the marsh resulting from the temporary matting deployed for the phase 2 geotechnical soil borings were restored using hand tools on April 23, 2025. Following the removal of temporary matting that will be deployed for construction, an LGP amphibious excavator will be used to restore matting impressions in the marsh that will include the phase 2 geotechnical soil borings former work areas and access. This approach was discussed with STB and WLT representatives present for the site meeting on March 18, 2025 and the USACE and NMFS who agreed. 6) If post-construction monitoring determines that Project impacts exceed what was authorized by the regulatory agencies, TNEC will coordinate with the CRMC and USACE to find an acceptable solution that meets the Agency requirements.

WLT Comment 1: We have reviewed the proposed compensatory mitigation measures in the permit application. These measures are ostensibly to address the immediate and permanent loss of wetlands from filling with concrete. However, we have already observed compaction of the high marsh peat as a result of preliminary activities performed this past winter from the use of construction matting. The health of the high marsh – and its ability to absorb the impacts of storms and other climatic impacts, is directly tied to the height of this peat substrate. This was documented during a meeting on March 8, 2025 with representatives from RI Energy and Vanasse Hangen Brustlin Inc (VHB), which Save The Bay also attended. We anticipate that this compression will significantly impar the ability of the high marsh plant systems to survive in these areas.

Response 1: Hand restoration of the matting impressions in higher elevations of the marsh from the geotechnical soil borings was conducted on April 23, 2025. These areas will be monitored through the 2025 growing season to assess the efficacy of restoration with hand tools to address compaction, additional subsidence, vegetation die-off, and standing water. Following the completion of the replacement structure construction and removal of temporary construction matting, any resulting impressions will be restored to pre-existing grade using a LGP amphibious

excavator with a modified rake attachment. An environmental monitor will regularly inspect the Project ROW following restoration to assess if compaction, additional subsidence, vegetation die-off, and standing water were addressed and if additional restoration is needed.

WLT Comment 2: In the plan set submitted for the geotech boring activity, the Construction Mat Layout Detail (Detail #2) is clearly contrasted with the Construction Mat Bridge (Detail #5). Our observation during the installation of the matting appeared to indicate that the work did not conform with either one of these details. Most of the matting was constructed on top of perpendicular stringers which significantly increased the pressure from the weight of the mats and trucks and drill equipment. We raised this issue at the time the mats were being installed but we were assure that this would not cause increased compaction of the marsh surface. As you can see from the attached photos of the surface after mat removal, our concerns were justified. We have already seen the spread of fiddler crab infestation in the depressed areas caused by the matting so we know that conditions have changed significantly. We request that the applicants prepare calculations of pressure per sq foot for the construction mat detail in the permit application versus the alternate layout that was used for both the access road and for bridge sections.

Response 2: The construction mat layout detail (detail #2) and the construction mat bridge detail (detail #5) contrast because they depict guidance for installation for specific field conditions. Construction mat bridges were installed for the geotechnical soil boring access wherever the route crossed a stream, drainage ditch or other open body of water. Due to the short width of the streams and drainage ditches crossed, most construction mat bridges installed for the geotechnical soil borings were single span crossings and conformed with Construction Mat Bridge Detail #5. Construction mat layout (detail #2) only depicts a single layer of matting and does not include stringers or runners. The construction matting for the geotechnical soil borings was installed on two parallel stringers rather than a single layer of matting as depicted in the detail.

The matting contractor and TNEC construction supervisor will determine the type and number of layers of construction mats required to allow for safe use and operation of equipment on the temporary roads and work areas. Multiple layers of mats are common where undulations in ground surface, boulder or other obstructions or high water elevations necessitate elevating the mat decking on which the equipment operates. These higher work platforms are to account for these issues and are built up from the ground surface using timber construction mat runners/stringers and headers that are placed to adjust for the undulations in the ground surface such that the deck matting when finally placed is nearly level. These supports help to more evenly distribute vehicle weight from the deck layer to the support layer and ground. When the mat deck is in direct contact with the ground with no runner/stringer or header support, each timber mat when driven on can move and adjust with any small changes in the existing grade and can result in mats pushing down on edges or corners while the other side pops up especially when low points or soft substrate are driven over. The matting below the decking is generally supported by at least two stringers/runners that are paced perpendicular to the decking. The equipment used for the Geotech investigation was small and light. For the line reconstruction the Company will be adjusting this substructure under the decking to include 3-4 timber stringers/runners where possible to spread the additional equipment weight if the matting contracting utilizes timber matting.

If the matting contractor utilizes composite matting, the substructure would typically be built to match the decking wherever possible. Marsh creeks/drainage ditches would still need to be bridged using timber matting and composite mat decks would cover them. The substructure would be composed of the high-density polyethylene mats which are pinned together so they remain in place. This pinned/connected composite mat system is lighter than timber mats and may provide better weight distribution across those connected mats which may result in shallower impressions in the marsh surface. All matting impressions resulting from the placement of temporary construction matting will be restored to pre-existing grade using a LGP amphibious excavator equipped with a modified rake attachment.

Pressure per square foot is dependent on the equipment traveling over the mats and the configuration of the matted access/workpad. The access and workpad build varies based on field condition making estimates for PSI variable and difficult to quantify. The PSI's for various types of equipment that may be used is presented above in STB comment/response 5.

WLT Comment 3: To address the impacts to the marsh from this project and specifically from the impacts of the construction matting, the Warren Land Trust – in consultation with Save the Bay – respectfully requests that the additional monitoring and mitigation efforts be required: 1) Conduct pre-construction elevation surveys of the marsh platform along the area where the construction mats are proposed to be installed to establish a baseline marsh platform elevation. This data will be used to indicate the level of marsh compaction as a result of the drilling phase. Upon completion of construction, conduct post-construction elevation surveys to determine the quantity and severity of marsh compaction and if additional mitigation measures are necessary. 2) After construction mats are removed, either by hand or with a low ground pressure excavator, elevate the compacted peat. After the mitigation measures have been implemented either by hand or with the low ground pressure excavation, conduct additional elevation surveys at the end of the first full growing season after construction activities are completed. This monitoring period should be used to assess persistent marsh compaction, additional subsidence, vegetation die-off, and impounded water to identify areas of marsh requiring additional mitigation. 3) If after one growing season, the post-construction elevation monitoring identifies compaction of the marsh, conduct additional mitigation of the degraded habitat to address additional wetlands degradation and/or loss caused by the matting and construction activities. The Army Corps of Engineers should require, at minimum 2 to 1 compensatory mitigation to offset the damage from the construction matting. Additional mitigation could include restoration of the unvegetated depression caused by prior utility corridor maintenance activities. Sediment addition could be carefully used to elevate these depressions to restore salt marsh function. 4) Included in the application formal language regarding the mitigation of the drilling activities in January of 2025, as discussed on the site visit with RI Energy, and outlined above. The permit for the drilling activities included hand raking of the salt marsh grasses to address any compacted peat. This technique will not be sufficient to mitigate the peat compaction.

Response 3: 1) The condition of the marsh was photo documented prior to the installation of temporary construction matting for the geotechnical soil borings by the Project's Environmental Monitor. These photos will be used to assess compaction, additional subsidence, vegetation die-off, and standing

water resulting from the Project and where restoration is needed. Visual observations of the matting impressions and the adjacent untouched marsh surfaces will be the primary metric used to determine which matted areas require their surfaces to be reestablished using the LGP amphibious excavator with a modified rake attachment. These areas would be restored to the height of the adjacent untouched marsh surface. Environmental monitors contracted by TNEC would be present during this restoration and monitor these areas following construction to confirm vegetation has reestablished and that the marsh surface was restored to a height similar to that of the adjacent unaffected areas. If the monitor determines additional restoration is needed, that would be communicated to the restoration contractor and be addressed as needed. TNEC does not expect that a preconstruction survey in this nearly flat environment would have enough detail to be more reliable than would be the direct observation of the restoration contractor and environmental monitors looking at the impression and adjacent unaffected marsh surfaces in the field during restoration work. 2) Following the completion of construction and removal of temporary matting, hand restoration will be conducted to restore matting impressions in higher elevations of the marsh where practicable. A LGP amphibious excavator with a rake attachment will be used to restore matting impression in lower elevations of the marsh and higher areas of the marsh when hand tools are not adequate. The pre-construction photos of the marsh will be used to assess if restoration with hand tools and/or the LGP amphibious excavator addressed observed compaction, additional subsidence, vegetation die-off, and standing water observed following the removal of temporary construction matting. 3) An Environmental Monitor will continue to inspect the Project ROW following the completion of construction for compaction, additional subsidence, vegetation die-off, and standing water to determine if additional restoration activities are needed. If vegetation reestablishment is not observed in areas of the Project ROW that had been matted, the area will be seeded with a native New England wetland seed mix in non-tidal areas or planted with plugs of native New England salt marsh species and will be continued to be monitored. The compensatory mitigation requirements of CRMC will be met through the restoration of historically displaced salt marsh which is proposed at a 2.3:1 ratio. Compensatory mitigation for the Army Corps of Engineers will be established using their In-Lieu Fee (ILF) Program. If the initial restoration is determined to be ineffective through the post construction monitoring of the Project LOD, any additional restorative measures would be recommended and communicated to the regulatory agencies for their review and input. 4) Matting impressions in higher elevation areas of the marsh resulting from the temporary matting deployed for the phase 2 geotechnical soil borings were restored using hand tools on April 23, 2025. Following the removal of temporary matting that will be deployed for construction, an LGP amphibious excavator will be used to restore matting impressions in lower elevation areas of the marsh including those that were the result of the phase 2 geotechnical soil borings. This approach was discussed with STB and WLT representatives present for the site meeting on March 18, 2025 and the USACE and NMFS who agreed.

WLT Comment 4: If post-work monitoring determines that the extent of marsh degradation and loss is greater than initially stated in the application, other compensatory mitigation sites should be identified to perform additional wetlands restoration. If mitigation project sites cannot be identified on the Warren Land Trust property, we recommend using the two parcels adjacent to the northwest of the TNEC parcel proposed, both of which are currently owned by the Town of Warren, and are

locations where historic salt marsh filling was performed at the same time as the filling which occurred at the site already proposed for wetlands restoration.

Response 4: If post-construction monitoring determines that Project impacts exceed what was authorized by the regulatory agencies, TNEC will coordinate with the CRMC and USACE to find an acceptable solution that meets the Agency requirements.

WCC Comment 1: Additional osprey nesting structures to accommodate the growing Osprey population and discourage Osprey from nesting on the electric company's poles should be added.

Response 1: The Project will install bird deterrents on all new structures. The company will provide at least two dedicated Osprey nesting structures to the north of the Warren Substation. Osprey nests are present on two existing h-frame structures supporting the F184N-5 Warren Tap (Structure Nos. F184N-0 and -2) that will be removed and relocated to upland for the reconfiguration of the Warren Tap. An existing pole supporting each old structure will be left in place in the salt marsh and a nesting platform/perch will be mounted to each to provide a safer nesting opportunities for osprey.

WCC Comment 2: Trees planted in the restoration process should be compatible with Warren's Tree Canopy Plan and chosen in consultation with Warren's Tree Commission.

Response 2: Trees selected for the proposed compensatory mitigation area are black tupelo (Nyssa sylvatica) and red maple (Acer rubrum). Both species are included in Warren's Tree Canopy Plan. These species were selected because they are the most common species that will be removed from the area north of the Warren Substation to accommodate the reconfigured Warren Taps.

Sincerely,

VHB

Adam Rosenblatt, PWS CPESC
Project Manager
arosenblatt@vhb.com

cc: Marc Smith (TNEC)
Attachments