

Beyer, Jim R

From: Connolly, James
Sent: Monday, March 18, 2019 3:13 PM
To: gerry.mirabile@cmpco.com
Cc: Beyer, Jim R; Peabody, Timothy E; Stratton, Robert D
Subject: FW: NECEC 12-21-18
Attachments: Original 6 Comp parcels, Summary of Encumbrances.xlsx; Additional Com parcels, Summary of Encumbrances.xlsx; SOM License Moxie Stream.pdf; S27001.10 Grand Falls, Weyerhaeuser and CMP Reciprocal Access Easement A....pdf; DOC Master License 2011-01-04.pdf; CMP to Western Mountains Charitable Foundation, Trail Agreement, 2008-3-....pdf; 2019-03-11 Responses to MDIFW Questions.docx; 2019-03-10 Compensation Parcels Encumbrance Agreements Summary.docx

Gerry,

Thanks for the March 11 email as a follow-up to address the Department remaining resource impact concerns for the NECEC project. We appreciate your willingness to work with us to finalize the complex fish and wildlife resource issues. We have read your response and accept the explanations provided in the March 11 email as sufficient to allow DEP to apply applicable natural resource law to the permitting process. We would call out one miscommunication on page 7 regarding Roaring Brook Mayfly. The issue we desired to call attention to was the presence of Northern Spring Salamander in Gold Brook in addition to the Roaring Brook Mayfly. The following comment from Department Biologist Beth Swartz prompted our request for full canopy over Gold Brook.

“Gold Brook/unnamed tributaries to Gold Brook: During RBM surveys at this site, Northern Spring Salamander was documented in Gold Brook via photograph in the applicant’s final report. Impact and compensation calculations for this site need to acknowledge presence of both species”.

Including the presence of Northern Spring Salamander in the January 30, 2019 Compensation Plan, Table 1-5.12 ,for Gold Brook and Tributaries would be appreciated, the compensation has been calculated correctly.

I understand you are under a time constraint so I am responding on behalf of Bob Stratton who was away today and unable to provide the response requested.

For those cc-ed other than Gerry I am forwarding separately the second accompanying email from Gerry to complete the communication.

Jim

From: Mirabile, Gerry J. [mailto:Gerry.Mirabile@cmpco.com]
Sent: Monday, March 11, 2019 2:54 PM
To: Stratton, Robert D <Robert.D.Stratton@maine.gov>
Cc: Peabody, Timothy E <Timothy.E.Peabody@maine.gov>; Connolly, James <James.Connolly@maine.gov>; Camuso, Judy <Judy.Camuso@maine.gov>; Matt Manahan <mmanahan@pierceatwood.com>
Subject: RE: NECEC 12-21-18

EXTERNAL: This email originated from outside of the State of Maine Mail System. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Bob –

Thank you for identifying remaining MDIFW resource issues in your December 21 email below, and for working with CMP to resolve these issues. Attached is a summary of those remaining issues, their resolution, and where you can find documentation of those resolutions. We have also included clarifications regarding MDIFW-related issues arising from our January 30, 2019 compensation plan and related discussions. **[Note: due to email file size limitations, the remaining 3 compensation tracts encumbrance documents will be sent in a separate email.]**

To ensure we are all on the same page, CMP requests that MDIFW confirm that the attached clarification materials address all of MDIFW's remaining concerns, and that MDIFW is satisfied that the latest (January 30, 2019) NECEC Project Compensation Plan, as supplemented by these attached clarifications, provides satisfactory mitigation of the NECEC Project's impacts.

Thank you for your continued assistance.



Gerry J. Mirabile
Manager – NECEC Permitting
AVANGRID Networks, Inc.
83 Edison Drive, Augusta, ME 04336
Office 207-629-9717
Cell 207-242-1682
gerry.mirabile@cmpco.com

In the interest of the environment,
please print only if necessary and recycle.

This e-mail, any attachment and the information contained therein may contain information that is privileged, proprietary, confidential and exempt from disclosure and are intended solely for the use of the addressee(s). If you have received this message in error please send it back to the sender and delete it. If you are not the intended recipient, you are notified that unauthorized publication, use, dissemination or disclosure of this message, either in whole or in part, is strictly prohibited.

From: Stratton, Robert D [<mailto:Robert.D.Stratton@maine.gov>]
Sent: Friday, December 21, 2018 2:49 PM
To: Mirabile, Gerry J.
Cc: Peabody, Timothy E; Connolly, James; Camuso, Judy; Matt Manahan; Beyer, Jim R
Subject: NECEC 12-21-18

Dear Gerry,

MDIFW appreciates the time and effort you have spent with us preparing the compensation plan for this project. As we finalize our assessment of the NECEC project, I refer to my email of 12/7/18, in which I indicated that MDIFW has additional issues to review and verify. The December 7 Compensation Plan and supporting documents appear to provide closure on most of the issues under review by MDIFW. We have appreciated your willingness to work with us to resolve them. The items below are the remaining issues currently under review by department staff for verification. We look forward to closure of these as soon as practical.

1. MDIFW is reviewing and verifying available spatial and numerical data that was used to calculate totals related to natural resource impact areas for assessing mitigation needs. The data provided and the details in the

compensation plan have allowed MDIFW to concur with your compensation for deer wintering areas. We are still verifying the impact areas on the following resources to assess appropriate compensation. We look forward to your assistance in finalizing any questions that may arise.

- a. Perennial and Intermittent Stream Buffers.
 - b. IWWH
 - c. RBMF/NSS
 - d. RTE and SC Species
 - e. SVP
2. The discussion of Cold Stream, 3 Significant Vernal Pools (SVPs) and their Critical Terrestrial Habitats needs to be finalized. In previous discussions CMP indicated that a portion of an abandoned road in proximity will be removed and that another portion is currently revegetating with alder. To resolve this MDIFW staff will review the photographs of the regenerating area that you have provided to determine if further plantings are necessary. MDIFW looks forward to reviewing these materials to bring this issue to completion.
3. MDIFW and CMP agreed to evaluate all riparian areas post-construction and assess the need to augment the natural regrowth of vegetation within the respective buffers. As part of the post construction assessment MDIFW requests that the five streams labeled as PSTR-44-01, 44-01, 45-03, 44-06, 44-07 (kmz pin 12) receive a higher level of consideration for potential plantings as they have elevated value as stream resources. MDIFW does request that CMP provide additional planting plans during this phase of the project for the resources listed below.
- a. Sheepscot River where Brook Floaters are present
 - b. Montsweag Book where Brook Floaters are present
4. MDIFW requests CMP provide easement language and any other encumbrances against preservation properties that have been offered as mitigation to impacted resources. We are assuming no further easements will be placed on the properties once we receive that documentation.

We appreciate your assistance in helping us resolve these remaining issues!

Bob Stratton
Environmental Program Manager
Fisheries and Wildlife Program Support Section Supervisor

Maine Department of Inland Fisheries & Wildlife
284 State Street; 41 State House Station
Augusta, Maine 04333-0041
Tel: (207) 287-5659; Cell: (207) 592-5446
mefishwildlife.com

Correspondence to and from this office is considered a public record and may be subject to a request under the Maine Freedom of Access Act. Information that you wish to keep confidential should not be included in email correspondence.

=====

Please consider the environment before printing this email.

If you have received this message in error, please notify the sender and immediately delete this message and any attachment hereto and/or copy hereof, as such message contains confidential information intended solely for the individual or entity to whom it is addressed. The use or disclosure of such information to third parties is prohibited by law and may give rise to civil or criminal liability.

The views presented in this message are solely those of the author(s) and do not necessarily represent the opinion of Avangrid Networks, Inc. or any company of its group. Neither Avangrid Networks, Inc. nor any company of its group guarantees the integrity, security or proper receipt of this message. Likewise, neither Avangrid Networks, Inc. nor any company of its group accepts any liability whatsoever for any possible damages arising from, or in connection with, data interception, software viruses or manipulation by third parties.

=====