



STATE OF CONNECTICUT

COUNCIL ON ENVIRONMENTAL QUALITY

August 2, 2022

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PETITION NO. 1531 – The Connecticut Light and Power Company d/b/a Eversource Energy proposed 1200/1300 Line Structure Replacement Project consisting of the replacement and reconductoring of approximately 0.39 mile of its existing No. 1200 and No. 1300 115-kilovolt electric transmission lines within existing Eversource electric transmission line right-of-way between Eversource's Windsor Locks Substation in Windsor Locks and Warehouse Point Junction in East Windsor, Connecticut and related transmission line and substation improvements.

Dear Ms. Bachman:

The Council on Environmental Quality (“Council”) offers the following comments regarding Petition 1531.

1. Best Management Practices

The Petitioner notes that the right of way (ROW) restoration would be conducted in accordance with the Eversource’s April 2022 Construction & Maintenance Environmental Requirements, Best Management Practices Manual for Massachusetts and Connecticut (“BMPs”). In addition, the Petitioner states that the BMPs would address all work in or near water resources, including inland wetlands, watercourses (perennial and intermittent streams), and Federal Emergency Management Agency (“FEMA”) Flood Zones; erosion and sedimentation controls; the disposal of waste materials; and dewatering activities during construction. However, the BMPs are not included in the Petition or included as bulk filings in this proceeding. The Council recommends that the Petitioner provide the referenced BMPs to the Siting Council so that the Siting Council and members of the public can assess the appropriateness of the BMPs for the proposed project. It is the Council’s recommendation that any external environmental quality standards referenced by petitioners/applicants be submitted to the Siting Council for inclusion in the record, consideration, and possible incorporation into permits.

2. Wildlife

The Department of Energy and Environmental Protection (DEEP) Natural Diversity Database’s (NDDDB) provided a determination letter to the Petitioner in January 2022 that identified two state-listed species that have been reported in the project area. The Petitioner states that they will implement species-specific protection and mitigations measures to avoid impacts to the state-listed species and their habitats during Project construction. However, neither the NDDDB determination letter nor the protection measures are included in the Petition materials because the Petitioner claims that the exclusion of such information will protect the state-listed species. Since the determination letter and/or NDDDB mapping does

not divulge the locations of the state-listed species, the Council recommends that the NDDDB's determination letter and the species-specific protection measures be part of the Petition filing so that the Siting Council and members of the public have access and can assess the information.

3. Soils

The Petitioner states that "excavated soils that are generated during construction activities would be stored or spread in an upland area within the ROW, to the extent practicable" and that "materials that cannot be utilized as backfill would be disposed of in accordance with applicable regulations." However, there is no mention of the process that the Petitioner will undertake to determine if the soils are suitable to be "stored and spread in an upland area" or whether the soils are contaminated and need to be disposed consistent with applicable regulations. The Council recommends that the Petitioner provide a plan for the testing of the excavated soils to determine its suitability to be stored and spread within the project area. Further, the Council recommends that any clean soils that are stored and spread within the project area does not encroach on any water resources or in areas that would be prone to erosion.

4. Invasive Species

The proposed work has the potential to introduce or expand the habitat for invasive plants. The Council recommends that the Petitioner develop and implement an invasive species control/eradication plan for the areas impacted by the proposed activities, which should include measures to control the spread of invasive species during the transport and use of construction equipment and vehicles, with follow-up after construction is completed.

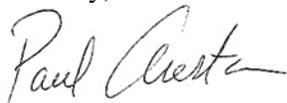
5. Inspections

The Petitioner states that "temporary E&S control measures would be maintained and inspected throughout the Project to ensure their integrity and effectiveness." The Council supports the presence of an environmental inspector who would be available onsite during the construction; however, the information on the inspector's duties and timing for inspections is not specified. The Council recommends that the Petitioner provide details regarding the inspector's duties, including but not limited to: protecting any state-listed species or wildlife within the project area; ensuring erosion and sedimentation controls are installed and functioning properly; and ensuring that the invasive species control plan is implemented to minimize the transport and establishment of invasive species. The Council also recommends that an environmental inspector inspect the project area at least once per week during construction and within 24 hours following significant precipitation events ($\geq 1/2$ inch)¹.

The comments above address only certain elements of the materials provided by the Petitioner at the time of the filing. Additional information can become evident through comments offered by other parties and during the Siting Council's administrative hearing process. The absence of comment(s) by this Council about any Petition or Application, or any aspects thereof, may not be interpreted as an endorsement of a proposed project, or its components or that this Council might not have comments or concerns on more specific issues raised during the hearing process.

Thank you for your consideration of the Council's comments.

Sincerely,



Paul Aresta
Executive Director

¹ [2002 Connecticut Guidelines for Soil Erosion and Sediment Control](#), Maintenance, 5.4.4.