



STATE OF CONNECTICUT

COUNCIL ON ENVIRONMENTAL QUALITY

March 22, 2023

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Ten Franklin Square
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PETITION NO. 1560 - Eversource Energy (Petitioner) Petition for a Declaratory Ruling for the proposed Norwalk Bridge Transmission Relocation Project that consists of the relocation and rebuild of two existing overhead 115-kilovolt (kV) electric transmission lines from railroad catenaries and existing structures within the Connecticut Department of Transportation corridor to an underground configuration within roads and across the Norwalk River in Norwalk, Connecticut.

Dear Attorney Bachman:

The Council on Environmental Quality (“Council”) offers the following comments regarding Petition 1560.

1. Best Management Practices

The Petitioner states that Project-specific Operations and Monitoring and Inadvertent Release Contingency plans for the horizontal directional drilling (HDD) activities have “been developed to establish early detection and notification procedures for response to an inadvertent release during HDD construction; and to outline steps to manage, control and minimize impacts should an event occur”. The Petitioner also states that they “would develop a flood contingency plan detailing protocols for protecting the HDD entry and exit pits if a flooding event were to occur”. The Council supports the development of such contingency plans to eliminate or minimize any potential adverse environmental impacts from the proposed activities. The Council recommends that these contingency plans; the referenced Construction & Maintenance Environmental Requirements, Best Management Practices Manual for Massachusetts, and Connecticut (“BMPs”), dated April 2022; and any external environmental quality plans and/or standards, referenced by the Petitioner, be submitted to the Siting Council for inclusion in the record, consideration, and possible incorporation into permits.

2. Wildlife

The Petitioner notes that the Department of Energy and Environmental Protection (DEEP) Natural Diversity Database’s (NDDDB) provided a determination letter to the Petitioner on June 24, 2021 indicating that DEEP does not anticipate negative impacts to State-listed species. The determination letter also states that “this determination is good for two years”. Since the Petitioner states that construction activities are “currently planned to commence in the third quarter of 2023”, the Council recommends that the Petitioner “re-submit a new NDDDB Request for Review” prior to the commencement of construction activities.

3. Soils

The Petitioner states that “if potentially polluted or contaminated soil is encountered (i.e., visual, or olfactory evidence of petroleum or chemicals), the impacted soil would be live-

loaded and transported off-site for proper characterization and disposal by an Eversource-approved contractor.” The Council supports the Petitioner’s efforts to properly characterization contaminated soils and recommends that the Petitioner perform soil and water testing at locations along the proposed project route that would be disturbed, such as the pits for the HDD, in advance of the proposed construction. The recommended pre-construction soil testing would be prudent since certain properties within the proposed project area are identified on DEEP’s “List of Contaminated or Potentially Contaminated Sites.”¹

4. Inspections

The Petitioner states that erosion and sediment (E&S) “control measures would be installed, as necessary, prior to the initiation of soil disturbing activities and would typically be inspected on a daily basis”. The Petitioner also states that “catch basin filter protection would be utilized to prevent sediments from entering the municipal storm water system. These filters would be regularly inspected and replaced, as needed.” The Council supports the presence of an environmental inspector who would be available onsite during the construction to ensure that the E&S control measures are installed and maintained properly.

The Council’s 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,

A handwritten signature in black ink that reads "Paul Aresta". The signature is written in a cursive, flowing style.

Paul Aresta
Executive Director

¹ DEEP, List of Contaminated or Potentially Contaminated Sites; https://portal.ct.gov/-/media/DEEP/site_clean_up/sites/contaminatedsitesnrpdf.pdf