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Finalized Auction Results Confirm Sufficient Capacity Resources for 2022–2023

Holyoke, MA—February 28, 2019—Finalized results confirm that New England’s annual capacity auction concluded with sufficient resources to meet electricity demand in 2022–2023, and at the lowest price in six years. ISO New England Inc. filed the results today with the Federal Energy Regulatory Commission (FERC).

The auction was the first run under the Competitive Auctions with Sponsored Policy Resources (CASPR) rules, which include a substitution auction where resources interested in retiring can trade their capacity supply obligation to new state-sponsored resources that didn’t clear in the primary auction.

Capacity acquired and retained

The 13th Forward Capacity Market (FCM) primary auction (FCA #13), conducted on February 4, procured 34,839 megawatts (MW) of capacity for the June 1, 2022 to May 31, 2023 capacity year. The primary auction acquired 29,611 MW of generation, with 783 MW of new generation, including the 650-MW Killingly Energy Center, a proposed natural gas plant in Connecticut. The auction also procured 654 MW of new energy-efficiency (EE) and demand-reduction (DR) measures. In all, about 4,040 MW of EE and DR cleared, accounting for more than 11 percent of the total capacity acquired. The FERC filing includes a list of resources that have an obligation to be available in 2022–2023.

Following procedures approved by the FERC, the ISO retained two units, Mystic 8 and 9, needed for fuel security in the 2022-2023 capacity year.

Prices

The primary auction clearing price was \$3.80 per kilowatt-month (kW-month) for all resources in New England and imports from New York and Québec. Imports from New Brunswick will be paid \$2.68/kW-month. The estimated cost of the capacity market in 2022-2023 will be about \$1.6 billion. A table illustrating results from auctions #9 through #13 is below.

Substitution auction

The substitution auction closed with Vineyard Wind, a proposed offshore wind project, assuming an obligation of 54 megawatts from an existing resource that will retire in 2022-2023.

Forward Capacity Market

The FCM is designed to procure the resources that will be needed to meet projected demand in three years’ time. Capacity resources can include traditional power plants, renewable generation, imports, and demand-side resources such as load management and energy-efficiency measures. Resources clearing in the auction will receive a monthly payment during the delivery year in exchange for their commitment to provide power or curtail demand when called on by the ISO. The capacity market is separate from the energy market, where resources compete on a daily basis to provide power, and are paid for the electricity they produce.

Auction Results for FCAs #9 through #13 (2015-2019)

Results for all previous auctions can be found at: <https://www.iso-ne.com/about/key-stats/markets#fcaresults>

Auction, Auction Date, Commitment Period	Total Capacity Acquired (MW)	New Demand Resources (MW)	New Generation (MW)	Clearing Price (\$/kW-month)
FCA #9 in 2015 2018–2019	34,695	367	1,060	System-wide: \$9.55 SEMA/RI: \$17.73/new & \$11.08/existing
FCA #10 in 2016 2019–2020	35,567	371	1,459	\$7.03
FCA #11 in 2017 2020–2021	35,835	640	264	\$5.30
FCA #12 in 2018 2021–2022	34,828	514	174	\$4.63
FCA #13 in 2019 2022–2023	34,839	654	837*	\$3.80

Zones

- SEMA/RI refers to the former Southeast Massachusetts/Rhode Island zone

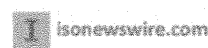
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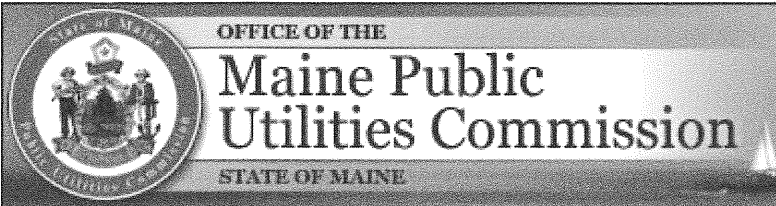
- In FCA #9, inadequate capacity in the SEMA/RI zone triggered administrative pricing rules. New capacity in SEMA/RI receive the auction starting price of \$17.73/kW-month and existing capacity receive an administratively set price of \$11.08/kW-month.
- In FCA #10, New York imports cleared at \$6.26/kW-month; and New Brunswick imports cleared at \$4/kW-month.
- In FCA #11, New Brunswick imports cleared at \$3.38/kW-month.
- In FCA #12, 57 MW over a Québec interconnection will be paid \$4.63/kW-month while 442 MW of other imports from Quebec and 194 MW from New Brunswick will be paid \$3.70/kW-month and \$3.16/kW-month, respectively.
- In FCA #13, imports from New York and Québec will be paid \$3.80/kW-month, and imports from New Brunswick will be paid \$2.68/kW-month.

*This total includes new generation acquired in both the primary auction (783 MW) and substitution auction (54 MW).

ABOUT ISO NEW ENGLAND

Created in 1997, ISO New England is the independent, not-for-profit corporation responsible for the reliable operation of New England’s electric power generation and transmission system, overseeing and ensuring the fair administration of the region’s wholesale electricity markets, and managing comprehensive regional electric power planning.





EXHIBIT

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MPUC Approves Certificate of Public Convenience and Necessity For the New England Clean Energy Connect Transmission Line

April 11, 2019

Hallowell, Maine - The Maine Public Utilities Commission (Commission) voted unanimously today to approve Central Maine Power Company's Petition for a Certificate of Public Convenience and Necessity (CPCN) for the New England Clean Energy Connect Project (NECEC) proposed transmission line.

"This project has significant benefits for the people of Maine" stated Commission Chairman Mark Vannoy. The CPCN application meets all the statutory requirements and is in the public interest. In addition to important enhancements to Maines electric system reliability, 1,200 MW of hydroelectric generation injected into the New England region should help to partially mitigate ongoing fuel security concerns in Maine and the region, stated Vannoy. The economic benefits to Maine are very real and substantial said Commissioner Bruce Williamson, including energy market and capacity market effects. This reduces electricity costs to Maine energy users and has benefits for plans to electrify other sectors of the economy. As Maines appetite for variable generation from solar and wind surges, NECECs hydro is the perfect complement with twenty-four by seven base load capability said Commissioner Randall Davis. In addition, the Commissioners noted that the provisions of the NECEC Stipulation augment the benefits that will be realized by Maine through funding mechanisms and programs to provide rate relief to Maine ratepayers, benefits for Maines low-income customers, and support for a variety of other programs that benefit Maine communities and the environment.

During todays deliberations, the Commissioners acknowledged that the project came with some challenges for Maine. The project may impact scenic and recreational values, as well as tourism in the communities in proximity to the project. However, when these issues are balanced against the ratepayer, economic, and environmental benefits of the NECEC, the Commission determined that the adverse effects are outweighed by the significant benefits.

Background: On September 27, 2017 Central Maine Power Companys filed for a CPCN for the NECEC, a 145-mile 1,200 MW transmission project from the Qubec-Maine Border to Lewiston. The Commission conducted a comprehensive and thorough review of all the facts in the CPCN adjudicatory proceedings.

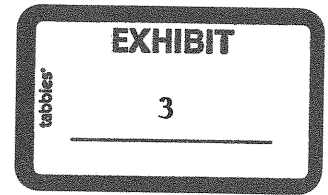
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The Maine Public Utilities Commission regulates electric, telephone, water and gas utilities to ensure that Maine citizens have access to safe and reliable utility service at rates that are just and reasonable for all ratepayers. Commission programs include Maine Enhanced 911 Service, and Dig Safe.

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Press Releases

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Governor Announces \$4.5 Million Investment by Ørsted, Eversource to Grow Rhode Island's Offshore Wind Workforce and Supply Chain

Ørsted US Offshore Wind and Eversource pledge funds to develop talent pool and supply chain for the state's growing offshore wind industry

PROVIDENCE, RI - Governor Gina M. Raimondo announced today that Ørsted US Offshore Wind and Eversource – the team behind the Revolution Wind project – have pledged \$4.5 million to support offshore wind education and supply chain development for the growing offshore wind industry in Rhode Island.

"Ørsted and Eversource's commitments, as part of their Revolution Wind offshore wind farm, will expand our efforts already underway to build our talent pool and provide opportunities for college students in Rhode Island to study for a career in offshore wind," said Governor Raimondo. "When they are ready to work, we will have plenty of jobs for them in our growing offshore wind supply chain, right here in Rhode Island."

Ørsted and Eversource have committed to invest \$4.5 million locally, with a \$3 million investment in higher education around offshore wind programs led by the University of Rhode Island, a national leader in ocean engineering, environmental science and other marine-related fields. URI will be working in partnership with other institutions of higher learning in the state.

Ørsted and Eversource will invest an additional \$1.5 million, designated to the Rhode Island Commerce Corporation and the Rhode Island Department of Labor and Training, to support the development of Rhode Island's offshore wind supply chain and workforce. These investments will position Rhode Island to remain a leader in the growing American offshore wind industry.

"Revolution Wind is the exciting next chapter for offshore wind in the state that launched this new American industry," said Ørsted US Offshore Wind Co-CEO Jeffrey Grybowski. "We stand ready to make major investments in our home state to make sure Rhode Island students, and the state's supply chain, are ready for this new clean-jobs sector."

"The Revolution Wind project will help Rhode Island secure a cleaner and more affordable energy future," said State Energy Commissioner Carol Grant. "Ørsted's investments in higher education and workforce development will provide a much-needed pathway for people who want to be ready for the fast-growing offshore wind industry and capture the many job opportunities that will be here soon."

"As the home of the country's first offshore windfarm, Rhode Island is a pioneer in this important field," said Rhode Island Commerce Secretary Stefan Pryor. "It is imperative that we continue to invest in the educational and workforce initiatives that will strengthen Rhode Island's position as the epicenter of the off-shore wind industry, and this funding contributes in exactly this way. We thank Ørsted and Eversource for their partnership in this effort and we look forward to advancing together."

"Growing a workforce to meet the demand of a burgeoning industry in the state is how we make Rhode Island's economy resilient," said Department of Labor and Training Director Scott Jensen. "With two Real Jobs RI wind partnerships, we are ready to help companies gear up for opportunities within the sector, and, at the same time, help Rhode Islanders connect with an exciting career."

In February, National Grid filed its proposed power-purchase contract with Ørsted and Eversource for the 400-megawatt (MW) Revolution Wind offshore wind farm with the Rhode Island Public Utilities Commission for review. Ørsted and Eversource's investments are subject to the PUC's decision on the project, which is expected by June 1, and final permitting of the project by state and federal agencies.

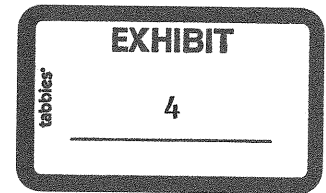
If approved, Revolution Wind will generate approximately one-quarter of all the electricity used by Rhode Islanders annually and will help increase the state's clean energy portfolio ten-fold by the end of 2020. Once permits are in-hand, local construction work on Revolution Wind could begin as early as next year, with the project potentially in operation by 2023. The Revolution Wind project will be located in federal waters approximately 15 miles southeast of the New England coast.

The project – originally developed by Providence-based Deepwater Wind, which has since been acquired by global offshore wind leader Ørsted – is expected to create more than 800 direct construction jobs and 50 permanent jobs for Rhode Islanders at every skill level. Hundreds more jobs will be supported indirectly as the region's burgeoning offshore wind industry takes off.

In March 2017, Governor Raimondo set an ambitious goal to accelerate Rhode Island's adoption of green energy and make the state's energy system ten-times cleaner by 2020. Revolution Wind was selected through an open and competitive market procurement that attracted both domestic and international project developers. If approved by the PUC, this offshore wind project will more than double Rhode Island's existing clean energy portfolio. The state's clean energy progress is updated quarterly and may be viewed below.

Related links

- [Governor's 1,000 by '20 Clean Energy Goal](#)
- **Department or agency:** Office of the Governor
- **Online:** <http://www.governor.ri.gov>
- **Release date:** 04-22-2019



IN RE: INVENERGY THERMAL DEVELOPMENT LLC’S APPLICATION TO CONSTRUCT THE CLEAR ENERGY RIVER CENTER IN BURRILLVILLE, RHODE ISLAND- DOCKET NO. SB-2015-06

Save The Bay, on behalf of its members and supporters, submits that the Energy Facility Siting Board must deny the application to construct the Clear River Energy Center (CREC) because the applicant cannot meet its burden: the proposed facility will cause unacceptable harm to the environment¹.

The Clear and Branch River watersheds are an important area for native species of trout and other aquatic wildlife. As headwater streams, these areas become the filtering system for the entire Narragansett Bay watershed and have more biodiversity by area than the larger rivers that they feed. The headwaters are crucial for the overall health of the Narragansett Bay watershed and they must be protected within that context. Intact forest ecosystems form critical green infrastructure that protects our overall water quality and quality of life while preserving resiliency against the effects of future climate changes.

1. The Department of Environmental Management’s Advisory Opinions² are clear and uncontroverted: The Clear River Energy Center (CREC) does not belong in the proposed location, an interior forest of high conservation value, vital to the conservation of biodiversity.³

The CREC, Burrillville Interconnection Project (BIP) and the rights-of-way require clearing in excess of one hundred and five (105) acres of valuable forest and wetlands.⁴ The total number of acres that will be indirectly impacted and the habitat and species affected is still unknown.

¹ § 42-98-11 Final hearing – Standards – Decisions.

(b) The board shall issue a decision granting a license only upon finding that the applicant has shown that:

...

(3) The proposed facility will not cause unacceptable harm to the environment and will enhance the socio-economic fabric of the state.

² The Department of Environmental Management’s Advisory Opinion, September 20, 2016, (Advisory Opinion), Department of Environmental Management Status Update, June 13, 2017 (Status Update), and the Department of Environmental Management’s Supplemental Advisory Opinion Pursuant to the Notice of Designation Issued April 13, 2017, dated August 15, 2017 (Supplemental Opinion). These three opinions are collectively referred to as “DEM’s Opinions.”

³ Advisory Opinion, page 10.

⁴ In September of 2016, DEM estimated that the entire project would require clearing of one hundred and twenty-one acres. Supplemental Opinion page 12-13. Invenergy Thermal Development LLC’s response to The State of Rhode Island Department of Administration Division of Legal Services Data Requests, dated April 10, 2017, page 2 states that the total number of acres to be cleared is 105.6, and that 8.2 acres will be revegetated and restored.

The high ecological value of this forest and the explanation of the devastation from this project to this forest is clearly set forth in the Department of Environmental Management's (DEM's) Opinions, corroborated by the testimony of Scott Comings.

"Fish and wildlife rely on habitat connectivity to find scarce resources, preserve gene flow, and locate alternatives to lost habitat."⁵ DEM's *Protecting Our Land Resources: A Land Acquisition and Protection Plan* explains that the value and importance of the state's northwestern forest is due to the fact that it "contains the largest tracts of forest habitat in the State which are also contiguous to additional large tracts in adjacent Connecticut and Massachusetts..."⁶ The plan states that "preventing fragmentation is of **crucial importance** to perpetuating the native biological communities and by reducing the level of homogenization of species assemblages brought about by reduction in forest patch size...Within the Western Forest lies the greatest potential to expand on those large areas already protected in order to maximize available habitats and increase buffering. Priority should be given to increasing the size of protected land and to linking areas for uninhibited movement of wide-ranging species." (emphasis provided). Advisory Opinion, page 10.

Further, DEM reaffirms its opinion clarifying negative impacts to the environment: "substantial forest clearing and fragmentation from the Project will negatively impact area-sensitive wildlife (and plants) in the site vicinity and that, at a broader spatial scale, this Project will inhibit DEM's attempt to enhance landscape resiliency to mitigate the loss of biodiversity through habitat fragmentation and climate change."⁷ The project "pose[s] unacceptable environmental risks to habitats and plant and animal species."⁸ DEM's opinion is supported by the opinion of Scott Comings: "...the impacts of this plant will be significantly negative and cause unacceptable harm to the ecological integrity of the area." Pre-Filed Direct Testimony of Scott Comings, page 17. The impacts he lists include habitat fragmentation, deforestation, and noise and light pollution.

Although the information relative to the impacts on fish and wildlife is not complete, the impacts documented by the applicant and reviewed by DEM's Opinions and the Pre-Filed Direct and Rebuttal Testimony of Scott Comings are sufficient to show that the harm will be severe and irreparable. Without detailing DEM's findings, some impacts noted should be highlighted. As stated in the Supplemental Advisory Opinion, there are at least 520 animal and plant species in the study that will be negatively affected, including: one state-endangered species, four state-threatened species, 10 species of concern, 2 protected species, as well as 47 Species of Greatest Conservation Need were detected in the study area during the course of the inventory.

⁵ Advisory Opinion, page 10.

⁶ Advisory Opinion, page 10.

⁷ Supplemental Opinion, page 4.

⁸ Pre-Filed Direct Testimony of Scott Comings, page 6.

The site is also a probable breeding area for two state-threatened birds, both of which are forest interior species. Many more species were likely not identified in this single study, and over a longer time period, many more species likely use this area for a portion of their lifecycle.

The CREC project site has not been fully studied and the impacts noted do not include a complete assessment of the Burrillville Interconnection Project (BIP) or work required for the rights-of-way (ROWs). These projects cut through and/or impact on Natural Heritage Areas, habitat for rare plants and state-listed species, a High Value High Vulnerability Habitat, vernal pools and streams, including streams that provide habitat for the state's only coldwater species of fish, the brook trout. Supplemental Opinion, page 9.

The applicant depicts a total of 14 vernal pools in and along the ROW of the project. While they assert that only a few pools are directly impacted, the impacts to the lifecycle of forest dwelling amphibians would extend beyond the vernal pool itself and could be affected by forest disturbance, even if the pool itself is not impacted.

Cumulative impacts from all three projects are unknown, and the operation and maintenance of the facility will also involve bird collision with the facility, predation of avian nests, increase in opportunistic predators (crows, raccoons), impacts from light pollution and from water withdrawal and stream depletion, and greater light penetration that will promote the growth of invasive species and decrease quality of wildlife habitat. DEM reports that "...this work certainly has the ability to negatively impact 'state conservation priorities and plans, fish and wildlife habitats, and rare species, including those identified in the RI Natural Heritage database.'" Supplemental Opinion, page 8.

DEM's Wildlife Action Plan "identifies **habitat fragmentation as one of the foremost threats** to Rhode Island's biodiversity, including State-listed plants and animals and other Species of Greatest Conservation Need." (Emphasis provided). Supplemental Opinion, page 11. We fully support DEM's opinion that "the best course of action is to avoid further fragmentation, to the greatest extent practicable, to focus on conservation on the best and least impaired blocks of habitat, and to focus restoration efforts on restoring connectivity of intact habitats rather than to continue to fragment landscapes and look for mitigation elsewhere." Supplemental Opinion, page 11.

As succinctly stated by DEM, "The location of a facility of this size and scope immediately adjacent to substantial acreage of state holdings of conservation land is not consistent with the conservation priorities that informed these state conservation plans." Advisory Opinion, page 23.

2. The Energy Facility Siting Board (EFSB), not DEM, must make a finding.

The permitting processes under DEM jurisdiction do not address some of the most severe impacts that would result from construction, operation and maintenance of the facility. The EFSB has a statutory duty to find that the applicant has met its burden to show that "[T]he

proposed facility will not cause unacceptable harm to the environment...” prior to approving the application.

The environment clearly includes forest biodiversity impacts and other impacts that have come to light outside of wetlands and other permitting programs. The threats to wildlife and habitat, forest loss and fragmentation, loss of upland habitat, and impacts to state-listed or otherwise at-risk species outside of wetlands set forth in DEM’s Opinions, supported by the testimony of Scott Comings, are essentially uncontroverted and preclude a finding that there will not be unacceptable harm to the environment. §42-98-11(b)(3). The suggestion made through the Direct Testimony of Jason Ringler, the applicant’s expert, that all environmental impacts will be addressed through the DEM permitting processes is not true. The DEM permitting process will only be evaluating compliance with the six regulatory programs. The DEM forestry and wildlife experts have shared their Opinions, identified and characterized the impacts to the environment and determined that the project will cause unacceptable harm. The DEM Opinions are supported by ample evidence and clearly backed by the pre-filed testimony of Scott Comings. DEM’s findings, set forth in its Opinions, should be upheld and the application should be denied.

3. The Project is not Consistent with the State Guide Plan.

The overall mission statement for stewardship of the state’s forest resources set forth in Element 161 of the State Guide Plan is: “Mission: Protect and manage the forest resources of Rhode Island to meet the demands for recreation, water supply, wildlife habitat, forest products, and a high-quality environment.” It is obvious that the CREC does not comply with the Statewide Guide Plan for Forest Resources Management.

The proposed development, which requires clearcutting over one hundred acres of land in part of a large Core Natural Area (intact forest greater than 500 acres) slated for protection, cannot be characterized as consistent with the State Guide Plan.⁹ The location of this site clearly does not meet the goals and policies of SGP Element for Rhode Island Forest Resources Management Plan. State Guide Plan Element 161. It fails to meet the goals and policies of:

Creating, conserving and maintaining sustainable forests through the policy of promoting sustainable management of forests that provide a wide range of benefits without compromising the ability of these forests to provide for future generations.

⁹ See, Element 161, Forest Resources Management Plan, A Greener Path. Greenspace and Greenways Plan for Rhode Island’s Future, SGP Element 155 and the Rhode Island Urban and Community Forest Plan, SGP Element 156. Inclusion of forest resources management goals and policies in the SGP should insure that these concerns are properly coordinated with other functional areas covered by the SGP.

- Protect[ing] and improving the health of Rhode Island’s forests
- Ensuring that sufficient forests exist to provide for future generations
- Conserving and restoring Rhode Island’s forests
- Minimizing forest fragmentation
- Ensuring that private development of forested lands occurs in a context-sensitive manner.

Just because the SGP does not prohibit private development of valuable forested lands does not mean that the project comports with, or is consistent with, the SGP. Destroying irreplaceable forest does not equate to overall compliance. The Planning Program’s finding that if “the Applicant receives all State and Federal permits and follows Best Management Practices, the proposed development of the CREC would be consistent with the 2005 Rhode Island Forest Management Plan.” The statement that if the project receives all required permits “it would be consistent with the [the Forest Management Plan] because the Plan recognizes that private development will occur and that the appropriate control of such development is through State and Municipal regulation” is disingenuous at best. Statewide Planning Supplemental, Page 21. Suggesting mitigation and claiming sufficient forest area coverage will not address fragmentation. The Planning Program is well aware that harm will be caused to the environment, outside the permitting processes. The DEM report, prepared by staff with expertise, also explains that permitting will not address the major impacts from clear-cutting this forest and that such impacts have not been avoided and cannot be mitigated.

We should not sacrifice the environment because of a need for “additional development for the wellbeing of our society” and allow development in extremely valuable areas because “development should occur in close proximity to the underlying infrastructure that is needed to support it.” Statewide Planning Supplemental, Page 21. That reasoning can be used to justify almost any development that destroys valuable natural resources. Statewide Planning completely ignores the well-recognized “importance of ecological connectivity for the adaptability and resilience of our region’s ecosystems, biodiversity, and human communities in the fact of climate change.”¹⁰ Given our limited resources and the known impacts from climate change, adopting the reasoning of Statewide Planning we will continue to result eliminate irreplaceable resources. The state must make some tough decisions in light of climate change impacts and all the well-intentioned planning, without action, will be of no consequence. The EFSB must decide whether there will be harm to our environment. We urge you to do what is right for future generations.

¹⁰ Pre-Filed Direct Testimony of Scott Comings, page 11, citing Resolution 40-3 adopted in 2016 by the New England Governors and Eastern Canadian Premiers, on Ecological Connectivity, Adaptation to Climate Change, and Biodiversity Conservation.

As stated by DEM and confirmed by the rebuttal testimony of Scott Comings, denying the application is not only the right decision for the environment, but “the only scientifically sound conclusion.” ...”the proposed power plant would cause unacceptable harm to the environment by destroying a wildlife corridor that is key to ecological flow locally and even regionally.”¹¹

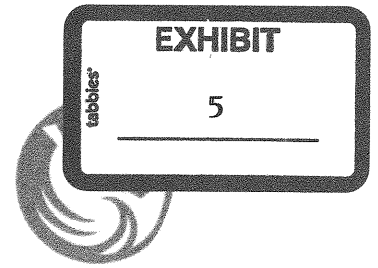
Save The Bay respectfully submits that the CREC application must be denied, as a finding that the proposed facility in this location will not cause unacceptable harm to the environment is not supported by the evidence of record.

Thank you for your consideration.



Topher Hamblett
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¹¹ - Pre-Filed Rebuttal Testimony of Scott Comings, page17.



**Blackstone
Heritage
Corridor, Inc.**

Mr. Todd Bianco
Coordinator
Energy Facility Siting Board
89 Jefferson Blvd.
Warwick, RI 02888

August 25, 2016

RE: SB 2015-06 Invenergy Thermal Development LLC's Application to Construct the Clear River Energy Center Power Plant in Burrillville, RI.

Dear Mr. Bianco:

There is a proposal before the EFS Board relative to authorizing construction of a roughly 67-acre energy production facility off of Wallum Lake Road in Burrillville.

Blackstone Heritage Corridor, Inc. is writing to express its position that the project may have the potential for significant adverse impacts to the resources of the federally-designated John H. Chafee Blackstone River Valley National Heritage Corridor.

Authority:

The John H. Chafee Blackstone River Valley National Heritage Corridor was established by an Act of Congress in 1986. That U.S. Public Law, 99-647, in Section 9, obligated the Corridor to review and comment on a variety of projects by providing the following:

"Any federal entity conducting or supporting activities directly affecting the Corridor *shall*-

- 1) *Consult with the Secretary and the Commission* with respect to such activities,
- 2) *Cooperate with the Secretary and the Commission* in carrying out their duties under this Act and, to the maximum extent practicable, coordinate such activities with the carrying out of such duties; and
- 3) To the maximum extent practicable, *conduct or support* such activities in a manner which *the Commission* determines will not have an adverse effect on the Corridor."

(Emphasis added)

In 2014, U.S. Public Law 113-291 was adopted. The law established the Blackstone River Valley National Historical Park. In section 3052, it also provided that the BHC would perform the functions previously performed by the Commission.

“For purposes of (99-647 Section 9), a reference to the “Commission” shall be considered to be a reference to the local coordinating entity.”

Blackstone Heritage Corridor, Inc. (BHC) is the designated local coordinating entity for the John H. Chafee Blackstone River Valley National Heritage Corridor.

Scope of Review:

The property is located in Burrillville, RI. Therefore, the project site is located within the John H. Chafee Blackstone River Valley National Heritage Corridor.

BHC works with community partners to preserve and promote the Valley’s historic, cultural, natural and recreational resources for current and future generations.

The BHC Strategic Plan identifies a number of elements related to this project. While not exhaustive, our plan describes several objectives which relate to this application and which are identified in no particular order below:

Environmental Stewardship

- Promote stewardship, including a culture and ethic of long term care for our natural resources.

Land Use

- Promote new development that is compatible with the traditions and character of the region, does not adversely impact natural and cultural resources, avoids fragmentation of resource and animal corridors, provides a variety of residential housing options, and minimizes sprawl.
- Identify and protect important natural and cultural resources from adverse development impacts
- Promote and facilitate open space planning and implementation to preserve important natural and cultural resources, working lands, and recreational opportunities.
- Promote the designation and enhancement of scenic roads and views, greenways and blueways.
- Promote conservation and development techniques and policies that protect water quality and supply.
- Encourage regional planning to protect shared natural and cultural resources and promote intercommunity cooperation.

Air

- Protect forest resources, which absorb and filter air pollutants, generate oxygen, store great quantities of carbon, and help maintain the necessary balance of air components.

- Encourage land use planning and design that will lower harmful emissions and prevent air quality degradation.
- Protect fish and wildlife habitats from air pollutants.
- Encourage the development and use of renewable energy.

Water

- Reduce and eliminate point and non-point source pollution to preserve and enhance the quality of the region's surface and ground waters.
- Facilitate informed decisions regarding alterations of the natural flow of water across the landscape to safeguard surface water flows and ground-water recharge.
- Support opportunities to remediate legacy sediment contamination within the watershed.
- Support resiliency efforts to protect against the effects of climate change.
- Promote watershed-wide low impact development practices, appropriate revision of bylaws and regulations, and enforcement of regulatory tools for improved storm water management and water quality protection
- Ensure adequate supplies of water that will balance the needs of human, wildlife and plant life populations.
- Encourage residents to understand the interrelationships of human activities and water quality and quantity through education and outreach.

Wildlife

- Protect wildlife habitats, including unfragmented forest, grasslands, successional habitats, freshwater wetlands, streams, ponds, lakes, rivers and estuarine habitats, capable of supporting native wildlife species.
- Protect and promote corridors that link critical habitats and minimize habitat fragmentation.
- Improve and restore degraded aquatic and terrestrial habitats.
- Protect large blocks of unfragmented forestland and implement appropriate forest management.
- Promote safe and convenient water access and water trails for boating, paddling, fishing, swimming, skating, and simply enjoying the natural beauty of the region's lakes, streams, and rivers.
- Foster economic development activities that promote outdoor, nature-based recreation.

Discussion:

The site is located in perhaps the most natural and forested area of Rhode Island, and is just a mile or so from two additional states (Connecticut, Massachusetts).

Located in the Town of Burrillville, RI, it is situated within the John H. Chafee Blackstone River Valley National Heritage Corridor. Topographically, it lies near the western boundary of the Blackstone River Watershed. The site drains to the Clear River which in turn flows to the Branch River, a primary tributary of the Blackstone River.

Areas to the north, south and west of the property include large tracts of permanently protected open space.

The current proposal is part of a collection of proposals including expansion of the existing compressor and utility corridor work, and indicates that collectively as much as 121 acres of land to be cleared for the primary activity. While this particular project involves a (significant) portion of the impacts, the 3 projects are interrelated and their impacts should be evaluated in the collective.

The project expects to require up to 925,000 gallons of water per day (gpd) for its operations. Discharge is planned to the municipal wastewater treatment system. The water would be drawn from as-yet-unidentified sources and removed from the ecosystem for treatment.

After construction, which will certainly be accomplished by moving goods and equipment on minor rural roads, delivery of fuels, chemicals and other supplies will be made via large tanker style trucks to the site.

1. Environmental Stewardship

Blackstone Heritage Corridor, Inc. embraces and encourages stewardship of the Valley's resources. It is through such thoughtful effort to protect natural resources that those resources remain available to support the region's environmental health for future generations. The extensive elimination of forest and impact to water sources will permanently impact the ability of the land to benefit the Town of Burrillville, the "Quiet Corner" of northeastern Connecticut, the nearby region of Massachusetts, and the Blackstone River Valley National Heritage Corridor.

BHC requests information be provided indicating that these resources will be protected and stewarded for current and future generations.

2. Land Use

According to maps available from the USDA, the project site is nearly entirely compromised of (>80%) hardwood deciduous forests and areas of softwood and mixed forests, as is much of the land in this portion of the watershed and National Heritage Corridor. The soils are predominantly hydric, with seasonal high water tables, and there are areas with slope and/or bedrock constraints.

As noted elsewhere in this letter, there has been no material provided to BHC that indicates the project will conserve or protect water quality and supply, provide open space and recreational opportunities or protect natural resources from adverse development impacts.

Where the project is located in the very northwestern portion of Rhode Island, there has been no information provided to demonstrate coordinated review with nearby Massachusetts and Connecticut; such review should include discussion of existing and anticipated development projects and assessment of various natural and economic resources. These evaluations should also demonstrate inter-municipal and inter-state coordination and, as noted previously, should consider the various projects in a coordinated and cumulative fashion.

Existing forest resources have extraordinary value relative to intercepting stormwater and thereby attenuating stormwater impacts. Given the expanse of anticipated forest removal for this project as well as the acres of filling and alteration of wetlands and areas of hydric soils, we can expect millions of gallons of additional stormwater will be introduced to the wetlands and water systems associated with the Clear River. Clearing additional land in order to construct stormwater basins addresses only a portion of the issue and typically creates additional issues such as time and duration of flows, as well as appropriate recharge. The consequences of such significant additional stormwater flow cannot be overstated.

Trucking delivery is by way of State Route 100, classified as a Minor Arterial roadway, and a portion of Wallum Lake Road that is classified as a Major Collector roadway. Other nearby roads which may ultimately receive such traffic include two Minor Collector roadways; Buck Hill Road and Jackson Schoolhouse Road. According to Google Maps, Buck Hill Road is the suggested route between the site and Interstate 395. Providence is best accessed, also according to Google Maps, through small villages and towns. Both the volume of trucking and the material being transported present risk on a number of levels. It is unclear what if any measures are proposed to ensure the integrity of the resources of the Blackstone River Valley and the National Heritage Corridor.

BHC understands that an archaeological survey and an archaeological site examination have been performed. However, BHC has not had the benefit of review of those materials. Given the vast area of anticipated disturbance, such a survey will be helpful to BHC's effort to determine whether the project will have a significant adverse impact on those resources.

BHC requests information to demonstrate that there will be no significant impact upon the resources of the National Heritage Corridor with respect to trucking/traffic/roadway impacts, stormwater, loss of forest canopy, alteration of soils, floodplains, and the surface water systems leading to the Blackstone River.

3. Air

Carbon dioxide is naturally captured from the atmosphere through biological, chemical, or physical processes. One acre of forest can store more than 35 megatons of carbon, and can filter more than 2.5 megatons of carbon dioxide. Given the extensive removal of forest vegetation required for the collective projects as described above, BHC has concerns about the adverse impact of the proposal with regard to air quality and carbon sequestration.

BHC requests further information to demonstrate provision for carbon sequestration sufficient to reflect the loss of forest resources performing natural carbon sequestration.

4. Water

The project indicates up to 925,000 gpd may be needed at the facility. It is important that projects maintain a balance of water resources. Removing large quantities of water from the ecosystem is a concern; discharging large quantities of water to a wastewater treatment facility is also a concern since it results in

increased and mechanical discharges into other sub-basins, leaving the original sub-basin from which the water came still without that quantity.

Concerns related to management of stormwater are identified above. Significantly altering the natural balance of water in aquifers or ponds can result in atypical movement of contaminants. Maintaining adequate hydrology is essential to ensure that new channels do not open for historic contamination to shift or even for naturally-occurring elements to surface.

Given the region's reliance on groundwater and surface water systems, this project constitutes an extraordinary tax upon the region's resources. We note that the current year has seen very little rainfall compared with about 52 inches/year typical (USClimateData.com), so natural water systems are challenged. Withdrawing an additional 925,000 gpd from groundwater even over a short period of time poses significant threats to the drinking water systems, soil health, vegetative health and community health. Removing the water from the area further compromises the recharge opportunities, exacerbating drought conditions. This in turn also raises wild fire risk, and increases the threats in a forested area not well-served by municipal water supplies.

BHC requests that information be provided to ensure that the impact to ground- and surface- water resources will not permanently impact the region and threaten the health of the National Heritage Corridor ecosystems.

5. Wildlife

As previously described, more than 100 acres of existing forest is expected to be cleared for this project and those appurtenant with it, and existing rainwater flows will be inextricably altered. Even providing culverts for wildlife passage, the concern is that entire habitat regions will be severely restricted or even eliminated.

In addition to the disruption of stormwater management, carbon management, and water recharge, it is unclear what the impact will be on the natural existence of and migration patterns for local wildlife. The site is located in a predominant north / south wildlife corridor between, generally, the Douglas (MA) State Forest, protected lands in the northeastern portion of Connecticut and the protected and managed lands of the Scituate Reservoir. This miles-long corridor is a regional critical habitat and ecosystem.

Preserving largescale land areas that are currently not protected and which would create corridors appropriate for wildlife travel and habitat could be an opportunity to offset the obvious first-tier impacts of the proposed development. Because the project is located at the edge of the watershed, this of course presents additional challenges.

BHC requests additional information to demonstrate that there will be no significant adverse impacts upon the wildlife corridor resources of the National Heritage Corridor.

Summary:

The project proponent has indicated that a number of these items could be further analyzed in later permit review stages, after EFSB approval is attained. However, these items and their impacts are integral to whether this project (as well as the appurtenant elements whose potential impacts have thus far been omitted from review) is being appropriately sited. Significant additional information demonstrating the long-term integrity of the region is required. Blackstone Heritage Corridor, Inc. is unable at this time to indicate that the project will not have significant adverse impacts upon the resources of the Congressionally-designated and nationally-significant John H. Chafee Blackstone River Valley National Heritage Corridor.

These comments are provided pursuant to responsibilities as described by Public Law 99-647 as amended most recently by Public Law 113-291. Please feel free to contact BHC's deputy director and community planner with any additional questions.

Yours truly,



Megan T. DiPrete, AICP
Deputy Director

Certificate of Service

I hereby certify that on August 26, 2016, I sent a true copy of the preceding to the Energy Facilities Siting Board via hand delivery and electronic mail, and to the parties on the attached service list via electronic mail.



Megan T. DiPrete