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The following is a digest of comments I have already submitted by email on April 6<sup>th</sup>, along with additional information that has come to light since April 6<sup>th</sup>. I will read these comments verbatim and then may have some additional thoughts depending on time remaining.

I am hear to speak about a particular issue regarding the siting of the Clear River Energy Center that hasn't been addressed much yet, the impact of this project on local, state, and regional biodiversity; i.e., the plants and animal, natural communities, ecosystems, ecosystem services, and in general the quality of life associated with healthy and diverse ecosystems. My expertise in this area is based on more than 37 years experience as a conservation biologist. For twenty-eight of those years I was the Coordinator of the Rhode Island Natural Heritage Program, an office in the Department of Environmental Management formed in 1979 through a joint effort of RIDEM and The Nature Conservancy, a nonprofit that at that time was particularly concerned with the decline in natural diversity throughout the nation, and that facilitated the creation of natural heritage programs in all 50 states to address this issue.

We were charged with assessing Rhode Island's biodiversity through inventory and research, by identifying locations of rare species and significant ecosystems, and using this information to provide guidance in land protection, and in reviewing proposed development projects. During its 28-year tenure, the Natural Heritage Program reviewed more than 2000 projects and would have been the State agency requested by the Board to review the Clear River project in regards to biodiversity issues, if the program still existed.

It is not my intent to waste my precious time here discussing why the natural heritage program ceased to exist in 2007 when I retired. But, I want it to be perfectly clear that the information I am presenting this evening would have been the program's interpretation, and that our information would have been readily available to any of the parties involved in either promoting or regulating this project.

It would take considerable time to cover all of the potential impacts posed by this project to biodiversity. As information becomes available we will continue to provide the Board with species-specific comments, but for now I want to set the stage, so to speak, and consider what we already know about the ecological significance of this site.

During the tenure of the NHP we participated in a number of assessment and planning projects, one of which was the Rhode Island Resource Protection Project in 1995. This project was part of a New England-wide effort initiated by the Environmental Protection Agency, the six state environmental regulatory agencies, and the New England Interstate Water Pollution Control Commission. The purpose of the project was to:

“... identify the region’s most ecologically healthy areas.” Based on the recognition “.... that human health and welfare are dependent on healthy, functioning natural ecosystems, and that there is a limited amount of time and money to spend on protecting the natural resources that make up these ecosystems, this process was developed to target the states' most important natural resources for attention.”

A Rhode Island working group was formed of more than 100 individuals representing 5 Federal agencies, 6 state agencies (including 31 from DEM), and 6 nonprofits, and utilizing their respective expertise and some GIS technology identified nine Resource Protection Areas in Rhode Island, one of them being the **Moosup River/ Western Blackstone Resource Protection Area**, which included the watershed basins of the Chepachet, Clear, and Moosup Rivers. The description of this protection area is:

*These watersheds comprise the northern section of Rhode Island's "Western Forest," the largest tract of forest habitat in the state. It is also a significant non-urbanized area in the Washington D.C. to Boston corridor, especially considering its interstate connections with Connecticut and Massachusetts. This area is inhabited by species that require large unfragmented tracts of forest, including neotropical migrant birds (that use these forests for nesting habitat) and wide-ranging mammals such as the bobcat and fisher. The higher elevations and cooler microclimate in this part of the state support natural communities typical of regions north of Rhode Island. The public is able to enjoy the large amounts of open space that are accessible through*

*significant state holdings and the North/South trail currently under development.*

The RI Resource Protection Plan is only plan that has recognized the significance of the natural resources in northwestern Rhode Island. Planning for the sustainability of these resources is the job of professional planners, ecologists, foresters, and recreation specialists, and their work comes together in what we call, State Guide Plans. There are State Guide plans covering forests, greenways, and Guide Plan Element 152, the SCORP, or Statewide Comprehensive Outdoor Recreation Plan. I'm sure the Statewide Planning people will be providing a review of these plans but it is fairly reasonable to assume that the essential conclusion will be that construction of a power plant in this part of the state is inconsistent and incompatible with these plans.

In 1992, Ocean State Outdoors (Rhode Island's Comprehensive Outdoor Recreation Plan, State Guide Plan Element 152.) includes the following:

“Currently, the state boasts 7 wildlife preserves, 21 state parks and management areas, and dozens of local parks and open space areas protected by towns and nonprofits. The maintenance and stewardship of this open space legacy is an ongoing and vitally important responsibility of Rhode Island's state, municipal, and federal agencies, and nonprofit organizations.”

Even more plans include the State Wildlife Action Plan just updated in 2015 which clearly states that one of the greatest threats to wildlife in this state is development reducing the size of forest tracts. There is one truism that foresters and wildlife managers and ecologists understand – the smaller a forest becomes, the less biodiversity it supports, and it is clear without knowing anything about the site itself, removing a large portion of forest from the middle of one of the largest tracts of contiguous forest in the state will be devastating to the biodiversity in northwest RI.

We should also note, DEM has recognized this truism in its 1996 Land Acquisition Plan, following guidelines established by the State's Forest Legacy Plan, as well as the Natural Heritage Program's Technical Reports, and The Nature Conservancy's Conservation Plan for northwestern Rhode Island. I do not have a copy of that plan with me, but do have a copy

of a TNC brochure that speaks about their five Rhode Island focus areas, including the Northwestern Corner.

“In and around Burrillville, Foster and Glocester, 14,000 acres of deep forest dominate the landscape. These woodlands provide sanctuary for migrating songbirds and numerous rare plants and wildflowers. Like Rhode Island’s other natural areas these lands are under increasing pressure from development and overuse.”

(That last point is important. Rhode Island has increasing demands for outdoor recreation that can’t be adequately handled by the current amount of protected land. We should be increasing the size of our protected areas, not building up to the edges of them.)

I would also like to note, we have yet to hear from TNC in regards to the Clear River Project – the Board might wish to solicit their comments considering their experience with conservation planning in the area.

Furthermore, the significance of this area extends over the border in Massachusetts where the State Biomap Project has identified large forested tracts that connect to those in Rhode Island. Together, these lands provide migration corridors and habitats for disturbance-sensitive animals, the sanctuary that TNC talks about. A power plant in the midst of this is simply, incompatible.

Now, if all of these plans and prior recognition wasn’t enough, I was recently reminded of an additional older review included in The Final Environmental Impact Statement for the Ocean State Power Plant, conducted in 1988. Siting of that project involved looking at 82 sites throughout Rhode Island; this list was whittled down partially based on the need of a minimum 40 acres to a group of 12 candidate sites. One of these was the so-called Buck Hill Road site, the same location as the proposed Clear River project except in 1988 the access was anticipated to be from Buck Hill Road.

However, this site was quickly removed from further consideration because it “...is in a rural area, even more sparsely settled than the area near the Halfway House site. In addition, the site is adjacent to the Pulaski State Park. The power plant may be inconsistent and incompatible with the recreational activities available at the park.”

Again, this conclusion was derived 28 years ago, for a project half the size of the Clear River facility. During those 28 years a lot of additional open space protection has taken place in the northwest corner, additional inventory and research has ascribed an even higher degree of ecological significance to this region. Again, even without knowing what is on the site itself, we can emphatically state that the use of the Clear River site for constructing a power plant is inconsistent and incompatible with the ecological integrity of this part of the state, its recreational value, tourism potential, rural character, and contribution to the quality of life.

Note: A considerable part of the Northwest corner has already been conserved as State Management Areas, land trust preserves, and by other conservation actions. It is interesting to note that at the recent Land and Water Conservation Summit, Governor Raimondo touted the recently formed Outdoor Recreation Council chaired by her husband, Andy Moffit. In the press release announcing the creation of the Council, Mr. Moffit was quoted:

"Every day I see the dedication of Rhode Island residents to preserving the state's diverse natural heritage. We can capitalize upon all the state has to offer and showcase Rhode Island as a destination for our families and visitors alike."

I would suggest, placing a gas-fired power plant in the middle of one of Rhode Island's last sizable expanses of forest ecosystem would have devastating consequences to the "diverse natural heritage" of this state, and the quality of life that we all depend on. And, I think it would be valuable for the EFSB to request an opinion from the Outdoor Recreation Council as to the impacts of the Clear River operation on recreation, tourism, and other issues under the purview of that Council.

Now, it should be made crystal clear that none of this information I have presented tonight appears in the project application. There are no maps showing conservation lands, no reviews of state guide plans, no mention of the 1988 EIS, no review of the Natural Heritage Program database. What is included is a partial assessment of the vegetation and wildlife found on the property which is highly deficient. My review of the deficiencies has been provided as an attachment to my previously submitted comments. It is quite clear that Invenergy does not consider these to be important issues – I expect it's because there are no regulations involved, there are no permits needed to

alter and destroy biodiversity. Instead, they would rather have us figure it out, and then tell them how much land they need to protect someplace else in order to mitigate their impact. Just tell us what we need to buy, then leave us alone. But it doesn't work that way, because it is this forest, in this part of Rhode Island that holds the significance.

Now, with all this accumulation of plans and reviews and opinions and environmental impact statements that provide overwhelming evidence for rejecting this application, we are left to ponder, how did we get here? Because I was struck by the question asked by a Burrillville resident, why here?

It's probably true that Invenergy simply decided to ignore these plans and assessments and impact statements, and I guess hope that state regulators would do the same. And I guess, they were right, because if you had been practicing due diligence, as a state who's responsibility is "maintaining and stewarding the open space legacy of Rhode Island", then when Invenergy came to you and said we are going to put a power plant of this magnitude in a Resource Protection Area, you might have suggested they think about some alternative sites.

We will continue to gather additional evidence both remotely and on the ground to provide a complete picture concerning the potential impacts to biodiversity caused by this project. In order to do so, a more thorough biological inventory of the property is called for, including but certainly not limited to a search for Federal and State-listed species.

I and several colleagues are available to conduct this inventory but currently we have no way to access the site – my understanding is we subject ourselves to arrest by doing so. I would think that if the EFSB believes it is important to have a complete biodiversity assessment of the site that you would facilitate that access.

However,

Figure 3. DEM High Priorities for Acquisition (RIGIS 2003) with approximate location of Clear River Energy Center and proposed powerline connection through a portion of DEM priority acquisition area. Map does not show land protected by Burrillville Land Trust or priorities for protection by BLT or other local/private conservation groups.

