



APPLICATION
to the
CONNECTICUT SITING COUNCIL
for the
**MILVON TO WEST RIVER RAILROAD TRANSMISSION
LINE 115-kV REBUILD PROJECT**

**City of Milford, Town of Orange, City of West Haven, City of New Haven
New Haven County, Connecticut**

VOLUME 1A: APPENDICES

February 2022

Prepared By:

THE UNITED ILLUMINATING COMPANY

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Appendix A

Agency Correspondence

- A.1: State Historic Preservation Office (SHPO)
 - A.2: Connecticut Department of Energy and Environmental Protection, Natural Diversity Database (NDDDB)
 - A.3: U.S. Fish and Wildlife Service (USFWS) Consultation
 - A.4: Federal Aviation Administration (FAA)
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PHASE IA CULTURAL RESOURCE
ASSESSMENT SURVEY
SHPO CONCURRENCE

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Department of Economic and
Community Development

State Historic Preservation Office

December 22, 2021

Mr. David R. George
Heritage Consultants
PO Box 310249
Newington, CT 06131

Subject: Visual Impacts, Phase IA Cultural Resource Assessment Survey
Milvon-West River Railroad Transmission Line 115-kV Rebuild Project
Milford, Orange, West Haven, New Haven, Connecticut
ENV-22-0382

Dear Mr. George:

The State Historic Preservation Office (SHPO) has reviewed the archeological survey report prepared by Heritage Consultants, LLC (Heritage), dated September 2021. The proposed activities are under the jurisdiction of the Connecticut Siting Council and are subject to review by this office pursuant to the Connecticut Environmental Policy Act (CEPA). The proposed project includes the rebuilding of two single-circuit 115-kilovolt (kV) overhead lines along the Connecticut Department of Transportation (CT DOT) corridor between the Milvon and West River substations, including installation of new steel monopoles, reaching a maximum height of 160 feet, removal/modification of existing monopoles installed as part of previous upgrade projects, modification of existing 115-kV connections, and decommissioning of existing 115 kV facilities located on existing catenary structures, which may include the removal of electrical bonnets currently supporting the 115 kV transmission lines. The submitted report is well-written, comprehensive, and meets the standards set forth in the *Environmental Review Primer for Connecticut's Archaeological Resources*.

Five properties listed on the National Register of Historic Places are located within the project area:

- The Academy of Our Lady of Mercy – Luralton Hall (NR# 11000611)
- River Park Historic District (NR# 86002648)
- St. Peter's Episcopal Church (NR# 79002644)
- Taylor Memorial Library (NR# 79002642)
- U.S. Post Office – Milford Main (NR# 86002959)

State Historic Preservation Office

450 Columbus Boulevard, Suite 5 | Hartford, CT 06103 | P: 860.500.2300 | ct.gov/historic-preservation

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Department of Economic and
Community Development

State Historic Preservation Office

All five resources will be visually impacted by the proposed undertaking, to varying degrees. Additionally, the corridor itself, the Metro-North Railroad (MNR)/Amtrack Railroad Alignment, formerly the New York, New Haven, & Hartford Railroad, is eligible for listing on the National Register, under Criteria A, in the area of transportation, as well as in the development of the Connecticut shoreline. The proposed alterations to the former New York, New Haven, & Hartford Railroad alignment will not adversely impact the integrity of the resource.

Regarding visual impacts to National Register listed resources, all five identified resources will be adversely impacted by the proposed undertaking. Following issuance of a letter by this office dated November 26, 2021, the project proponent met with SHPO to consider mitigation measures to resolve the adverse impact. Both parties agree that the production of a pedestrian survey, mapping, and historic research of Charles Island, to be codified in a report submitted to SHPO, as well as the production and installation of interpretive signage based on said report, would successfully mitigate the impact. SHPO formally requests that this be included as a requirement for project approval, and solidified in a formal agreement once permitting is secured. Should the scope of the project substantially change, this office should be contacted for additional consultation.

SHPO appreciates the cooperation of all interested parties in the professional management of Connecticut's cultural resources. These comments are provided in accordance with the Connecticut Environmental Policy Act. For additional information, please contact Marena Wisniewski, Environmental Reviewer, at (860) 500-2357 or marena.wisniewski@ct.gov.

Sincerely,

A handwritten signature in black ink that reads "Jonathan Kinney". The signature is written in a cursive style with a long, sweeping underline.

Jonathan Kinney
State Historic Preservation Officer

State Historic Preservation Office

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PHASE IB CULTURAL RESOURCE
RECONNAISSANCE SURVEY
SHPO CONCURRENCE

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December 22, 2021

Mr. David R. George
Heritage Consultants
PO Box 310249
Newington, CT 06131

Subject: Phase IB Cultural Resource Reconisance Survey
Proposed Access Road AR-P-982N-W
Milvon-West River Railroad Transmission Line 115-kV Rebuild Project
Milford, Orange, West Haven, New Haven, Connecticut
ENV-22-0382

Dear Mr. George:

The State Historic Preservation Office (SHPO) has reviewed the archeological survey report prepared by Heritage Consultants, LLC (Heritage), dated December 2021. The proposed activities are under the jurisdiction of the Connecticut Siting Council and are subject to review by this office pursuant to the Connecticut Environmental Policy Act (CEPA). The proposed project includes the rebuilding of two single-circuit 115-kilovolt (kV) overhead lines along the Connecticut Department of Transportation (CT DOT) corridor between the Milvon and West River substations. Access Road AR-P-982N-W is to be a permanent installation, located within the CT DOT corridor in the Town of Orange, east of Marsh Hill Road, south of Interstate I-95, and west of Heffernan Drive. These comments are limited to the above survey of Access Road AR-P-982N-W, with correspondence regarding the totality of effects of the project forthcoming. The submitted report is well-written, comprehensive, and meets the standards set forth in the *Environmental Review Primer for Connecticut's Archaeological Resources*.

As part of A Phase IA Cultural Resource Assessment Survey, a review of previously identified archaeological sites indicated that Site 107-15 was located within the vicinity of Access Road AR-P-982N-W, and may be impacted by construction activities. In a letter dated November 26, 2021, this office concurred with the recommendation that a Phase II Testing and Evaluation of Site 107-15 should be completed; however upon assessing field conditions, Site 107-15 was not able to be located. A phase IB Cultural Resource Assessment Survey was completed for due diligence.

A total of 11 of 13 planned survey shovel test pits were successfully excavated along the centerline of the proposed access road; two planned but unexcavated shovel test pits fell within areas of standing water and previous disturbance. The survey yielded a small amount of coal and single metal washer, both from the disturbed plow zone. No prehistoric cultural materials or features were identified.

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As a result of the information submitted, SHPO concurs with the findings of the report that Site 107-15 does not extend into the proposed access road location and will not be impacted by the project. Additional archeological investigations of the project area are not warranted. However, please be advised that if construction plans change to include previously uninvestigated/undisturbed areas, this office should be contacted for additional consultation

SHPO appreciates the cooperation of all interested parties in the professional management of Connecticut's cultural resources. We look forward to additional consultation and a successful resolution for all parties. These comments are provided in accordance with the Connecticut Environmental Policy Act. For additional information, please contact Marena Wisniewski, Environmental Reviewer, at (860) 500-2357 or marena.wisniewski@ct.gov.

Sincerely,

A handwritten signature in cursive script that reads "Jonathan Kinney".

Jonathan Kinney
State Historic Preservation Officer

State Historic Preservation Office

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NDDB Determination

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Connecticut Department of

**ENERGY &
ENVIRONMENTAL
PROTECTION**

December 27, 2020

Mr. Todd Berman
The United Illuminating Company
100 Marsh Hill Road
Orange, CT 06477
Todd.berman@uinet.com

Project: United Illuminating Company Milvon-West River Railroad 115-KV Transmission Line Upgrade in Milford, Orange, West Haven and New Haven, Connecticut
NDDDB Determination No.: 202073487

Dear Todd Berman,

I have reviewed Natural Diversity Data Base maps and files regarding the area delineated on the map you provided for the proposed United Illuminating Company Milvon-West River Railroad 115-KV Transmission Line Upgrade in Milford, Orange, West Haven and New Haven, Connecticut. According to our information we have known extant populations of State Endangered *Eriocaulon parkeri* (Parker's pipewort) State Threatened *Ammodramus maritimus* (seaside sparrow) and State Special Concern *Ammodramus caudacutus* (saltmarsh sharp-tailed sparrow), *Rana pipiens* (northern leopard frog), *Terrapene carolina carolina* (eastern box turtle) and *Malaclemys terrapin terrapin* (northern diamondback terrapin) and *Bolboschoenus novae-angliae* (Salt marsh bulrush) in the vicinity of this project.

State Endangered Plant Protection

State Endangered *Eriocaulon parkeri* (Parker's pipewort)
Habitat: Muddy tidal shores of coastal estuaries.
Blooms late July – September.

State Special Concern *Bolboschoenus novae-angliae* (Salt marsh bulrush)
Habitat: Brackish tidal marshes.
Blooms mid-July with seeds through October

In order to prevent adverse impacts to *Eriocaulon parkeri* (Parker's pipewort) and State Special Concern *Bolboschoenus novae-angliae* (Salt marsh bulrush):

- 1) Provide a botanical survey for the Indian River section of right-of-way during the 2021 growing season and **before any work is started in this area of the right-of-way**. The botanical survey must be conducted by a qualified botanist familiar with these species. The botanical survey results and report must be submitted to the NDDDB Program (deep.nddbrequest@ct.gov) **before any work is done in this section of the right-of-way**. The report should include: a resume/CV of the qualified botanist conducting the survey, dates of survey, detailed maps of the route taken during the survey and locations of state listed species, list of all component plant species in study area with scientific nomenclature, if state listed species are observed include rare plant forms that can be found at: <https://portal.ct.gov/DEEP/Endangered-Species/Contributing-Data>;

And conservation plans to protect any state listed plants observed in the right-of-way from project activities.

- 2) Do all structure replacements in winter, outside of growing season.
- 3) Do not expand existing pads or service roads, instead use temporary wooden matting when replacing structures. No additional gravel should be placed within the right-of-way either on roads or on pads in this right-of-way.
- 4) Remove all wood chips and slash if created by this rebuild of the transmission line. Do not add any wood chips to this right of way.
- 5) All state listed plant species found during structure replacement or hazardous tree removal must be reported on a special plant form and submitted to the NDDDB (deep.nddbrequest@ct.gov) as soon as possible.

State Special Concern *Terrapene carolina carolina* (eastern box turtle)

Best management practices to protect these turtles should be implemented throughout the entire work area. For all upland work, crushed stone should be avoided as much as possible and temporary mats should be used instead. No wood chips should be placed in any eastern box turtle upland habitat. Instead these wood chips should be removed and used elsewhere (off site). Any sightings of these turtles should be reported to the Natural Diversity Data Base (deep.nddbrequest@ct.gov) using a special animal form along with photographs to ensure proper identification of this species. The link to this form can be found here: https://www.ct.gov/deep/lib/deep/endangered_species/general_information/Vertebrateform.pdf

Protection for Turtles during Inactive Period (October 1st through March 30th):

- Keeping heavy equipment in the open ROW to the greatest extent possible and hand-felling trees to the greatest extent possible will minimize the potential for heavy machinery to crush hibernating turtles located in the forested edges along the ROW (a preferred habitat for box turtles to hibernate in).
- Overall, minimizing ground disturbance along the forest edges will minimize the potential for box turtle mortality during the winter months.
- Avoid and limit any equipment use within 50 feet of streams and brooks (wood turtles may be active in waterways even during the winter months).
- When felling trees adjacent to brooks and streams please cut them to fall away from the waterway and do not drag trees across the waterway or remove stumps from banks.
- No heavy machinery or vehicles may be parked in any turtle habitat.
- All construction personnel working within the turtle habitat must be apprised of the species description and the possible presence of a listed species, and instructed to notify the appropriate authorities to relocate any observed turtle.
- Any confirmed sightings of box, wood or spotted turtles should be reported and documented with the NDDDB (nddbrequestdep@ct.gov) on the appropriate special animal form found at (http://www.ct.gov/deep/cwp/view.asp?a=2702&q=323460&depNav_GID=1641)

Protection for Turtles during Active Period (April 1st through September 30th):

- Hire a qualified herpetologist to be on site to ensure these protection guidelines remain in effect and prevent turtles from being run over when moving heavy equipment. This is especially important in the month of June when turtles are selecting nesting sites. All construction personnel working within the turtle habitat must be apprised of the species description and the possible presence of a listed species, and instructed to relocate turtles found inside work areas or notify the

appropriate authorities to relocate individuals. The Contractor and consulting herpetologist must search the work area each morning prior to any work being done. If a turtle is discovered later in the day after the initial search work should stop until the turtle can be relocated by the qualified herpetologist or educated construction worker. Any turtles encountered within the immediate work area shall be carefully moved to an adjacent area outside of the excluded area and any exclusionary fencing should be inspected to identify and remove access point. The goal is to keep turtles from being unintentionally killed during this project.

- Exclusionary practices will be required to prevent any turtle access into construction areas. These measures will need to be installed at the limits of disturbance.
- Exclusionary fencing must be at least 20 in tall and must be secured to and remain in contact with the ground and be regularly maintained (at least bi-weekly and after major weather events) to secure any gaps or openings at ground level that may let animal pass through. Do not use plastic or netted silt-fence.
- All staging and storage areas, outside of previously paved locations, regardless of the duration of time they will be utilized, must be reviewed to remove individuals and exclude them from re-entry.
- In areas where silt fence is used for exclusion, it shall be removed as soon as the area is stable to allow for reptile and amphibian passage to resume.
- No heavy machinery or vehicles may be parked in any turtle habitat.
- Special precautions must be taken to avoid degradation of wetland habitats including any wet meadows and seasonal pools.
- When felling trees adjacent to brooks and streams please cut them to fall away from the waterway and do not drag trees across the waterway or remove stumps from banks.
- Avoid and limit any equipment use within 50 feet of streams and brooks.
- Any confirmed sightings of box, wood or spotted turtles should be reported and documented with the NDDDB (nddbrequestdep@ct.gov) on the appropriate special animal form found at (http://www.ct.gov/deep/cwp/view.asp?a=2702&q=323460&depNav_GID=1641)

State Special Concern *Rana pipiens* (northern leopard frog):

The northern leopard frog is a species of special concern frog that utilize open, grassy habitats either along the floodplain of a large stream or river, in wetlands around the margins of large lakes, or in meadows adjoining tidal wetlands. Leopard frogs are active from late March to mid-October. We have records of this frog from the wetlands surrounding the West River in New Haven.

Protection Measures for State Special Concern Northern Leopard Frog:

Most work should occur during the frog's active period (between March and October). Additional protection strategies that protect and enhance wetland habitat should be implemented in all areas where floodplain and alluvial marsh and wet meadow habitat will be impacted. No gravel or hard surface should be placed in any floodplain or alluvial marsh habitat. Construction personnel should also be notified of the presence of this species and provide information to assist in the identification of leopard frogs. During disturbance, geotextile silt fence is required be installed along the perimeter of the project disturbance limits and would will serve as a barrier for the northern leopard frog to access the work area. Any sightings of these frogs should be reported to the Natural Diversity Data Base (deep.nddbrequest@ct.gov) using a special animal form along with photographs to ensure proper identification of this species. The link to this form can be found here:

https://www.ct.gov/deep/lib/deep/angered_species/general_information/Vertebrateform.pdf

No gravel should be placed in any floodplain or alluvial marsh habitat. Construction personnel should also be notified of the presence of this species and provide information to assist in the identification of

leopard frogs. I do not anticipate any adverse impacts to the northern leopard frog population from this project if activities are confined to fall and winter months (October through February) if temporary matting is used and removed promptly once the project is finished.

State Special Concern *Malaclemys t. terrapin* (Northern Diamondback Terrapin)

The Northern diamondback terrapin is a turtle that inhabits salt marshes and salt or brackish tidal waters. They can also be found in mud flats, shallow bays, coves, and tidal estuaries. Adjacent sandy dry upland areas are required for nesting. Nesting takes place in June-July on salt marshes and adjacent beach areas. The peaks of hatching occurrences are April – June and September – November. This species overwinters in depressions in the bottom of estuaries, creeks, and salt marsh channels. We have records of this turtle in Golf Pond and Indian River in Milford.

Recommended Protection Measures for Northern Diamondback Terrapin:

To protect Northern diamondback terrapin any ground disturbance in the area of **Golf Pond/Indian River** should be done during the turtle's inactive periods (November 1st to April 1st).

In the event that construction cannot be completed during the winter months then the work may be performed between April - November in accordance with the protection measures and Best Management Practices below:

1. Hire a qualified herpetologist to be on site to ensure these protection guidelines remain in effect and prevent turtles from being run over when moving heavy equipment. This is especially important in the month of June when turtles are selecting nesting sites. All construction personnel working within the turtle habitat must be apprised of the species description and the possible presence of a listed species, and instructed to relocate turtles found inside work areas or notify the appropriate authorities to relocate individuals. The Contractor and consulting herpetologist must search the work area each morning prior to any work being done. If a turtle is discovered later in the day after the initial search work should stop until the turtle can be relocated by the qualified herpetologist or educated construction worker. Any turtles encountered within the immediate work area shall be carefully moved to an adjacent area outside of the excluded area and any exclusionary fencing should be inspected to identify and remove access point. The goal is to keep turtles from being unintentionally killed during this project.
2. Daily inspections should be conducted during the construction period to monitor for any turtles or terrapins. All construction workers should be advised and educated about these turtles and protection strategies.
3. Silt Fencing should be installed around the work area prior to commencement of construction and will be inspected daily.
4. A visual inspection should be conducted once silt fencing is in-place and prior to start of any work activity to locate any potential turtles.
5. All work personnel will be notified to be alert for the potential presence of the turtles and will be provided with a description of the species. Any turtle that may be discovered will be carefully moved, without harm, to a location outside the work area, and positioned in the same orientation that it had been moving. NO turtles will be removed or relocated from the area.
6. No vehicles or machinery should be parked in any identified turtle habitat that has not been confined by silt fencing and cleared of turtles.
7. Special care to avoid harm to basking or foraging individuals should be taken for any work conducted in the early morning and evening hours.

8. Report any observations of these turtles to our DEEP-NDDDB Program at deep.nddbrequest@ct.gov as soon as possible.

State Threatened *Ammodramus maritimus* (Seaside sparrow) and State Special Concern *Ammodramus caudacutus* (saltmarsh sharp-tailed sparrow)

The State Threatened *Ammodramus maritimus* (Seaside sparrow) and State Special Concern *Ammodramus caudacutus* (saltmarsh sharp-tailed sparrow) are two wetland bird species that nest in salt marsh complexes and are most susceptible to human disturbance during the breeding season (approximately April through August). We have records of these birds in the salt marshes surrounding the Indian River in Milford. Adults return to set up territories as early as April. Nests for these species are usually not established until May 1st but can be started as late as August 1st.

Recommended Protection Measures for Seaside Sparrow and Saltmarsh Sharp-tailed Sparrow

- Begin work before May 1st or after August 31st to avoid impacting an active nest. Do not introduce any new excessive noise between April 15th and August 15th.

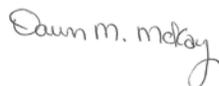
- If work must occur between May 1st and August 31st, before initiating work, nest surveys must occur to determine if nests are present impacted by project activities. Nest surveys must be conducted by an ornithologist familiar with the identification and the habitat requirements of this species. A report summarizing the results of such surveys should include habitat descriptions, survey results species list and a statement/resume giving their qualifications. Please forward the results of these surveys to the NDDDB Program (deep.nddbrequest@ct.gov) within 14 days of this survey. If a nest is discovered all work should halt until after August 31st.

If these protection strategies are followed then the proposed activities will lessen the impact on these state-listed species. This determination is good for two years. Please re-submit an NDDDB Request for Review if the scope of work changes or if work has not begun on this project by December 27, 2022.

Natural Diversity Data Base information includes all information regarding critical biological resources available to us at the time of the request. This information is a compilation of data collected over the years by the Department of Energy and Environmental Protection's Natural History Survey and cooperating units of DEEP, private conservation groups and the scientific community. This information is not necessarily the result of comprehensive or site-specific field investigations. Consultations with the Data Base should not be substitutes for on-site surveys required for environmental assessments. Current research projects and new contributors continue to identify additional populations of species and locations of habitats of concern, as well as, enhance existing data. Such new information is incorporated into the Data Base as it becomes available.

Please contact me if you have further questions at (860) 424-3592, or dawn.mckay@ct.gov . Thank you for consulting the Natural Diversity Data Base.

Sincerely,



Dawn M. McKay
Environmental Analyst 3

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USFWS

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United States Department of the Interior



FISH AND WILDLIFE SERVICE
New England Ecological Services Field Office
70 Commercial Street, Suite 300
Concord, NH 03301-5094
Phone: (603) 223-2541 Fax: (603) 223-0104
<http://www.fws.gov/newengland>

In Reply Refer To:

September 14, 2021

Consultation Code: 05E1NE00-2021-SLI-4746

Event Code: 05E1NE00-2021-E-14571

Project Name: Milvon-West River Railroad Transmission Line 115-kV Rebuild Project

Subject: List of threatened and endangered species that may occur in your proposed project location or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2)(c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

<http://www.fws.gov/endangered/esa-library/pdf/TOC-GLOS.PDF>

Please be aware that bald and golden eagles are protected under the Bald and Golden Eagle Protection Act (16 U.S.C. 668 *et seq.*), and projects affecting these species may require development of an eagle conservation plan (http://www.fws.gov/windenergy/eagle_guidance.html). Additionally, wind energy projects should follow the wind energy guidelines (<http://www.fws.gov/windenergy/>) for minimizing impacts to migratory birds and bats.

Guidance for minimizing impacts to migratory birds for projects including communications towers (e.g., cellular, digital television, radio, and emergency broadcast) can be found at:

<http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/towers.htm>;

<http://www.towerkill.com>; and

<http://>

www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/comtow.html.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Tracking Number in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment(s):

- Official Species List
-

Official Species List

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

New England Ecological Services Field Office

70 Commercial Street, Suite 300

Concord, NH 03301-5094

(603) 223-2541

Project Summary

Consultation Code: 05E1NE00-2021-SLI-4746

Event Code: Some(05E1NE00-2021-E-14571)

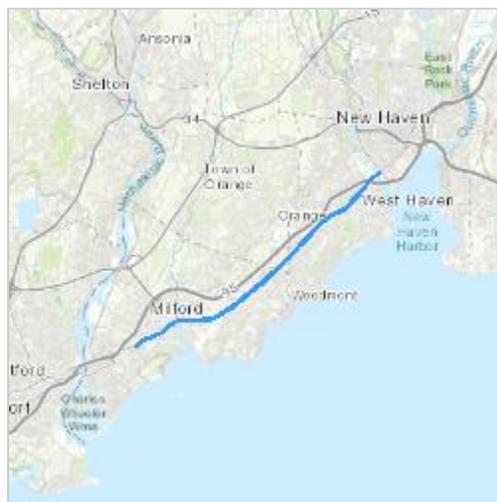
Project Name: Milvon-West River Railroad Transmission Line 115-kV Rebuild Project

Project Type: TRANSMISSION LINE

Project Description: Rebuild of approximately 9.5 miles (19 circuit miles) from Milvon Substation (Milford, CT) to West River Substation (New Haven, CT). Relocate the transmission lines off the existing railroad catenary bonnets (overhead wire systems) and install on independent monopoles with new insulators, hardware and conductor adjacent to the railroad corridor. The 115 kV transmission lines between New Haven and Milford are supported by the Connecticut Department of Transportation (CTDOT) owned railroad catenary structures and connected through UI owned bonnet structures. As a result of age, asset deterioration, and increased mechanical loads, it was recommended that new 115 kV transmission lines be installed in new monopoles along the CTDOT railroad corridor. These upgrades will help maintain system reliability, preserve safety within and adjacent to the right-of-way, and provide technological enhancements to legacy system equipment. The upgrades will improve the reliability, capacity and resiliency of the transmission system, ensuring that the safe and reliable transmission of power is maintained for the customers throughout Fairfield and New Haven County, in accordance with Federal reliability standards. Estimated timetable (subject to change) is construction from 2023 to 2028.

Project Location:

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@41.250798,-72.99296129555944,14z>



Counties: New Haven County, Connecticut

Endangered Species Act Species

There is a total of 3 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries¹, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

-
1. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

Mammals

NAME	STATUS
Northern Long-eared Bat <i>Myotis septentrionalis</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9045	Threatened

Birds

NAME	STATUS
Red Knot <i>Calidris canutus rufa</i> There is proposed critical habitat for this species. The location of the critical habitat is not available. Species profile: https://ecos.fws.gov/ecp/species/1864	Threatened

Insects

NAME	STATUS
Monarch Butterfly <i>Danaus plexippus</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9743	Candidate

Critical habitats

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

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INTRODUCTION

This Appendix A.4 summarizes UI's coordination with the Federal Aviation Administration (FAA) regarding the proposed Project and includes copies of representative correspondence that the FAA provided in response to UI's requests for the FAA's review of the heights of the proposed monopoles.

The Project is in the general vicinity of both Sikorsky Memorial Airport (Town of Stratford) and Tweed New Haven Airport (City of New Haven). As a result, UI consulted with the FAA to evaluate the potential effects, if any, of the new monopoles on airport airspace. Initially, UI used the FAA's Notice Criteria Tool¹ to determine that of the 160² proposed new monopoles, only 130 structures required the submission to the FAA of a Notice of Proposed Construction or Alteration– Off Airport (FAA Form 7460-1; Notice).

Between March and June of 2021, UI submitted Notices to the FAA regarding the location and proposed height of each of the 130 planned monopoles. Subsequently, the FAA conducted an aeronautical study of each of the 130 transmission line structures.

The FAA studies determined that none of the structures would have a substantial adverse effect on the safe and efficient use of airspace. On June 16, 2021 the FAA completed the issuance of Determinations of No Hazard to Air Navigation (DNH) for all 130 structures. Pursuant to the FAA DNHs, none of the new monopoles/transmission line spans require lighting or marking (marker balls) for aviation safety.

Three representative examples of the FAA's DNH correspondence are included in this appendix. These DNHs are for the following structures:

- Structure P915N is one of the tallest proposed monopoles in Milford, which is the closest part of the Project to Sikorsky Memorial Airport.
- Structure P1017N is the tallest proposed structure adjacent to West Haven Train Station.
- Structure P1039N is representative of the tallest proposed structures near I-95 in West Haven, the portion of the Project nearest Tweed New Haven Airport.

Copies of the FAA's DNHs for the other 127 structures can be provided upon request or can be found on the FAA website (www.faa.gov/).

Because the current FAA DNHs all will expire by the end of 2022, UI will submit new Notices to the FAA prior to the start of Project construction. Based on current Project plans, UI anticipates that the FAA's review of the new Notices also will result in DNHs for all Project structures. The results of these subsequent FAA structure reviews will be included in the Project D&M Plan(s).

¹ <https://oeaaa.faa.gov/oeaaa/external/gisTools/gisAction.jsp?action=showNoNoticeRequiredToolForm0>

² Of the 160 planned structures, 158 will be 115-kV transmission monopoles, while two (located at West River Substation) will support only OPGW.



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Obstruction Evaluation Group
10101 Hillwood Parkway
Fort Worth, TX 76177

Aeronautical Study No.
2021-ANE-2043-OE

Issued Date: 05/06/2021

Todd Berman
United Illuminating
100 Marsh Hill Road
Orange, CT 06477

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure:	Transmission Line P1039N
Location:	West Haven, CT
Latitude:	41-16-57.28N NAD 83
Longitude:	72-56-52.25W
Heights:	19 feet site elevation (SE) 142 feet above ground level (AGL) 161 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

- At least 10 days prior to start of construction (7460-2, Part 1)
- Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

Based on this evaluation, marking and lighting are not necessary for aviation safety. However, if marking/lighting are accomplished on a voluntary basis, we recommend it be installed in accordance with FAA Advisory circular 70/7460-1 M.

This determination expires on 11/06/2022 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.
- (c) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power, except those frequencies specified in the Colo Void Clause Coalition; Antenna System Co-Location; Voluntary Best Practices, effective 21 Nov 2007, will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA. This determination includes all previously filed frequencies and power for this structure.

If construction or alteration is dismantled or destroyed, you must submit notice to the FAA within 5 days after the construction or alteration is dismantled or destroyed.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

If we can be of further assistance, please contact our office at (404) 305-6582, or Stephanie.Kimmel@faa.gov. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2021-ANE-2043-OE.

Signature Control No: 476842064-479993330

(DNE)

Stephanie Kimmel
Specialist

Attachment(s)
Map(s)





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Fort Worth, TX 76177

Aeronautical Study No.
2021-ANE-2873-OE

Issued Date: 06/16/2021

Todd Berman
United Illuminating
100 Marsh Hill Road
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**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure:	Transmission Line P1017N
Location:	West Haven, CT
Latitude:	41-16-12.53N NAD 83
Longitude:	72-57-57.50W
Heights:	58 feet site elevation (SE) 172 feet above ground level (AGL) 230 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

Based on this evaluation, marking and lighting are not necessary for aviation safety. However, if marking/lighting are accomplished on a voluntary basis, we recommend it be installed in accordance with FAA Advisory circular 70/7460-1 M.

This determination expires on 12/16/2022 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.
- (c) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power, except those frequencies specified in the Colo Void Clause Coalition; Antenna System Co-Location; Voluntary Best Practices, effective 21 Nov 2007, will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA. This determination includes all previously filed frequencies and power for this structure.

If construction or alteration is dismantled or destroyed, you must submit notice to the FAA within 5 days after the construction or alteration is dismantled or destroyed.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

If we can be of further assistance, please contact our office at (404) 305-6582, or Stephanie.Kimmel@faa.gov. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2021-ANE-2873-OE.

Signature Control No: 480459871-484966345

(DNE)

Stephanie Kimmel
Specialist

Attachment(s)
Map(s)





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Aeronautical Study No.
2021-ANE-1665-OE

Issued Date: 05/04/2021

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**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure:	Transmission Line P915N
Location:	Milford, CT
Latitude:	41-13-25.90N NAD 83
Longitude:	73-03-19.47W
Heights:	21 feet site elevation (SE) 149 feet above ground level (AGL) 170 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

Based on this evaluation, marking and lighting are not necessary for aviation safety. However, if marking/lighting are accomplished on a voluntary basis, we recommend it be installed in accordance with FAA Advisory circular 70/7460-1 M.

This determination expires on 11/04/2022 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.
- (c) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power, except those frequencies specified in the Colo Void Clause Coalition; Antenna System Co-Location; Voluntary Best Practices, effective 21 Nov 2007, will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA. This determination includes all previously filed frequencies and power for this structure.

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This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

If we can be of further assistance, please contact our office at (404) 305-6582, or Stephanie.Kimmel@faa.gov. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2021-ANE-1665-OE.

Signature Control No: 475037547-479698809

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Stephanie Kimmel
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Attachment(s)
Map(s)

