

**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
ENERGY FACILITY SITING BOARD**

IN RE:

THE NARRAGANSETT ELECTRIC	:	
COMPANY d/b/a NATIONAL GRID	:	
AND CLEAR RIVER ENERGY LLC	:	SB-2017-01
(BURRILLVILLE INTERCONNECTION	:	
PROJECT)	:	

**CLEAR RIVER ENERGY'S RESPONSE TO THE
FOURTH SET OF DATA REQUESTS OF TOWN OF BURRILLVILLE**

REQUEST NO. DR 4-1: Provide the status of the following permits relating to the transmission interconnection:

- a. Rhode Island Department of Environmental Management ("DEM").

RESPONSE:

Clear River Energy LLC ("Clear River") and The Narragansett Electric Company d/b/a National Grid ("National Grid") filed a joint Application to Alter Freshwater Wetlands with the DEM in March 2017. The application covered the proposed generating facility site as well as the transmission line interconnection rights-of-way and serves as an application for a Freshwater Wetlands Permit, Section 401 Water Quality Certificate, and a Rhode Island Pollution Discharge Elimination System ("RIPDES") Permit. The application is still under review by DEM. The applicants are currently responding to Technical Review Comments issued by DEM dated January 29, 2018.

Response prepared by or under the supervision of
Jamie Durand, Power Engineers and Michael Feinblatt, ESS Group, Inc.

**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
ENERGY FACILITY SITING BOARD**

IN RE:

THE NARRAGANSETT ELECTRIC	:	
COMPANY d/b/a NATIONAL GRID	:	
AND CLEAR RIVER ENERGY LLC	:	SB-2017-01
(BURRILLVILLE INTERCONNECTION	:	
PROJECT)	:	

**CLEAR RIVER ENERGY'S RESPONSE TO THE
FOURTH SET OF DATA REQUESTS OF TOWN OF BURRILLVILLE**

REQUEST NO. DR 4-1: Provide the status of the following permits relating to the transmission interconnection:

- b. Army Corps of Engineers ("ACOE").

RESPONSE:

Clear River and National Grid filed a joint Individual Section 404 Permit application with the U.S Army Corps of Engineers, New England District in March 2017. The application covers the proposed generating facility site and the transmission line interconnection rights-of-way. A post-application filing meeting was held with a representative of the ACOE on October 4, 2017. The ACOE has been copied on responses to the DEM Technical Review Comments, and the ACOE will continue to be copied on future responses. The joint application remains under review by the ACOE and the project team continues to communicate with the ACOE in terms of providing updated plan drawings, updated wetland impact calculations, and a draft public notice.

Response prepared by or under the supervision of
Jamie Durand, Power Engineers and Michael Feinblatt, ESS Group, Inc.

**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
ENERGY FACILITY SITING BOARD**

IN RE:

THE NARRAGANSETT ELECTRIC	:	
COMPANY d/b/a NATIONAL GRID	:	
AND CLEAR RIVER ENERGY LLC	:	SB-2017-01
(BURRILLVILLE INTERCONNECTION	:	
PROJECT)	:	

**CLEAR RIVER ENERGY'S RESPONSE TO THE
FOURTH SET OF DATA REQUESTS OF TOWN OF BURRILLVILLE**

REQUEST NO. DR 4-2: Have all the studies necessary for submission to the agencies or boards identified in No. 1 above been completed? Please furnish all completed studies and identify all uncompleted studies and the estimated completion date?

RESPONSE:

Yes, responses to the DEM June 19, 2017 and November 10, 2017 technical review comments, including all requested studies, were filed with the DEM on September 18, 2017 and December 11, 2017, respectively. Attachment DR 4-2 contains these responses and is provided in digital format due to its large file size. The September 2017 response is presented in two volumes, and the December 2017 response is provided in one volume. The project team is currently developing responses to the most recent DEM technical review comments dated January 29, 2018. We anticipate filing our responses, including updated plan drawings, to the DEM in late the February or early March 2018 timeframe. The U.S. Army Corps of Engineers has not requested any supplemental studies.

Response prepared by or under the supervision of
Jamie Durand, Power Engineers and Michael Feinblatt, ESS Group, Inc.

**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
ENERGY FACILITY SITING BOARD**

IN RE:

THE NARRAGANSETT ELECTRIC	:	
COMPANY d/b/a NATIONAL GRID	:	
AND CLEAR RIVER ENERGY LLC	:	SB-2017-01
(BURRILLVILLE INTERCONNECTION	:	
PROJECT)	:	

**CLEAR RIVER ENERGY'S RESPONSE TO THE
FOURTH SET OF DATA REQUESTS OF TOWN OF BURRILLVILLE**

REQUEST NO. DR 4-3: Did DEM or ACOE ask for additional information?

- a. If yes, what is the status of the additional information? Please furnish copies.

RESPONSE:

Yes. See Clear River's responses to DR 4-1(a), DR 4-1(b) and 4-2.

Response prepared by or under the supervision of
Jamie Durand, Power Engineers and Michael Feinblatt, ESS Group, Inc.

**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
ENERGY FACILITY SITING BOARD**

IN RE:

THE NARRAGANSETT ELECTRIC :
COMPANY d/b/a NATIONAL GRID :
AND CLEAR RIVER ENERGY LLC : SB-2017-01
(BURRILLVILLE INTERCONNECTION :
PROJECT) :

**CLEAR RIVER ENERGY'S RESPONSE TO THE
FOURTH SET OF DATA REQUESTS OF TOWN OF BURRILLVILLE**

REQUEST NO. DR 4-4: If Invenergy/CREC only receives permission from the RI EFSB to construct CREC Unit 1, will the proposed transmission project be altered or modified?

- a. If yes, provide a description of the alternative for the single CREC Unit 1.

RESPONSE:

No the proposed transmission line project would not be altered or modified, if Invenergy/CREC only receives permission from the RI EFSB to construct CREC Unit 1.

Response prepared by or under the supervision of
Jamie Durand, Power Engineers and Michael Feinblatt, ESS Group, Inc.

**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
ENERGY FACILITY SITING BOARD**

IN RE:

THE NARRAGANSETT ELECTRIC :
COMPANY d/b/a NATIONAL GRID :
AND CLEAR RIVER ENERGY LLC : SB-2017-01
(BURRILLVILLE INTERCONNECTION :
PROJECT) :

**CLEAR RIVER ENERGY'S RESPONSE TO THE
FOURTH SET OF DATA REQUESTS OF TOWN OF BURRILLVILLE**

REQUEST NO. DR 4-5: Has Invenergy/CREC or its consultants completed a biological inventory of the transmission interconnection corridor?

a. If yes, provide a copy of the biological inventory. If no, please describe the status of any such inventory.

RESPONSE:

Clear River representatives completed a biological inventory of the proposed 0.8 mile Clear River Energy Center ("CREC") ROW. Unlike the existing TNEC ROW, which is occupied and maintained for transmission line infrastructure, the CREC ROW will be a new "greenfield" corridor that will be established to accommodate the transmission line interconnection. A biological inventory was conducted at the proposed site of the Clear River Energy Center (CREC), including the 0.8 mile CREC ROW during the spring and early summer of 2017. The purpose of the inventory was to collect additional requested site-specific data related to the animal and plant communities present at the proposed project site (study area) and to provide this information to RIDEM and the EFSB to help inform RIDEM's and the Board's evaluation of the site and potential environmental impacts that may result from the construction and operation of the CREC and CREC ROW. The following survey programs were conducted on the proposed CREC ROW and CREC facility:

- Winter track survey
- Remote field camera deployment
- Avian point counts
- Anuran call count surveys
- Owl broadcast surveys
- Small mammal trapping
- Pit fall trapping

- Cover board monitoring
- Amphibian and reptile time-constrained searches
- Diurnal insect survey
- Moth survey
- Benthic macroinvertebrate sampling
- Plant survey

Attachment DR 4-5 contains the final report is entitled *ESS Group, Inc. 2017, Biological Inventory Report – Clear River Energy Center, Burrillville, Rhode Island* and is provided in digital format due to its large file size. A summary of those above-referenced biological surveys is found in the Pre-Filed Direct Testimony of Jason Ringler (June 30, 2017), and the Pre-Filed Rebuttal Testimony of Jason Ringler (September 1, 2017), both filed in Docket SB-2015-06.

Response prepared by or under the supervision of
Jamie Durand, Power Engineers and Michael Feinblatt, ESS Group, Inc.

**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
ENERGY FACILITY SITING BOARD**

IN RE:

THE NARRAGANSETT ELECTRIC	:	
COMPANY d/b/a NATIONAL GRID	:	
AND CLEAR RIVER ENERGY LLC	:	SB-2017-01
(BURRILLVILLE INTERCONNECTION	:	
PROJECT)	:	

**CLEAR RIVER ENERGY'S RESPONSE TO THE
FOURTH SET OF DATA REQUESTS OF TOWN OF BURRILLVILLE**

REQUEST NO. DR 4-6: Has Invenergy/CREC conducted a study on the impact of the proposed monopoles with respect to migratory birds?

- a. If yes, provide a copy of the study. If no, please describe the status of any such study.

RESPONSE:

No studies or analysis was performed by Clear River's consultants on the potential impact of the monopoles proposed along the 1.6-mile section of the existing The Narragansett Electric Company ("TNEC") ROW where monopoles are proposed.

Response prepared by or under the supervision of
Jamie Durand, Power Engineers and Michael Feinblatt, ESS Group, Inc.

**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
ENERGY FACILITY SITING BOARD**

IN RE:

THE NARRAGANSETT ELECTRIC :
COMPANY d/b/a NATIONAL GRID :
AND CLEAR RIVER ENERGY LLC : SB-2017-01
(BURRILLVILLE INTERCONNECTION :
PROJECT) :

**CLEAR RIVER ENERGY'S RESPONSE TO THE
FOURTH SET OF DATA REQUESTS OF TOWN OF BURRILLVILLE**

REQUEST NO. DR 4-7: Provide a copy of any site-specific vegetation management plan that will regulate vegetation management along the ROW after construction.

RESPONSE:

National Grid's current Five Year Vegetation Management Plan ("VMP" or "Plan"), dated 2014-2018, is provided as Attachment DR 4-7 and is provided in digital format due to its large file size. National Grid's VMP also was included as Appendix B in the joint DEM and ACOE applications.

Management of vegetation on the 0.8 mile CREC ROW will be implemented identical to the VMP and Integrated Vegetation Management ("IVM") practices outlined in National Grid's Plan.

Response prepared by or under the supervision of
Jamie Durand, Power Engineers and Michael Feinblatt, ESS Group, Inc.

**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
ENERGY FACILITY SITING BOARD**

IN RE:

THE NARRAGANSETT ELECTRIC	:	
COMPANY d/b/a NATIONAL GRID	:	
AND CLEAR RIVER ENERGY LLC	:	SB-2017-01
(BURRILLVILLE INTERCONNECTION	:	
PROJECT)	:	

**CLEAR RIVER ENERGY'S RESPONSE TO THE
FOURTH SET OF DATA REQUESTS OF TOWN OF BURRILLVILLE**

REQUEST NO. DR 4-8: Provide a copy of any wetland mitigation plans submitted to DEM and/or the ACOE, whether in draft or final format.

RESPONSE:

The in-situ wetland mitigation measures that are to be implemented to stabilize and restore construction-related disturbances to wetlands within the ROWs, including the removal of temporary swamp mats, will comply with RI *Rhode Island Soil Erosion and Sediment Control Handbook*, the *Rhode Island Stormwater Design and Installation Standards Manual*, and the *Wetland BMP Manual: Techniques for Avoidance and Mitigation*. These mitigation measures are discussed in the ACOE and DEM applications:

- *Section 6.0* Avoidance and Minimization Statement
 - *Section 6.2* Burrillville Interconnection Project
- *Section 7.0* Proposed Project Mitigation Plan

The project team continues to advance a Compensatory Wetland Mitigation Plan following the 2016 ACOE New England Division Compensatory Mitigation Guidance ("Guidance") in cooperation with resource agencies. The plan is anticipated to include a description of project impacts, objectives, mitigation site selection procedures, site protection information, and monitoring standards in addition to all required graphics and information. At this time, it is anticipated that the mitigation package will primarily consist of land preservation. The overall goal of the mitigation package is to provide no net loss of existing wetland functional values and statutory interests within the affected watersheds and meet the ACOE guidance regarding compensatory mitigation ratios for permanent and temporary / secondary impacts.

A Final Compensatory Wetland Mitigation Plan will be prepared and submitted to both the ACOE and DEM prior to the application being sent out to Public Notice and will be implemented once the project receives all necessary permits and approvals.

Response prepared by or under the supervision of
Jamie Durand, Power Engineers and Michael Feinblatt, ESS Group, Inc.

CLEAR RIVER ENERGY LLC
By its Attorneys,



W. Mark Russo (#3937)
Ferrucci Russo P.C.
55 Pine Street, 3rd Floor
Providence, RI 02903
Providence, RI 02903-1345
Tel.: (401) 455-1000
Fax: (401) 455-7778
mrusso@frlawri.com

Dated: February 15, 2018

CERTIFICATE OF SERVICE

I hereby certify that on February 15, 2018, I delivered a true copy of the foregoing responses to the **Town of Burrillville's 4th Set of Data Requests in Docket No. SB-2017-01** via electronic mail to the parties on the attached service list.



SB-2017-01 Burrillville Interconnection Project Service List as of 10/12/2017

Name/Address	E-mail	Phone/FAX
<p>File an original and 6 copies with EFSB: Todd Bianco, Coordinator Energy Facility Siting Board 89 Jefferson Boulevard Warwick, RI 02888</p> <p>Margaret Curran, Chairperson Janet Coit, Board Member Assoc. Dir., Div. of Planning Parag Agrawal Patti Lucarelli Esq., Board Counsel Susan Forcier Esq., Counsel Rayna Maguire, Asst. to the Director DEM Catherine Pitassi, Asst. to. Assoc. Dir. Plann. Margaret Hogan, Sr. Legal Counsel</p>	<p>Todd.Bianco@puc.ri.gov; Kathleen.Mignanelli@puc.ri.gov; Patricia.lucarelli@puc.ri.gov; Margaret.Curran@puc.ri.gov; janet.coit@dem.ri.gov; Catherine.Pitassi@doa.ri.gov; Margaret.hogan@puc.ri.gov; susan.forcier@dem.ri.gov; rayna.maguire@dem.ri.gov; Parag.Agrawal@doa.ri.gov;</p>	<p>401-780-2106</p>
<p>Parties (Electronic Service Only, Unless by Request)</p>		
<p>Peter Lacouture George Watson, III Robinson and Cole LLP One Financial Plaza, Suite 1430 Providence RI, 02903</p> <p>Bess B. Gorman, Esq. Assistant General Counsel and Director Mark Rielly, Esq. Senior Counsel Legal Department, National Grid 40 Sylvan Road Waltham, MA 02451</p>	<p>placouture@rc.com; gwatson@rc.com; Bess.Gorman@nationalgrid.com; mark.rielly@nationalgrid.com;</p>	<p>401-709-3314 781-907-1834 781-907-2111</p>
<p>Invenergy Thermal Development LLC Alan Shoer, Esq. Richard Beretta, Esq. Elizabeth Noonan, Esq. Nicole Verdi, Esq. Adler, Pollock & Sheehan One Citizens Plaza, 8th Floor Providence, RI 02903</p> <p>John Niland, Dir. Of Business Development Michael Blazer, Senior VP and General Counsel Tyrone Thomas, Esq., Asst. General Counsel Invenergy Thermal Development LLC One South Wacker Drive, Suite 1900 Chicago, IL 60600</p>	<p>ashoer@apslaw.com; rberetta@apslaw.com; enoonan@apslaw.com; nverdi@apslaw.com; jniland@invenergylc.com; mblazer@invenergylc.com; Tthomas@invenergylc.com;</p>	<p>401-274-7200 312-638-8488</p>
<p>Town of Burrillville Michael McElroy, Esq., Special Counsel Leah Donaldson, Esq., Special Counsel</p>	<p>Michael@mcelroylawoffice.com;</p>	<p>401-351-4100</p>

Schacht & McElroy PO Box 6721 Providence, RI 02940-6721	leah@mcelroylawoffice.com ;	
William Dimitri, Esq., Acting Town Solicitor	dimitrilaw@icloud.com ;	401-273-9092
Interested Persons (Electronic Service Only)		
Conservation Law Foundation Jerry Elmer, Esq. Max Greene, Esq. 235 Promenade Street Suite 560, Mailbox 28 Providence RI, 02908	Jelmer@clf.org ; Mgreene@clf.org ;	401-351-1102
Office of Energy Resources Andrew Marcaccio, Esq. Nick Ucci, Chief of Staff Chris Kearns, Chief Program Development One Capitol Hill Providence, RI 02908	Andrew.Marcaccio@doa.ri.gov ;	401-222-3417
Ellen Cool Levitan & Associates	Nicholas.Ucci@energy.ri.gov ;	401-574-9100
	Christopher.Kearns@energy.ri.gov ; egc@levitan.com ;	
	Brenna.McCabe@doa.ri.gov ;	
Rhode Island Building and Construction Trades Council Gregory Mancini, Esq. Sinapi Law Associates, Ltd. 2374 Post Road, Suite 201 Warwick, RI 02886	gmancinilaw@gmail.com ;	401-739-9690
Residents of Wallum Lake Road, Pascoag, RI Dennis Sherman and Kathryn Sherman Christian Capizzo, Esq. Partridge Snow & Hahn, LLP 40 Westminster St., Suite 1100 Providence, RI 02903	cfc@psh.com ;	401-272-1400
Residents of Wallum Lake Road, Pascoag, RI Paul Bolduc and Mary Bolduc Joseph Keough Jr., Esq. 41 Mendon Avenue Pawtucket, RI 02861	jkeoughjr@keoughsweeney.com ;	401-724-3600
	oatyss1@verizon.net ;	401-529-0367
Paul and Mary Bolduc 915 Wallum Lake Road Pascoag, RI 02859		
Abutter David B. Harris Michael Sendley, Esq. 600 Putnam Pike, St. 13 Greenville, RI 02828	mSENDLEY@cox.net ;	401-349-4405
Harrisville Fire District Richard Sinapi, Esq.	ras@sinapilaw.com ;	401-739-9690

Joshua Xavier, Esq. 2347 Post Road, Suite 201 Warwick, RI 02886	idx@sinapilaw.com ;	
Residents of 945 Wallum Lake Road, Pascoag, RI (Walkers) Nicholas Gorham, Esq. P.O. Box 46 North Scituate, RI 02857	nickgorham@gorhamlaw.com ;	401-647-1400
	edaigle4@gmail.com ;	
Peter Nightingale, member Fossil Free Rhode Island 52 Nichols Road Kingston, RI 02881	divest@fossilfreeri.org ;	401-789-7649
Sister Mary Pendergast, RSM 99 Fillmore Street Pawtucket, RI 02860	mpendergast@mercycne.org ;	401-724-2237
Patricia J. Fontes, member Occupy Providence 57 Lawton Foster Road South Hopkinton, RI 02833	Patfontes167@gmail.com ;	401-516-7678
Burrillville Land Trust Marc Gertsacov, Esq. Law Offices of Ronald C. Markoff 144 Medway Street Providence, RI 02906 Paul Roselli, President Burrillville Land Trust PO Box 506 Harrisville, RI 02830	marc@ronmarkoff.com ;	401-272-9330
	proseli@cox.net ;	401-447-1560
Rhode Island Progressive Democrats of America Andrew Aleman, Esq. 168 Elmgrove Avenue Providence, RI 02906	andrew@andrewaleman.com ;	401-429-6779
Fighting Against Natural Gas and Burrillville Against Spectra Expansion Jillian Dubois, Esq. The Law Office of Jillian Dubois 91 Friendship Street, 4 th Floor Providence, RI 02903	jillian.dubois.esq@gmail.com ;	401-274-4591
Burrillville Town Council c/o Louise Phaneuf, Town Clerk 105 Harrisville Main Street Harrisville, RI 02830	lphaneuf@burrillville.org ;	401-568-4300
Christine Langlois, Deputy Planner Town of Burrillville	clanglois@burrillville.org ;	401-568-4300

144 Harrisville Main Street Harrisville, RI 02830 Joseph Raymond, Building Official	jraymond@burrillville.org ;	
Michael C. Wood, Town Manager Town of Burrillville 105 Harrisville Main Street Harrisville, RI 02830	mcwood@burrillville.org ;	401-568-4300 ext. 115
Mr. Leo Wold, Esq. Department of Attorney General 150 South Main Street Providence, RI 02903	LWold@riag.ri.gov ;	401-274-4400
Public Utilities Commission Cynthia Wilson Frias, Esq., Dep. Chief of Legal Alan Nault, Rate Analyst	Cynthia.Wilsonfrias@puc.ri.gov ; Alan.nault@puc.ri.gov ;	401-941-4500
Division of Public Utilities and Carriers John J. Spirito, Esq., Chief of Legal Steve Scialabba, Chief Accountant Tom Kogut, Chief of Information	john.spirito@dpuc.ri.gov ; steve.scialabba@dpuc.ri.gov ; thomas.kogut@dpuc.ri.gov ;	401-941-4500
Matthew Jerzyk, Deputy Legal Counsel Office of the Speaker of the House State House, Room 302 Providence RI, 02903	mjerzyk@rilin.state.ri.us ;	401-222-2466
Hon. Cale Keable, Esq., Representative of Burrillville and Glocester	Cale.keable@gmail.com ;	401-222-2258
Nick Katkevich	nkatkevich@gmail.com ;	
Avory Brookins	abrookins@ripr.org ;	
Joseph Bucci, Acting Administrator Highway and Bridge Maintenance Operations RI Department of Transportation	joseph.bucci@dot.ri.gov ;	
Kevin Nelson, Supervising Planner Statewide Planning Program Jennifer Sternick Chief of Legal Services RI Department of Administration	kevin.nelson@doa.ri.gov ; Jennifer.sternick@doa.ri.gov ;	
Doug Gablinske, Executive Director TEC-RI	doug@tecri.org ;	
Tim Faulkner ecoRI News 111 Hope Street Providence, RI 02906	tim@ecori.org ;	401-330-6276
Robert Tormey Conanicut Energy, LLC	rjtormey@conanicutenergy.com ;	617-306-1601

Sally Mendzela	salgalpal@hotmail.com ;	
Keep Burrillville Beautiful Paul LeFebvre	paul@acumenriskgroup.com ;	401-714-4493
Mark Baumer	everydayyeah@gmail.com ;	
Nisha Swinton Food & Water Watch New England	nswinton@fwwatch.org ;	
Kaitlin Kelliher	Kaitlin.kelliher@yahoo.com ;	
Joe Piconi, Jr.	jiggzy@hotmail.com ;	
Hon. Aaron Regunberg Representative of Providence, District 4	Aaron.regunberg@gmail.com ;	
Paul Ernest	paulwernest@gmail.com ;	
Skip Carlson	scarlson@metrocast.net ;	
Kathryn Scaramella	kscaramella@outlook.com ;	
Diana Razzano	Dlrazzano13@verizon.net ;	
David Goldstein	tmdgroup@yahoo.com ;	
Douglas Jobling	djobling@cox.net ;	
Claudia Gorman	corkyh@gmail.com ;	
Curt Nordgaard	Curt.nordgaard@gmail.com ;	
Colleen Joubert	Colleenj1@cox.net ;	
Matt Smith Food & Water Watch	msmith@fwwatch.org ;	
Christina Hoefsmit, Esq. Senior Legal Counsel RI Department of Environmental Management	Christina.hoefsmit@dem.ri.gov ;	
Steven Ahlquist, RIFuture	atomicsteve@gmail.com ;	
Pascoag Utility District William Bernstein, Esq. Michael Kirkwood, General Manager Robert Ferrari, Northeast Water Solutions, Inc.	mkirkwood@pud-ri.org ;	
	Wlblaw7@gmail.com ;	
	rferrari@nwsinc.com ;	
Russ Olivo Woonsocket Call	rolivo232@gmail.com ;	
Celine Schmidt	celine_schmidt@brown.edu ;	
Suzanne Enser	svetromile@gmail.com ;	
Rhode Island Student Climate Coalition	risccl@brown.edu ;	