



STATE OF CONNECTICUT

CONNECTICUT SITING COUNCIL

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September 20, 2016

TO: Parties and Intervenors

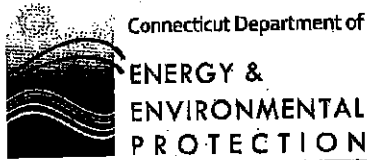
FROM: Melanie Bachman, Acting Executive Director *MAB*

RE: **DOCKET NO. 468** - The Connecticut Light & Power Company d/b/a Eversource Energy application for a Certificate of Environmental Compatibility and Public Need for the Southwest Connecticut Reliability Project that traverses the municipalities of Bethel, Danbury, and Brookfield, which consists of (a) construction, maintenance and operation of a new 115-kV overhead electric transmission line entirely within existing Eversource right-of-way and associated facilities extending approximately 3.4 miles between Eversource's existing Plumtree Substation in the Town of Bethel to its existing Brookfield Junction in the Town of Brookfield; (b) reconfiguration of two existing 115-kV double-circuit electric transmission lines at Eversource's existing Stony Hill Substation in the Town of Brookfield; and (c) related substation modifications.

Comments have been received from the Department of Energy and Environmental Protection, dated September 19, 2016. A copy of the comments is attached for your review.

MB/RDM/cm

c: Council Members



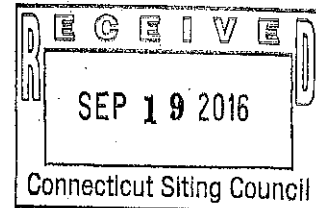
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September 19, 2016

Robert Stein, Chairman
Connecticut Siting Council
10 Franklin Square
New Britain, Connecticut 06051



RE: Southwestern Connecticut Reliability Project
Connecticut Light and Power/ Eversource Energy
Bethel, Danbury and Brookfield
Docket No. 468

Dear Chairman Stein:

Staff of this department have reviewed the above-referenced application for a Certificate of Environmental Compatibility and Public Need for this 115-kV transmission line project. A field review of the corridor was also conducted. Based on these efforts, the following comments are offered to the Council for your use in this proceeding.

Connecticut Light and Power/ Eversource Energy proposes to add the new 115-kV transmission line connecting Plumtree Substation in Bethel to Brookfield Junction in Brookfield, using an existing Eversource right-of-way which currently contains a 345-kV transmission line. The new transmission line would be constructed to the east of the existing 345-kV line. In addition, three wooden poles at the Stony Hill Substation in Brookfield will be replaced with new steel structures as part of a circuit reconfiguration at that substation.

East Swamp Wildlife Management Area

The southernmost portions of the new 115-kV transmission line traverse DEEP's East Swamp Wildlife Management Area in Bethel, immediately west of the Plumtree Substation. This area mainly supports small game hunting and bow and arrow deer hunting. Page 6-28 of Volume 1 of the application mentions that the applicant will provide an anticipated construction schedule for each recreational property along the corridor to an appropriate representative. For the East Swamp Wildlife Management Area, this contact would be Peter Picone, Wildlife Biologist for our Western District. He can be reached at (860) 424-3032.

Also regarding this property, Eversource offers adjacent property owners first option on the wood that is cleared as the managed portion of the right-of-way is expanded by 25'. In this area, red maple is the predominant forest species, with lesser amounts of American elm and swamp white oak. DEEP is not interested in retaining ownership of the wood cleared from this property.

Lastly, mention is made on page 6-21 of a new temporary access road crossing East Swamp Brook between existing structures 10267 and 10268. The preferred alignment for this access road as shown in Volume 5, Map 2 of 14, has the road remaining within the Eversource

right-of way and not crossing DEEP property. Should it be necessary to adjust this access road such that a crossing of the East Swamp Wildlife Management Area is needed, please advise DEEP and coordinate with Jamie Sydoriak of the DEEP Land Acquisition and Management Unit. She can be reached at (860) 424-3143.

Danbury Landfill

The proposed new transmission line will pass in close proximity to the closed Danbury Landfill in the area of structures 1009 and 1010. Closure activities at the landfill were conducted in the late 1990s and the landfill closure was formally approved in 2002. The new line will be east of the existing 345-kV line and therefore on the farther side of the right-of-way from the landfill. Actual construction activities on the right-of-way are not expected to affect the landfill.

The application shows an existing access route to the Eversource right-of-way makes use of the existing landfill perimeter road. This road is a substantial and well established road and should not require any improvements to meet the applicant's needs. Map 5A of 14 in Volume 5 of the application shows a "new preferred access road" to access, assumedly, structure 1011. This route is off of the landfill and should not impact it. However, a "new alternate access road" alignment shown on the same map, is right on the margin of the landfill form. If this access route is being considered, Eversource should contact David Day of the City of Danbury at (203) 797-4539 or at d.day@Danbury-ct.gov. The City of Danbury was issued a Stewardship Permit for the landfill by DEEP and is responsible for the maintenance of the site.

Natural Diversity Data Base Review

DEEP has received a bog turtle habitat assessment from Eversource consultant BSC Group and concurs with the finding that suitable habitat for the bog turtle (*Glyptemys muhlenbergii*) is not found within the project corridor. DEEP has not yet been able to determine impacts to listed plant species in the corridor because it has not received complete survey reports on the presence of listed plant species. The NBBD has just recently had contact with Eversource's biologist and has informed him of the reporting requirements to ensure that we receive sufficient data to make a determination. Updated surveys are expected to be completed within the next couple of weeks.

Water Resources Issues: 401 Water Quality Certification, Structures in Floodplain

Wetland W-1 extends from Plumtree Substation to Old Sherman Turnpike and includes the locations of structures 1000-1006, 1008 and 1010 to 1012. These structures, along with structure 1007, are within the 100-year floodplain of Limekiln Brook and East Swamp Brook, and five of these structures are within the floodway of these watercourses.

According to the Corps of Engineers General Permit for the State of Connecticut, issued effective August 19, 2016, the Southwest Connecticut Reliability Project appears to be Self-Verification eligible based on the 0.03 acres of temporary and permanent wetland impact, which falls under the 5,000 square foot threshold for Self-Verification eligibility. Construction mats are specifically exempted from the threshold calculation. However, eligibility for the Corps Connecticut General Permit also requires that the proposed activities within the FEMA-established floodplain not adversely affect the hydraulic characteristics of the floodplain. Therefore, it is probable that the Corps will require hydraulic modeling of the flows in the floodplain to determine if the placement of the 11 structures within it will adversely affect flood flows and the resultant

100-year flood elevation. If the Corps should determine that an Individual Section 404 Permit is necessary for this project, this would also trigger the need for an Individual Section 401 Water Quality Certification from DEEP. If the Corps accepts the project as General Permit eligible, it would also be eligible for Connecticut's General Section 401 Water Quality Certification. The Corps may also require Eversource to prepare an Invasive Species Control Plan pursuant to condition 25 of the General Permit for Connecticut.

EMF Modeling Question

According to Table 7B-1 on page 7B-5, the calculated magnetic field on the East/South edge of the right-of-way increases from 14.0 mG for the proposed project to 14.6 mG when structures 10' taller than the proposed structures are used, and further increases to 15.2 mG if structures 20' taller than proposed are used. The higher the supporting structures are, the greater the distance the magnetic field source is from the ground. What would be the reason that the use of taller structures would cause magnetic field levels at ground level to increase relative to the proposed design?

Observations from the Corridor Field Review

DEEP's field review of the project corridor was performed on September 6 and 7.

Beginning at Plumtree Substation, a *Phragmites* monoculture is found in the right-of-way beginning immediately at the base of fill for the substation. The *Phragmites* is 8-10" tall in the immediate area of the substation but was taller in other portions of the right-of-way and forms a very dense, nearly impenetrable mass. Other than the stake marking the location for structure 1000, which is just off the west side of the substation pad, the stakes for the next six structures were not located, and other than the stake for structure 1001, location of the stakes through 1006 was not attempted. Once in the *Phragmites* stand, visibility is extremely limited and progress is very slow.

Proceeding westward in the wooded portion of the right-of-way just north of the *Phragmites* stand, wooded vegetation consists mainly of red maple, with American elm and swamp white oak as accessory species, at least to the vicinity of structure 1004 which represented the end of the inspection of this segment of the corridor.

A footpath signed as the Enchanted Trail leads north from the substation to Bennett Memorial Park which hosts a pavilion, a pond and a small playground. The adjacent Meckauer Park was heavily used on this cloudy Tuesday at mid-day with joggers, dog walkers and families using the playground. Thirteen cars were seen in the parking lot, evidencing the popularity of this park. The existing 345-kV line is well screened from the park.

At Shelter Rocks Road, the stake for proposed structure 1007 is on a narrow upland ridge between two ponds just south of the road. Though the application lists structure 1007 as being within the floodway, the small ridge supports a compact grove of ash trees and an apple tree right at the stake for structure 1007.

Existing structure 10264 of line 321 sits on a ridge or mound 20' above the wetland where adjacent proposed structure 1008 would be placed. It was a difficult battle to reach the site of structure 1008, the stake for which was not found though the area was well searched.

The stake for structure 1009 sits right on the edge of a very steep 30' slope of unconsolidated soils. If a structure were placed at this exact location, it would lack support on its east side and be vulnerable to vibration or erosion. Perhaps a shift of structure 1009 approximately 10' to the east, which would place it near the bottom of the slope, would be one solution. Two Burns and McDonnell employees who were placing a notice sign on Shelter Rock Road for the Council's public hearing were advised of the problem with the structure 1009 location.

Moving from the right-of-way at structure 10264 to the Danbury landfill site, a very pungent deer (buck) carcass was passed at the edge of the landfill clearing.

Upland portions of the subject right-of-way support vigorous and widespread populations of mugwort (*Artemisia vulgaris*) in all portions south of the Target parking lot.

Approaching existing structure 10260 from Old Sherman Turnpike, another very dense stand of *Phragmites* was traversed. Three Eversource contractors were encountered at structure 10260, one spraying poison ivy growing on the foundation of that structure and two clearing a very minimal path through a portion of the *Phragmites*. The stake for structure 1012 was located southeast of structure 10260. Structure 1012 is the last one located in Wetland W-1. The right-of-way transitions from wetland to upland at Old Sherman Turnpike.

Ascending the hill east of Old Sherman Turnpike, the *Phragmites* is replaced by a combination of goldenrod, mugwort and poison ivy. A dense stand of Japanese knotweed is encountered just before reaching structure 10259 and the stake for structure 1013. From here, another stand of *Phragmites* extends all the way to Payne Road.

Goldenrod, poison ivy and blackberry predominate east of Payne Road. The stake for structure 1014 is offset downslope from existing structure 10258. Assumedly, this is done to lessen the visual impact of the new structure upon the home at 27 Hearthstone Drive. Approximately 50% of the forest buffer between the cleared portion of the right-of-way and this home will be lost when the former is widened by 25'.

At existing structure 10257, the new line turns to the north. If at all possible, the Crimson King Norway maple in the front yard of the home on the east side of the right-of-way should be spared. This tree constitutes the total landscaping for the front yard of that house. (No house # was seen on this home but it is immediately north of #14 Chimney Drive.) Crossing Chimney Drive, structure 10256 supports a T-Mobile cell site. Structure 1016 is offset northward from structure 10256 rather than being adjacent to it, an adjustment which will lessen the visual impact to homes on Chimney Drive.

Structure 10255, which is off Sky Edge Drive and down an access road, also supports a cell phone site but the carrier is not identified. The adjacent stake for proposed structure 1017 sits at the base of a red oak. The narrow strip of trees between the access drive and the right-of-way,

consisting mostly of red oak and aspen but also some tulip poplar, will be lost to the clearing for the new line. The Bethel Land Trust's Sky Edge Preserve is a narrow strip of property east of the access drive to structure 10255. The eastern third of this strip is forested while the western two-thirds supports a herbaceous cover.

Following structure 1017, the remainder of the project corridor is located within or over developed commercial properties. A characteristic of the right-of-way from Plumtree Substation to structure 1017 is that of a uniformly well-established vegetative cover that does not show any indications of erosion.

Structure 1018 is at the edge of a maintained lawn clearing between the parking lot for the Target store and the driveway for the Best Western of Danbury/Bethel and is adjacent to existing structure 10254.

After crossing Interstate 84 to structures 10253 and 1019, the remainder of the proposed line's Bethel segment lies within the Berkshire Corporate Park. Structure 10253 sits at the bottom of the embankment for westbound Interstate 84 in a lawn area. Proposed structure 1019, whose stake was knocked over in the lawn, would similarly be at the interface of the corporate park lawn and the highway embankment.

Continuing north, structure 1020 would be at the south side of a planting of six white pines at the north end of a parking lot and next to structure 10252. The line then crosses Berkshire Boulevard, spans a detention pond, and continues north parallel to Research Drive. The preserved stone foundation of an old barn or other building, now long gone, is found underneath the existing line north of structure 10251. No stakes were present for structures 1021 or 1022 but this is not surprising given that these sites occur within maintained lawn.

Structure 10249 is the last structure in Bethel, opposite Duracell Drive, and at the end of the paved portion of Research Drive. No stake was located for proposed structure 1023 but the structure would sit near the top of a steep hillside ascending from Research Drive.

Stockpiles of stones and crushed stones of various sizes, ranging up to boulders, as well as wood chips, street drainage pipes, and granite curbing are located in the right-of-way at structure 10248 and the site of proposed structure 1024. The trees along Park Ridge Road between the new line and the north-south section of Park Ridge Road would probably be lost in their entirety due to clearing.

North of Park Ridge Road, a small detention pond is spanned. A strip of trees between the new line and the access road north of Park Ridge Road would likely be cleared. These consist of red oak, pin oak, sugar maple, pin cherry and white pine.

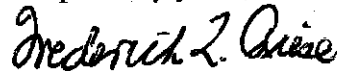
Structure 10247 supports another cell tower site. A pavement milling machine, old asphalt, concrete blocks, Jersey barriers and mafia blocks are stored on the right-of-way around this structure. The stake for structure 1025 is found next to a pile of old asphalt.

Structure 10246 supports yet another cell tower site, this one for Sprint. Route 7 is visible in the distance as the right-of-way enters Brookfield Junction. The stake for structure 1026 is visible east of 10246.

At Stony Hill Substation, three wood poles will be removed and replaced by metal structures as existing line 1770 is split into two new circuits 1485 and 1268. This is a clear upland site which should present no construction issues or impacts.

Thank you for the opportunity to review this application and to submit these comments to the Council. Should you, other Council members or Council staff have any questions, please feel free to contact me at (860) 424-4110 or at frederick.riese@ct.gov.

Respectfully yours,



Frederick L. Riese

Senior Environmental Analyst

cc: Commissioner Robert Klee