

To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Todd W. Lavin
Sent: Wed 10/11/2017 6:05:30 PM
Subject: Response letter
NPT Response to USACE re EPA Letter (10.07.2017).pdf

Ryan,

Our response to letter EPA Region 1 sent to US Army Corps of Engineers

Todd Lavin

Eversource Energy

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Washington, DC 20004

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Northern Pass Transmission, LLC.
P.O. Box 330
780 North Commercial Street
Manchester, NH 03105-0330

October 7, 2017

Jennifer McCarthy, Chief Regulatory Division
U.S. Army Corp of Engineers
New England District
696 Virginia Road
Concord, MA 01742

Re: Northern Pass Transmission Project --- Response to EPA Comment Letter

Dear Ms. McCarthy:

I write in response to the September 26, 2017 letter from Jaqueline LeClair from the U.S. Environmental Protection Agency, Region I, commenting on the Northern Pass Transmission Project (NPT) Section 404 Permit Application. In her letter, Ms. LeClair briefly compares wetlands impacts from the proposed route to the so-called “hybrid” alternative of placing the Northern Pass line underground along highway rights of way in the north section of the route. EPA asserts that this alternative “appears practicable.” As explained in the letter to you of October 6, 2016 -- responding to a very similar comment letter from EPA dated July 14, 2016 -- the proposed alternative is the least environmentally damaging practicable alternative. This is fully addressed in the letter of October 6, 2016, and the accompanying confidential document entitled *An evaluation of all UG alternatives for the Northern Pass Transmission Project*, dated May 31, 2016. (That confidential report was submitted separately to you on October 6, 2016 by Dana Bisbee, legal counsel for NPT.)

NPT has exhaustively worked to design the Project to avoid wetlands impacts. The resulting design will have extremely small permanent impacts to wetlands, and the unavoidable temporary and secondary impacts will be fully restored and/or mitigated. As we have fully addressed in our prior correspondence, constructing an additional 32 miles in the north section of the Project is not practicable. EPA’s calculation in its September 26, 2017 letter that the estimated increased costs “represent a small portion of the overall Project costs” does not take into account the substantial additional costs of undergrounding the Project. As set forth in the October 6, 2016 letter, these increased expenses would mean that the Project would not be viable in the New England power market.

I would also note that subsequent to EPA’s initial set of comments and NPT’s reply to those comments, the New Hampshire Department of Environmental Services has considered these same issues in the context of its state wetlands permitting decision. In its March 1, 2017 recommended decision, DES determined that Northern Pass had satisfied the comparable state

requirement (NH Code of Admin. Rules Env-Wt 302.03) that the applicants demonstrate that the project avoids wetlands impacts to the maximum extent practicable.

For your ease of reference, I have attached a copy of the letter to you dated October 6, 2016.

Please let us know if you have any questions.

Sincerely,

A handwritten signature in cursive script that reads "Kevin McCune".

Kevin McCune

Cc: w/o enclosures:

Jacqueline LeClair, USEPA
Deborah Szaro, USEPA
Lindsey Lefebvre , USACE
Mark Kern, USEPA
Brian Mills, USDOE
Robert Scott , Commissioner, NHDES
Rene Pelletier, NHDES
Collis Adams, NHDES
Craig Rennie, NHDES

Enclosures