



August 13, 2018

Mr. James R. Beyer
Maine Department of Environmental Protection
Division of Land Resources Regulation
106 Hogan Road
Bangor, ME 04401

Mr. Bill Hinkel
Land Use Planning Commission
Department of Agriculture, Conservation and Forestry
18 Elkins Lane
Augusta, Maine 04330

Mr. Jay Clement
U.S. Army Corps of Engineers
Maine Project Office
442 Civic Center Drive, Suite 350
Augusta, Maine 04330

**RE: New England Clean Energy Connect Project
Update to NRPA and Site Law Applications**

Dear Mr. Beyer, Mr. Hinkel, and Mr. Clement:

In response to a number of agency data requests, CMP committed to providing additional updates and supplemental materials to the Site Location of Development Act (Site Law) and Natural Resources Protection Act (NRPA) permit applications for the New England Clean Energy Connect (NECEC) Project. In addition, CMP is providing updates to its applications associated with cultural resource identification, the Project design, Project impacts, and compensation. CMP has summarized these items below.

SUPPLEMENTAL MATERIALS ASSOCIATED WITH AGENCY DATA REQUESTS

1. In response to Maine Department of Environmental Protection's (MDEP) November 20, 2017 Environmental Information Request Question 1, CMP conducted an engineering feasibility and natural resource impact analysis and comparison of north vs south alignment within the new corridor. This analysis was provided to MDEP and USACE on May 4, 2018. The comparison concluded that the southern alignment has fewer natural resource impacts and is therefore the preferred and proposed alignment.
2. As a follow-up to CMP's response to MDEP's November 20, 2017 Environmental Information Request Questions 5 & 6, photosimulations of the transmission line crossings over the Carrabassett River, Sandy River, and West Branch of the Sheepscot River were provided to the MDEP on June 29, 2018.

3. Since the submittal of CMP’s response to MDEP’s December 12, 2017 Environmental Information Request Question 3 and 4, CMP has made minor modifications to the transmission line design primarily consisting of changes to structure locations. In addition, CMP committed to applying a 100 foot buffer on all perennial streams on Segment 1, all Outstanding River Segments, and all waterbodies containing threatened and endangered species within or immediately adjacent to the Project area. The 25-foot buffer on all other streams remains. Proposed structures that are currently located within the applicable 25 foot and 100 foot setbacks are provided below:

Structures located within 25’ Stream Buffers

Section-Structure Number	Stream ID	Designation	Setback Distance (ft)	Location	Natural Resource Map No.
62-67	PSTR-158-03	Perennial	25	Durham	351
62-68	PSTR-158-04	Perennial	18	Durham	352
68-191	ISTR-184-08	Intermittent	24	Wiscasset	369
392-91	PSTR-177-01	Perennial	19	Alna	383
3006-8	ISTR-143-01	Perennial	24	Greene	318
3006-77	ISTR-131-01	Intermittent	16	Leeds	289
3006-201	ISTR-108-05	Intermittent	22	Farmington	239
3006-421	ISTR-66-10	Intermittent	6	Moscow	149
3006-541	ISTR-50-02	Intermittent	21	Moxie Gore	113
3006-804	ISTR-02-15	Intermittent	20	Beattie Twp	6
3007-08	PSTR-145-01	Perennial	8	Lewiston	322

Structures Located within 100' Stream Buffers

Section-Structure Number	Stream Id	Designation	Setback Distance	Location	Natural Resource Map No.
68-3	PSTR 163-02	Outstanding River Segment	75	Windsor	415
68-4	PSTR 163-02	Outstanding River Segment	80	Windsor	415
392-216	PSTR 163-02	Outstanding River Segment	96	Windsor	415
3006-296	PSTR-90-02	Outstanding River Segment/T&E	34	Anson	199
3006-536	ISTR-51-14	T&E	59	Moxie Gore	115
3006-648	PSTR-31-06	Perennial Stream (Segment 1)	96	Johnson Mountain Twp	71
3006-667	PSTR-SRD1-28-01	Perennial Stream (Segment 1)	98	Bradstreet Twp	63
3006-732	PSTR 16-01	Perennial Stream (Segment 1)	100	Appleton Twp	37
3027-9	PSTR 163-02	Outstanding River Segment	51	Windsor	415
3027-10	PSTR 163-02	Outstanding River Segment	62	Windsor	415
3027-11	PSTR 163-02	Outstanding River Segment	76	Windsor	415

Refinement of these structure locations will be conducted during detailed engineering design. If possible, these structures will be relocated along the current centerline to achieve the minimum setback. If the engineering cannot conform to the target setback for certain specific structures, a site-specific erosion and sedimentation control plan will be provided to the agencies for review and approval prior to construction. An updated Waterbody Crossing Table (Exhibit 7-7), accounting for the current level of project design and including only those resources located within the NECEC project right-of-way is provided in Attachment A.

4. As a follow-up to CMP's response to MDEP's December 12, 2017 Environmental Information Request Question 10, please find the revised Inland Wading Bird and Waterfowl Habitat (IWWH) table (Exhibit 7-3), which includes the cumulative amount of total acreage to be cleared in IWWH, in Attachment A.

The table summarizing Deer Wintering Areas (DWA) (Exhibit 7-2) has been revised and is also included in Attachment A to reflect minor project design modifications.

5. As a follow-up to CMP's response to MDEP's December 12, 2017 Environmental Information Request Question 11, CMP provided an updated Exhibit 7-5 Significant Vernal Pool Table as part of the July 13, 2018 response to Maine Inland Fisheries and Wildlife (MDIFW) March 15 comments. Exhibit 7-5 includes the cumulative impacts of clearing in Significant Vernal Pools (SVPs) as requested in Question 11, as well as the additional details requested in MDIFW's March 15 comments. This Exhibit updates the pool statuses where MDIFW's official determination differed from CMP's consultant's pre-application assessment. The response to MDIFW includes a replacement for Exhibit 7-5, as well as Exhibit 7-6 Non-Significant Federal Jurisdictional Pools. As discussed above, both exhibits have since been revised to account for minor modifications to the project design and are included in Attachment A.
6. As a follow-up to CMP's response to MDEP's December 12, 2017 Environmental Information Request Question 13, CMP committed to revising the restrictions associated with IWWH in the project Plan for Protection of Sensitive Natural Resources During Initial Vegetation Clearing (VCP). Subsequently, CMP agreed to modify the language in both the VCP and the Post-Construction Vegetation Maintenance Plan (VMP) to require 100-foot riparian buffers on all perennial streams on Segment 1, all Outstanding River Segments, and all waterbodies containing threatened and/or endangered species within or immediately adjacent to the project area. Both the VCP (Exhibit 10-1) and VMP (Exhibit 10-2) including the required revisions are provided in Attachment B.
7. As a follow-up to CMP's response to MDEP's December 12, 2017 Environmental Information Request Question 16, the revised Environmental Guidelines were provided to MDEP on June 29, as part of CMP's response to MDEP's January 2018 Technical Review Memorandum incorporating Mr. Kerem Gungor's stormwater review comments. The revised Environmental Guidelines incorporated the corrected language regarding soil compaction.
8. In response to MDEP's Natural Resource Map questions and revision requests, updated natural resource maps (Attachment 2 of the Site Law application) reflecting minor modifications to the project design are included in Attachment C. The revised natural resource maps include the renumbering of transmission line structures and recent minor modifications to the project design, including changes to some structure and access road locations, and incorporates the SVP determinations provided by the MDIFW.

Access road locations identified on the natural resource maps minimize impacts to the extent practicable. The access road design avoids and minimizes natural resource impacts to the extent practicable and for safety reasons avoids traveling under existing transmission lines to the maximum extent possible.

9. CMP has also re-evaluated its responses to data requests submitted to the LUPC and is providing revisions to previously provided responses associated with structures in P-WL subdistricts and the dimensional standards contained within §10.26 of the Commission's Rules.

Continued refinement of the NECEC project design has resulted in only two (2) structures, as opposed to the three previously reported, now being located within a P-WL subdistrict as provided in the table below.

Structure Number	LUPC Subdistrict	Location	Natural Resource Map Number
3006-541	P-WL3	Moxie Gore	113
3006-548	P-WL3	Moxie Gore	110

As provided to the LUPC previously, no proposed structures are located within the 30-foot setback in D-RS and D-GN subdistricts and no structures are proposed to be located within 20 feet of a roadway. The applicable setback from the traveled portion of the nearest roadway as defined in §10.26, D, 2 for areas other than D-RS and D-GN subdistricts is 75 feet. All structures, including those identified as being within the 75-foot setback in CMP's March 29, 2018 response to the LUPC February 26, 2018 data request, are now located outside of the minimum setback. All project infrastructure within LUPC jurisdiction remains 75 feet from all side and rear property lines.

CMP is also providing an update to data previously provided to the LUPC on October 2, 2017, regarding the setbacks defined by §10.26, D, 2(a)(b).

135 transmission line structures, as opposed to the 150 previously reported, will be located within the setback as defined by §10.26, D(2)(a) due to the nature of the project and the constraints described above. Structure numbers and the setback distances are provided in the table below. Setbacks identified as 0 in the table are located within wetland or P-WL1 areas.

Structures within the setback as defined by §10.26, D(2)(a).

Structure	Setback (ft)	Structure	Setback (ft)	Structure	Setback (ft)	Structure	Setback (ft)
3006-345	72	3006-494	64	3006-597	5	3006-696	0
3006-347	50	3006-496	78	3006-598	0	3006-700	61
3006-351	23	3006-497	13	3006-603	97	3006-705	97
3006-354	31	3006-510	8	3006-605	86	3006-721	41
3006-358	64	3006-514	50	3006-612	51	3006-722	33
3006-359	47	3006-519	100	3006-615	98	3006-723	86
3006-360	88	3006-520	95	3006-622	88	3006-726	37
3006-367	97	3006-522	0	3006-623	96	3006-728	43
3006-433	40	3006-524	18	3006-625	69	3006-748	3
3006-434	81	3006-525	0	3006-626	84	3006-752	54
3006-435	71	3006-526	0	3006-627	78	3006-757	92
3006-436	37	3006-527	0	3006-630	75	3006-759	89
3006-437	0	3006-528	3	3006-633	57	3006-760	40
3006-438	92	3006-529	45	3006-638	97	3006-761	95
3006-439	78	3006-530	18	3006-641	67	3006-765	3
3006-441	11	3006-531	97	3006-649	85	3006-770	0
3006-442	93	3006-533	65	3006-650	100	3006-771	35
3006-444	58	3006-536	0	3006-652	20	3006-780	22
3006-446	75	3006-538	85	3006-655	98	3006-781	56
3006-447	0	3006-541	4	3006-657	0	3006-788	49
3006-448	84	3006-544	0	3006-658	74	3006-791	0
3006-449	18	3006-548	0	3006-660	65	3006-792	89
3006-450	38	3006-556	98	3006-661	72	3006-793	56
3006-451	27	3006-558	71	3006-666	46	3006-801	52
3006-453	38	3006-560	97	3006-667	32	3006-804	0
3006-457	89	3006-567	74	3006-668	0	3006-588	71
3006-463	6	3006-574	35	3006-669	88	3006-613	91
3006-470	84	3006-575	92	3006-675	39	3006-642	78
3006-482	48	3006-578	39	3006-677	85	3006-644	37
3006-483	24	3006-586	24	3006-678	65	3006-648	45
3006-484	22	3006-589	81	3006-680	51	3006-732	94
3006-485	24	3006-591	44	3006-685	49	3006-776	88
3006-492	91	3006-592	46	3006-686	90	3006-456	89
3006-493	47	3006-594	79	3006-695	100		

Only one (1) transmission structure, Structure 3006-378, will be located within the setback as defined by §10.26, D(2)(b).

As stated previously in correspondence with the LUPC, CMP is requesting an exception to the minimum setback for the structures identified in this letter in accordance with §10.26, G, 5, which provides that an exception may be made to a setback requirement if the structure must be located closer due to the nature of its use.

10. CMP held a teleconference call with Marybeth Richardson, MDEP, on October 4, 2017, shortly after the NRPA and Site Law applications were filed. Ms. Richardson requested that the Site Law Chapter 5 Noise, address the exemption of daytime noise. She explained that the statutory exemption supersedes the MDEP rule and the discussion of daytime noise should reference 38 M.R.S. § 484 Standards for Development. Please find revised Section 5.2.2 of the Site Law application in Attachment D.
11. In the October 4, 2017 teleconference, Ms. Richardson noted that Site Law Exhibit 3-1 NECEC Schedule contained a typo with respect to the Larrabee Road Substation construction start date. This typo has been corrected and the schedule has been updated to reflect the schedule as of the date of this letter. Please find the revised Exhibit 3-1 in Attachment E.

ADDITIONAL SUPPLEMENTAL MATERIALS

ARCHITECTURAL HISTORY AND MANAGEMENT SUMMARY REPORTS

SEARCH's enclosed management summary describes the results of the Phase I archaeological survey within the direct area of potential effect (APE) for the Project. This document summarizes the three stages of archaeological study performed to-date and identifies 46 new archaeological resources in the Project APE and 10 previously identified archaeological resources. These results complete the identification of archaeological resources for the Project. One previously identified archaeological site has been determined eligible for listing on the National Register of Historic Places (NRHP) and avoidance is recommended. Four previously identified sites have been determined not NRHP eligible and five previously identified sites were determined to be located outside of the Project's direct APE. No project actions are recommended for these sites. Twenty-one newly identified resources will not be impacted by the Project or are recommended not eligible for NRHP listing. For the remaining 25 sites resources avoidance is recommended.

SEARCH's enclosed Above Ground Historic Resources Identification Survey Report provides reconnaissance survey results and NRHP recommendations for all above ground historic resources within the direct and indirect APEs for the Project. A total of 1,488 unique resources were identified. Within this group, 24 are listed on and 103 have been determined eligible for the NRHP. Of the remaining resources, 1,175 have been determined or are recommended not NRHP eligible and 186 are recommended potentially eligible for NRHP listing. These results complete the identification of above ground historic resources for the Project.

The Architectural History and Management Summary Reports are included as Attachment F and Attachment G, respectively.

RAVEN FARM SUBSTATION DESIGN

The noise analysis for the Raven Farm Substation was completed and submitted with the original Site Law application in September 2017. For the noise analysis, the substation transformer was designed to meet the Maine DEP noise limits at the property line. Installing a transformer rated at 82 dBA at 3 feet (as provided in Table 5-22) would allow the substation to meet those sound level limits.

In May of 2017, additional noise modeling was conducted to determine if noise mitigation could reasonably help reduce sound levels offsite. The Raven Farm Substation Sound Study Report, completed by Burns & McDonnell, was submitted to the Maine DEP on May 18, 2018. Its contents were incorporated into CMP’s pending NECEC Site Law application.

Multiple mitigation options were analyzed and proposed as a part of this study to go above and beyond the sound level limits required by the Maine DEP. The mitigation options included the use of a quieter transformer and/or structures around the equipment constructed of sound absorptive panels. The options were analyzed for effectiveness both individually and in combination to provide multiple levels of mitigation and mitigation options. The selection of which mitigation option would be installed was not provided in the document, only that one of the options analyzed would be chosen.

In July 2018, through meetings with the Town of Cumberland, Mitigation Option 3 was selected to be implemented at the substation. Mitigation Option 3 consists of a transformer rated at 65 dBA at 6 feet and a sound wall installed on all four sides of the transformer.

Figures 5.6.2 and 5.6.3 of the Site Law application should be replaced with the revised figures and Table 5-21 provided below.

Table 5-21: Modeled Operational Sound Levels

Modeled Receptor	Modeled Sound Level (dBA)	Sound Level Requirement^a (dBA)
PL1 – Property Line	26.1	50
PL2 – Property Line	27.6	50
PL3 – Property Line	20.4	50

(a) Modeled sound level is the substation sound level with an expected 5 dBA tonal penalty added

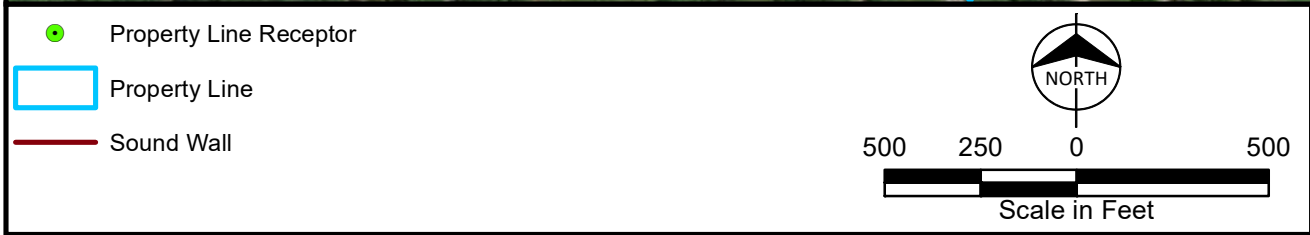
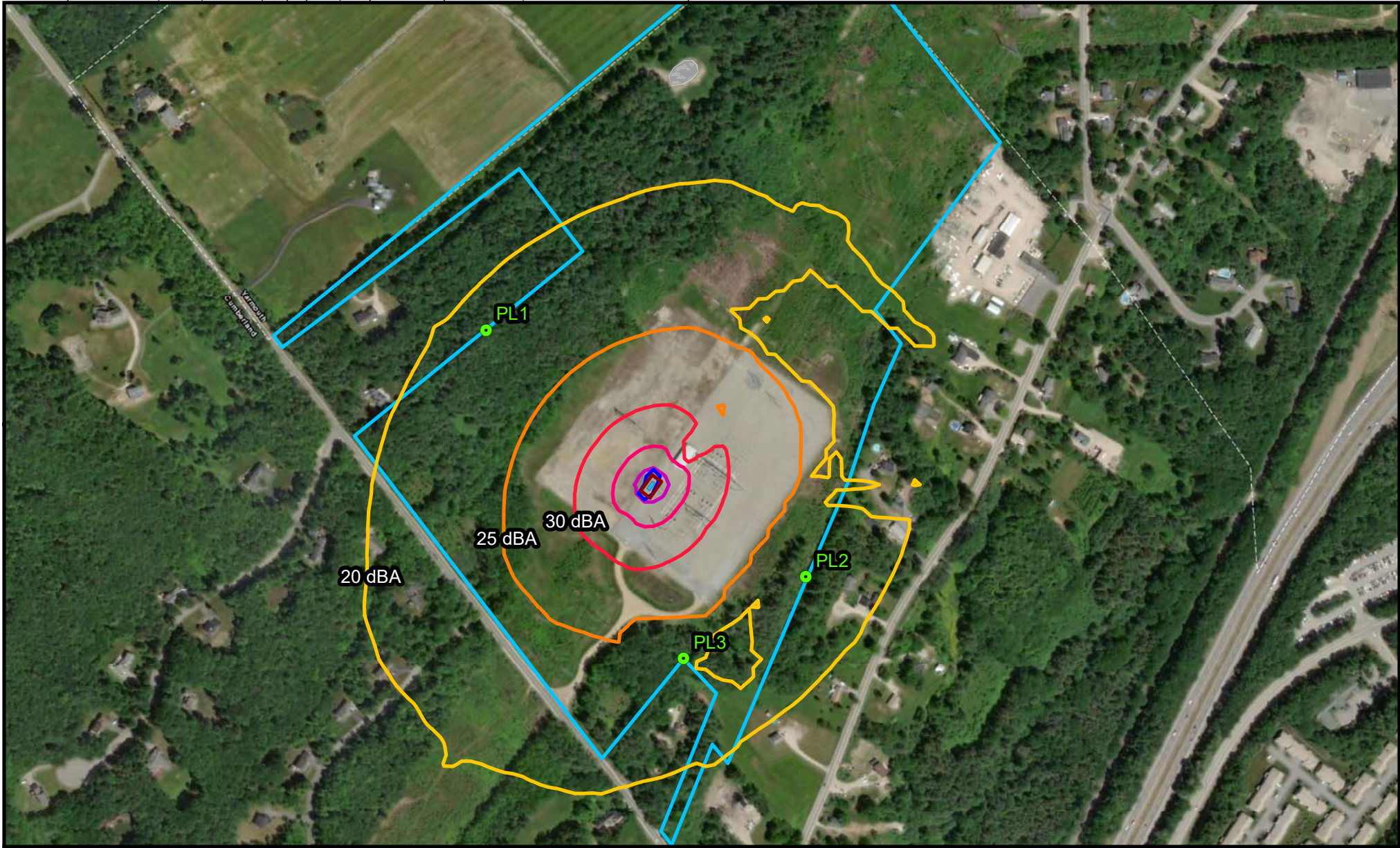


Figure 5.6.2
(Revised)
CMP NECEC
Raven Farm Substation
Modeling Layout



<ul style="list-style-type: none"> — 20 dBA — 25 dBA — 30 dBA Property Line 	<ul style="list-style-type: none"> — 35 dBA — 40 dBA — 45 dBA — Sound Wall 	<p>Modeled Future Substation Sound Levels (Without Tonal Penalty)</p> <p>PL1 - 21.1 dBA PL2 - 22.6 dBA PL3 - 20.4 dBA</p>	<p>NORTH</p> <p>500 250 0 500</p> <p>Scale in Feet</p>	<p>BURNS McDONNELL</p>	<p>Figure 5.6.3 (Revised) CMP NECEC Raven Farm Substation Sound Level Contours</p>
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MERRILL ROAD HVDC CONVERTER STATION DESIGN

Subsequent to the original site development drawings submittal, the access road has been changed to enter the site from Maine Street (US Route 202), reducing the length of the access road by approximately 750 feet. In addition, based on comments made by DEP during a site walk at the proposed converter station site, an alternative rock cut slope profile was examined for the slope around the east side of the proposed station.

Basic Standards

Erosion controls were added including rock check dams in the ditches and dual silt fence within and near the wetland crossing. All other aspects of the project's compliance with the Basic Standards remain the same as originally submitted, or as modified in the response to comments submitted on June 29, 2018.

General Standards

For the proposed revised access road alignment, the only area where stormwater runoff can be collected and treated is within the wetland itself, therefore the originally proposed underdrained soil filter is replaced with gravel wetlands at either side of the wetland crossing. In addition, collection of stormwater runoff from the length of road within the wetland is not practical as this represents the low point. The roadway in this area has been designed with a permeable base, in order to provide for passage of flows and for this section of roadway to be exempt from the General Standards per Chapter 500, Section 4.C.(5).(e). All other aspects of the Project's compliance with the General Standards remain the same as originally submitted, or as modified in the response to comments submitted on June 29th, 2018.

Flooding Standard

The stormwater modeling calculations were revised to reflect the new access road route. In addition, the calculations were run to determine if the steeper rock slope around the east side of the proposed yard would impact compliance with the Flooding Standard.

The modeling indicated that the originally proposed seeded 3:1 slopes represented the more conservative assumption, so that is what is presented for permitting. The steeper rock slope is presented as an alternative, depending on the strength of the rock encountered during construction or as required to optimize the balance of cut and fill materials. The Project will still meet the Flooding Standard.

A revised Stormwater Management Plan reflecting the changes described above is provided in Attachment H.

FICKETT ROAD SUBSTATION

An engineer's stamp has been added to the stormwater management plans developed for the Fickett Road Substation. These plans are included in Attachment I.

VISUAL IMPACT ASSESSMENT - LANDSCAPE PLANTING PLANS

CMP has concluded through the completion of the Visual Impact Assessment, that additional visual mitigation in the form of landscape buffer plantings is being proposed in the following locations: Troutdale Road at the Appalachian Trail Crossing adjacent to Joe's Hole on Moxie Pond in Bald Mountain Township and in The Forks Plantation, along Moxie Stream in Moxie

Gore, and on Fickett Road in Pownal. Landscape Buffer planting plans for each of these locations are provided in Attachment J.

COMPENSATION PLAN

The Compensation Plan (Plan) for the Project is included in Attachment K. The Plan describes and quantifies impacts to jurisdictional natural resources, as well as in-lieu fee (ILF) calculations, and proposes 6 mitigation parcels, 3 of which are proposed for preservation to partially offset unavoidable natural resource impacts, and 3 of which will be placed into conservation to provide compensation for recreational impacts to Outstanding River Segments and to protect and preserve coldwater fishery habitat.

CMP has also included a number of habitat enhancement measures in the Plan to improve habitat for coldwater fisheries, species of concern, and DWA.

If you have any questions regarding this submittal, please call or email me (207-629-9717; gerry.mirabile@cmpco.com).

Sincerely,



Gerry J. Mirabile
Manager – Environmental Projects
Environmental Permitting
AVANGRID Networks, Inc.

Enclosures

cc: Samantha Horn, LUPC; Naomi Kirk-Lawlor, LUPC; Christopher Lawrence, USDOE;
Melissa Pauley, USDOE; Bernardo Escudero, CMP; Mark Goodwin, Burns & McDonnell;
Matt Manahan, Pierce Atwood; Jared des Rosiers, Pierce Atwood

File: New England Clean Energy Connect

Due to file size, attachments referenced below are provided electronically and in hard copy form (under separate cover)

Attachment A
Updated Natural Resource Tables

- Exhibit 7-2
- Exhibit 7-3
- Exhibit 7-5
- Exhibit 7-6
- Exhibit 7-7

Attachment B

Revised Site Law Exhibit 10-1 NECEC Plan for Protection of Sensitive Natural Resources
During Initial Vegetation Clearing (VCP)
Revised Site Law Exhibit 10-2 NECEC Post-Construction Vegetation Maintenance Plan (VMP)

Attachment C
Revised Natural Resource Maps (Site Law Application -Attachment 2)

Attachment D
Revised Site Law Section 5.2.2 MDEP Noise Standards

Attachment E
Revised Site Law Exhibit 3-1- NECEC Schedule

Attachment F
SEARCH, Inc. Architectural History Report

Attachment G
SEARCH, Inc. Archeological Management Summary

Attachment H
Revised Merrill Road Converter Station Stormwater Management Plan

Attachment I
Revised Fickett Road Substation Stormwater Management Drawings

Attachment J
Visual Impact -Landscape Planting Plans

Attachment K
Compensation Plan