

8-Step Decision-Making Process

ISLE AU HAUT Electric Power Company – Submarine Cable Project Final Notice and Public Review of a Proposed Activity in a Floodplain and Wetlands in Stonington and Isle au Haut, Maine

To: All interested Agencies, Groups, and Individuals

The Northern Border Regional Commission (NBRC) intends to fund the following Proposed Action. NBRC has prepared an 8-Step Decision-Making Process review to ensure that projects associated with the NBRC follow appropriate wetland and floodplain regulations. Specifically, NBRC reviews compliance with Executive Order (EO) 11988 (Floodplain Management) as amended by EO 13690 (Establishing a Federal Flood Risk Management Standard and a Process for Further Soliciting and Considering Stakeholder Input), which established a more protective standard for evaluating flood risk to ensure projects funded by the federal government are more resilient to the impacts of flooding. NBRC also reviews compliance with EO 11990 (Protection of Wetlands), which established a more protective standard for wetlands. This standard aims to avoid, to the extent possible, the long- and short-term adverse impacts associated with the destruction or modification of wetlands and to avoid direct or indirect support of new construction in wetlands where there is a practicable alternative.

Purpose and Need: The Isle au Haut Electric Power Company (IAHEPC) is seeking \$300,696 from NBRC to fund the placement of a new submarine electric cable. Power is currently transmitted to Isle au Haut from Stonington via a submarine electric cable laid on the seafloor. This cable was installed in 1983 and has been providing the island with electricity for 40 years. The existing cable has exceeded the expected operational life span, which was anticipated to last about 25 years. This, coupled with a significant increase in the amount of power purchased annually since the cable was installed, has resulted in the need for a replacement cable to ensure long-term, reliable electric service that will benefit the island's residents, visitors, and businesses. The new cable would act as the main power source, and the old cable would remain in place as a redundant power source in case of power failure.

Proposed Action: The proposed cable will share the same two landfall locations and underwater route as the existing cable that connects Isle au Haut with Stonington. The new cable will connect to an existing power pole at the intersection of Bayview Avenue and Seabreeze Avenue in Stonington (see Figure 1) where the existing cable connects to the electric grid. From this point, the proposed cable will travel off land through an existing conduit to the intertidal zone where it will be buried to the mean lower low water (MLLW) line (see Figure 2 and 3). The trench will be excavated with hand tools across during low tide in dry conditions. Approximate trench dimensions would be 1 foot deep and 1 foot wide.

After passing the MLLW boundary and entering the subtidal zone, the cable will be laid on the seafloor of East Penobscot Bay for a length of approximately 6 miles in a parallel configuration with the existing cable in the same right-of-way.

Upon reaching the Isle au Haut landfall site, the cable will be installed in a trench across the intertidal zone. On shore, it will be fed into an existing, buried conduit that extends through the shoreline bank and adjacent wooded area to connect to the IAHEPC electric distribution system.

NBRC has determined that the Proposed Action's footprint exists within both an FFRMS floodplain and NWI wetlands and accordingly warrants an analysis under the 8-Step Decision-Making Process.

Alternatives: The Applicant considered alternatives to the Proposed Action by evaluating factors such as the natural environment, social concerns, economic aspects, and legal constraints. These factors were

analyzed to determine the practicability of all alternatives and determined the alternative that satisfied the needs of the community with the least impact to the Proposed Action. The Applicant considered the following alternatives in selecting the proposed action:

- **No Action Alternative:** Under the No Action alternative, the IAHEPC would not install a new submarine electric power cable between the Town of Stonington and the Town of Isle au Haut. The IAHEPC would continue to use the existing submarine electric cable installed in 1983 to supply Isle au Haut with power. This cable has exceeded its operational life and presents a significant electricity reliability issue for island residents, visitors, and businesses that will not be addressed through the No Action Alternative. Therefore, the No Action Alternative is not an acceptable alternative.
- **Alternative Site:** Alternative sites would place the cable at different landfalls sites and follow a different offshore cable route to connect Isle au Haut with Versant Power distribution system in Stonington. Using an Alternative Site would not obtain the benefits of collocating the proposed cable with the existing cable in the existing, designated offshore cable protection area. Alternative Sites would also not benefit from collocation with the existing Maine Bureau of Parks and Lands Submerged Lands Lease established for the existing cable. Alternative Sites would require an additional submerged lands lease agreement and would also require a second cable protection corridor. Selecting an alternative site for the proposed cable alignment and landfalls would incur higher costs in construction, design, environmental reviews, and installation compared to the Proposed Action. As such, alternative sites would not meet the needs of the Proposed Action in a manner that is superior to the Proposed Action.
- **Nature-Based Alternative:** EO 13690 requires federal agencies to consider nature-based approaches when developing project alternatives. “Nature-based approach” is an umbrella term for project features designed to mimic, restore, manage, and conserve natural processes to increase resilience.¹ The Proposed Action requires the transmission of electrical current via a cable, and therefore, no nature-based alternatives can fulfill this requirement.

Impacts: Through the 8-Step Decision-Making Process, NBRC identified the potential for the Proposed Action to impact property, lives, and natural values. The applicant has identified the following measures to minimize potential impacts:

- **Property Impacts:** The Proposed Action is estimated to cost \$601,392. This is an additional property and monetary value that does not currently exist at the Proposed Action location and has the potential to be lost or otherwise damaged because of a flooding event.
- **Impacts on Lives:** The existing cable has been the sole source of power for 40 years and is beyond its operational life. The Proposed Action would have a positive impact on the lives of Isle au Haut’s residents, visitors, and businesses because it will ensure long-term, reliable electric service for future generations by installing a second submarine cable to service Isle au Haut. Following the installation of the new cable, the old (existing) cable will remain in place in an energized state to serve as a redundant power source to further ensure reliable service.
- **Cultural and Community Resource Impacts:** The Proposed Action would have positive effects on community resources by addressing a significant power reliability issue that exists

¹ Nature-based approaches can take the form of green infrastructure or natural infrastructure. Green infrastructure consists of projects that combine gray infrastructure with nature-based solutions to create hybrid systems that improve resilience to climate impacts, while natural infrastructure consists of projects that use natural landscapes to increase resilience to climate impacts.

because of the age of the existing cable. Replacing this existing cable with a new cable will ensure reliable electrical power for Isle au Haut residents, businesses, and visitors for the future.

- **Floodplain and Wetland Impacts:** The Proposed Action represents the most cost-effective approach to satisfy the purpose and need of the project while minimizing impacts to floodplains and wetlands. Proposed measures to minimize impacts from the Proposed Action are described below.
 - Collocate the new cable in East Penobscot Bay with the existing submarine cable following a direct route to minimize cable length.
 - Place the new cable on the subtidal seafloor without trench excavation to minimize direct disturbance to benthic habitats.
 - Use minimal (i.e., shallow and narrow) trench dimensions at the intertidal landfall approaches (approximately 1 foot deep and 1 foot wide).
 - Use of hand tools to install the cable in the intertidal zone at low tide in dry conditions without heavy mechanized equipment to minimize disturbance and turbidity.
 - Backfill trenches in the intertidal zone with native material and re-establish pre-construction elevations.
 - Use conduits at the landfall sites for cable installation to minimize shoreline and coastal bank disturbance.
 - Adhere to construction time of year window to protect marine fisheries and endangered and threatened species (in-water work is allowed November 8 – March 14).

It is NBRC's determination that the importance of the Proposed Action to ensure long-term, reliable electric service for Isle au Haut's residents, businesses, and visitors outweighs the requirements of EO 11988 and EO 13690 (to avoid direct or indirect support of floodplain development and reduce the risk of flood loss) and EO 11990 (to avoid to the extent possible the long and short-term adverse impacts associated with the destruction or modification of wetlands and to avoid direct or indirect support of new construction in wetlands where there is a practicable alternative).

Files that document compliance with steps 1 through 6 of EO 11988 (as amended by EO 13690) and EO 11990 are available for public inspection upon request. Please send an email request to nepa@nbrc.gov. The 8-Step Decision-Making Process materials will be provided in electronic format unless a hard copy is specifically requested.

This notice provides people who may be affected by activities in the floodplain and wetlands and those who have an interest in the protection of the natural environment with an opportunity to express their concerns and provide information. NBRC is accepting comments on this notice for seven (7) days from August 16, 2024, through the end of the day of August 22, 2024.

Date of Publication: August 16, 2024

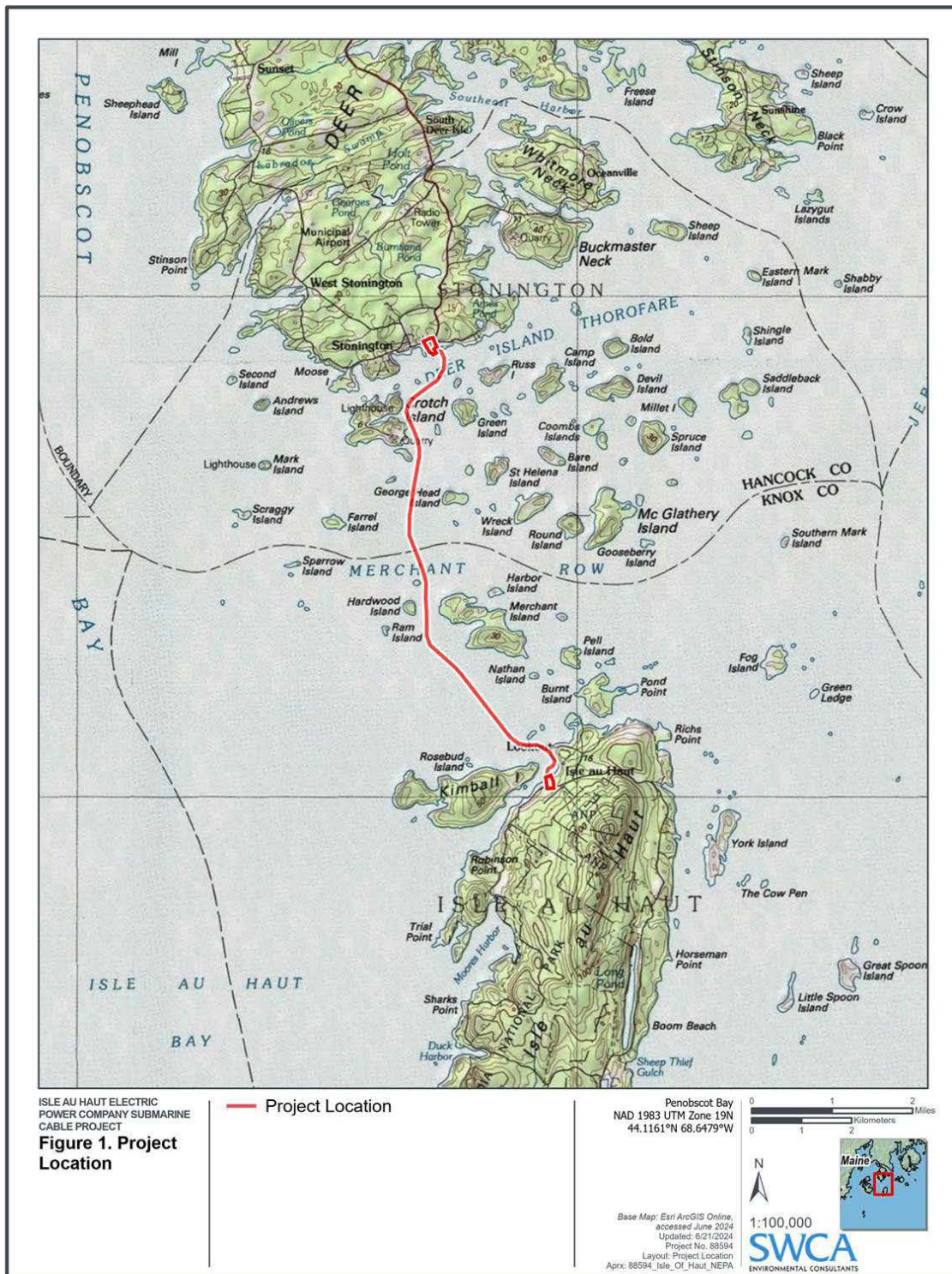


Figure 1. U.S. Geological Survey topographical map showing project area and affected environments.

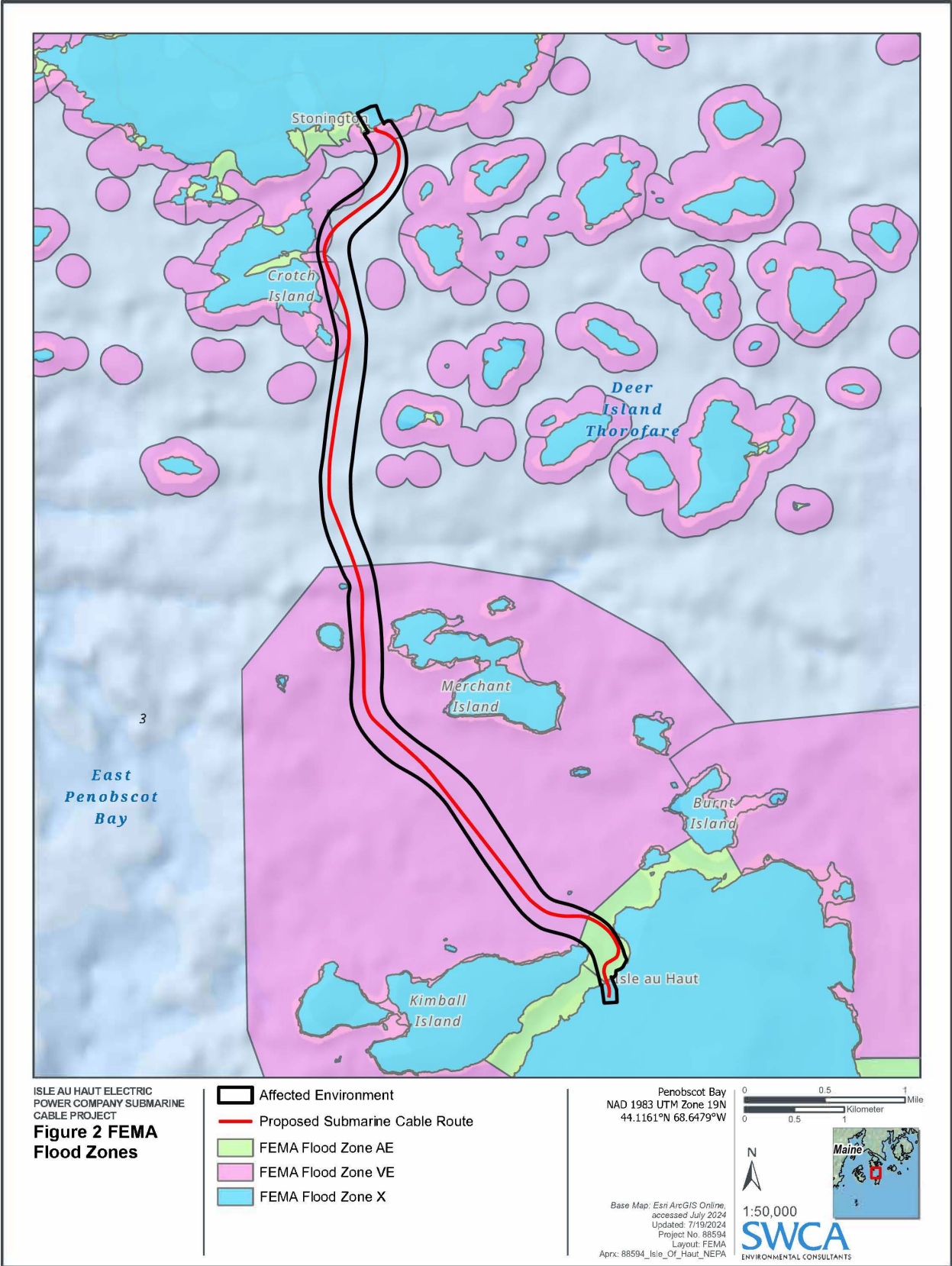


Figure 2. FEMA Flood Zone map showing project area and landfall sites.

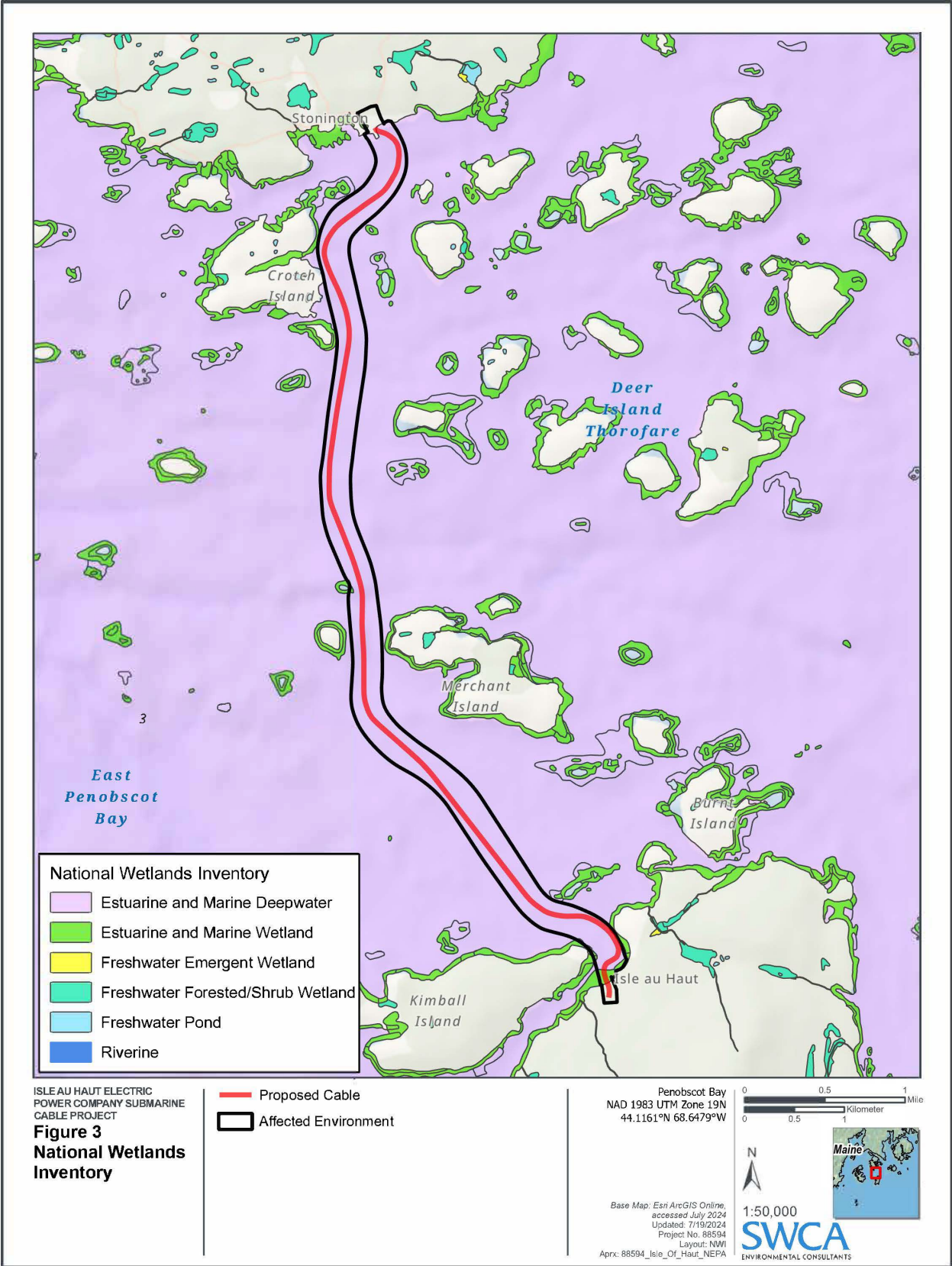


Figure 3. NWI map showing project area and landfall sites.