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July 7, 2009



Mr. S. Derek Phelps
Executive Director
Connecticut Siting Council
10 Franklin Square
New Britain, CT 06051

**RE: Docket Nos. 370 and 370B, Consolidated Proceedings (Applications
of CL&P and NRG Energy, Inc.)**

Dear Mr. Phelps:

Accompanying this letter is an original and fifteen copies of the testimony of James M. Hayden, First Selectman of the Town of East Granby, for prefilng in the captioned matters. Copies of have been sent to the representatives of the parties and intervenors identified on the most recent service list by first class mail.

To the extent that testimony will be offered by the Town of Suffield in these matters, I respectfully suggest that they be heard together with the testimony of Mr. Hayden inasmuch as the interests of the two towns are substantially identical.

Very truly yours,


Donald R. Holtman

cc. The Hon. James Hayden
The Service List

CONNECTICUT SITING COUNCIL

In Re the Application of The Connecticut Light and Power Company for a Certificate of Environmental Compatibility and Public Need for The Greater Springfield Reliability Project and the Application of NRG Energy Inc

Docket Nos. 370 and 370B

July 7, 2009

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TESTIMONY OF THE HON. JAMES HAYDEN
FIRST SELECTMAN, TOWN OF EAST GRANBY

CONNECTICUT
SITING COUNCIL

My name is James M. Hayden. I am the First Selectman of the Town of East Granby. The purpose of my testimony is to bring to your attention serious concerns of the Board of Selectmen of the Town of East Granby and of a large number of citizens of the Town who will be directly affected by the Greater Springfield Reliability Project ("GSRP").

The Town of East Granby is virtually bisected from north to south by a unique trap rock ridge along which the Metacomet Trail runs. The ridge line has long been jealously guarded from development by the Town's land use control bodies and planners, forming as it does an irreplaceable natural, scenic and recreational asset. Starting at the scenic Tarriffville Gorge on the Farmington River and running thence north, the Trail offers, at various points, spectacular views to the east over the Connecticut River Valley and to the west, toward the foothills of the Litchfield Hills. Historic New Gate Prison is visible from the Trail. Views of the present facility as it passes through and over the Tarriffville Gorge are included among the photographs submitted herewith as Exhibit 1 A. through P. The Trail also encompasses its own historic treasures, including a colonial era cemetery where victims of small pox were buried.

The Metacomet Trail, running 7.9 miles through the Town and extending into towns abutting East Granby both on the south and on the north, was, together with the Monadnock and Mattabesett Trails, incorporated by the United States Government, as recently as January 29, 2008, into the National Trail System, the combined trails being designated the New England National Scenic Trail. The Trail is, thus, not simply a local asset but a national one.

The current facility of the Connecticut Light and Power Company ("CL&P") closely parallels the Metacomet Ridge and is itself visible from various points along the Trail. It goes without saying that widening the cleared areas proposed by CL&P and adding a line of additional towers will significantly adversely affect the scenic and aesthetic properties of both the Ridge and the Trail.

Apart from the scenic and aesthetic damage which will be the inevitable result of the CL&P proposal, the East Granby Land Trust has submitted an analysis of its impact on wetlands, watercourses and biodiversity. It has identified 13 watercourses the proposal will require be crossed and 41 delineated wetlands areas which will be disturbed by the plan. Critical wetlands identified in the Farmington Valley Bio-Diversity Project which must be protected include Beaver Dam Marsh, Great Marsh and Pickerel Cove. A copy of the East Granby portion of the Farmington Valley Bio-Diversity Project report is attached as Exhibit 2. It describes in detail the unique flora and fauna of the area through which the GSRP facility is proposed to pass (and through which the present smaller footprint of the existing CL&P facility passes).

North of Hatchet Hill Road and especially north of Connecticut Route 20, which essentially bisects the Town in an east-west direction, and west of the ridge line, there

is substantial residential development, especially along Newgate Road and its side streets, extending up to the Town of Suffield. Here the current CL&P facility passes very close to these homes. Photographs submitted herewith as Exhibit 1 A. through P. clearly demonstrate that that is the case. Residents in this area have expressed great concern about both the health issues related to the GSRP proposal and a dramatic negative impact on the values of their properties which will almost certainly be occasioned by the proposed enlargement of the footprint already existing and the addition of a row of towers to those already there. These legitimate concerns are worthy of your most careful consideration. It would appear to be fundamentally unfair to force these home owners to bear this great cost when the cost of mitigation can be spread out among a vast number of rate payers.

Clearly, if the NRG Energy Inc. proposal is found by the Siting Council to be a reasonable alternative to the GSRP, it would have no discernable negative impact on the Town of East Granby and would be preferred. However, if the GSRP in some form is found to meet public need, undergrounding the system throughout East Granby will minimize the impact of the project on the Town. If undergrounding along the entire route through East Granby is not deemed feasible but can be accomplished in the residential areas through which the facility runs, it would certainly mitigate the impact of the project on the home owners. Finally, if undergrounding is not to be required anywhere along the route, both aesthetic damage and health concerns can be at least minimally addressed by leaving the footprint of the facility no wider than it currently is and by requiring the replacement of the existing towers with a single tower carrying both the 115 kv and the 345 kv lines.

In addition to the Exhibits 1 A. through P. and 2 referred to above, I also incorporate into my testimony the contents of my letter of October 10, 2008, to Mr. Jeffrey M. Towle, a copy of which is likewise attached hereto as Exhibit 3.


James M. Hayden
First Selectman

STATE OF CONNECTICUT)
)
COUNTY OF HARTFORD)

East Granby, July 6, 2009

Subscribed and sworn to before me.

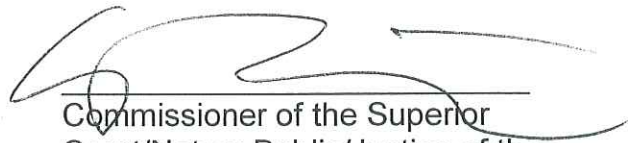

Commissioner of the Superior
Court/Notary Public/Justice of the
Peace

EXHIBIT I—INDEX

- A. Looking across the Tarriffville Gorge Recreational Area from Tunxis Avenue Extension
- B. Looking north across the Tarriffville Gorge Recreational Area from Route 189
- C. Looking south across the Tarriffville Gorge Recreational Area from Route 189
- D. Front yard of 132 Newgate Road
- E. Another view of front yard of 132 Newgate Road
- F. 192 Newgate Road
- G. Another view of 192 Newgate Road
- H. 196 Newgate Road
- I. 198 Newgate Road
- J. Another view of 198 Newgate
- K. Another view of 198 Newgate
- L. 4 Wyncairne Drive
- M. Another view of 4 Wyncairne Drive
- N. Backyard of 248 Newgate Road looking from house rearward
- O. Another view of backyard of 248 Newgate Road looking from house rearward
- P. Another view of backyard of 248 Newgate Road looking toward back of house

A



B



BC



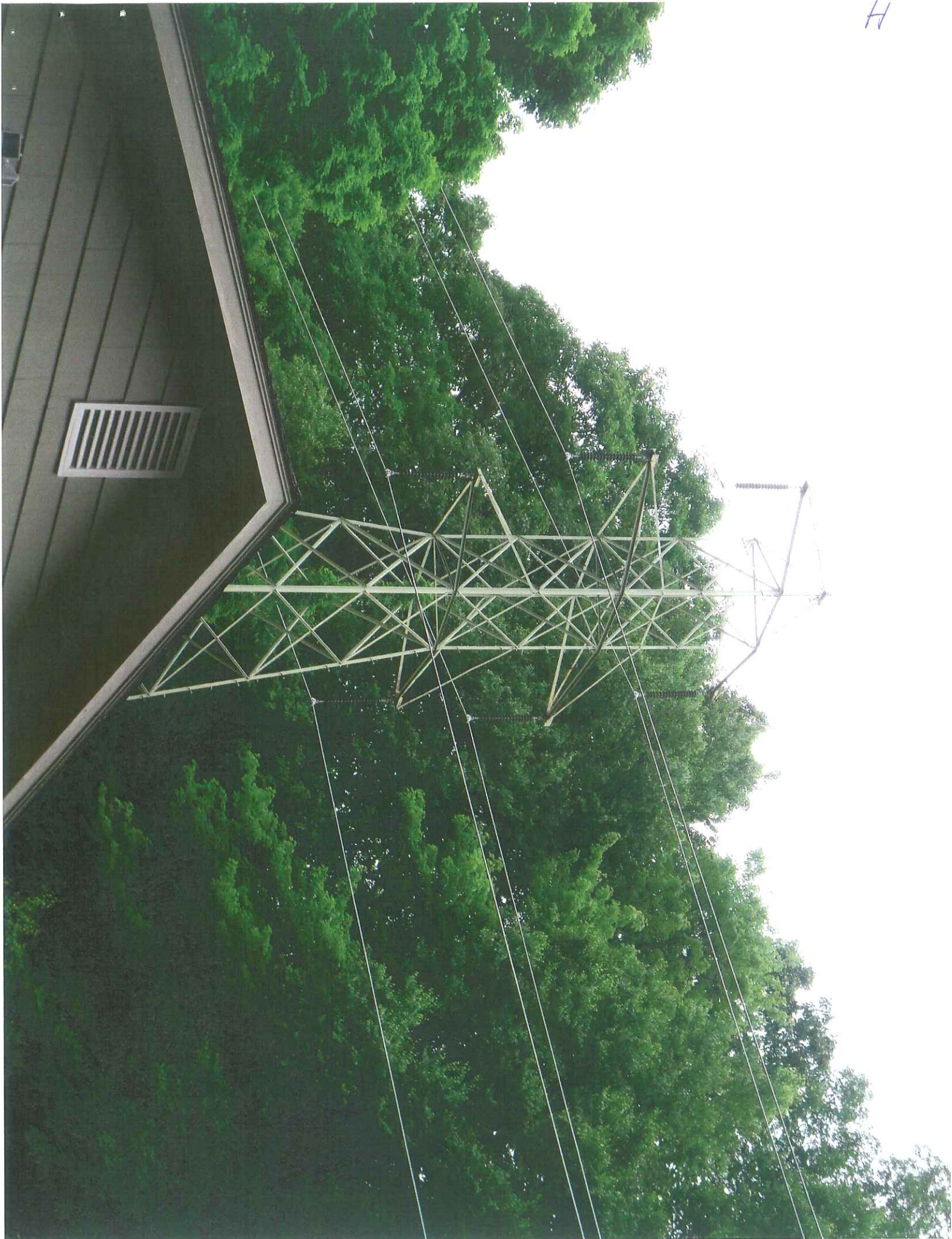








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N





P



East Granby

The town of East Granby is categorized as “rural” and covers an area of 17.4 square miles within the Farmington River watershed. The FVP identified eight primary and three secondary core areas for biodiversity.

Primary Conservation Areas

<u>Area Designation</u>	<u>Ecoregion</u>
Tariffville Gorge	Traprock Ridge
Hatchett Hill	Traprock Ridge
Peak Mountain	Traprock Ridge
Great Marsh	Grassland/Wetland
Beaverdam Marsh	Grassland/Wetland
Bradley Airport South	Grassland
Bradley Airport North	Grassland
Pickerel Cove	River Floodplain

Secondary Conservation Areas

<u>Area Designation</u>	<u>Ecoregion</u>
Holcomb Brook	Corridor
Salmon Brook	Corridor
Newgate Swamp	Corridor

Primary Conservation Areas

Three of the primary areas are located within the metacomet traprock ridge ecoregion. These include “Tariffville Gorge,” “Hatchett Hill,” and “Peak Mountain.” The Hatchett Hill site features a number of significant natural communities including wetland fen and marsh habitats supporting rare plants, blue-spotted salamanders (*Ambystoma laterale*), and wetland dependent breeding birds such as the Virginia rail (*Rallus limicola*). The extent and quality of the forested habitat along this ridge support good populations of breeding forest-interior dependent birds. The Tariffville Gorge natural communities include a unique riverside ledge system that support rare plants, including one species, spiked false oats, on the verge of extirpation in the study area. Volunteers were able to collect seeds from this small population for banking in the New England Wild Flower Society’s seed bank. This seed bank of native genotypic material can be used in the event that reintroduction or population augmentation is required to conserve the population (Moorhead 2002).

Other communities include ridgetop, shrub swamps and vernal pools that support a rich amphibian community as demonstrated by a high number of vernal pool-breeding salamanders, a strong indicator of high wetland and forest quality. The Peak Mountain site is an extensive forested ridge, extending north well into Suffield and contiguous with West Suffield Mountain. Numerous high quality wetland systems, talus rockslides and traprock ridgetop natural communities are contained within this site.

“Great Marsh” and “Beaverdam Marsh” are two primary areas located in the northwest corner of town that are dominated by extensive and highly diverse wetland habitat complexes situated among a mosaic of forest and open agricultural and post-agricultural habitats. Consequently, these sites were among the most biologically rich areas encountered during the survey. Great Marsh is contiguous with land tracts to the west in Granby and Beaverdam Marsh is contiguous with a large tract of land to the north in Suffield. The complex of forests and wetlands at these sites support a high number of vernal pool-breeding salamanders including blue-spotted, four-toed (*Hemidactylium scutatum*) and spotted salamanders, as well as high densities of ribbon snakes (*Thamnophis sauritus*), strong indicators of high quality wetland and forest habitat.



Wetland dependent birds such as sora (*Porzana carolina*) and Virginia rail, forest-interior dependent birds such as black-throated green warblers (*Dendroica virens*) and wood thrush (*Hylocichla mustelina*), and grassland dependent birds such as bobolink and American kestrel (*Falco sparverius*) are well represented within the mosaic of intact habitats among these sites. A high number of raptor species were recorded at the Beaverdam Marsh site.

The “Bradley Airport” and “Bradley Airport South” areas located in the eastern section of the town encompass well-documented and regionally significant natural communities situated within the sandplain and glacial lake plain ecoregions. The Bradley Airport South site supports a regionally (New England) significant grassland breeding bird population including upland sandpiper (*Bartramia longicauda*), grasshopper sparrow, savannah sparrow, eastern meadowlark and American kestrel, among others. This site is monitored by the CTDEP in cooperation with the Airport operations managed for grassland birds. The Bradley Airport site is located just to the north and includes property owned by the Airport that is contiguous with a large tract of unfragmented land extending into Suffield. This large tract features a high density of small vernal pools supporting a forest amphibian community including spotted salamanders and wood frogs, while small pockets of wet meadow and more open canopied wetlands on the periphery of the forest support breeding gray treefrogs (*Hyla versicolor*) and Fowler’s toads (*Bufo fowleri*). Both of these sites harbor good sand barren habitat that support rare plants, hognose snakes (*Heterodon platirhinos*) and possibly rare insect communities.

The final primary area, “Pickerel Cove” is situated along the Farmington River within the alluvial floodplain ecoregion. A small section of this larger contiguous site that extends south into Simsbury falls within East Granby (refer to the Simsbury town profile for a description of this site).

Secondary Conservation Areas

“Holcomb Brook” was identified as an important ecological corridor between the Great Marsh/Beaverdam Marsh complex and other core primary habitat sites to the south.

“Salmon Brook” located in the southwest section of town was identified as an ecological connector between the northwest highlands and western traprock ridge ecoregions and the Farmington River. This site is contiguous with land tracts in neighboring Granby.

“Newgate Swamp” is an important large habitat parcel in proximity to the Newgate Wildlife Management Area.



TOWN OF EAST GRANBY

INCORPORATED 1858

EAST GRANBY, CONNECTICUT 06026

OFFICE OF FIRST SELECTMAN

PHONE (860) 653-2576

FAX (860) 653-4017

October 10, 2008

Mr. Jeffrey M. Towle
GSRP Project Manager
NUSCO
P.O. Box 270
Hartford CT 06141-0270

Re: Application of the Connecticut Light and Power Company (CL&P) to the Connecticut Siting Council ("Council") Concerning the Connecticut Portion of the Greater Springfield Reliability Project ("Project")

Dear Mr. Towle:

The East Granby Board of Selectman has spent much time reviewing the CL&P Greater Springfield Reliability Project. We have listened to and read the information provided by both CL&P and by concerned residents regarding the proposed 345-kilovolt electric transmission line between Bloomfield, CT and Ludlow, MA. This proposed line will run through approximately six miles of East Granby. The Board of Selectman (BOS) unanimously voted to recommend that the lines be placed underground as has our neighbor, the Town of Suffield. The Board would also encourage CL&P to bury the existing 115-kv lines along with the new 345-kv line. The underground options provided by CL&P are not without challenges such as wetlands concerns in the current ROW or the Route 20 / 187 approach. Sections of Newgate Road, some of which are two hundred years old, provides little shoulder and an underground line would end up being located in residents' front yards. Additionally, parts of the historical site, Newgate Prison, are within ten feet of the road.

CONCERNS

East Granby has several concerns regarding the Project. Primary concerns include public health & safety implications along with decreasing property values, corresponding decreases in tax revenue to the town, environmental and visual impact concerns. Additionally, the Metacomet Trail abuts and overlooks the area where the overhead lines are planned.

PUBLIC HEALTH & SAFETY

The Board of Selectman and those residents who live around or underneath the lines, have significant concerns regarding the effects of electromagnetic fields (EMF's) which

will be created by the new overhead lines. While CL&P and their experts maintain that there are no adverse health effects as a result of the proposed lines, there is significant literature that says the opposite. In the August 31, 2007 BioInitiative Report: *A Rationale for a Biologically Based Public Exposure Standard for Electromagnetic Fields*, table 1-1, section 11 states that "The balance of evidence suggests that childhood leukemia is associated with exposure to power frequency EMF's either during early life or pregnancy." Additionally, "...up to 80% of childhood leukemia may be caused by exposure to electromagnetic fields." In this same report, the BioInitiative Working Group documents serious scientific concerns about current limits regulating how much EMF is allowable from power lines, cell phones, and many other sources of EMF exposure in daily life. The BioInitiative Report concludes that the existing standards for public safety are inadequate to protect public health. When it comes to the health of our residents, we would like CL&P and the Siting Council to continue to conduct more research on EMF's and their potential health effects. We feel that risk can be reduced by burying the lines underground.

While it will continue to be argued by CL&P that there is no conclusive evidence to show that there is any increase in health problems by exposure to EMF's, we do not think it prudent or fair to let our residents become the "test case" for future studies looking at the effects of EMF's. In the World Health Organization's Report, "*What are electromagnetic fields?*" they acknowledged that "results to date contain many inconsistencies". Without conclusive results, one way or the other, the BOS does not see the need to "potentially" put our residents at risk.

DECREASING PROPERTY VALUES & PROPERTY TAX

Since the 1950's, East Granby has been evolving from a rural town into a "bedroom community". Residences have sprung up along the entirety of Hatchet Hill, Holcomb and Newgate Roads since the power lines were installed eighty years ago. Many of these homes have been built on parcels for which easements had been purchased as far back as the 1920's. The easements were granted in an age where either the existence of EMF was unknown or the danger of EMF was not suspected by the parties involved. The original easements were in heavily wooded areas, a dynamic that has changed significantly. We are concerned that the placement of the 345-kv lines and additional towers will have a significant negative impact on property values. CL&P has provided information stating that there is no decrease in property value as a result of 345-kv line and towers. Verbally at our town hearing, one of the CL&P representatives mentioned that there is a report that he was aware of that projected a 5-10% property value decrease in the first year and that by the third year when people were used to the towers, the impact was negligible. That may have been true in times when the lines were in wooded areas and the towers were not 40 feet higher than the current towers. Combine those two factors with a lack of definitive science on the effect of EMF's and there lies a significant stressor on property values. Reasonable people would agree that these three factors could have an effect longer than a three year period and a ten percent reduction in values.

A realtor came in to see me prior to the hearing and said that during that particular week; a house for sale in the affected area had two offers which were withdrawn without any

reason. She also stated that houses in the area were taking longer to sell than in other areas of town. Visible power lines do affect the owner's opportunity to sell the house both in timeliness and in value. The Town would disagree with CL&P's position that existing lines have already impacted real estate values since the current Project proposal changes the equation. For the most part, present lines are difficult to see and are covered by trees and plants. The new towers will be significantly taller and the construction process will remove a buffer layer of trees. Increased visibility does not let the towers melt into the landscape and will affect property values.

Although the Town objection focuses primarily on potential health effects to our residents, the fact of the matter is that reduced property values equal reduced tax revenues as the Grand List decreases. This corresponding reduction of the Grand List translates to increased taxation for other residents. Underground lines including both the 345-kv & 115-kv lines, will ultimately protect the landowners and their property values.

ENVIRONMENTAL & VISUAL IMPACT

The proposed Project impacts over six miles of land in East Granby including over fifty residences, Old Newgate Prison and the Metacomet Trail. It should be noted that increased water run-off from the Project will directly impact Newgate Road neighbors. The run off from areas cleared of vegetation conceivably will follow the path of least resistance and could cross over Newgate Road impacting homes on both sides of the street. Current run off is substantial let alone after the proposed Project is completed. While the Town understands that CL&P will mitigate erosion issues, the topography encourages runoff and we have a serious concern for our property owners.

One only needs to look at the Wintonbury Golf Course in Bloomfield to look at the potential visual impact of the Project. There for all to see is a double tower and single tower above ground options which are side by side. The impact on the environs is significant since the above ground lines are substantial transmission lines that impact the quality of life aspect of town residents, deter the rural ambiance and potentially may injure the environment of our beautiful town.

METACOMET TRAIL

Wikipedia has the following description regarding the Metacomet Trail which will be impacted by the Project (bold sections indicate direct impact on East Granby and are adjacent to the Project):

*The Metacomet Trail traverses the trap rock Metacomet Ridge which extends from Long Island Sound to the Massachusetts/ Vermont border. This ridge, rising hundreds of feet above the Connecticut River, Farmington River, and Quinnipiac River valleys, is a prominent landscape feature of central Connecticut. From south to north, the trail uses the ridges of the Hanging Hills, Short Mountain, Ragged Mountain, Bradley Mountain, Pinnacle Rock, Rattlesnake Mountain, Farmington Mountain, Talcott Mountain, **Hatchet Hill, Peak Mountain, and West Suffield Mountain.** Abrupt vertical cliffs with visible talus slopes and frequent viewpoints are common throughout. Views are generally to the west from West Suffield Mountain south through Ragged Mountain; west and south in the*

Hanging Hills. The Farmington River cuts through the ridgeline between Hatchet Hill and Talcott Mountain in the Tariffville Gorge (east of Simsbury). Historic features along the trail include Old Newgate Prison museum and copper mine in East Granby

The Metacomet Trail is part of the recently designated New England National Scenic Trail and it abuts and overlooks the land where CL&P intends to construct their power towers and high voltage lines. This important piece of our natural resources can be preserved for future generations through constructing underground lines.

RECOMMENDATION

The Town of East Granby strongly recommends that the proposed Project including the current 115-kv line be run underground through our Town and Suffield.

If the Siting Council decides against this Town recommendation and in favor of CL&P's current proposal, the Town would want the Siting Council and CL&P to seriously consider the following:

1. CL&P should disclose their internal distance guidelines for siting a 345-kv overhead power lines from a residential neighborhood and see how that compares to the East Granby segment of the Project and the "prudent avoidance requirement" in Connecticut and how / why that differs from the established Scandinavian / European best practice guidelines.
2. Absent an underground route, CL&P should build a single tower project through East Granby which will carry 115-kv and 345kv lines. Additionally, using existing technology the 345-kv line should be mitigated to emit the same amount of EMF's as the 115-kv line. The current towers would be demolished.
3. The Town's Wetlands and Conservation Commission has concerns about wetlands disruption on all of the options, but together with the East Granby Land Trust will work with CL&P for wetland mitigation consideration.
4. A project of this magnitude disrupts a lot of open space and has an impact on the Metacomet Trail. The Town would ask for CL&P to consider offsetting the loss of open space by transferring the following properties to the Town:
 - a.) Assessor Map #2, Lot 15 – A seventeen acre parcel off of Newgate Road. The Town would acquire this as open space for trail access to Metacomet Trail and to East Granby Farms.
 - b.) Assessor Map #7, Lot 5A and /or 27 – This is property off of Route 20 and would be used as a trail heading for Greenway Parking
 - c.) Assessor Map #22, Lot 62 – This 120 acre parcel is adjacent to Route 187 and Cowles Park and provides great views of sections of the Metacomet Trail.
5. Any above ground approach must re-route current towers away from residents. Some residents' property lines in the Newgate Road area are within 75 feet of existing lines.
6. Residents should be eligible for compensation from CL&P based on an independent valuation of the Project impact on property values. Additionally, the Town should be reimbursed for its tax revenue loss on a reduced Grand List.

CONCLUSION

The Town of East Granby strongly recommends that the Siting Council require CL&P to utilize an underground approach for the high voltage lines.

Sincerely,



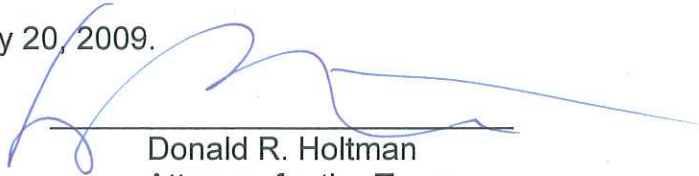
James M. Hayden
First Selectman

Cc: Senator Joseph Lieberman
Senator Christopher Dodd
Congressman John Larson
Connecticut Siting Council Chair Daniel Caruso
State Senator John Kissel
State Representative Richard Ferrari
State Representative Ruth Fahrbach
Attorney Don Holtman
First Selectman Scott Lingenfelter

11/17/07

CERTIFICATION

This is to certify that on July 7, 2009, a copy of the foregoing was sent by first class mail, postage prepaid to each of the persons identified as representatives of parties or intervenors on the Service List dated May 20, 2009.



Donald R. Holtman
Attorney for the Town
Of East Granby