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August 16, 2023

CERTIFICATE OF THE SECRETARY OF ENERGY AND ENVIRONMENTAL AFFAIRS
ON THE
SINGLE ENVIRONMENTAL IMPACT REPORT

PROJECT NAME : N12/M13 Double Circuit Tower Separation Project
PROJECT MUNICIPALITY : Fall River & Somerset
PROJECT WATERSHED : Taunton River Basin & Mount Hope Bay
EEA NUMBER : 16467
PROJECT PROPONENT : New England Power Company
DATE NOTICED IN MONITOR : July 10, 2023

Pursuant to the Massachusetts Environmental Policy Act (MEPA; M.G.L. c. 30, ss. 61-62L) and Section 11.08 of the MEPA regulations (301 CMR 11.00), I have reviewed the Single Environmental Impact Report (Single EIR) and hereby determine that it **adequately and properly complies** with MEPA and its implementing regulations.

Project Description

As described in the Single EIR, the project consists of the alteration of the existing N12/M13 Double Circuit Tower (DCT) configuration carrying the N12 and M13 115 kilovolt (kV) transmission lines from the Pottersville Switching Station (formerly the Somerset Substation) in the Town of Somerset (Town), over the Taunton River, to the Sykes Road Substation in the City of Fall River (City); a total distance of approximately 1.85 miles. Currently, the lines are supported via a series of smaller transmission structures and two large transmission towers that carry the lines over the Taunton River. The N12 and M13 transmission lines will be separated to improve resiliency, and one line (M13) will be relocated to a new set of transmission structures/towers proposed to be constructed primarily within the existing electric transmission line right-of-way (ROW). Much of the existing transmission structures will also be replaced. Due to siting constraints on the banks of the Taunton River, one of the proposed steel transmission towers for the M13 line (which will support the aerial span over the river) will be constructed within the Federal Emergency Management Agency (FEMA) Velocity Zone (VE) in

Land Subject to Coastal Storm Flowage (LSCSF) located on the east (Fall River) side of the Taunton River. This new M13 tower is proposed to be located immediately south of the existing N12 tower located on the east side of the Taunton River, which is also in FEMA VE Zone/LSCSF, and is proposed to remain.

The project is proposed to address reliability risk associated with the existing configuration by placing the transmission lines on separate supporting infrastructure, whereas currently the two lines are located on the same series of transmission structures/towers. As described in the Single EIR, the existing configuration contributes significantly to the potential for widespread voltage collapse and loss of load as any impact to a single structure/tower could cause an outage to both lines. The project was identified as a priority in the New England Independent System Operator (ISO-NE) Southeastern Massachusetts and Rhode Island (SEMI-RI) Area 2026 Solutions Study (released March 2017). The need for the project was reaffirmed in the SEMA-RI Area 2029 Needs Assessment Update (released October 2020). Specifically, the project proposes to remove a total of seven existing steel lattice towers, one 3-pole structure, and one H-frame structure and replace these structures with 11 paired, single circuit steel monopole structures; four intermediate single circuit steel monopole structures; and two steel H-frame structures. Existing structures range in height from approximately 50 to 110 feet and replacement structures will range in height from 65 to 130 feet. The two existing 300-foot high N12 steel lattice towers at the Taunton River crossing will be retained, and two new approximately 300-foot-tall, galvanized steel Y-frame monopole structures will be installed (proposed structures M13N-5 and M13N-6), one on each side of the river.

The transmission upgrades will improve reliability and provide more robust transmission facilities to allow for future interconnections from renewable energy projects. The establishment of the M13N Line will require approval from the Massachusetts Department of Public Utilities (DPU). The M13 Line will cross the Taunton River, a Massachusetts Department of Transportation (MassDOT) rail corridor, and Route 24.

Changes Since the EENF

The Single EIR describes minor changes that have been made to the project design since the filing of the EENF. Additional wire pull pads were added to facilitate project construction, resulting in a 350-sf increase in land alteration. With the addition of these wire pull pads, the use of construction mats within Salt Marsh is no longer proposed, eliminating all impacts to Salt Marsh (previously, approximately 6,850 sf of alteration was proposed). One pair of inland transmission line structures (M13-13 and N12-13) has been removed from the proposed design, as additional easements were obtained to meet wire blowout requirements.¹ This will reduce the number of structures proposed in the ROW adjacent to residential properties. As required by the Scope, the Proponent conducted survey transects to delineate the Coastal Bank on site. Due to the refined delineation of these coastal resource areas, the Single EIR identifies the alteration of 14,568 sf of Coastal Bank (whereas no alteration of Coastal Bank had been identified in the EENF) and a decrease in alteration of Land Subject to Coastal Storm Flowage (LSCSF) of 14,110 sf.

¹ Blowout refers to the magnitude of the horizontal displacement of a transmission line due to wind. Blowout requirements are associated with the minimum width of ROW required to accommodate calculated blowout.

Project Site

The 85-acre project site consists primarily of existing ROW and/or easements owned by the Proponent between the Pottersville Switching Station in Somerset and the Sykes Road Substation in Fall River. Additional permanent and temporary easements will be required to facilitate construction and create access to the proposed M13 structures; the Proponent is currently pursuing these easements. The existing ROW is routinely managed by the Proponent consistent with vegetation management standards for overhead transmission lines. Surrounding land use is primarily residential and commercial. The MassDOT rail corridor is part of the South Coast Rail project (EEA #14346), which will provide commuter rail service between Boston and Southeastern Massachusetts. Within the project site, construction associated with the South Coast Rail project includes a new train layover facility (Weavers Cove) in Fall River. A portion of the project site, referred to as the Shell Oil New Street Release Site, is regulated under the Massachusetts Contingency Plan (MCP; 310 CMR 40.0000) and assigned Release Tracking Number (RTN) 4-0000749 and secondary RTNs 4-0000930, 4-00225522, and 4-0023361.

The transmission lines cross the Taunton River, which is a federally listed Wild and Scenic River; the river is also classified as an impaired waterbody. In addition to Riverfront Area and LSCSF, the project site contains Bordering Vegetated Wetlands (BVW), Isolated Vegetated Wetlands (IVW), Land Under the Ocean (LUO), Inland Bank, Coastal Bank, Coastal Beach, and Salt Marsh. Portions of the project site are mapped as Flood Zone VE (a coastal area inundated during a 100-year storm with additional hazard associated with storm waves) with a Base Flood Elevation (BFE) of elevation (el.) 17 ft NAVD88, and Flood Zone AE (an area inundated during a 100-year storm) with a BFE of el. 15 ft NAVD88, as delineated on FEMA map 25005C0332G (effective date July 16, 2014). The project site does not contain *Estimated and Priority Habitat of Rare Species* as delineated by the Natural Heritage and Endangered Species Program (NHESP) in the 15th Edition of the Massachusetts Natural Heritage Atlas or an Area of Critical Environmental Concern (ACEC). The site contains several historic and archaeological sites previously recorded in the Massachusetts Historical Commission's (MHC) Inventory of Historic and Archaeological Assets of the Commonwealth; the project is not anticipated to have any adverse effects on these historic resources.

The Single EIR states that two Environmental Justice (EJ) communities are located within the project corridor, characterized by Income and Minority and Income criteria. Six additional communities are located within 1-mile of the project corridor, characterized by Minority (3), Income (2), and Minority and Income (1) criteria. While the EENF was filed prior to the January 1, 2022 effective date of new MEPA EJ regulations and protocols, the Proponents indicate that they conducted outreach to the identified EJ populations. The Single EIR contains a description of outreach activities conducted to date, and includes analysis of potential impacts on EJ populations to meet the spirit of the new EJ requirements.

Environmental Impacts and Mitigation

Potential environmental impacts associated with the project include the alteration of approximately 11.55 acres of land, including approximately 2.85 acres of tree removal within the

ROW. Potential impacts to wetland/coastal resource areas include the alteration of 158,269 sf (3.63 acres) of LSCSF; 14,568 sf (0.33 acres) of Coastal Bank; 121,384 sf (2.79 acres) of BVW; 255 linear feet (lf) of Inland Bank; and 76,055 sf (1.75 acres) of Riverfront Area. The project will also alter approximately 59,839 sf (1.37 acres) of Designated Port Area (DPA).

Measures to avoid, minimize, and mitigate project impacts include the use of dust mitigation measures during construction, restoration of temporarily impacted wetland and coastal resources to pre-construction conditions, the creation of wetland replication areas, and the use of erosion and sedimentation controls during construction.

Jurisdiction and Permitting

The project is undergoing MEPA review and is subject to a mandatory EIR pursuant to 301 CMR 11.03(3)(a)(1)(a) of the MEPA regulations because it requires Agency Actions and will result in the alteration of one or more acres of Salt Marsh or Bordering Vegetated Wetlands (in this case, BVW). Additionally, the project exceeds the ENF thresholds at 11.03(3)(b)(1)(d), 11.03(3)(b)(1)(e), and 11.03(3)(b)(1)(f): the alteration of 5,000 or more sf of bordering or isolated vegetated wetlands; New fill or structure in a velocity zone or regulatory floodway; and the alteration of one half or more acres of any other wetlands (LSCSF and Riverfront Area), respectively.

The project requires a 401 Water Quality Certification (WQC) and a Chapter 91 (c.91) Waterways License from the Massachusetts Department of Environmental Protection (MassDEP), approval pursuant to G.L. c. 164 § 72 (Section 72 approval) from DPU, Federal Consistency Review from the Massachusetts Office of Coastal Zone Management (CZM), and a State and Interstate Highway Right-of-Way Encroachment Permit and Crossing Permit from MassDOT.

The project requires Orders of Conditions from the Fall River Conservation Commission and Somerset Conservation Commission (or in the case of an appeal of either, a Superseding Order of Conditions from MassDEP). The project requires a Section 404 Permit and Section 10 Permit Modification from the U.S. Army Corps of Engineers (USACE) as well as a National Pollutant Discharge Elimination System (NPDES) Construction General Permit (CGP) from the United States Environmental Protection Agency (EPA). The project will require review by MHC acting as the State Historic Preservation Officer (SHPO) pursuant to Section 106 of the National Historic Preservation Act of 1966, as amended (36 CFR 800).

The project is not receiving Financial Assistance from the Commonwealth. However, because the scope of the DPU Section 72 approval extends to all aspects of the project, and the project requires a MassDEP c. 91 license, these Agency Actions confer the functional equivalent of full-scope jurisdiction under MEPA.

Review of the Single EIR

The Single EIR provided an updated project description, existing and proposed conditions plans, estimates of project-related impacts, an update on permitting, a description of public outreach conducted since the filing of the EENF, an update on coordination with Agencies since the filing of the EENF, and response to comments on the EENF. It identified changes to the project since the filing of the EENF, and provided an expanded discussion of previously reviewed alternatives, a scour analysis, a sea level rise analysis, and an expanded discussion of the project's potential to impact surrounding EJ populations.

The Proponent provided additional information to the MEPA Office on August 10 and 16, 2023 regarding the elevation of the new river crossing structure located in FEMA Zone VE, alteration to wetlands impacts, and tree clearing activities. For purposes of clarity, all supplemental materials provided by the Proponent are included in references to the "Single EIR" unless otherwise indicated.

Alternatives Analysis

The Single EIR included an evaluation of alternatives to site the proposed M13N-6 structure in Fall River (proposed in Zone VE) away from the waterfront to avoid the associated environmental impacts and vulnerability to climate change impacts (in particular, sea level rise). As described in the Single EIR, siting the proposed river crossing structure further east of the railroad tracks was not feasible due to the planned and ongoing construction of the MBTA South Coast Rail Yard and the operation of the Mass Coastal Rail freight rail, which is located directly east of the proposed structure. A similar alternative was considered that consisted of constructing a series of underground transmission cables under the railroad tracks. However, according to the Single EIR, the expansiveness of the rail project, and the prolonged schedule of the N12/M13 DCT Separation Project would have created construction delays for MassDOT and the MBTA, and so it was dismissed. Installing multiple conduits or a single large culvert under the railroad tracks to accommodate a future build of the transmission lines was also considered in 2020 (at that time, the design of the MassDOT and MBTA project was further advanced so an alternative that assumed construction of the railroad tracks was possible). However, this option was deemed infeasible.

The Proponent also evaluated installing the transmission lines as underground cables using horizontal directional drilling (HDD) technology to drill under the Taunton River. The Proponent ultimately dismissed this alternative due to several key criteria: lack of available space on both sides of the river to stage and advance the HDD operations; the geology of the Taunton River riverbed and the potential for the inadvertent release of drilling returns into the river; the known soil and groundwater contamination located on the Fall River side of the Taunton River in the vicinity of the former Shell Oil Terminal; and the significant cost to customers if this alternative installation method were to be implemented. The Single EIR notes that, in general, the railroad authority does not permit an HDD under the operating tracks if a feasible alternative exists, and therefore HDD was deemed infeasible.

As described in the EENF, the Preferred Alternative (described herein) will best address the identified need and improve transmission system reliability, and is the preferred solution

identified by ISO-NE. The Single EIR indicates that the Preferred Alternative is the best solution when balancing considerations of system reliability, costs to customers, potential environmental impacts, and engineering and construction feasibility.

Environmental Justice

As noted above, two EJ communities are located within the project corridor, characterized by Income and Minority and Income criteria. Six additional communities are located within 1-mile of the project corridor, characterized by Minority (3), Income (2), and Minority and Income (1) criteria. While the project was filed prior to January 1, 2022, when new MEPA regulations and protocols went into effect to address projects located near EJ populations, the prior filing described the impact of the project on EJ populations and public involvement efforts. As required by the Scope, the Proponent surveyed the EEA EJ Mapper and the Massachusetts Department of Elementary and Secondary Education data to determine what languages are spoken in the surrounding area. The Single EIR identifies Portuguese or Portuguese Creole and Spanish or Spanish Creole as languages that are spoken by five percent or more of the population within census tracts containing the above EJ populations who self-identified as “do not speak English very well”. The Proponent also reached out to local community organizations, local health centers, city officials, and school systems to determine what, if any, languages are spoken at less than 5% frequency; the Single EIR indicates that European and Cape Verdean dialects of Portuguese were spoken within Fall River. The Single EIR states that these additional dialects will continue to be used during community outreach to encourage public involvement opportunities for all abutters during MEPA review and throughout the duration of the project.

As required by the Scope, the Single EIR included a description of public outreach activities that have been conducted since the filing of the EENF. Specifically, the Single EIR states that the Proponent has promoted public involvement within the communities located within one mile of the project through the use and dissemination of multi-lingual project fact sheets, website content, and meeting invitations, as well as translation services for presentations. As described in the Single EIR, the Proponent has established a community and public outreach program that includes opportunities for public education and input regarding the need for the project, the permitting process, the dissemination of construction updates and outreach during construction, and follow-up outreach after project completion. The Single EIR states that the program is designed to engage the communities, facilitate transparency throughout the project, foster public participation, and solicit feedback from stakeholders. The Proponent will continue to include the translation of project materials and translation services for the project-specific toll-free hotline and email in Spanish, Portuguese, and Cape Verdean.

The Single EIR contained a baseline assessment of any existing unfair or inequitable Environmental Burden and related public health consequences impacting EJ Populations. According to the Single EIR, the data surveyed show some indication of an existing “unfair or inequitable” burden impacting the identified EJ populations. Specifically, the Single EIR notes that the DPH EJ Tool identifies census tracts and a municipality in which the EJ populations are located as exhibiting “vulnerable health EJ criteria”; this term is defined in the DPH EJ Tool to include any one of four environmentally related health indicators that are measured to be 110%

above statewide rates based on a five-year rolling average.² The Single EIR indicates that the City of Fall River exhibits “vulnerable health EJ criteria” for Heart Attack rate, Childhood Blood Lead Levels, Low Birth Weight rates, and Childhood Asthma rates. There are no EJ communities within the project DGA in the Town of Somerset. Census tracts 6421 and 6422 (in the City of Fall River) exhibit “vulnerable health EJ criteria” for Low Birth Weight and, respectively, Lead Poisoning.

The Single EIR also surveyed environmental indicators tracked through the U.S. EPA’s “EJ Screen,” which shows the indicators measured at the following percentiles for the identified EJ populations as compared to the MA statewide average. The Single EIR indicates that the following indicators are elevated at 80th percentile or higher of statewide average within the DGA:

- Particular Matter (PM2.5): 80th – 90th percentile
- Ozone: 90th – 100th percentile
- 2017 NATA Respiratory Hazard Index Ratio: 80th – 90th percentile
- Traffic Proximity and Volume Count of vehicles (average annual): 80th – 95th percentile
- Lead Paint: 80th – 90th percentile
- Proximity to National Priorities List (Superfund) sites: 80th – 90th percentile
- Proximity to Risk Management Plan (RMP) sites: 80th – 95th percentile
- Wastewater Discharge Indicator: 80th – 90th percentile

Of the approximate 1.85 miles of project corridor/existing ROW, approximately 0.8 miles traverses two EJ populations located within Fall River. As directed by the Scope on the EENF, the Single EIR confirms that that, with issuance of a WQC, no water quality degradation is anticipated from the project that would impact the public health of neighboring communities, including EJ populations. As discussed further below, the 401 WQC is required for the installation of construction mats in jurisdictional wetlands and 400 square feet of permanent fill in BVW (which will be mitigated through wetland replication areas). Regarding the potential for the project to increase the risks of climate change impacts to surrounding EJ communities, the Single EIR states that the structures being installed will be able to withstand sea level rise anticipated during the project’s lifetime. The Single EIR states that the project does not propose impacts to soil stability; therefore, the landscape’s ability to protect against flooding, hurricane surges, and sea level rise should not be affected by construction. As noted above, the project is proposed to address reliability risk associated with the existing configuration by placing the transmission lines on separate supporting infrastructure, which will provide resiliency benefits to the surrounding communities, including EJ populations.

Wetland and Coastal Resources

Approximately 75,037 sf of Riverfront Area, 120,996 sf of BVW, 208 lf of Bank, 4,142 sf of Coastal Bank, and 115,171 sf of LSCSF will be temporarily altered from the placement of construction mats and pull pads, temporary grading to create level work areas, temporary

² See <https://matracking.ehs.state.ma.us/Environmental-Data/ej-vulnerable-health/environmental-justice.html>. Four vulnerable health EJ criteria are tracked in the DPH EJ Viewer.

crossings using low ground pressure equipment for pulling lead lines and the installation overhead conductors and wires. Approximately 388 sf of BVW, 1,018 sf of Riverfront Area, 10,426 sf of Coastal Bank, and 43,098 sf of LSCSF will be permanently altered from the addition of fill and the installation of the transmission tower foundations, permanent access routes, and permanent work pads. The majority of the existing N12 and M13 ROW is already cleared of trees; however, selective tree clearing is proposed within BVW for the installation and operation of the M13/N12 line. The Somerset and Fall River Conservation Commissions will review the project for its consistency with the Wetlands Protections Act (WPA), the Wetland Regulations (310 CMR 10.00), and associated performance standards.

As noted above, the Proponent conducted survey transects to delineate the Coastal Bank on site since the filing of the EENF. The Single EIR discusses the project's compliance with the performance standards for Coastal Bank, as required by the Scope. To protect the integrity of the transmission structure and the Coastal Bank where the structure is sited, soil amendments will be added to the area surrounding structure M13N-6. Additionally, the project no longer includes impacts to Salt Marsh, previously associated with the use of construction mats. Through the addition of pull pads, the Salt Marsh present on site may be traversed by foot traffic only to facilitate pulling the lead line for wire pulling to install the overhead conductors and wires. Comments from MassDEP indicate that the Proponent has adequately addressed the Department's comments on the EENF.

The project requires a 401 WQC from MassDEP pursuant to 314 CMR 9.04(1) as it will result in the alteration of over 5,000 sf of BVW. The project also requires a c.91 License and MassDEP will review the project for its consistency with the Waterways regulations 310 CMR 9.00. The Single EIR states that wetland impacts have been avoided and minimized to the greatest extent practicable by proposing to reconfigure the transmission line assets within the existing ROW, utilizing existing access routes, minimizing the placement structures and access roads in wetlands and watercourses, and minimizing the footprint of the project. As described in the Single EIR, a full-time environmental compliance monitor will be on site during use of low ground pressure (LGP) equipment and during the temporary placement of construction mats in wetlands. Once the construction mats are removed, any visible rutting would be lightly graded, and any exposed soils would be covered with straw mulch. A wetland scientist will make the determination if any corrective actions are needed within BVWs. A wetland invasive species control plan (WISCP) will be implemented to minimize the spread and/or introduction of invasive species in wetlands during project construction. The wetlands replication area for permanent impacts to BVW has not yet been identified; however, the Single EIR indicates that it will most likely be located within the project ROW in close proximity to where permanent wetland impacts will occur. The location of these areas is identified in figures included in the Single EIR, as required by the Scope.

According to MassDEP, the project use has been determined to be Water-Dependent-Industrial in accordance with 310 CMR 9.12(2)(b)(10). The Single EIR states that the project meets the definition of an Infrastructure Crossing Facility per 310 CMR 9.02 and notes that the project cannot reasonably be located away from tidelands and has minimized impacts in wetlands and waterways. Given that the project seeks to increase the resiliency of existing utility lines through the construction within the existing ROW, I hereby find that the new structures

supporting the M13 line cannot be reasonably located away from the jurisdictional waterbodies and the project is therefore water-dependent. The project site includes tidelands subject to the provisions of *An Act Relative to Licensing Requirements for Certain Tidelands* (2007 Mass. Acts ch. 168) and the Public Benefit Determination (PBD) regulations (301 CMR 13.00). A PBD is required for this project as it is subject to preparation of a mandatory EIR. As a water-dependent project, it is presumed that this project will provide adequate public benefit in accordance with 301 CMR 13.04(1); as such this Single EIR Certificate shall serve as the Public Benefit Determination for the project. Furthermore, the tidelands on site are within the licensing jurisdiction of the MassDEP Waterways Program. I am satisfied that any impacts to tideland resources can be adequately addressed during the licensing process.

Climate Change Adaptation and Resiliency

The Single EIR affirms that the projects useful life is 50 years. Based on the updated MA Resilience Design Tool output report attached to the Single EIR, the project has a “High” risk for sea level rise/storm surge; extreme precipitation (urban flooding), extreme precipitation (riverine flooding), and extreme heat. Based on the 50-year useful life of the project and the self-assessed criticality of the assets, the MA Resilience Design Tool recommends a planning horizon of 2070 and a return period associated with a 200-year (0.5% chance) storm event when designing the onshore components of the project related to sea-level rise and a 50-year (2.0% chance) storm event for the onshore project components for extreme precipitation. As noted above, portions of the project site are mapped as Flood Zone VE with a BFE of el. 17 ft NAVD88, and Flood Zone AE with a BFE of el. 15 ft NAVD88. The existing N12-6 tower and new M13-N6 tower will be located in both Flood Zone VE and LSCSF. Measures that have been implemented into project design include reinforced structure foundations, storm protection measures, minimizing impacts to the existing topography/contours, and site stabilization and reestablishment of natural vegetation.

The Proponent retained CDM Smith to identify the potential coastal impacts from various conditions over multiple planning horizons at six proposed monopole structure foundations, identified as M13N-5, M13N-6, M13N-7, N12- 7, N12-8 and M13N-8. Additionally, coastal impacts were examined for the two existing tower locations identified as N12-5 and N12-6, which will be retained as part of the project. The Proponent also utilized the Massachusetts Coast Flood Risk Model (MC-FRM) to assess the frequency and depth of flooding, and overall vulnerability of the proposed new towers and reconducted towers within the utility corridor over the entire life span of the project. The Single EIR identifies projected tidal datums with sea level rise under the present day, 2030, 2050, and 2070 planning horizons. It also identifies the projected still water surface elevations, wave action water elevations, and projected wave heights under the 20-, 50-, 100-, and 200-year storm event for the 2030, 2050, and 2070 planning horizons. Finally, at each vulnerable structure location, the Single EIR identified the projected water surface elevations, wave action water elevations, and wave heights during the 200-year storm event under the 2050 and 2070 planning horizons, and the total projected precipitation depth during the 100-year storm event and 2070 planning horizon.

Based on these data, the Single EIR indicates that structures N12-5, M13N-5, N12-6, M13N-6, and N12-7 are located in areas that are vulnerable to sea level rise and coastal flooding (N12 structures already exist on the project site). According to the Single EIR, the river crossing

structures within Zone VE in Fall River, structure M13N-6 and existing transmission structure N12-6, are at the highest exposure and highest risk to sea level rise and storm surge. Existing structure N12-6 is equipped with concrete pedestals that extend approximately 13 feet up from the current ground elevation (el. 5.0 feet) at each leg of the lattice structure. The Single EIR indicates that, during a 200-year storm event in 2050, up to 1.3 feet of the steel legs above the supporting concrete pedestals (up to el. 19.3 ft NAVD88) will be exposed to transient wave action.

The proposed M13N-6 structure foundation consists of two circular components of reinforced concrete: a pile cap, which is topped by a pedestal (which supports the monopole structure). The Single EIR describes several scenarios under which the structure M13N-6 would be inundated by coastal floodwaters/storm surge. During the normal daily tide cycle in 2070, the pile cap would be surrounded by up to 0.8 feet of water based on the projected mean higher high-water elevation.³ Storm surge associated with a 200-year storm event in 2030 would inundate the pile cap in 5 feet of water, bringing water in direct contact with the monopole; in 2050, this storm event would result in a stillwater elevation that would inundate the pile cap in 7.2 feet of water, and a wave action elevation that would inundate the pile cap in 9.4 feet of water. In 2070, the 200-year storm even would result in a stillwater elevation that inundated the pile cap in 10.4 feet of water, with a wave action elevation that would inundate the pile cap in 12.3 feet of water.

The Single EIR indicates that structure M13N-6 has been designed to be resilient to climate change impacts. The circular concrete pile cap is 8.0 feet thick and 42.0 feet in diameter, connected to approximately 36 micro-piles driven into bedrock or solid material. Centered on the pile cap is the smaller round pedestal that is 5.0 feet thick and 25 feet in diameter, which has been specifically designed to incorporate twelve steel bollards filled with concrete. The pile cap extends from elevation -3.0 to 5.0 feet with the proposed finished grading at elevation 6.0 feet. The design elevation for the top of bollards is 22.7 feet, approximately 0.5 feet higher than the projected wave action water elevation of 22.2 feet at the structure location for a projected 200-year storm event for the year 2070. The bollards have been designed to withstand impact forces from a debris load of 5,000 lbs which corresponds to the weight of a recreational watercraft typically found in the nearby marinas in the Taunton River. As described in the Single EIR, the elevation of the steel Y-frame structure is established to meet the standards of the National Electrical Safety Code (NESC), the North American Electric Reliability Corporation (NERC) Draft, set at a tolerance level that is acceptable to NEP engineering design standards, and construction feasibility.

The Proponent also retained CDM Smith to conduct a sea level rise analysis and local scour and erosion analysis for the project, as requested by CZM in comments submitted on the EENF. The results of this analysis indicate that the proposed grading at structure M13N-6 will not affect the flow of water across the site. Key findings of the scour calculations found that under a 200-year storm event in 2050 there is the potential for 11.0 feet of local scour (erosion from hydrologic forces) around the M13N-6 foundation, and in 2070 under the 200-year storm event there is the potential for 11.4 ft of local scour around the foundation. To address the

³ Mean higher-high water (MHHW) refers to the average of the higher of the two high water heights of each tidal day over a period of time, as opposed to mean high water (MHW), which refers to an average of both high water heights observed during this time.

potential for scour and erosion under these future climate conditions, the project design incorporates the use of stone rip rap around the M13N-6 structure foundation that is heavy enough to resist uplift associated with predicted storm events. The apron will extend out from the pile cap in an approximate 20 feet radius and will consist of a 30-inch layer of rip rap, 6.0 inches of bedding, and a bottom layer of geotextile fabric. The rip rap will be at least 13 inches in size to resist uplift. Below the rip rap there will be 6 inches of structural fill with a layer of geotextile fabric. At the pedestal of the structure, the rock will be ramped up on a 5:1 slope for added protection of the pedestal. The Single EIR states that the top elevation of the foundation combined with the rip rap apron will aid in reducing corrosion to structure M13N-6.

As stated in the Single EIR, the Proponent will monitor the integrity of the structures and transmission line constructed to ensure the assets remain viable, reliable, and operable during the lifetime of the project. The Single EIR states that should climate change have an unforeseen impact on the project components or should new advancements in technology be introduced, the Proponent will take the necessary corrective actions, if needed, to maintain a robust and reliable electric network. If the integrity of the structure(s) is determined to be jeopardized by storm surges or sea level rise, the Proponent will consider installing additional shoreline protection measures potentially including rip rap, sheet piles, or shoring.

Mitigation and Section 61 Findings

The Single EIR provided draft Section 61 Findings for use by Agencies, which are summarized below. The Section 61 Findings should be provided to Agencies to assist in the permitting process and issuance of final Section 61 Findings.

Environmental Justice

- Continued use of the project website, news releases to local media and local public access channel, as available; a toll-free project hotline; emailed construction updates; an email inquiry process; use of direct mail and “leave behinds” (e.g., fliers, brochures, CDs); providing all materials in English, Spanish, and Portuguese
- Implementation of a Construction Communication Plan

Land Alteration

- Conducting construction activities in accordance with the Proponent’s approved Five-Year Vegetation Management Plan (2019-2023), and its policies for ROW access, maintenance and construction BMPs outlined in National Grid’s Environmental Guidance Document EG-303NE.
- Stabilization of ground disturbance and site grading activities will occur in accordance with *Massachusetts Erosion Sediment Control Guidelines for Urban and Suburban Areas*
- Installation of appropriate erosion and sediment controls in accordance with the Proponent’s Environmental Guidance Document EG-303NE
- Use of qualified professionals as Environmental Compliance Monitors

Wetlands and Waterways

- Use of swamp mats for access through BVW, across intermittent or small streams (if bridge spans are not viable) and other sensitive areas to minimize compression of soils,

rutting, and disturbance of vegetation; following project construction, swamp mats will be removed and work areas restored as appropriate

- Maintenance of adequate drainage patterns, if required, by installing temporary culverts and rip rap lined drainage swales to accommodate equipment crossings of wetlands and watercourses; following project construction, culvert and swales will be removed and work areas restored as appropriate
- Contractors will comply with the Proponent's *Environmental Guidance Document EG-303NE* for all work in or adjacent to wetland resource areas
- Use of washed stone where existing access roads crossing stream beds must be improved, (e.g., clean riprap or equivalent)
- Maintenance of adequate separation from watercourses while mixing concrete for structure foundations to avoid impacts to waterbodies
- Restoration of temporarily impacted wetland resource areas to pre-construction configurations and contours to the extent practicable
- Compensatory mitigation for approximately 388 sf of permanent BVW impacts to be developed in consultation with local conservation commissions and USACE

Traffic

- Consultation with MassDOT to review proposed plans for overhead crossings (including the use of guard structures)
- Development of implementation of a Transportation Management Plan that addresses impacts and MassDOT concerns to ensure a safe working environment as well as safe passage for highway traffic
- Placement of suitable crushed stone aprons/ramps on geotextile fabric at ROW road entrances to minimize tracking soil onto public streets

Adaptation and Resiliency

- Designing the project to be resilient to climate change impacts, including using reinforced structure foundations, storm protection measures, minimizing impacts to the existing topography/contours, and site stabilization and reestablishment of natural vegetation
- The bollards have been designed to withstand impact forces from a debris load of 5,000 lbs which corresponds to the weight of a recreational watercraft typically found in the nearby marinas in the Taunton River, and to withstand forces associated with the 2070 200-year flood event scenario
- Use of a stone rip rap around the M13N-6 structure foundation that will make this river crossing structure resilient to scour associated with the 2070 200-year storm
- Should climate change have an unforeseen impact on the project components or should new advancements in technology be introduced, the Proponent will take the necessary corrective actions, if needed, to maintain a robust and reliable electric network

Construction Period

- Development and implementation of a SWPPP in compliance with EPA's NPDES program, which establishes a construction contact list, presents a description of the proposed work, and identifies stormwater controls, spill prevention, and inspection

practices to be implemented for the management of construction-related stormwater discharges from the project

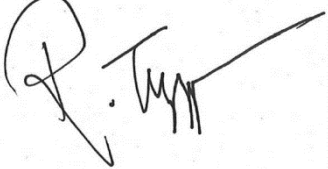
- All contractors and environmental monitors will be required to participate in a project-specific environmental compliance training session before beginning work and regular construction progress meetings will be held to provide the opportunity to reinforce the contractor's awareness of these matters
- If necessary, a plan for handling potentially contaminated soils will be prepared in accordance with National Grid's *Environmental Guidance Documents (EG-1707 and 1701)* regarding projects at existing substations and excess soil management from construction projects on ROWs
- Discharge and/or dispose of groundwater encountered during installation of structure supports in accordance with applicable local and state requirements, as necessary, and the EPA Stormwater Construction General Permit and SWPPP, as applicable
- If a spill occurs, the potential effects will be controlled and minimized in accordance with National Grid Environmental Guidance Documents (EG-501MA and EG-502MA) regarding release notification requirements and spill response procedures and notifications
- Use of dust mitigation measures as described in National Grid's *Environmental Guidance Document EG-303NE*, such as track pads at access points and controls during dry periods
- Use of ultra-low sulfur diesel fuel exclusively in diesel-powered construction equipment
- Any diesel-powered non-road construction equipment with engine horsepower ratings of 50 and above to be used for 30 or more days over the course of project construction will either be USEPA Tier 4-compliant or will be retrofitted with EPA-verified (or equivalent) emission control devices such as oxidation catalysts or other comparable technologies (to the extent that they are commercially available) installed on the exhaust system side of the diesel combustion engine
- Compliance with MassDEP's Solid Waste and Air Pollution control regulations, pursuant to M.G.L. c.40, s.54.

Conclusion

Based on a review of the Single EIR and consultation with Agencies, I find that the Single EIR adequately and properly complies with MEPA and its implementing regulations. The project may proceed to permitting. Participating Agencies should forward copies of the final Section 61 Findings to the MEPA Office for publication in accordance with 301 CMR 11.12.

August 16, 2023

Date



Rebecca L. Tepper

Comments received:

08/07/2023 Massachusetts Department of Marine Fisheries (DMF)

08/09/2023 Massachusetts Department of Environmental Protection (MassDEP), Southeast
Regional Office (SERO)

RLT/ELV/elv

Vaughan, Eva (EEA)

From: DMF EnvReview-South (FWE)
Sent: Monday, August 7, 2023 4:52 PM
To: Vaughan, Eva (EEA)
Cc: Logan, John (FWE); Davis, Amanda (FWE); Boeri, Robert (EEA); carmen.dancy@powereng.com
Subject: EEA# 16467, NE Power Co, N12/M13 Double-Circuit Tower (DCT) Separation Project

RE: EEA# 16467

Dear Ms. Vaughan,

MA DMF has reviewed the Single Environmental Impact Report by the New England Power Company d/b/a National Grid (NEP) for the N12/M13 Double-Circuit Tower (DCT) Separation Project (the Project) located in Somerset and Fall River, Massachusetts.

Based on the scope of work as currently proposed, MA DMF has no recommendations for sequencing, timing, or methods that would further avoid or minimize impacts to marine resources at this time.

Questions regarding this review may be directed to John Logan in our New Bedford office at john.logan@mass.gov.

Thank you,
Emma Gallagher
Sent on behalf of John Logan

Environmental Review Administrative Assistant

MA Division of Marine Fisheries
836 S. Rodney French Boulevard
New Bedford, MA 02744
(203)-209-8990

<http://www.mass.gov/eea/agencies/dfg/dmf/>



Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection

Southeast Regional Office • 20 Riverside Drive, Lakeville MA 02347 • 508-946-2700

Maura T. Healey
Governor

Kimberley Driscoll
Lieutenant Governor

Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

August 9, 2023

Rebecca L. Tepper,
Secretary of Energy and Environment
Executive Office of Energy and
Environmental Affairs
100 Cambridge Street, Suite 900
ATTN: MEPA Office
Boston, MA 02114

RE: SEIR Review. EOEEA 16467.
SOMERSET & FALL RIVER. N12M13
Double Circuit Tower Separation Project at
Right-of-Way located between the Pottersville
Substation (1981 Riverside Avenue) in
Somerset to the Sykes Road Substation in Fall
River (521 Sykes Road)

Dear Secretary Tepper,

The Southeast Regional Office of the Department of Environmental Protection (MassDEP) has reviewed the Single Environmental Impact Report (SEIR) for the N12M13 Double Circuit Tower Separation Project at Right-of-Way located between the Pottersville Substation (1981 Riverside Avenue) in Somerset to the Sykes Road Substation in Fall River (521 Sykes Road) and existing overhead transmission rights-of-way in Somerset and Fall River, Somerset and Fall River, Massachusetts (EOEEA # 16467). The Project Proponent provides the following information for the Project:

Construction of the Project will result in limited unavoidable impacts to coastal and inland wetland resource areas. Temporary and permanent impacts to bordering vegetated wetlands are necessary for construction access and staging, installation of structure foundations where vegetated wetland could not be avoided, establishment of new pervious access routes, and limited tree clearing for transmission line clearance. Due to siting and real estate limitations on the banks of the Taunton River, new proposed structure M13N6, which will support the aerial span over the river, will be constructed within Federal Emergency Management Agency (FEMA) Velocity Zone (VE) in Land Subject to Coastal Storm Flowage (LSCSF) located on the east (Fall River) side of the Taunton River. The existing N12-6 tower is located within this same environment and landscape position and will remain.

Comments//Guidance

The MassDEP Southeast Regional Office has reviewed this Single EIR and believes the Project Proponent has adequately addressed the Department's EENF comments.

This information is available in alternate format. Contact Glynis Bugg at 617-348-4040.

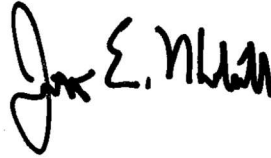
TTY# MassRelay Service 1-800-439-2370

MassDEP Website: www.mass.gov/dep

Printed on Recycled Paper

There being no further comments, MassDEP Southeast Regional Office appreciates the opportunity to comment on this Single EIR. If you have any questions regarding these comments, please contact George Zoto at George.Zoto@mass.gov or Jonathan.Hobill@mass.gov.

Very truly yours,



Jonathan E. Hobill,
Regional Engineer,
Bureau of Water Resources

JH/GZ

Cc: DEP/SERO

ATTN: Millie Garcia-Serrano, Regional Director
Gerard Martin, Deputy Regional Director, BWR
John Handrahan, Deputy Regional Director, BWSC
Seth Pickering, Deputy Regional Director, BAW
Jennifer Viveiros, Deputy Regional Director, ADMIN
Maissoun Reda, Chief, Wetlands and Waterways, BWR
Cally Harper, Wetlands, BWR
Brendan Mullaney, Waterways, BWR
Carlos Fragata, Waterways, BWR
Mark Dakers, Chief, Solid Waste, BAW
Elza Bystrom, Solid Waste, BAW
Angela Gallagher, Chief, Site Management, BWSC
Jennifer Wharff, Site Management, BWSC
Amanda Cantara, Site Management, BWSC