

March 8, 2019

Via Electronic and FedEx

Melanie A. Bachman, Esq. Executive Director/Staff Attorney Connecticut Siting Council 10 Franklin Square New Britain, Connecticut 06051 APT Project No.: CT533100

Re: Docket No. 192B CPV Towantic Energy Center 16 Woodruff Hill Road Oxford, Connecticut

Dear Ms. Bachman,

Enclosed is one original and two (2) copies of the CPV Towantic Energy Center: Wetland Mitigation Monitoring Report No. 1 for the CPV Towantic Energy Center at 16 Woodruff Hill Road in Oxford, Connecticut. This document summarizes construction activities associated with the two stormwater renovation basins that were designed to support wetland vegetation as partial mitigation for the project's unavoidable impacts. This wetland mitigation was performed in accordance with the Connecticut Department of Energy and Environmental Protection's 401 Water Quality Certification conditions under the Department of Army Connecticut General Permit.

Should you have any questions or need additional information please do not hesitate to contact me by telephone at (860) 663-1697 ext. 201 or via email at dgustafson@allpointstech.com.

Sincerely, Dean Austapon

Dean Gustafson Senior Wetland Scientist

Enclosures

cc: Alexander Duran, NAES Corporation Jamie Pike, Competitive Power Ventures, Inc.

CPV TOWANTIC ENERGY CENTER MITIGATION REPORT NO. 1 TRANSMITTAL AND SELF-CERTIFICATION

DEPARTMENT OF THE ARMY PERMIT No.: NAE-2014-2062 CT DEPT. OF ENERGY & ENVIRONMENTAL PROTECTION PERMIT No.: PGP-201409826

PROJECT TITLE: CPV Towantic Energy Center, 16 Woodruff Hill Road, Oxford, CT 06478

PERMITTEE:	CPV Towantic, LLC
MAILING ADDRESS:	CPV Towantic Energy Center 16 Woodruff Hill Road Oxford, CT 06478 Attn: Alexander Duran, P.E., Ph.D.
TELEPHONE: EMAIL:	(203) 814-1031 Alexander.Duran@naes.com
AUTHORIZED AGENT:	All-Points Technology Corporation, P.C.
MAILING ADDRESS:	Attn: Dean Gustafson, Senior Wetland Scientist 3 Saddlebrook Drive Killingworth, CT 06419
TELEPHONE: EMAIL:	(860) 663-1697 ext. 201 dgustafson@allpointstech.com

ATTACHED MITIGATION REPORT TITLE:	CPV Towantic Energy Center: Wetland Mitigation Monitoring Report No. 1	
PREPARERS:	All-Points Technology Corporation, P.C.	
DATE:	March 2019	

CERTIFICATION OF COMPLIANCE: I certify that the attached report is accurate and discloses that the mitigation required by the Connecticut Department of Energy and Environmental Protection is in full compliance with the terms and conditions of that permit.

CORRECTIVE ACTION: No corrective action is identified in the attached report.

CONSULTATION: I do not request consultation with the Connecticut Department of Energy and Environmental Protection to discuss a corrective strategy or permit modification.

CERTIFIED:	03-12-2019
(Signature of permittee)	Date

Wetland Mitigation Monitoring Report No. 1

CPV Towantic Energy Center

16 Woodruff Hill Road Oxford, Connecticut

Prepared for	CPV Towantic Energy Center 16 Woodruff Hill Road Oxford, Connecticut 06478
Prepared by	All-Points Technology Corporation, P.C. 3 Saddlebrook Drive Killingworth, Connecticut 06419

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Attachment C – Compost and Nursery Order Slips

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Project Overview

<u>Corps Permit No</u>: NAE-2014-2062, April 22, 2015 <u>CTDEEP Permit No</u>: PGP-201409826, March 12, 2015 <u>Connecticut Siting Council</u>: Docket 192B Decision and Order, May 14, 2015 <u>Site Address</u>: 16 Woodruff Hill Road, Oxford, Connecticut <u>Monitoring Report</u>: 1 of 6

Name and Contact Information for Permittee: 16 Woodruff Hill Road Oxford, Connecticut 06478 Attn: Alexander Duran, P.E., Ph.D. Alexander.Duran@naes.com

Name of Party Responsible for Conducting the Monitoring: All-Points Technology Corporation, P.C. Attn: Dean Gustafson, Senior Wetland Scientist 3 Saddlebrook Drive Killingworth, Connecticut 06419 (860) 663-1697 ext. 201 dgustafson@allpointstech.com

Date of Inspection: 1/11/19

Project Summary

CPV Towantic LLC ("CPV"; the "Permittee") constructed the CPV Towantic Energy Center, an 805-megawatt natural gas-fired combined-cycle electric generating facility ("Facility" or "Project"), at 16 Woodruff Hill Road in Oxford, New Haven County, Connecticut ("subject property" or "site"). The Facility construction activities were initiated in late 2015 with the majority of construction work occurring between 2016 and 2018. Final site stabilization work, including construction of two stormwater renovation areas that served as wetland mitigation, were completed during the spring of 2018.

Approximately 10,500 square feet (0.24 acre) of unavoidable permanent wetland impacts resulted from construction of the Facility. To mitigate for these unavoidable wetland impacts, a suite of mitigation measures was implemented to prevent shortand long-term impacts to wetland resource areas and compensate for direct disturbances associated with the Project. Proposed mitigation measures included payment into the Connecticut In-Lieu Fee Program ("ILF") through Audubon Connecticut, the sponsor of the ILF program, that satisfied permit requirements from the U.S. Army Corps of Engineers New England Division ("Corps"). In accordance with the Corps requirements, CPV made payment into the ILF Program to compensate for unavoidable project impacts to wetlands. This ILF involves paying a fee "in lieu of" permittee-responsible mitigation; the amount of the fee is based on the area of wetlands impacted, type of wetland habitat impacted, watershed location and consultation with Corps and interagency review team. A payment of \$79,380 for the sale of 0.24 credits to compensate for the 0.24 acre of wetland impact was made by CPV on December 18, 2015. A December 18, 2015 CPV transmittal letter and December 21, 2015 Audubon Connecticut notification of sale of ILF credits letter are included in Attachment A.

The Connecticut Department of Energy and Environmental Protection ("DEEP") determined that the ILF credit payment was insufficient to compensate for the Project's unavoidable wetland impacts and suggested that the two stormwater basins be designed as wet basins able to support viable stands of wetland vegetation as an acceptable compensatory mitigation in combination with the ILF payment. As a result, both stormwater renovation areas were designed as extended detention shallow wetland basin systems in accordance with the recommendations found in the 2004 *Connecticut Stormwater Quality Manual*.

This report documents completion of construction activities on the two stormwater wetland basins, identified as Stormwater Renovation Area 'A' (the southern basin) and Stormwater Renovation Area 'B' (the northern basin), which were completed in 2018. The Permittee's wetland monitor, All-Points Technology Corporation, P.C. ("APT"), provides the following information documenting the construction of both basins and is responsible for the DEEP permit-required 5-year post-construction monitoring of the two wetland mitigation areas.

Location and Direction to Mitigation Site

The subject property is located at 16 Woodruff Hill Road in Oxford, New Haven County, Connecticut. The property is owned by Competitive Power Ventures Holdings, LLC ("CPV") and is developed with the CPV Towantic Energy Center, an 805-megawatt natural gas-fired combined-cycle electric generating facility ("Facility"). The Facility is located in the Woodruff Hill Industrial Park on a parcel that is occupied by the electric generating plant, maintained lawn areas and two stormwater renovation areas. A chain link security fence surrounds the Facility. Due to the operation of the Facility as an energy generation plant, access to the site is restricted.

The stormwater renovation areas consist of two basins located respectively on the south end of the Facility (Basin 'A') and north end of the Facility (Basin 'B'). Both basins were designed as constructed stormwater wetland basins to provide proper treatment of stormwater runoff from the Facility and to function as emergent wetland areas as mitigation for the Project's unavoidable wetland impacts in accordance with DEEP's permit condition.

The Latitude/Longitude coordinates of the mitigation sites are:

- Stormwater Renovation Area 'A' Lat./Long.: 41.482309°, -73.122070°
- Stormwater Renovation Area 'B' Lat./Long.: 41.485715°, -73.122100°

Start and Completion Dates for Mitigation

- Stormwater Renovation Area 'A' grading: 05/09/18
- Stormwater Renovation Area 'B' grading: 04/10/18
- Stormwater Renovation Area 'A' planting: 05/14/18
- Stormwater Renovation Area 'B' planting: 04/20/18
- Stormwater Renovation Area 'B' replanting: 11/8/18

Wetland Mitigation Construction

The following section describes the sequence of activities that occurred during construction of Stormwater Renovation Areas 'A' and 'B'. All work was performed by Paganelli Construction Corp. under the supervision of Competitive Power Ventures, Inc. Representative photographs of the construction activities as well as the final constructed basins are provided in Attachment B.

Stormwater Renovation Areas

There were four general phases of the wetland mitigation plan for the two stormwater basins: 1) clearing of vegetation and grubbing of stumps and roots; 2) excavation and subgrading to form the bottoms of the two basins; 3) final grading of the high and low marshes, forebay and micropool and placement of wetland topsoil, and 4) planting of native herbaceous wetland species.

During construction of the Facility, topsoil from on-site wetlands and adjacent areas was stockpiled separately and later amended with 2,074 yards of compost (sourced from Supreme Forest Products of Southington, Connecticut) to provide wetland topsoil for use in the bottoms of both stormwater renovation basins. Grading activities occurred in the spring of 2018 for both basins with final grading and placement of wetland topsoil occurring in April and May 2018. Delivery slips of the compost are provided in Attachment C.

Some rocks and boulders uncovered during excavation activities were placed in the high marsh areas, as they did not significantly decrease the plantable area of the stormwater restoration areas. These rocks and boulders were placed in such a way as to provide crevices and cavities that enhance wildlife habitat.

Stormwater Renovation Areas Plantings

Generally, planting of the Stormwater Renovation Areas 'A' and 'B' followed the permit-approved plans.

Planting of native wetland species occurred in April and May 2018. Due to low survivorship of plants in Stormwater Renovation Area 'B', this basin was partially replanted in November 2018. Nursery order slips of native wetland plants used in both basins, including the November 2018 replanting, are provided in Attachment C. The following tables summarize wetland plants installed within the Stormwater Renovation Areas 'A' and 'B'.

QuantityBotanical NameCommon NameSizeSpacingLow Marsh250Peltandra virginica2Arrow Arum2" plug2 ft on center250Pontederia cordata2Pickerelweed2" plug2 ft on center300Sagittaria latifolia1Northern Arrowhead2" plug2 ft on center300Schoenoplectus acutus3Hardstem Bulrush2" plug2 ft on center850Carex comosaBearded Sedge2" plug2 ft on center850Juncus effusesSoft Rush2" plug2 ft on center850Panicum virgatumSwitchgrass2" plug2 ft on center850Schoenoplectus pungensThree Square Bulrush2" plug2 ft on center850Schoenoplectus pungensThree Square Bulrush2" plug2 ft on center75Peltandra virginica2Arrow Arum2" plug2 ft on center75Schoenoplectus acutus3Hardstem Bulrush2" plug2 ft on center75Schoenoplectus pungensThree Square Bulrush2" plug2 ft on center75Schoenoplectus acutus3Hardstem Bulrush2" plug2 ft on center <td< th=""><th colspan="5"></th></td<>					
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100 Schoenoplectus acutus ³ Hardstem Bulrush 2" plug 2 ft on center	100	Schoenoplectus acutus ³	Hardstem Bulrush	2" plug	2 ft on center

Table 1: Planting Schedule for Stormwater Renovation Area 'A'

Notes:

1. Don't plant in Fall.

2. Plant in areas of inundation up to 12" deep.

3. Plant in areas of inundation up to 36" deep.

^{4.} Marsh areas and a 5-foot wide shelf around the outer perimeter of the forebay and micropool shall consist of a minimum of 10 inches of wetland topsoil.

Quantity	Botanical Name	Common Name	Size	Spacing
Low Marsh				
200	Peltandra virginica ²	Arrow Arum	2" plug	2 ft on center
200	Pontederia cordata ²	Pickerelweed	2" plug	2 ft on center
150	Sagittaria latifolia ¹	Northern Arrowhead	2" plug	2 ft on center
150	Schoenoplectus acutus ³	Hardstem Bulrush	2" plug	2 ft on center
High Marsh				
250	Carex comosa	Bearded Sedge	2" plug	2 ft on center
250	Juncus effuses	Soft Rush	2" plug	2 ft on center
250	Panicum virgatum	Switchgrass	2" plug	2 ft on center
200	Schoenoplectus	Three Square Bulrush	2" plug	2 ft on center
	pungens			
Forebay				
50	Peltandra virginica ²	Arrow Arum	2" plug	2 ft on center
50	Pontederia cordata ²	Pickerelweed	2" plug	2 ft on center
50	Sagittaria latifolia ^{1,2}	Northern Arrowhead	2" plug	2 ft on center
50	Schoenoplectus acutus ³	Hardstem Bulrush	2" plug	2 ft on center
Micropool				
100	Peltandra virginica ²	Arrow Arum	2" plug	2 ft on center
50	Pontederia cordata ²	Pickerelweed	2" plug	2 ft on center
50	Sagittaria latifolia ^{1,2}	Northern Arrowhead	2" plug	2 ft on center
50	Schoenoplectus acutus ³	Hardstem Bulrush	2" plug	2 ft on center

Table 2: Planting Schedule for Stormwater Renovation Area 'B'

Notes:

1. Don't plant in Fall.

2. Plant in areas of inundation up to 12" deep.

3. Plant in areas of inundation up to 36" deep.

4. Marsh areas and a 5-foot wide shelf around the outer perimeter of the forebay and micropool shall consist of a minimum of 10 inches of wetland topsoil.

Invasive Species Control

Since the grading required for both stormwater renovation areas required extensive grade cuts and fills, any existing invasive plant species that may have occupied the limit of disturbance associated with the Project would have been eliminated. As a result, no control of invasive plant species was necessary in associated with construction of the two stormwater basins.

As-Built Survey

In accordance with the permit authorizations, an as-built survey of Stormwater Renovation Areas 'A' and 'B' was performed to verify both basins were constructed in general accordance with the permit-approved site plans and that elevations of the high and low marsh wetland habitats were properly graded. An as-built survey was performed by Langan CT, Inc. on December 27, 2018, a copy of which is provided in Attachment D. The survey confirmed that both Stormwater Renovation Areas 'A' and 'B' were constructed in general conformance with the permit-approved site plans. The desiccated remains of relatively dense emergent wetland vegetation were noted in Basin 'A' while Basin 'B' was found to contain relatively sparse vegetation. This is likely the result of the replanting of Basin 'B' in November 2018 which provided little time for vegetative growth before winter set in. APT will be performing an inspection during the spring 2019 growing season and will closely monitor the vegetative growth in Basin 'B' to determine if any corrective action (i.e., additional replanting) is necessary to satisfy the applicable success standards.

Post-construction Monitoring

Since grading and planting activities associated with construction of Stormwater Renovation Areas 'A' and 'B' occurred in 2018, the first year of post-construction monitoring will occur during the 2019 growing season. The results of post-construction monitoring will be summarized in monitoring report 2, which will be issued by December 15th, 2019.

Post-construction monitoring will measure the success of the two stormwater renovation areas by the following success standards as noted on the permitauthorized site plans.

Performance Standards Are/Are Not Being Met

The following performance (success) standards apply to this Project. The four performance standards will be evaluated at the end of the 2019 growing season to determine if they are currently being met or not.

1) At least 80% of the aerial surface of the Extended Detention Shallow Wetlands planting areas (high marsh, low marsh and 5-foot fringes of forebay and micropool) shall be established with native hydrophytes.

Response: To be provided in 2019.

Table 3 below will be populated at the end of the 2019 growing season to show the approximate aerial coverages of the various planting areas (e.g., high marsh, low marsh, forebay fringe and micropool fringe.

Area Identification	% Aerial Coverage by Native Hydrophytes	
Stormwater Renovat	ion Area 'A'	
High marsh		
Low marsh		
Forebay fringe		
Micropool fringe		
Stormwater Renovat	ion Area 'B'	
High marsh		
Low marsh		
Forebay fringe		
Micropool fringe		

 Table 3: Wetland Mitigation Areas Native Plant Aerial Coverage

2) Documented presence of wetland hydrology appropriate for Extended Detention Shallow Wetland Basins (soil saturation within 12 inches of the surface for a minimum of two consecutive weeks during the growing season in the high marsh and low marsh areas).

Response: To be provided in 2019.

Table 4 below will be populated at the end of the 2019 growing season to document wetland hydrology.

Table 4: Wetland Mitigation Areas Hydrology

Area Identification (date of measurement)	Depth of Saturation/Inundation (inches)	
Stormwater Renova	tion Area 'A'	
High marsh		
Low marsh		
Stormwater Renova	tion Area 'B'	
High marsh		
Low marsh		

3) Control of non-native species with less than 10% total aerial coverage by end of monitoring period.

Response: To be provided in 2019.

Table 5 below will be populated at the end of the 2019 growing season to show the approximate aerial coverages of invasive plants.

Table 5: Wetland	Mitigation Areas	Invasive Plant A	Aerial Coverage

Area Identification	% Aerial Coverage by Non-Native Species	Invasive Plants
Stormwater Renovation Area 'A'		
Stormwater Renovation Area 'B'		

4) All slopes and soils within and adjacent to the two stormwater renovation areas Basins are permanently stabilized with vegetation and any erosion control barriers removed no later than the end of the third growing season.

Response: To be provided in 2019.

Dates of Corrective or Maintenance Activities Conducted Since Last Report

Not applicable since 2019 will represent the first year of monitoring following a full growing season after completion of construction activities and planting of the two stormwater renovation areas, which occurred in 2018.

Recommendations for Additional Remedial Actions

No remedial actions are currently recommended.

Requirements

The Special Conditions sections of the DEEP permit PGP-201409826, issued March 12, 2015, state that mitigation must be performed in accordance with the final approved mitigation plan. The approved mitigation plan sets forth that for each of the first five full growing seasons following construction of the mitigation sites, the sites shall be monitored biannually, with annual monitoring reports being submitted to the DEEP. The permit identifies the first year of monitoring as the first year that the site has been through a full growing season after completion of construction and planting. Construction of the two stormwater renovation areas was completed in 2018. Therefore, the requirements for wetland mitigation monitoring set out in these documents will continue to be performed in 2019 through 2023 with observations to occur two times during the growing season – generally in late spring/early summer and again in late summer/early fall.

Summary

This report documents that both Stormwater Renovation Areas 'A' and 'B' were successfully constructed in general conformance with the permit-approved site plans. Construction and initial planting activities were completed in the spring of 2018 with additional activities required in the fall of 2018 to replant Stormwater Renovation Area 'B'.

APT will be monitoring the success of the mitigation areas during the 2019 growing season as the mitigation areas go into their first full growing season. APT will diligently monitor successful establishment of newly planted native species during the 2019 growing season to ensure the mitigation areas' planting stock is healthy in order to satisfy the percent of aerial coverage success standard and any observations of invasive species will receive corrective action.

Attachment A

ILF Correspondence



December 18, 2015

Stewart J. Hudson, Executive Director Audubon Connecticut 613 Riversville Road Greenwich, CT 06831 Attn: ILF Program

Re: CPV Towantic Energy Center Woodruff Hill Road Oxford, Connecticut Permit No. NAE-2014-2062

Dear Executive Director Hudson,

CPV Towantic, LLC understands The National Audubon Society, Inc., through its Connecticut program ("Audubon-CT") is the sponsor of an "in-lieu fee" ("ILF") program for aquatic resource compensatory mitigation required by US Army Corps of Engineers New England Division ("Corps") authorizations. The program provides an alternative to Corps permittees who are required to compensate for their impacts to wetlands and waters of the United States in the State of Connecticut.

The CPV Towantic Energy Center project received authorization from the Corps (Permit No. NAE-2014-2062, dated April 22, 2015) through the Connecticut General Permit, requiring compliance with the following special condition: "Mitigation shall consist of the payment of \$79,380.00 to the Connecticut In-Lieu Fee program."

In satisfaction of this special condition please find enclosed a wire transfer confirmation [Fed Ref #] in the amount of \$79,380.00 for payment to the ILF account. Also attached is the US Army Corps of Engineers' Connecticut In-lieu Fee Project Impact Worksheet referencing details of the project's authorized impact area subject to compensation.





Upon confirmation of receipt of this payment, please send the Notification of Sale of Credits Letter acknowledging receipt of the ILF and Audubon-CT's acceptance of compensatory mitigation responsibility.

Should you have any questions or need additional information please feel free to contact Andy Bazinet by telephone at (781) 848-3611 or via email at <u>abazinet@cpv.com</u>.

Sincerely,

Peter J. Podurgiel Senior Vice President

 cc: PATS Branch, Regulatory Division, New England District, US Army Corps of Engineers, 696 Virginia Road, Concord, MA 01742-2751 Andrew Bazinet, CPV Towantic, LLC Franca DeRosa, Brown Rudnick LLP Dean Gustafson, All-Points Technology Corp., P.C. Susan Lee, ACOE NED Bob Gilmore, CT DEEP-IWRD Doug Hoskins, CT DEEP-IWRD

Enclosures





DEPARTMENT OF THE ARMY US ARMY CORPS OF ENGINEERS NEW ENGLAND DISTRICT 696 VIRGINIA ROAD CONCORD MA 01742-2751

April 22, 2015

Regulatory Division CENAE-R-PEB Permit Number: NAE-2014-2062

Attn: Mr. Peter J. Podurgiel CPV Towantic, LLC 50 Braintree Hill Office Park, Suite 300 Braintree, MA 02184

Dear Mr. Podurgiel:

We have reviewed your application, submitted by All-Points Technology Corporation, to place permanent fill in approximately 10,500 SF (0.24 ac.) of wetlands areas (2 wetland sites) in association with construction of a 785-megawatt natural gas-fired electric generating facility (CPV Towantic Energy Center) off Woodruff Hill Road in Oxford, Connecticut. The work is as described and shown on the enclosed plans entitled "CPV TOWANTIC ENERGY CENTER", on ten (10) sheets (Drawings) dated as follows: C001 (cover, last revision 2/24/15); C300 (26 SEP 14); C305 (26 SEP 14, last revision 24 FEB 15); C310 (26 SEP 14, last revision 24 FEB 15); C315 (26 SEP 14, last revision 24 FEB 15); C320 (26 SEP 14, revised 13 FEB 15); C325 (26 SEP 14, last revision 24 FEB 15); C330 (26 SEP 14); and M301 (9/8/14).

The CPV Towantic facility does not require new supporting ROW for its operation. The CPV Towantic facility will interconnect directly to an existing natural gas pipeline/compressor station facility and to an adjacent existing CL&P 115 kV transmission line facility, which adjoin and align through, respectively, the proposed CPV Towantic project site.

Based on the information you have provided, we have determined that the proposed activity, which includes a discharge of dredged or fill material into waters or wetlands, will have only minimal individual and cumulative impacts on waters of the United States, including wetlands. Therefore, this work is authorized as a Category 2 activity under the enclosed Federal permit known as the Connecticut General Permit (GP). This work must be performed in accordance with the terms and conditions of the GP, and also in compliance with the following special condition:

Mitigation shall consist of the payment of \$79,380.00 to the Connecticut In-Lieu Fee program. The permittee shall a) make a cashier's check or bank draft out to "National Audubon Society, Inc.", and include "Corps file number NAE-2014-2062" and the statement "For ILF account only" on the check itself; b) include the enclosed "Connecticut In-lieu Fee Project Impact Worksheet"; c) send a) and b) to: Executive Director, National Audubon-Society, Inc., Connecticut Chapter, Attn: ILF Program, 613 Riversville Road, Greenwich, CT 06831; and d) send a copy of the check or bank draft

to: PATS Branch, Regulatory Division, New England District, US Army Corps of Engineers, 696 Virginia Road, Concord, MA 01742-2751.

Authorized work may not begin until you receive the Notification of Sale of Credits Letter from Audubon-CT acknowledging receipt of your check and accepting compensatory mitigation responsibility for your project.

You are responsible for complying with all of the GP's requirements. Please review the enclosed GP carefully; in particular the GP conditions, to be sure you understand its requirements. You should ensure that whoever does the work also fully understands the requirements and that a copy of the permit document and this authorization letter are at the project site throughout the time the work is being performed.

The Connecticut Department of Energy & Environmental Protection (DEEP) has issued a Water Quality Certification (WQC) for this project, as required under Section 401 of the Clean Water Act, based on their review of the project. <u>You must comply with all conditions of the WQC approval (enclosed) issued by the CT DEEP for this project as a special condition of this authorization.</u>

This authorization expires on July 15, 2016, unless the GP is modified, suspended, or revoked before then. You must commence or be under contract to commence the work authorized herein by that expiration date and complete the work by July 15, 2017. If not, you must contact this office to determine the need for further authorization *before* beginning or continuing the activity. We recommend you contact us before this permit expires to discuss a permit reissuance.

If you change the plans or construction methods for work within our jurisdiction, please contact us immediately to discuss modification of this authorization. This office must approve any changes before you undertake them.

This authorization requires you to complete and return the <u>enclosed Work Start</u> <u>Notification Form</u> to this office at least two weeks before the anticipated starting date. You must also complete and return the <u>enclosed Compliance Certification Form</u> within one month following the completion of the authorized work (and any required mitigation).

This permit does not obviate the need to obtain other Federal, state, or local authorizations required by law, as listed on Page 2 of the GP. Performing work not specifically authorized by this determination or failing to comply with any special condition(s) and all the terms and conditions of the GP may subject you to the enforcement provisions of our regulations.

This authorization presumes that the work as described above and as shown on your plans noted above is in waters of the U.S. Should you desire to appeal our jurisdiction, please submit a request for an approved jurisdictional determination in writing to this office. We continually strive to improve our customer service. In order for us to better serve you, we would appreciate your completing our Customer Service Survey located at <u>http://corpsmapu.usace.army.mil/cm_apex/f?p=regulatory_survey</u>.

Please contact Susan Lee of my staff at (978) 318-8494 if you have any questions.

Sincerely,

Robert J. DeSista Chief, Permits & Enforcement Branch Regulatory Division

Enclosures:

Copy furnished (via email):

Bob Gilmore, CT DEEP - IWRD Nathan Margason, US EPA Dean Gustafson, All-Points Technology Corporation

CONNECTICUT IN-LIEU FEE (ILF)

PROJECT IMPACT WORKSHEET

- 1. Corps Permit Number: NAE-2014-2062
- 2. Permittee(s): CPV Towantic, LLC,
- 3. Project location/address: Woodruff Hill Road, Oxford, CT
- 4. Impact area subject to compensation: 10,500 SF (permanent fill)
- 5. Service Area/rate per square foot: Housatonic / \$7.56
- 6. ILF Amount: \$79,380.00
- 7. # of credits to be purchased: (10,500 square feet (impact area)/43,560) = 0.24 credits
- 8. Resources Impacted: See below.
- 9. Corps Project Manager: Susan Lee
- 10. Date permit issued: April 22, 2015

Resource(s) Impacted:

Resource Type: Cowardin, et.al, classification (PFO, PSS, PEM, M1, M2, E2, etc.), vernal pool (VP), and/or river, stream, or brook (R).

Types of impacts: May include one or more of the following: fill, conversion (e.g., forested to shrub/scrub), discharge associated with excavation, etc.

Resource Type (list all that apply)	Type of Impact (by resource type)	Square Feet of Aquatic Resources Impacted (by resource type)	Linear Feet Streams Impacted
PEM (Wetland 1)	Fill	10,322 (0.236 ac.)	0
PFO (Wetland 4)	Fill	178 (0.004 ac.)	0
	TOTAL IMPACTS:	10,500 (0.24 ac.)	

TABLE OF RESOURCES IMPACTED

Dean Gustafson

Jacob Quail <jquail@cpv.com></jquail@cpv.com>		
Friday, December 18, 2015 3:19 PM		
Andy Bazinet Aaron Egan; Ryan Boyle; Brenda Drosjack		
		RE: wire confirmation - National Audobon Society, Inc

Andy,

The funds have been transferred from Towantic to 'National Audobon Society, Inc.'. The Fed Reference # is 20151218F5QCZ80C001928.

Thank you,

Jake

Jacob Quail Competitive Power Ventures, Inc. 8403 Colesville Road Suite 915 Silver Spring, MD 20910 Office: (301) 628-4207 Fax: (240) 723-2339

This e-mail message and any attached files are confidential and are intended solely for the use of the addressee(s) named above. If you are not the intended recipient or you have received this communication in error, please notify the sender immediately by reply e-mail message and permanently delete the original message. To reply to our email administrator directly, send an email to <u>admin@cpv.com</u>

From: Brenda Drosjack Sent: Friday, December 18, 2015 11:47 AM To: Jacob Quail Subject: Fwd: wire confirmation

Sent from my iPhone

Begin forwarded message:

From: Andy Bazinet <a bazinet@cpv.com</pre>
Date: December 18, 2015 at 11:42:16 AM EST
To: Brenda Drosjack <<u>bdrosjack@cpv.com</u>, Aaron Egan aegan@cpv.com, Ryan Boyle
<<u>rboyle@cpv.com</u>, Ryan Boyle
<<u>rboyle@cpv.com</u>
Subject: wire confirmation

Do we have a wire confirmation for the Audubon-CT in-lieu fee of ~\$80k?

Thanks in advance, Andy



Andrew Bazinet Competitive Power Ventures, Inc. 50 Braintree Hill Office Park Suite 300 Power Ventures, Inc. Braintree, MA 02184 Office: (781) 848-3611 Cell: (508) 340-5470 Fax: (781) 848-5804

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December 21, 2015

Attn: Peter J. Podurgiel, Senior Vice President CPV Towantic, LLC 50 Braintree Hill Office Park, Suite 300 Braintree, MA 02184

Subject: Sale of 0.24 Wetland Mitigation Credits for Corps Permit No. NAE-2014-2062.

Dear Mr. Podurgiel:

National Audubon Society, through its Connecticut program, Audubon Connecticut; and the Army Corps of Engineers have established an In-Lieu Fee program in Connecticut.

This letter confirms the receipt of \$79,380.00 for the sale of 0.24 credits to compensate for 10,500 square feet or 0.24 acres of impacts to PEM, Wetland 1 and PFO Wetland 4 in the Housatonic Service Area as authorized by the above Corps permit.

By selling these credits, Audubon is the party responsible for fulfilling the agreed-to mitigation stated in the above-referenced permit

Yours truly,

Stewart J. Hudson (for Audubon Connecticut)

 cc: New England District Corps of Engineers Regulatory Division
 Attn: Chief, Policy Analysis and Technical Support Branch
 696 Virginia Road
 Concord, MA 01742-2751

Attachment B

Stormwater Renovation Areas Photo-documentation





Photo 1: View of Basin 'A' final grading looking west.



Photo 2: View of Basin 'A' final grading looking north.





Photo 1: View of Basin 'B' final grading looking southwest.



Photo 2: View of Basin 'B' grading looking northeast.





Photo 1: View of Basin 'B' planting looking northeast.



Photo 2: View of native wetland plant plugs for Basin 'B'.





Photo 1: View of Basin 'B' replanting looking north.



Photo 2: View of Basin 'B' replanting looking northeast.





Photo 3: View of Basin 'B' replanting looking north.



Photo 4: View of Basin 'B' replanting plants.





Photo 1: View of Basin 'A' As-built Survey looking north.



Photo 2: View of Basin 'A' As-built Survey looking west.





Photo 3: View of Basin 'A' forebay looking northwest.



Photo 4: View of Basin 'A' micro pool looking west.





Photo 5: View of Basin 'A' emergency overflow looking southwest.



Photo 6: View of Basin 'A' dense vegetation looking north.





Photo 1: View of Basin 'B' As-built Survey looking southwest.



Photo 2: View of Basin 'B' As-built Survey looking west.


PHOTO DOCUMENTATION Towantic Energy Center Monitoring Inspection 16 Woodruff Hill Road, Oxford, CT Photos taken on December 27, 2018



Photo 3: View of Basin 'B' looking southwest; minimal vegetative growth observed.



Photo 4: View of Basin 'B' looking west; minimal vegetative growth observed.



PHOTO DOCUMENTATION Towantic Energy Center Monitoring Inspection 16 Woodruff Hill Road, Oxford, CT Photos taken on December 27, 2018



Photo 5: View of Basin 'B' micro pool looking north.



Photo 6: View of Basin 'B' forebay looking west.

Attachment C

Compost and Nursery Order Slips

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49 DePaolo Dr · Southington, CT 06489 1-800-394-BARK | 860-485-1636 | 800-888-7529 www.SupremeForestProducts.com **Quality and Service You Can Count On.**

SUPREME FOREST

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49 DePaolo Dr · Southington, CT 06489 1-800-394-BARK | 860-485-1636 | 800-888-7529 www.SupremeForestProducts.com Quality and Service You Can Count On.

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ORDER

Winterberry Gardens, LLC

DATE: June 1, 2018

Invoice #: 10065

2070 West Street Southington, CT 06489 Phone: 860.378.0071 Fax: 860.378.0072

FOR: 1806 EDIL Oxford Power Plant - Basin A

BILL TO: EDI Landscape

Terms: Due on receipt

DESCRIPTION	QUANTITY	SIZE
Saururus cernuus (sub for Peltandra virginica)	250	2" plug
Pontederia cordata	250	2" plug
Sagittari latifolia	300	2" plug
Schoenoplectuc acutus	300	2" plug
Carex comosa	850	2" plug
Juncus effuses	850	2" plug
Panicum varigatum	850	2" plug
Schoenoplectuc acutus	850	2" plug
Saururus cernuus (sub for Peltandra virginica)	75	2" plug
Pontederia cordata	75	2" plug
Sagittaria latifolia	75	2" plug
Schoenoplectuc acutus	75	2" plug
Saururus cernuus (sub for Peltandra virginica)	100	2" plug
Pontederia cordata	100	2" plug
Sagittaria latifolia	100	2" plug
Schoenoplectuc acutus	100	2" plug

Make all checks payable to **Winterberry Gardens**. If you have any questions concerning this invoice, contact Adriana Wrobel (adriana@winterberrygarden.com).

THANK YOU FOR YOUR BUSINESS!



ORDER

Winterberry Gardens, LLC

DATE: April 9, 2018

Invoice #: 10023

2070 West Street Southington, CT 06489 Phone: 860.378.0071 Fax: 860.378.0072

FOR: 1806 EDIL Oxford Power Plant - Basin B

BILL TO: EDI Landscape

Terms: Due on receipt

DESCRIPTION	QUANTITY	SIZE
Saururus cernuus (sub for Peltandra virginica)	200	2" plug
Pontederia cordata	200	2" plug
Sagittari latifolia	150	2" plug
Schoenoplectuc acutus	150	2" plug
Carex comosa	250	2" plug
Juncus effuses	250	2" plug
Panicum varigatum	250	2" plug
Schoenoplectuc acutus	200	2" plug
Saururus cernuus (sub for Peltandra virginica)	50	2" plug
Pontederia cordata	50	2" plug
Sagittaria latifolia	50	2" plug
Schoenoplectuc acutus	50	2" plug
Saururus cernuus (sub for Peltandra virginica)	100	2" plug
Pontederia cordata	50	2" plug
Sagittaria latifolia	50	2" plug
Schoenoplectuc acutus	50	2" plug

Make all checks payable to **Winterberry Gardens**. If you have any questions concerning this invoice, contact Adriana Wrobel (adriana@winterberrygarden.com).

THANK YOU FOR YOUR BUSINESS!





Winterberry Gardens, LLC

DATE: November 7, 2018

Invoice #: 10188

2070 West Street Southington, CT 06489 Phone: 860.378.0071 Fax: 860.378.0072

FOR: 1806 EDIL Oxford Power Plant - Replacement Planting

BILL TO: EDI Landscape

Terms: Due on receipt

DESCRIPTION	QUANTITY	SIZE
Saururus cernuus (sub for Peltandra virginica)	250	2" plug
Pontederia cordata	250	2" plug
Sagittari latifolia	150	2" plug
Schoenoplectuc acutus	150	2" plug
Carex comosa	250	2" plug
Juncus effuses	250	2" plug
Panicum varigatum	250	2" plug

Make all checks payable to **Winterberry Gardens**. If you have any questions concerning this invoice, contact Adriana Wrobel (adriana@winterberrygarden.com).

THANK YOU FOR YOUR BUSINESS!

Attachment D

As-Built Survey



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