



STATE OF CONNECTICUT

COUNCIL ON ENVIRONMENTAL QUALITY

April 27, 2022

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DOCKET NO. 508 – The United Illuminating Company (UI) application for a Certificate of Environmental Compatibility and Public Need for the Milvon to West River Railroad Transmission Line 115-kV Rebuild Project that consists of the relocation and rebuild of its existing 115- kilovolt (kV) electric transmission lines from the railroad catenary structures to new steel monopole structures and related modifications to facilitate interconnection of the rebuilt 115-kV electric transmission lines at UI’s existing Milvon, Woodmont, Allings Crossing, Elmwest and West River substations along approximately 9.5 miles of the Connecticut Department of Transportation’s Metro-North Railroad corridor traversing the municipalities of Milford, Orange, West Haven and New Haven, Connecticut.

Dear Ms. Bachman:

The Council on Environmental Quality (“Council”) offers the following comments regarding Docket 508.

1. **Wildlife**

The Applicant states that the Natural Diversity Database’s (NDDDB) most recent determination letter, dated December 27, 2020 confirmed that seven state-listed species might be present within the project area. The NDDDB also provided recommendations both for pre-construction surveys and for protective measures to be implemented during construction to avoid adverse impacts to each species. The Council recommends that the NDDDB’s recommendations for protective measures be a condition of approval.

2. **Contaminated Soils**

The Application identifies the presence of polluted fill (p.6-4) and states that soils which are not clean will be loaded directly into roll-offs or dump trucks and transported to pre-determined and approved off-site management or disposal facilities. Because “some of the soil may be temporarily stockpiled in areas within UI’s Project work sites, away from water resources. The soil stockpiles will be appropriately protected from wind and stormwater erosion in accordance with the procedures defined in the Project-specific SWPCP and the construction plans and specifications” the Council wishes to note that the state has a [General Permit](#) that governs the handling and storage of any soils that might be contaminated.

3. **Wetlands**

The construction of the access roads and work pads will result in approximately 0.3 acre of temporary impacts to small watercourses and approximately 5.5 acres of temporary impacts to wetlands. In addition, the Applicant states that approximately 1.1 acres of permanent fill

will be placed in wetlands. The Council recommends that the Applicant minimize the impacts to wetlands and watercourses to the greatest extent possible. For those permanent wetland impacts that cannot be eliminated or minimized further, the Council recommends that the Applicant consider compensatory mitigation to replace functions and values of the permanently impacted wetland resources.

4. Invasive Species

The Council notes that there are many areas along the proposed project route that have invasive, non-native plants. The proposed work, especially in and around the temporary work pads and temporary access roads, has the potential to introduce or expand the habitat for invasive plants. Therefore, the Council recommends the inclusion of an invasive species control/eradication component for the areas permanently or temporarily impacted by the proposed activities, with follow-up after construction is completed.

5. Inspections

The Applicant states that "UI's qualified environmental inspector will perform weekly and post-rain event inspections of construction sites." The Council supports the presence of an environmental inspector who be available onsite during the construction, at least once a week and following significant precipitation events.

The Council notes that the comments above address only certain elements of the materials provided by the Applicant 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,



Peter Hearn
Executive Director