



Environmental Review Committee
Meeting Minutes
Tuesday December 5, 2023 3:00 p.m.
Via Zoom

Committee Members Present: Roger Bolton (Chair), Mark Smith, Edward Holub, Eleanor Tillinghast, Kyle Hanlon, and Malcolm Fick (Ex-officio, non-voting)

Others Present: Melissa Provencher (BRPC) and Tom Matuszko (BRPC)

I. Call to Order

ERC Chairman Bolton called the meeting to order at 3:02pm and began roll call.

II. Approval of Meeting Minutes from November 27, 2023

M. Provencher explained that the minutes were not yet able to be circulated to the Committee.

III. NSTAR WT-02 Transmission Right-of-Way Reliability Program (TRRP) Project, Draft Environmental Impact Report (DEIR)

Chairman Bolton explained that comments on the Draft Environmental Impact Report (DEIR) are due by December 8, 2023. Chairman Bolton explained that the Executive Committee is scheduled to meet on December 7, 2023 and can approve comments based on the recommendations of the Environmental Review Committee at that time.

M. Provencher presented the Environmental Review Report for the III. NSTAR WT-02 Transmission Right-of-Way Reliability Program (TRRP) Project, DEIR. The proposed project has met or exceeded MEPA review thresholds for a Mandatory Environmental Impact Report (EIR). An Expanded ENF was previously filed with a request for a Single EIR. The Secretary's Certificate was issued on March 17, 2023 and denied the request for Single EIR and required the preparation of a Draft and Final EIR. Chair Bolton and M. Provencher explained that the preferred alternative has changed from the Expanded Environmental Impact Report. A light detection and ranging (LiDAR) survey and modeling of the ROW were performed to identify trees at risk of striking the Line 393 infrastructure, both currently and within a 40-year timeframe (the expected life span of the existing line). This analysis was used as part of an Alternatives Analysis to assess different vegetation management widths and led to the adoption of the "100-foot Modified Alternative," which consists of clearing trees up to 100 feet from the outer conductor, except in specific areas where this width could be reduced due to a low risk of tree fall in. In some locations, the reduction in tree removal areas allowed for a reduction in the placement within sensitive areas.

E. Tillinghast suggested that comment #3 be revised to remove the word potential before mitigation measures. The Committee discussed emphasizing with the comments that the Final EIR should specifically address mitigation in the form of culvert and stream enhancements, which was requested within the Secretary's Certificate. The DEIR is deficient with regard to both culverts and stream enhancements which should be addressed in the Final EIR.

The Committee discussed concerns with regard to invasive species management and impacts to surface waters. The measures proposed within the Final DEIR to avoid, minimize, and mitigate potential adverse

impacts to surface waters should include maintaining existing low-growing, compatible vegetation in place on stream banks to the extent practicable and land preservation.

The Committee further discussed tree removal on riverbanks which would be expected to result in increased water temperatures and alterations to habitat, at a minimum. The Committee discussed that the Final EIR should address measures to minimize impacts to riverbank and proposed mitigation measures that specifically address the impacts resulting from the project.

M. Smith inquired about the role of the Massachusetts Historical Commission (MHC) and whether they had any authority. T. Matuszko explained that the historic resources of interest included the Appalachian Trail and four post contact archaeological sites adjacent to or within the ROW. Structural remains or artifacts were found associated with those post contact archaeological sites. M. Provencher explained that a review under Section 106 of the National Historical Preservation Act is required when federal funding and/or federal permits are involved. MHC does have authority under a Section 106 Review and can place conditions and/or other requirements on projects.

E. Tillinghast moved to accept the Environmental Review Report prepared by staff with amendments as discussed by the Committee to be forwarded to the Executive Committee for approval. M. Smith seconded the motion. ERC Chairman Bolton conducted a roll call vote.

R. Bolton: Aye
E. Holub: Aye
K. Hanlon: Aye

M. Smith: Aye
E. Tillinghast: Aye

The motion passed unanimously.

IV. Discussion of General Review Practices

Chairman Bolton explained that he had asked to include a discussion of the general review practices on the agenda as it has been some time since the practices have been reviewed and the written practices appear to be out of date. The Committee discussed the procedures and suggested edits to address typos, clarify sentence structure and replace references to he/his with the Chair as appropriate. The Committee agreed that the vote to adopt the review practices should be on the next agenda.

V. Adjournment

E. Tillinghast made a motion to adjourn at 4:07pm. The motion was seconded by M. Smith. ERC Chairman Bolton conducted a roll call vote.

R. Bolton: Aye
E. Holub: Aye

K. Hanlon: Aye
M. Smith: Aye
E. Tillinghast: Aye

The motion was passed unanimously.

Materials distributed electronically:

- ERC Agenda 12/5/23
- Environmental Review Report 12/4/23
- NSTAR WT-02 Transmission Right-of-Way Reliability Program (TRRP) Project, (DEIR)
- ENF & EIR General Review Procedures