



STATE OF CONNECTICUT

COUNCIL ON ENVIRONMENTAL QUALITY

May 25, 2023

Keith Ainsworth
Acting Chair

Alicea Charamut

Christopher Donnelly

David Kalafa

Kip Kolesinskas

Matthew Reiser

Denise Rodosevich

Charles Vidich

William Warzecha

Paul Aresta
Executive Director

Melanie Bachman, Executive Director
Connecticut Siting Council
Ten Franklin Square
New Britain, CT 06051

DOCKET NO. 516 – The United Illuminating Company (UI) (Applicant) application for a Certificate of Environmental Compatibility and Public Need for the Fairfield to Congress 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 along approximately 7.3 miles of the Connecticut Department of Transportation’s Metro-North Railroad corridor between Structure B648S located east of Sasco Creek in Fairfield and UI’s Congress Street Substation in Bridgeport, and the rebuild of two existing 115-kV transmission lines along 0.23 mile of existing UI right-of-way to facilitate interconnection of the rebuilt 115-kV electric transmission lines at UI’s existing Ash Creek, Resco, Pequonnock and Congress Street Substations traversing the municipalities of Bridgeport and Fairfield, Connecticut.

Dear Attorney Bachman:

The Council on Environmental Quality (“Council”) offers the following comments regarding Docket 516.

1. Best Management Practices

The Applicant states “UI will prepare Project-specific plans for stormwater management and control; the protection of state and federally listed species (as applicable); and the management of materials (e.g., excess spoil, groundwater) generated during construction.” The Council recommends that these” project specific plans” and any external environmental quality plans and/or standards, referenced by the Applicant, be submitted to the Siting Council for inclusion in the record, consideration, and possible incorporation into permits.

2. Vegetation

The Applicant states that “project construction will result in the removal of a total of approximately 6.5 acres of trees” and that “vegetation removal will typically involve brush hogs or other mowing equipment, woodchippers, log trucks, chain saws, and similar equipment.” The Applicant also states that “in some wooded wetlands, trees will be removed, resulting in a permanent conversion of the wetland vegetation”. The Council recommends that the Applicant minimize the removal of native trees to the extent practicable and that in resource sensitive areas, such as wetlands and riparian buffers, the Applicant should require the contractor to use low impact methods¹ to remove vegetation versus using mechanical methods. The Council also recommends that areas that should be designated for “low impact methods” be depicted on the project plans and that the environmental inspector ensure that the

¹ Low impact methods might include: maximizing the use of uplands for clearing access routes; utilizing hand clearing methods for vegetation removal work within sensitive wetland and vernal pool areas; using appropriately sized equipment for site conditions, where possible, to minimize impacts; and, cutting brush close to the ground, leaving root systems and stumps, to retain soil stability.

contractor(s) conforms to using such methods in the designated areas.

3. Erosion and Sedimentation (E&S) Controls

The Applicant states that rock aprons, track pads, or equivalent stabilization will be established at the entrances and exits to work sites and “all erosion and sedimentation controls will be installed and maintained in accordance with Project-specific and Connecticut requirements”. The Council notes the importance of installing and maintaining E&S controls throughout the proposed project and supports the Applicant’s efforts to minimize erosion and sedimentation in the proposed work area. The Council notes that plastic netting used in a variety of erosion control products has been found to entangle wildlife, including reptiles, amphibians, birds and small mammals. The Council recommends that the Applicant 1) remove the E&S controls after the proposed work area is stabilized, 2) avoid/minimize the use of E&S control measures that are made of plastic, and 3) use erosion control products that avoid/minimize the potential for wildlife entanglement.

4. Wetlands, Watercourses and Flood Zones

The Applicant notes that a total of ten wetlands (inland and tidal), 14 watercourses, and Federal Emergency Management Agency (FEMA) designated 100-year and 500-year floodplains were identified within or proximate to the project area. The Applicant also notes that some construction would be required within six of the ten wetlands located in the project area and that there would also be temporary impacts to an intertidal area in Ash Creek and an unnamed inland stream along the proposed utility corridor. The Council recommends that the Applicant minimize impacts to wetlands, watercourses and the intertidal area, within and near the project area, to the greatest extent possible. The Council also recommends that the storage of any materials at the site, which are buoyant, hazardous, flammable, explosive, soluble, expansive, or which could in the event of a flood be injurious to human, animal or plant life, be secured or restricted below the elevation of the five hundred (500) year flood zone.

5. Invasive Species

The Council notes that 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 species. The Applicant states that “construction mats, comprised of timber or composite materials, will be used to cross small watercourses and may be used to access wetland areas” and that “the mats will be cleaned prior to use to avoid the spread of invasive wetland species”. The Council supports the measures to control the establishment and spread of invasive species and recommends that 1) the Applicant develop an invasive species control plan for the proposed work, and 2) the environmental inspector ensure that the contractor(s) conforms to the requirements of the plan to control invasive species.

6. Inspections and Education

The Applicant states that “UI will assign personnel to monitor work activities and to verify that the work is performed in accordance with State and Federal permit and approval requirements, UI standards, and UI’s agreement with CT DOT/MNR” and “UI will retain qualified environmental or field inspector(s) to monitor Project construction, specifically to verify the effectiveness of erosion and sedimentation controls and other site stabilization measures.” The Council supports the presence of an environmental inspector(s) who would be available onsite during the construction of the proposed project. The Applicant also states that “inspections will be conducted both routinely and after heavy rain events”. The Council recommends that the inspections be done a minimum of weekly and within 24 hours of the end of a storm that generates a discharge that equals or exceeds 0.5 inches.

The Council also recommends that prior to work onsite and initial deployment/mobilization of equipment and materials, the contractor(s) should attend a pre-construction meeting with the environmental inspector to learn about the locations of, and mitigation measures for, protection of wetland and water resources, invasive species control, stormwater management, the “Contractor Species Protection Plan”, and “low impact” vegetation management to better protect environmental resources within and proximate to the proposed work areas.

The Council's 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,

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

Paul Aresta
Executive Director