SOUTHWEST CONNECTICUT RELIABILITY PROJECT

DEVELOPMENT AND MANAGEMENT PLAN

PROJECT-WIDE APPROVALS, PERMITS, PLANS, AND BEST MANAGEMENT PRACTICES

(APPLICABLE TO BOTH SUBSTATION AND TRANSMISSION LINE WORK)

VOLUME 3

JUNE 2017

Prepared by:

The Connecticut Light and Power Company doing business as Eversource Energy

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VOLUME 3

PROJECT-WIDE APPROVALS, PERMITS, AND BEST MANAGEMENT PRACTICES (APPLICABLE TO BOTH SUBSTATION AND TRANSMISSION LINE WORK)

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ATTACHMENT A

CONNECTICUT SITING COUNCIL: PROJECT-SPECIFIC INFORMATION

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ATTACHMENT A.1

THE CONNECTICUT SITING COUNCIL'S DECISION AND ORDER OF OPINION FOR THE PROJECT (DOCKET NO. 468)

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STATE OF CONNECTICUT

CONNECTICUT SITING COUNCIL

Ten Franklin Square, New Britain, CT 06051
Phone: (860) 827-2935 Fax: (860) 827-2950
E-Mail: siting.council@ct.gov
www.ct.gov/csc

November 15, 2016

Brian T. Henebry, Esq.
Carmody Torrance Sandak & Hennessey LLP
P.O. Box 1110
Waterbury, CT 06721-1110

RE: **DOCKET NO. 468** - The Connecticut Light & Power Company d/b/a Eversource Energy application for a Certificate of Environmental Compatibility and Public Need for the Southwest Connecticut Reliability Project that traverses the municipalities of Bethel, Danbury, and Brookfield, which consists of (a) construction, maintenance and operation of a new 115-kV overhead electric transmission line entirely within existing Eversource right-of-way and associated facilities extending approximately 3.4 miles between Eversource's existing Plumtree Substation in the Town of Bethel to its existing Brookfield Junction in the Town of Brookfield; (b) reconfiguration of two existing 115-kV double-circuit electric transmission lines at Eversource's existing Stony Hill Substation in the Town of Brookfield; and (c) related substation modifications.

Dear Attorney Henebry:

By its Decision and Order dated November 10, 2016, the Connecticut Siting Council (Council) granted a Certificate of Environmental Compatibility and Public Need (Certificate) for the Southwest Connecticut Reliability Project that traverses the municipalities of Bethel, Danbury, and Brookfield, which consists of (a) construction, maintenance and operation of a new 115-kV overhead electric transmission line entirely within existing Eversource right-of-way and associated facilities extending approximately 3.4 miles between Eversource's existing Plumtree Substation in the Town of Bethel to its existing Brookfield Junction in the Town of Brookfield; (b) reconfiguration of two existing 115-kV double-circuit electric transmission lines at Eversource's existing Stony Hill Substation in the Town of Brookfield; and (c) related substation modifications.

Enclosed are the Council's Certificate, Findings of Fact, Opinion, and Decision and Order.

Very truly yours,

Robert Stein

Robert Stein
Chairman

RS/RDM/cm

Enclosures (4)

c: Parties and Intervenors (without Certificate enclosure)
State Documents Librarian (without Certificate enclosure)

STATE OF CONNECTICUT

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CERTIFICATE

OF

ENVIRONMENTAL COMPATIBILITY AND PUBLIC NEED

DOCKET NO. 468

Pursuant to General Statutes § 16-50k, as amended, the Connecticut Siting Council hereby issues a Certificate of Environmental Compatibility and Public Need to The Connecticut Light & Power Company d/b/a Eversource Energy for the Southwest Connecticut Reliability Project that traverses the municipalities of Bethel, Danbury, and Brookfield, which consists of (a) construction, maintenance and operation of a new 115-kV overhead electric transmission line entirely within existing Eversource right-of-way and associated facilities extending approximately 3.4 miles between Eversource's existing Plumtree Substation in the Town of Bethel to its existing Brookfield Junction in the Town of Brookfield; (b) reconfiguration of two existing 115-kV double-circuit electric transmission lines at Eversource's existing Stony Hill Substation in the Town of Brookfield; and (c) related substation modifications. This Certificate is issued in accordance with and subject to the terms and conditions set forth in the Decision and Order of the Council on November 10, 2016.

By order of the Council,

Robert Stein, Chairman

November 10, 2016

STATE OF CONNECTICUT

CONNECTICUT SITING COUNCIL

Ten Franklin Square, New Britain, CT 06051
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E-Mail: siting.council@ct.gov
www.ct.gov/csc

STATE OF CONNECTICUT)

: ss. New Britain, Connecticut November 15, 2016

COUNTY OF HARTFORD)

I hereby certify that the foregoing is a true and correct copy of the Findings of Fact, Opinion, and Decision and Order issued by the Connecticut Siting Council, State of Connecticut.

ATTEST:

Melanie A. Bachman
Acting Executive Director
Connecticut Siting Council

I certify that a copy of the Findings of Fact, Opinion, and Decision and Order in Docket No. 468 has been forwarded by Certified First Class Return Receipt Requested mail, on November 15, 2016, to all parties and intervenors of record as listed on the attached service list, dated August 1, 2016.

ATTEST:

Carriann Mulcahy
Secretary II
Connecticut Siting Council

LIST OF PARTIES AND INTERVENORS
SERVICE LIST

Status Granted	Document Service	Status Holder (name, address & phone number)	Representative (name, address & phone number)
Applicant	☒ E-Mail	The Connecticut Light & Power Company d/b/a Eversource Energy	David L. Coleman Project Manager Eversource Energy 56 Prospect Street Hartford, CT 06103 david.coleman@eversource.com Kathleen M. Shanley Manager-Transmission Siting-CT Eversource Energy 56 Prospect Street Hartford, CT 06103 kathleen.shanley@eversource.com Jeffery Cochran, Esq. Senior Counsel, Legal Department Eversource Energy 107 Selden Street Berlin, CT 06037 jeffery.cochran@eversource.com Brian T. Henebry, Esq. Carmody Torrance Sandak & Hennessey LLP P.O. Box 1110 Waterbury, CT 06721-1110 bhenebry@carmodylaw.com Farah Omokaro Transmission Siting Senior Engineer Eversource Energy 56 Prospect Street Hartford, CT 06103 Farah.omokaro@eversource.com

STATE OF CONNECTICUT

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November 15, 2016

The Honorable Denise L. Nappier
State Treasurer
Office of the Treasurer
55 Elm Street
Hartford, Connecticut 06106

RE: **DOCKET NO. 468** - The Connecticut Light & Power Company d/b/a Eversource Energy application for a Certificate of Environmental Compatibility and Public Need for the Southwest Connecticut Reliability Project that traverses the municipalities of Bethel, Danbury, and Brookfield, which consists of (a) construction, maintenance and operation of a new 115-kV overhead electric transmission line entirely within existing Eversource right-of-way and associated facilities extending approximately 3.4 miles between Eversource's existing Plumtree Substation in the Town of Bethel to its existing Brookfield Junction in the Town of Brookfield; (b) reconfiguration of two existing 115-kV double-circuit electric transmission lines at Eversource's existing Stony Hill Substation in the Town of Brookfield; and (c) related substation modifications.

Dear Ms. Nappier:

Pursuant to Connecticut General Statutes § 16-50(bb), please be advised that on November 10, 2016 the Connecticut Siting Council (Council) rendered a final decision in the above-referenced proceeding.

The Council did not receive a request from the Town of Bethel, the Town of Brookfield, or the City of Danbury to participate in this proceeding. Therefore, these municipalities are **not** eligible to request funds for reimbursement of expenses.

After January 9, 2017, unused portions of the Municipal Participation Account for this docket should be returned to the following:

Kathleen M. Shanley
Manager – Transmission Siting
Eversource Energy
56 Prospect Street
P.O. Box 270
Hartford, CT 06103

Thank you for your attention to this matter.

Very truly yours,

Melanie A. Bachman
Acting Executive Director

MAB/RDM/cm

c: Robert Stein, Chairman
Parties and Intervenors
The Honorable Matthew S. Knickerbocker, First Selectman, Town of Bethel
The Honorable Stephen C. Dunn, First Selectman, Town of Brookfield
The Honorable Mark D. Boughton, Mayor, City of Danbury
Lisa Fontaine, Fiscal Administrative Officer

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STATE OF CONNECTICUT
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VIA ELECTRONIC MAIL

November 15, 2016

TO: Classified/Legal Supervisor
468161114
The News Times
333 Main St.
Danbury, CT 06810

FROM: Carriann Mulcahy, Secretary II CM

RE: **DOCKET NO. 468** - The Connecticut Light & Power Company d/b/a Eversource Energy application for a Certificate of Environmental Compatibility and Public Need for the Southwest Connecticut Reliability Project that traverses the municipalities of Bethel, Danbury, and Brookfield, which consists of (a) construction, maintenance and operation of a new 115-kV overhead electric transmission line entirely within existing Eversource right-of-way and associated facilities extending approximately 3.4 miles between Eversource's existing Plumtree Substation in the Town of Bethel to its existing Brookfield Junction in the Town of Brookfield; (b) reconfiguration of two existing 115-kV double-circuit electric transmission lines at Eversource's existing Stony Hill Substation in the Town of Brookfield; and (c) related substation modifications.

Please publish the attached notice as soon as possible, but not on Saturday, Sunday, or a holiday.

Please send an affidavit of publication and invoice to my attention.

Thank you.

CM

STATE OF CONNECTICUT

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NOTICE

Pursuant to General Statutes § 16-50p (a), the Connecticut Siting Council (Council) announces that, on November 10, 2016, the Council issued Findings of Fact, an Opinion, and a Decision and Order approving an application from The Connecticut Light & Power Company d/b/a Eversource Energy for a Certificate of Environmental Compatibility and Public Need for the Southwest Connecticut Reliability Project that traverses the municipalities of Bethel, Danbury, and Brookfield, which consists of (a) construction, maintenance and operation of a new 115-kV overhead electric transmission line entirely within existing Eversource right-of-way and associated facilities extending approximately 3.4 miles between Eversource's existing Plumtree Substation in the Town of Bethel to its existing Brookfield Junction in the Town of Brookfield; (b) reconfiguration of two existing 115-kV double-circuit electric transmission lines at Eversource's existing Stony Hill Substation in the Town of Brookfield; and (c) related substation modifications. This application record is available for public inspection in the Council's office, Ten Franklin Square, New Britain, Connecticut.

DOCKET NO. 468 - The Connecticut Light & Power Company d/b/a Eversource Energy application for a Certificate of Environmental Compatibility and Public Need for the Southwest Connecticut Reliability Project that traverses the municipalities of Bethel, Danbury, and Brookfield, which consists of (a) construction, maintenance and operation of a new 115-kV overhead electric transmission line entirely within existing Eversource right-of-way and associated facilities extending approximately 3.4 miles between Eversource's existing Plumtree Substation in the Town of Bethel to its existing Brookfield Junction in the Town of Brookfield; (b) reconfiguration of two existing 115-kV double-circuit electric transmission lines at Eversource's existing Stony Hill Substation in the Town of Brookfield; and (c) related substation modifications.	}	Connecticut Siting Council November 10, 2016

Findings of Fact

Introduction

1. Pursuant to Connecticut General Statutes (C.G.S.) §16-50g et seq., on June 29, 2016, The Connecticut Light and Power Company doing business as Eversource Energy (Eversource), applied to the Connecticut Siting Council (Council) for a Certificate of Environmental Compatibility and Public Need for the Southwest Connecticut Reliability Project (Project). The Project consists of (a) construction, maintenance and operation of a new 115-kV overhead electric transmission line entirely within existing Eversource right-of-way and associated facilities extending approximately 3.4 miles between Eversource's existing Plumtree Substation in the Town of Bethel to its existing Brookfield Junction in the Town of Brookfield, traversing portions of the municipalities of Bethel, Danbury and Brookfield; (b) reconfiguration of two existing 115-kV double-circuit electric transmission lines at Eversource's existing Stony Hill Substation in the Town of Brookfield; and (c) related substation modifications. (Eversource 1, Vol. 1, p. ES-1)

2. The purpose of the Project is to bring the electric supply system in portions of southwest Connecticut into compliance with applicable national and regional reliability standards and criteria by eliminating potential thermal overloads and voltage violations identified in studies conducted by the Independent System Operator in New England (ISO-NE). (Eversource 1, Vol. 1, p. ES-1)

3. The only party in this proceeding is Eversource. (Transcript, September 22, 2016, 3:05 p.m. [Tr. 1], pp. 4-5; Transcript, September 22, 2016, 7:00 p.m. [Tr. 2], pp. 2, 5)

4. On September 29, 2016, after the close of the evidentiary record, the Town of Brookfield requested intervenor status to present concerns regarding a proposed access road at the Stony Hill Substation. The Stony Hill Substation access road is related to Council Petition 1230, a separate matter that was approved by the Council on June 23, 2016. The Council was unable to accommodate the Town's intervenor request as the evidentiary record for this docket closed on September 22, 2016. The Town's September 29, 2016 correspondence was entered into the Docket 468 record as municipal comments. (Town of Brookfield letter dated September 29, 2016; Council response letter dated October 4, 2016)

5. Pursuant to C.G.S. §16-50*l*(b), Eversource provided legal service and notice of the application. This included notice to municipalities traversed by the proposed Project; federal, state, local and regional agencies, elected officials, and abutters of both substations. Eversource published notice of the application filing in The News-Times on June 10, and June 16, 2016. Eversource included a Project information insert in one or more of its monthly bills to customers within Bethel, Brookfield and Danbury within 60 days before submission of the application to the Council. (Eversource 1, Vol. 1, pp. FR-11-12; Affidavit Regarding Publication of Legal Notice and Notice Provided to Customers of CL&P d/b/a Eversource; Affidavit of Service of Notice Upon Owners of Property Abutting Substations; Affidavit of Service of Application)

6. Eversource notified water companies servicing the areas traversed by the proposed Project. (Affidavit Regarding Notice to Water Companies)

7. On or before June 29, 2016, Eversource notified property owners abutting both substations through certified mailings. Four certified mailings were unclaimed. Eversource resent notice to these abutters by first class mail. (Eversource 1, Vol. 1, p. FR-12; Eversource 2, R. 1)

8. In accordance with the Council's Application Guide for an Electric and Fuel Transmission Line Facility, Eversource provided notice to a number of community groups including applicable economic development commissions, land trusts, environmental groups, river protection organizations, historic preservation groups, and water companies with watersheds within the Project area. (Eversource 1, Vol. 1, p. FR-11; Affidavit Regarding Notice to Community Groups)

9. Pursuant to C.G.S. §16-50*l*(b), Eversource served a copy of the application for the proposed Project to federal, state, regional and local officials listed therein. (Eversource 1, Vol. 1, p. FR-10; Affidavit of Service of Application)

Procedural Matters

10. On June 30, 2016, the Council sent a letter to the State Treasurer, with copies to the Chief Elected Officials of Bethel, Brookfield, and Danbury, stating that $25,000 was received from Eversource as payment to the Municipal Participation Fund (Fund) and deposited in the office of the State Treasurer's department account. The Fund is available for any or all of the municipalities to apply for as reimbursement to defray expenses incurred by the municipalities if they participated as a party in the proceeding, pursuant to C.G.S. §16-50bb. None of the subject municipalities are parties to the proceeding. (Record)

11. During a regular Council meeting on August 4, 2016, the application was deemed complete pursuant to Regulations of Connecticut State Agencies (R.C.S.A.) §16-50*l*-1a and the public hearing schedule was approved by the Council. (Record)

12. Pursuant to C.G.S. §16-50m, the Council published legal notice of the date and time of the public hearing in The News-Times on August 10, 2016. (Record)

13. Pursuant to C.G.S. §16-50m, on August 5, 2016, the Council sent a letter to the Towns of Bethel, and Brookfield and the City of Danbury to provide notification of the scheduled public hearing and to invite each municipality to participate in the proceeding. None of the municipalities responded to this solicitation. (Record)

14. On August 25, 2016, the Council held a pre-hearing conference on procedural matters to discuss the requirements for pre-filed testimony, exhibit lists, administrative notice lists, expected witness lists, filing of pre-hearing interrogatories and the logistics of the public inspection of the Project. (Council pre-hearing conference memoranda dated August 17, 2016)

15. In compliance with R.C.S.A. §16-50j-21, Eversource installed eight four-foot by six-foot signs along the Project route to describe the type of facility proposed, the public hearing date, and contact information for the Council. (Eversource 4, pp. 38-39)

16. The Council and its staff conducted a field review of the proposed Project on September 22, 2016 beginning at 1:30 p.m. Eversource provided bus transportation to various locations along the project route. (Council's Hearing Notice dated August 5, 2016; Eversource 7)

17. Pursuant to C.G.S. §16-50m, the Council, after giving due notice thereof, held a public hearing on September 22, 2016, beginning with the evidentiary portion of the hearing at 3:00 p.m. and continuing with the public comment session at 7:00 p.m. at the Bethel Municipal Center, 1 School Street, Bethel, Connecticut. (Council's Hearing Notice dated August 5, 2016; Council's Field Review Notice dated September 15, 2016; Tr. 1, p. 4; Tr. 2, p. 4)

Municipal Consultation and Community Outreach

18. Eversource began its outreach efforts to the municipalities of Bethel, Brookfield, and Danbury in March 2016 by briefing municipal officials on the Project. (Eversource 4, p. 36)

19. Pursuant to C.G.S. §16-50*l*(e), on April 14, 2016, Eversource provided a Project Municipal Consultation Filing (MCF) to the chief elected officials of Bethel, Brookfield and Danbury to begin the 60-day municipal consultation process. (Eversource 1, Vol. 1, p. 9-3)

20. Eversource sponsored a Public Open House event on May 4, 2016 at the Bethel Municipal Center in Bethel that was attended by approximately 30 people. Notification of the open house was provided by mailings to properties along the proposed route and by publication of notice in area newspapers. The open house included project information displays as well as public comment kiosks. Eversource representatives were available to respond to specific Project questions. (Eversource 1, Bulk File 2; Eversource 4, p. 38; Tr. 1, p. 66)

21. Eversource solicited written public comments at the open house and forwarded a copy of the written public comments to the respective municipalities and the Council. (Eversource 1, Vol. 1, p. 9-4, Bulk File 2)

22. The MCF was posted on Eversource's website and was made available in the respective municipal libraries. (Eversource 4, p. 38)

23. During the MCF process, the Town of Bethel requested that the new transmission line be constructed on the west/north side of the existing line, rather than the south/east side, where it traverses a predominately residential area. Eversource evaluated this option but did not pursue such a design as the existing right-of-way is not wide enough and additional easements would need to be obtained. More information is provided in FOF # 159. (Eversource 1, Vol. 1, pp. ES-11, ES-12, 11-32, 11-33)

24. The Bethel First Selectman, Matthew Knickerbocker, submitted written correspondence to the Council on September 22, 2016, that presented concerns regarding the amount of tree clearing along the right-of-way that could negatively affect adjacent residential properties. First Selectman Knickerbocker

acknowledged the need for reliable electric power in the area and requested that the powerline be placed on the east and west side of the right-of-way to minimize impacts to adjacent residents and businesses to the greatest extent possible. (Town of Bethel letter dated September 22, 2016)

25. The Council did not receive any correspondence from the City of Danbury. (Record)

State Agency Comment

26. Pursuant to C.G.S. § 16-50j (g), on August 5, 2016 and September 23, 2016, the following State agencies were solicited by the Council to submit written comments regarding the proposed facility: Department of Energy and Environmental Protection (DEEP); Department of Public Health (DPH); Council on Environmental Quality (CEQ); Public Utilities Regulatory Authority (PURA); Office of Policy and Management (OPM); Department of Economic and Community Development (DECD); Department of Agriculture (DOAg); Department of Transportation (DOT); Connecticut Airport Authority (CAA); Department of Emergency Services and Public Protection (DESPP); and State Historic Preservation Office (SHPO). (Record)

27. The Council received a response from the DOT's Bureau of Engineering and Construction on September 2, 2016 indicating that a Highway Encroachment Permit would be required if any work, including project access, is conducted within the State right-of-way for Interstate 84 and Route 6. (DOT comment dated August 29, 2016)

28. The Council received a response from DEEP on September 19, 2016 that contained a field description of the Project route, presented comment regarding the Project crossing of a DEEP property (East Swamp Wildlife Area) and a discussion of applicable DEEP permit requirements. (DEEP comments dated September 19, 2016)

29. The following agencies did not respond with comment on the application: CEQ, PURA, OPM, DECD, DOAg, DPH, CAA, DESPP, and SHPO. (Record)

System Planning and Mandatory Reliability Standards

30. The Northeast Power Coordinating Council (NPCC) is a regional reliability council that was established in 1966 to improve the reliability of the interconnected bulk power system in New York, the six New England states, and eastern Canadian provinces. The U.S. system of the NPCC formed two regional reliability councils to ensure the reliability of their portions of the interconnected bulk-power electric system - ISO-NE, and New York Independent System Operator (NYISO). (Eversource 1, Vol. 1, p. 2-3)

31. The Federal Energy Policy Act of 2005 required the Federal Energy Regulatory Commission (FERC) to designate an Electric Reliability Organization (ERO) to develop and enforce a system of mandatory reliability standards for planning and operations of the bulk power electric system. Compliance with the standards is mandatory under federal law and violations are subject to fines. (Eversource 1, Vol. 1, p. 2-4)

32. FERC designated the North American Electric Reliability Corporation Inc. (NERC) to be the ERO. As the ERO, NERC is charged with improving the reliability of the bulk-power electric system by developing mandatory reliability standards for planning and operations. (Eversource 1, Vol. 1, p. 2-4)

33. ISO-NE is responsible for power system planning, as well as grid operation and market administration in the six New England States. It has adopted planning standards, criteria and procedures consistent with the standards and criteria established by NERC and the NPCC, to ensure that New England's electric system will provide adequate and reliable electric power. For reliability studies, ISO-NE uses a ten-year planning horizon. (Eversource 1, Vol. 1, pp. 2-3, 2-4, Vol. 4, ISO-NE Transmission Planning Technical Guide)

34. ISO-NE is responsible for the reliable and economical operation of New England's electric power system, which includes managing the comprehensive, long-term planning of the regional power system to identify the region's electricity needs and plans for meeting those needs. The planning process involves the preparation of an annual Regional System Plan (RSP) that provides forecasts of annual energy use and peak loads for a ten-year planning horizon; information about amounts, locations, and characteristics of market responses; and descriptions of transmission projects for the region that could meet the identified needs, as summarized in the RSP Project List. (Council Administrative Notice Item No. 13; Council Administrative Notice Item No. 14)

35. The RSP Project List is a summary of needed transmission projects for the region and includes the status of reliability transmission upgrades, market efficiency transmission upgrades, elective transmission upgrades and generator interconnection upgrades. The proposed Project is identified on the RSP Project List as a planned reliability transmission upgrade that would ensure electrical reliability through 2022. (Eversource Vol. 1, p. 2-10; Council Administrative Notice Item No. 14; Eversource 4, p. 16)

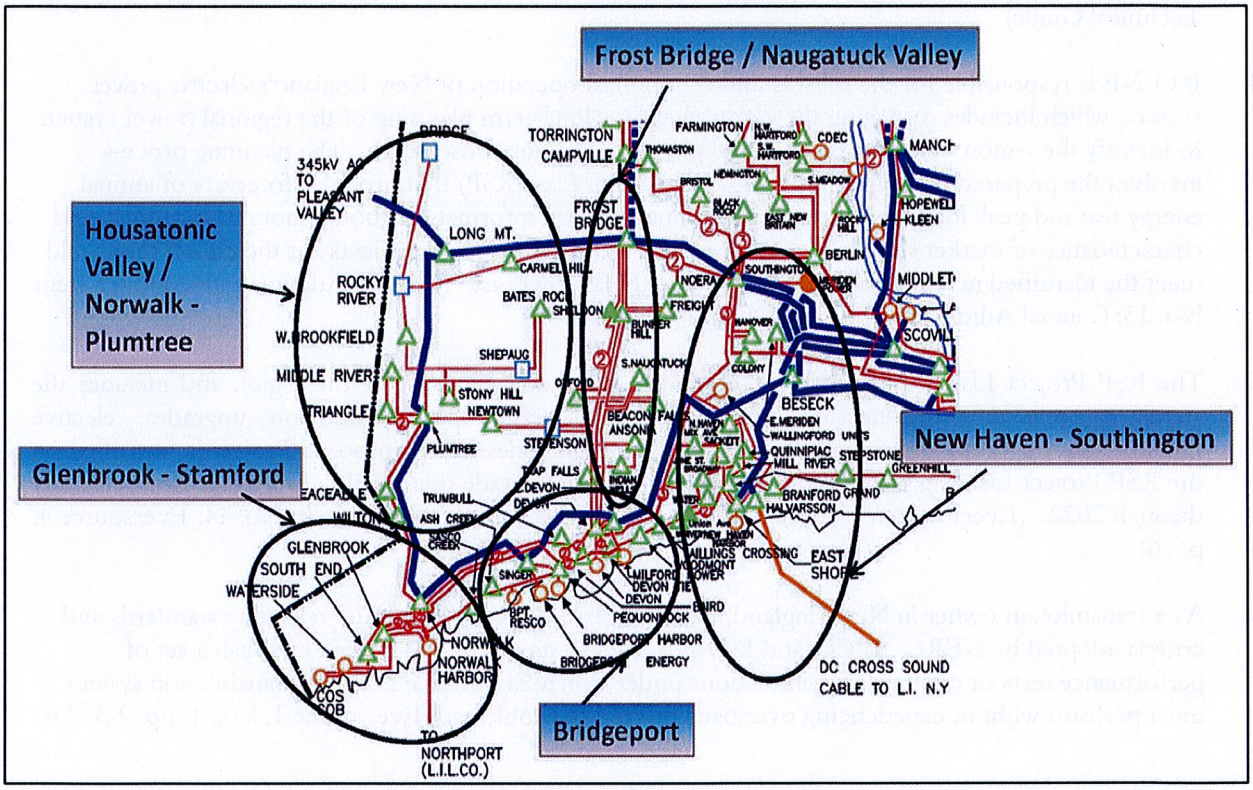
36. As a transmission owner in New England, Eversource must comply with the reliability standards and criteria adopted by NERC, NPCC, and ISO-NE. These standards and criteria establish a set of performance tests or contingency simulations under which Eversource's electric transmission system must perform without experiencing overloads or voltage problems. (Eversource 1, Vol. 1, pp. 2-3, 2-6, 2-20)

Project Need

37. The electric transmission needs addressed by the Project were identified by numerous ISO-NE planning studies that began in 2001 that were initially focused on potential future criteria violations on the 115-kV electric transmission system in the SWCT area, resulting in three major projects – Docket 217, Bethel-Norwalk 345-kV line, Docket 272, Middletown-Norwalk 345-kV line and Docket 292,- Glenbrook-Norwalk 115-kV cable project - that created a 345-kV loop to better serve the SWCT area as well as resolve numerous transmission reliability issues. Despite the construction of these projects, the initial studies noted that additional reliability issues would remain. (Eversource 1, Vol. 1, p. 2-8)

38. In its 2005 final decision in Docket 272, the Council found that more than 20 thermal overloads would remain after completion of that 345-kV loop and that these remaining overloads would be addressed locally through substation or transmission line upgrades to be constructed in the future. (Eversource 1, Vol. 1, p. 2-8; Eversource Administrative Notice Item No. 22; Tr. 1, pp. 63-65)

39. In 2012, ISO-NE formed a working group of transmission planners from ISO-NE, Eversource, and the United Illuminating Company to perform a SWCT needs assessment and solutions study, projected out to year 2022, to resolve the remaining reliability issues. The SWCT area was divided into five sub-areas, as shown in the figure below:

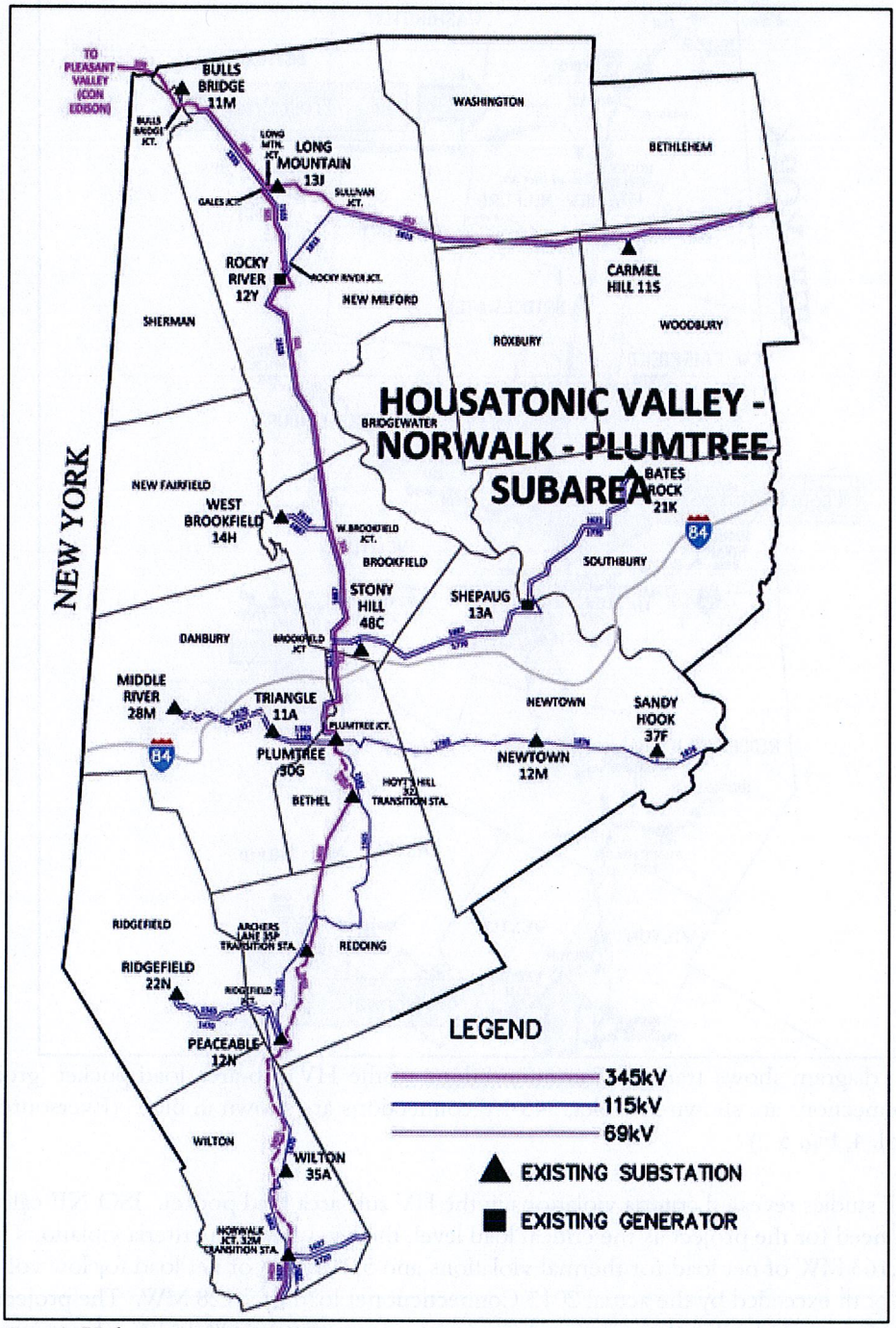


(Council Administrative Notice Item No. 42, p. F-12)

40. The five sub-areas were studied both individually (local) and with one or more sub-area groupings (global) to assure that identified needs and solutions were sufficiently examined in a cost efficient and coordinated manner. For a global solution, the study combined the HV sub-area with the adjacent Frost Bridge-Naugatuck Valley sub-area. Ultimately, the study determined local solutions in both sub-areas were preferred over a global solution. (Eversource 1, Vol. 1, pp. 2-9, 2-10)

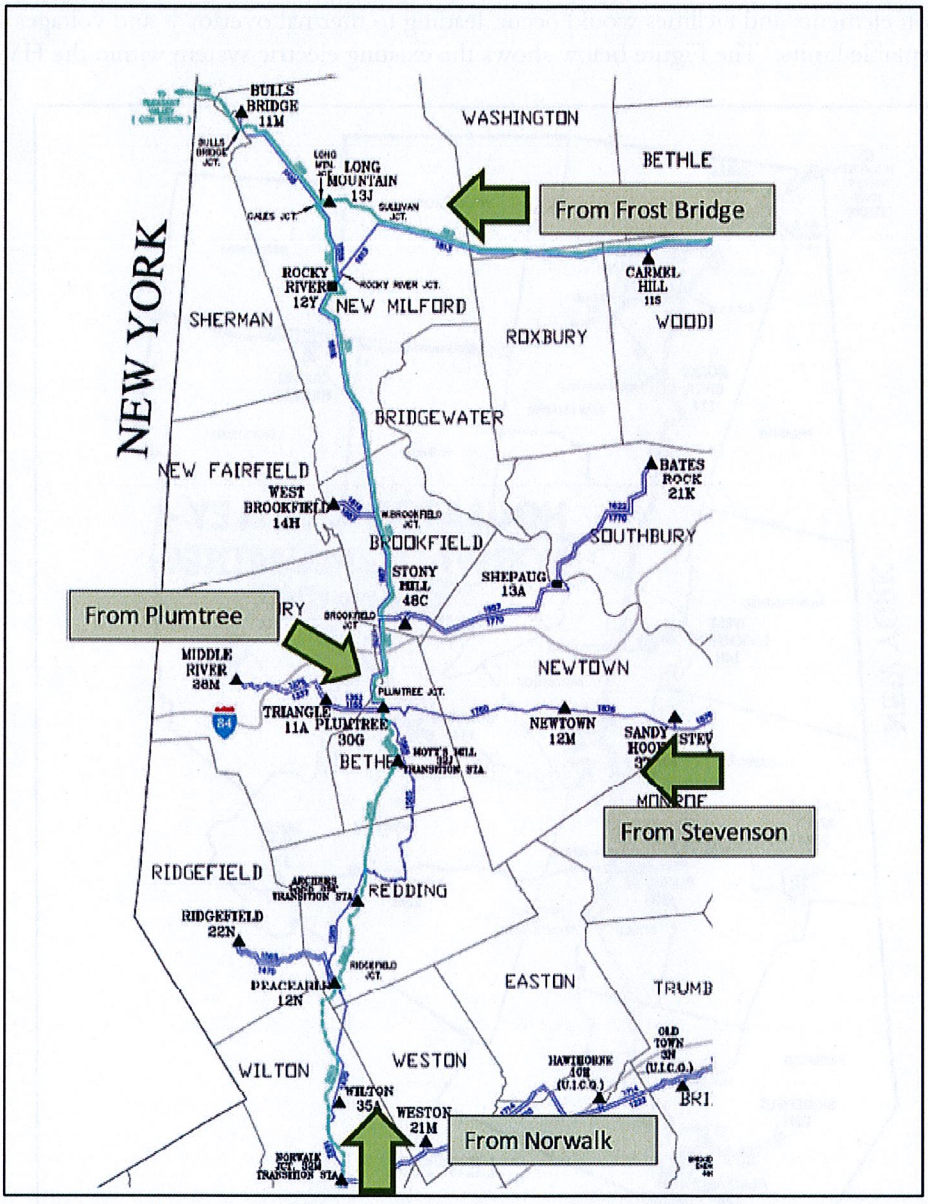
41. ISO-NE published the results of the SWCT Needs Assessment study in June 2014 (SWCT Needs Report), which considered electric system needs in each sub-area in study year 2022, consistent with ISO-NE's ten year planning horizon. (Eversource 1, Vol. 1, p. 2-10, Vol. 4, SWCT Transmission Needs Assessment)

42. The SWCT Needs Report determined the existing electric system within the HV sub-area is insufficient to reliably serve peak load customer demands under contingency events. When one or more electric import paths into the HV sub-area were removed, the remaining electric connections and local generation capacity was unable to meet electric demand, thus failures in reliability for various transmission elements and facilities would occur, leading to thermal overloads and voltages falling below acceptable limits. The Figure below shows the existing electric system within the HV sub-area:



(Eversource 1, Vol. 1, pp. 2-11, 2-12)

43. The SWCT Needs Report identified the HV sub-area as a load pocket which is an area that has insufficient generation and/or transmission to serve its electric load. The HV sub-area is a net importer of electricity as it relies on the surrounding areas to serve its local electric load, as shown in the figure below.



The above diagram shows transmission connections to the HV sub-area load pocket (green arrows). 115-kV connections are shown in violet, 345-kV connections are shown in blue. (Eversource 1, Vol. 1, p. 2-12, Vol. 4, Fig. 5-2)

44. The SWCT studies revealed criteria violations in the HV sub-area load pocket. ISO-NE calculated an immediate need for the project as the critical load level, the level at which criteria violations begin to occur, is 4,163 MW of net load for thermal violations and 5,218 MW of net load for low voltage violations, both exceeded by the actual 2013 Connecticut net load of 7,128 MW. The projected year 2022 HV sub-area net load without demand resources is approximately 860 MW. (Eversource 1, Vol. 1, pp. 2-13, 2-15)

45. In early 2015, ISO-NE published the SWCT Solutions Report to address the electric system deficiencies identified in the SWCT Needs Report, including solutions for the HV sub-area. Solutions include the proposed Project as well as other upgrades independent of the objectives of the proposed Project, and as such, are being implemented separately. (Eversource 1, Vol. 1, pp. 2-10, 2-15, 2-16)

46. The proposed Project would implement an important component of long-range plans for the expansion of Connecticut's electric power grid, including the Greater Springfield Reliability Project (Docket 370) and the Interstate Reliability Project (Docket 424). Furthermore, ISO-NE has examined transmission needs and solutions for the Greater Hartford area and has coordinated the Greater Hartford and SWCT studies to avoid redundant solutions. Together, these studies provide solutions for Connecticut's transmission system that will comply with reliability requirements through 2022 and that form a part of the ISO Regional System Plan. (Eversource 1, Vol. 1, p. 2-21)

47. The SWCT Solutions Study identified the addition of a 115-kV line between Plumtree Substation and Brookfield Junction, as well as other improvements, as the preferred reliability solution for the HV sub-area. (Council Administrative Notice Item No. 14, p. 102)

48. For the HV sub-area, a new 115-kV transmission source into the area, reconfiguration of two existing lines (1887 Line and 1770 Line) and related system upgrades were identified as the preferred solution to address the worst case thermal and voltage violations that occur in the sub-area under contingent conditions and are in accordance with mandatory federal and regional standards and criteria. (Eversource 1, Vol. 1, pp. 2-15, 2-16)

49. The proposed Project would bring a new source of power into the load pocket and, together with the line reconfiguration, would provide an additional resource to share load that can be automatically redistributed among three substations that serve the load pocket; the Plumtree Substation, West Brookfield Substation and Shepaug Substation. This additional import source would allow for the re-distribution and supply of power into the sub-area if other electrical system elements fail. (Eversource 1, Vol. 1, pp. 2-16 - 2-19)

50. On April 16, 2015, ISO-NE, after a review of the Solutions Report by the Reliability Committee, issued a technical approval of the preferred solutions contained within the SWCT Solutions Study, including transmission improvements to the HV sub-area. (Eversource 1, Vol. 1, p. 2-10)

51. The Project was included in the DEEP 2014 Integrated Resource Plan (IRP) as a planned new transmission project with related substation improvements with an in-service date of 2017. (Council Administrative Notice Item No. 42, App. F)

52. The proposed Project was listed in Eversource's *2015 Forecast of Loads and Resources for the Period 2015-2024* and in Eversource's *2016 Forecast of Loads and Resources for the Period 2016-2025* as a proposed 115-kV transmission line from Plumtree Substation to Brookfield Junction. (Eversource Administrative Notice Items No. 53, No. 54 – Eversource Forecast Report, Table 4-1)

53. The proposed Project was listed in the Council's *2014/2015 Review of the Ten Year Forecast of Connecticut Electric Loads and Resources* as a proposed 3.4 mile 115-kV transmission line from Plumtree Substation to Brookfield Junction. (Council Administrative Notice Item No. 18, Appendix B)

54. The Project is consistent with the *Conservation and Development Policies Plan for Connecticut 2013-2018.* It will serve a public need for a reliable source of electricity to support development in Connecticut. (Council Administrative Notice Item No. 52; Eversource 1, Vol. 1, pp. 6-26, 6-27)

55. Connecticut's Comprehensive Energy Strategy proposes further investments in grid reliability and identifies three important components to grid reliability: resource adequacy, transmission security and distribution resiliency. (Council Administrative Notice Item No. 41, pp. 70-71, 97)

Project Cost

56. The estimated capital cost of the Project is $24.4 million, with the transmission line accounting for $18.9 million and the substation modifications accounting for $5.5 million. (Eversource 1, Vol. 1, p. 3-17)

57. The cost of the Project is anticipated to be regionalized with Connecticut ratepayers paying approximately 25 percent of the total project cost. Any additional cost incurred for local requirements would be expected to be paid by Connecticut ratepayers. (Eversource 4, p. 17)

58. The life-cycle cost for the transmission line portion of the Project would be $32.3 million, or $9.7 million per mile. This total would include annual carrying charges of the capital cost, annual operation and maintenance costs, cost of energy losses, and cost of capacity. (Eversource 1, Vol. 1, p. 3-17)

59. Project construction is anticipated to begin in the first quarter of 2018. The tentative in-service date is December 2018. (Eversource 4, p. 17)

Project Alternatives

60. A "no-action" alternative would not improve the reliability of the electric system in the HV sub-area, subjecting the area to continued risk of electric outages as well as undermining ISO-NE long range reliable transmission planning for Connecticut and New England. Eversource could be fined by FERC for failure to correct the identified criteria violations. (Eversource 1, Vol. 1, p. 10-1)

61. On June 6, 2014, the state statutory requirement under C.G.S. §16a-7c for initiation by the Connecticut Energy Advisory Board of a reactive request for proposal process to seek non-transmission alternatives to the need addressed by an application for a proposed facility that is submitted to the Council was repealed. (State of Connecticut Public Act 14-94)

62. In the 2014 IRP, DEEP outlines criteria used for illustrating reliability projects that may be viable candidates for the consideration of non-transmission alternatives - Category A consists of new substations; Category B consists of infrastructure upgrades; and Category C consists of new transmission lines and new infrastructure considered in reliability studies. Categories A and B are identified as unlikely to have viable non-transmission alternatives. The Project was identified as a Category C project where alternatives could be studied. (Council Administrative Notice Item No. 42, App. F)

63. In addition to the proposed Project, referred to as Local 2 in the SWCT studies, three other alternative 115-kV overhead solutions were studied to bring power into the SWCT sub-area: two entailed a connection between the HV sub-area and the Frost Bridge-Naugatuck Valley sub-area, referred to as "global solutions" as they attempted to resolve reliability issues in both sub areas, and one other local solution, referred to as Local 1, that would also resolve reliability issues only in the HV sub-area. (Eversource 1, Vol. 1, pp. 10-2, 10-3)

64. The two global solutions, examined to resolve reliability issues in the HV sub-area and the Frost Bridge-Naugatuck Valley sub-area, were ultimately rejected due to high cost and societal and environmental issues related to the necessity of acquiring a new right-of-way for a 10.7 mile long 115-kV transmission line between the Bates Rock Substation in Southbury and the Bunker Hill Substation in Waterbury. (Eversource 1, Vol. 1, pp. 10-2 - 10-8)

65. The Local 1 alternative was rejected as it would be approximately $21 million in additional cost for unique elements, specifically the addition of two synchronous condensers at the Stony Hill Substation, instead of one condenser required for the proposed Project. (Eversource 1, Vol. 1, pp. 10-2 - 10-8)

66. Non-transmission alternatives were examined including the addition of gas-fired turbines within the load pocket, energy storage, fuel cells and energy efficiency measures. The least-costly non-transmission alternative solution to meet the identified need within the load pocket is the construction of four natural-gas fired fueled turbine peaking generators to supply 291 MW. Another alternative examined was a combination of 255 MW supplied by peaking generators and 31 MW of energy efficiency measures. Both of these solutions were rejected due to high costs to Connecticut ratepayers ($53 to $82 million per year compared to $2.1 million per year). (Eversource 1, Vol. 1, pp. 10-8 - 10-12; Eversource 5, pp. 5-7)

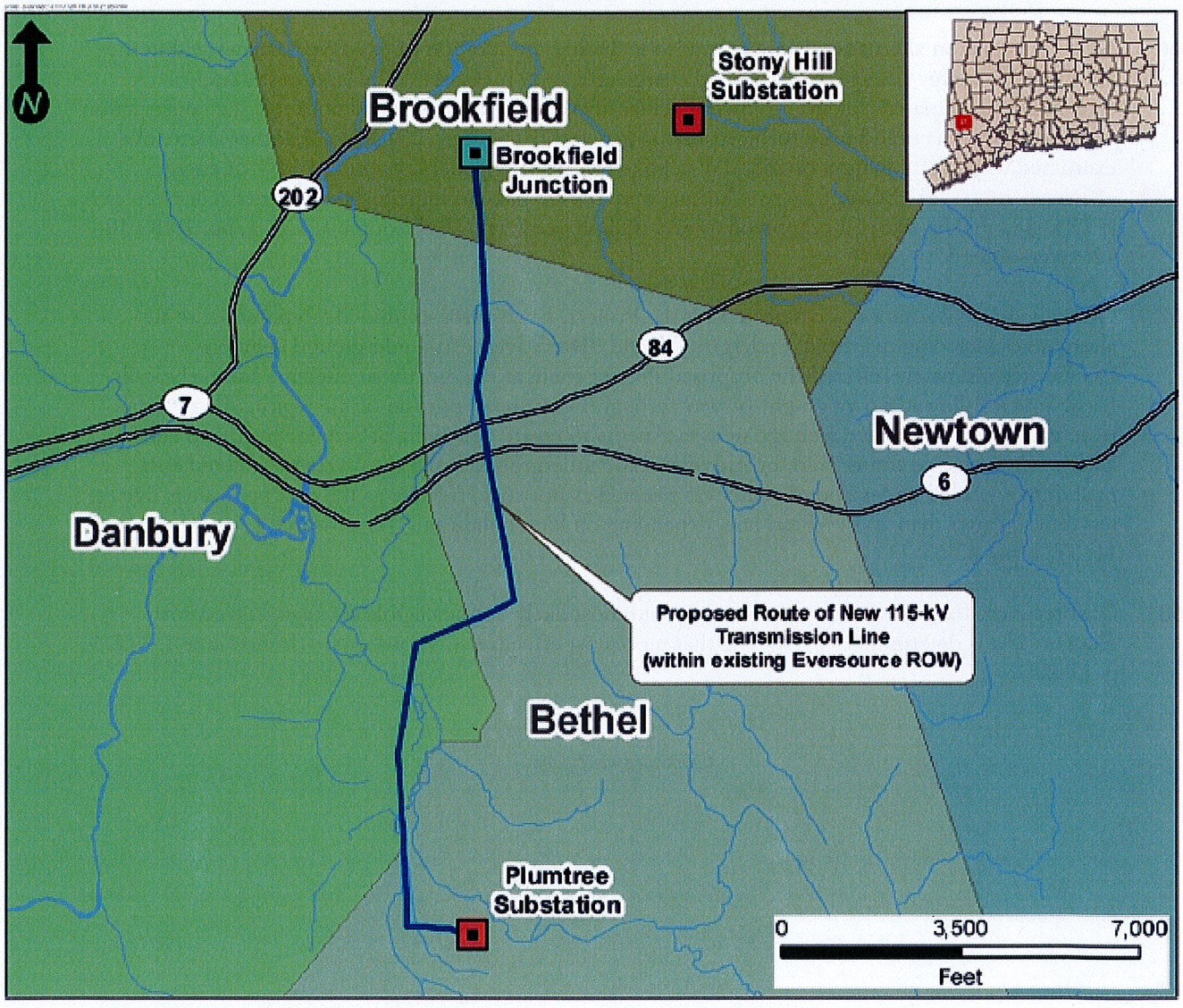
67. Once the Local 2 solution was selected for the Project, Eversource examined ten potential route alternatives including overhead, underground, and hybrid overhead/underground solutions. Eversource ultimately selected the proposed Project route as the most cost effective and technically feasible as it followed existing right-of-way through a developed portion of the region. Five of the rejected routes would have required new easements to create new right-of-way for overhead lines. Three other rejected routes were hybrid overhead/underground routes but were considered cost prohibitive. An all underground route was rejected as not cost effective as the cost per mile is five to ten times greater than an overhead line, depending on local conditions. (Eversource 1, Vol. 1, Section 11; Tr. 1, pp. 62-63)

68. Cost recovery for any underground route would most likely not be eligible for regionalized cost-recovery if it is determined by ISO-NE that more cost effective solutions exist. (Eversource 1, Vol. 1, p. 11-25)

Continued next page

Project Description

69. The proposed Project entails the installation of a new 115-kV electric transmission line that would extend the existing 115-kV 1887 Line from Brookfield Junction in Brookfield to the Plumtree Substation in Bethel. Related improvements include:
    a) minor modifications to the Plumtree Substation;
    b) modifications at the Stony Hill Substation;
    c) reconfiguration of the existing 1770 Line; and
    d) reconfiguration of the existing 1887 Line.



(Eversource 1, Vol. 1, p. ES-4)

Proposed Overhead 115-kV Transmission Line

70. The proposed 115-kV overhead transmission line would extend for 3.4 miles and would be installed within existing Eversource right-of-way. The new line would be installed adjacent to other existing 115-kV and/or 345-kV lines (Lines 321, 1770, 1363, 1165). (Eversource 1, Vol. 1, pp. 3-1 - 3-3)

71. Characteristics of the Project within the existing right-of-way are as follows:

Municipality	ROW length	ROW width
Bethel	2.2 miles	175-225 feet
Danbury	0.9 miles	175 feet
Brookfield	0.3 miles	175 feet

(Eversource 1, Vol. 1, p. 1-6)

72. Land use within and adjacent to the right-of-way includes the following:
    a. Bethel, southern portion (Plumtree Substation to East Swamp Brook) – wetlands, floodplain, State property, land trust property, Town of Bethel property, Eversource property, and a condominium complex;
    b. Danbury (East Swamp Brook to Payne Road) - Wetland, forestland, a closed landfill and developed industrial/commercial land;
    c. Bethel northern portion (Payne Road to Research Drive terminus) – residential areas along Payne Road, Hearthstone Drive, Chimney Drive, and Sky Edge Lane, commercial property at Route 6, Interstate-84, and an industrial/corporate park north of Interstate-84; and
    d. Brookfield (Research Drive terminus to Brookfield Junction – developed and undeveloped industrial/commercial land.

    (Eversource 1, Vol. 1, pp. 5-30 - 5-32; Eversource 5, Appendix 2B)

73. The new transmission line would consist of three sets of 1,590-kcmil Aluminum Conductor Steel Supported phase conductors installed mostly on weathering steel monopoles in a vertical configuration. West of Plumtree Substation, four three-pole weathering steel structures with conductors arranged in a horizontal configuration would be installed to accommodate conductor angles and to cross existing transmission lines. (Eversource 1, Vol. 1, pp. 1-6, 3-3)

74. The new line would be protected by one overhead lightning shield wire. Communication fiber would be installed within the shield wire. (Eversource 1, Vol. 1, p. 3-2)

75. In general, the new vertical configuration monopoles would range in height from 95 feet to 135 feet above ground level (agl) and the horizontal structures ranging in height from 30 to 40 feet agl. Local topography and area land use would account for variation in the final structure height. (Eversource 1, Vol. 1, p. 1-6)

76. The new structures would typically be shorter than the existing approximately 150-foot tall double-circuit monopoles that support the existing 1770 Line (115-kV) and 321 Line (345-kV) within the entire Project right-of-way. Line 1165 and Line 1363, both 115-kV lines, are located on separate 85-foot tall steel monopoles for 0.25 miles of right-of-way west of the Plumtree Substation. (Eversource 1, Vol. 1, pp. 1-6, 3-3)

77. Most of the proposed structures would be installed in line with other existing Eversource structures in the right-of-way. The final location of the new structures would be determined by in-field conditions such as work area access, subsurface conditions or the presence of sensitive environmental features, but it is anticipated the final location would be within 100 feet of the initial proposed location. (Eversource 1, Vol. 1, pp. 3-4, 3-5)

78. To accommodate the new transmission line, Eversource would clear an additional 25 feet of right-of-way on the south and east side. (Eversource 1, Vol. 1, p. 6-16)

Plumtree Substation Modifications

79. Eversource proposes to modify the Plumtree Substation by connecting the new transmission line to an existing steel A-frame terminal structure and upgrading the existing terminal equipment, including a line disconnect switch and wave trap, to meet current line capacity requirements. (Eversource 1, Vol. 1, p. 1-7)

80. All work would be performed within the existing 4.6-acre substation yard. The substation is located on a 13.8-acre Eversource-owned property (refer to Figure 4). (Eversource 1, Vol. 1, pp. 1-7, 12-1)

Stony Hill Substation and Related Modifications

81. The Stony Hill Substation currently connects to the 1770 Line and 1887 Line. Modifications to the substation and reconfiguration of adjacent transmission line structures would eliminate the 1887 Line connection to the substation and result in the 1770 Line being re-designated as two lines, the 1268 Line extending from Stony Hill Substation to Plumtree Substation, and the 1485 Line extending from Stony Hill Substation to Bates Rock Substation. (Eversource 1, Vol. 1, pp. ES-4, 1-8)

82. The 1.7-acre substation is located on an 18.8-acre parcel owned by Eversource. (Eversource 1, Vol. 1, p. 12-1)

83. The specific components of the line reconfiguration are as follows:
    a. The existing 1770 Line would be looped into the substation, thereby creating two terminal lines (referred to as the 1268 and 1485 lines);
    b. The existing 1887 Line tap into the east side of the substation would be eliminated such that the line will no longer connect to the substation; and
    c. Three existing wood transmission line structures that presently connect the 1770 and 1887 lines to the substation would be removed. Two new steel monopole structures would be installed adjacent to the substation. One structure would be direct buried while the other would be installed on a concrete foundation.

    (Eversource 1, Vol. 1, p. 3-12)

84. Within the substation, the existing 37.8 mega volt ampere reactive capacitor bank 22K connection would be moved from Bus A1 to Bus A3. This work would include the following:
    a. Remove rigid bus, bus support structure, and associated foundations between capacitor banks 48C-21K & 48C-22K to separate capacitor bank 22K from the 115-kV Bus A1;
    b. Install new rigid bus, three-phase high bus support structure, 115-kV underground pothead structure and associated foundations to the south of capacitor bank 22K;
    c. Install 115-kV underground duct bank, 115-kV underground pothead structure, manually-operated vertical break disconnect switch, switch structure, three-phase high and low bus support structures, rigid bus and associated foundations to connect capacitor bank 22K to 115-kV Bus A3; and

d. Install three lightning arrestors on each pothead structure.
(Eversource 1, Vol. 1, p. 3-11)

85. No expansion of the substation is required for the proposed Project. An expansion of the substation to the east and a new driveway to access the east end was approved by the Council on June 23, 2016 in Petition 1230 (refer to Figure 5). (Council Administrative Notice Item No. 34; Eversource 1, Vol. 5, App. B, p. 14)

General Project Construction Procedures

86. Eversource would conduct pre-construction surveys to demarcate right-of-way boundaries, sensitive environmental features, vegetation clearing limits and proposed transmission structure locations. (Eversource 1, Vol. 1, p. 4-2)

87. Eversource would establish temporary storage and staging areas for construction support. If Eversource-owned property is not available or suitable for storage or staging areas, Eversource would investigate the use of suitable private property as close to the Project area as possible. (Eversource 1, Vol. 1, p. 4-5; Tr. 1, p. 62)

88. Temporary storage areas require approximately two to five acres and are used to temporarily store construction materials, equipment, supplies, mobile construction offices, parking of personal vehicles of construction crew members, parking construction vehicles and equipment, and performing minor maintenance on construction equipment. (Eversource 1, Vol. 1, p. 4-5)

89. Staging areas typically require less than two acres and are used for temporarily stockpiling materials for transmission line construction, such as erosion and sedimentation control materials, and for temporarily stockpiling materials removed during construction. Staging areas could be within or off the right-of-way. As construction progresses, staging areas would be relocated to be near construction work. (Eversource 1, Vol. 1, pp. 4-5, 4-6)

90. Once a storage/staging area is no longer needed, it would be restored pursuant to the land use agreement with the underlying landowner. (Eversource 1, Vol. 1, p. 4-6)

91. Access to the Plumtree Substation already exists and no other access is required. Access to the Stony Hill Substation and adjacent right of way is by an existing access road that extends to the northwest end of the substation and from a new access road that would extend to the southeast end of the substation, as approved by the Council in Petition 1230. (Council Administrative Notice No. 34; Eversource 1, Vol. 5, Appendix 2B, p. 1A, p. 14)

92. A large network of gravel-based access roads already exists along a majority of the entire right-of-way. Most of the existing access roads would have to be improved, widened, or modified to accommodate construction equipment. To ensure safe vehicle access, access road grades cannot exceed ten percent. (Eversource 1, Vol. 1, p. 4-13)

93. Existing access roads would be resurfaced and widened to a vehicle travel surface of 16-20 feet. Wider sections would be constructed as necessary for turning and passing locations. (Eversource 1, Vol. 1, p. 4-13)

94. The 16-20-foot wide travel surface is an Eversource standard design to prevent cumbersome requests for access road enlargements necessitated by in-field conditions during construction. (Tr. 1, pp. 68-69)

95. In areas where terrain and the presence of environmental features make linear use or construction of an on-right-of-way access road difficult, off-right-of-way access roads would be constructed to bypass these areas. Off-right-of-way access roads would typically originate from public roads or from existing access roads on private property. (Eversource 1, Vol. 1, p. 4-14)

96. Culverts and timber mats would be used where the access roads traverse wetlands and watercourses to minimize permanent impacts to these features. (Eversource 1, Vol. 1, p. 4-13)

97. Eversource would use existing roads along the edge of the Danbury Landfill property to access the edge of the right-of-way. From this access, Eversource would construct new roads to access three structures located within and adjacent to wetland areas. The existing roads are sufficient to support construction vehicles and the landfill cap would not be impacted. (Eversource 1, Vol. 5, App. 2B, pp. 4, 5; Tr. 1, pp. 20-21)

98. Vegetative clearing would occur in designated areas both in the right-of-way areas and along access roads to the right-of-way. Equipment for clearing would include flatbed trucks, brush hogs, skidders, bucket trucks, log trucks and wood chippers. (Eversource 1, Vol. 1, p. 4-2)

99. Generally, tall tree species would be removed from the right-of-way expansion area. Smaller tree species and shrubs would be retained in areas outside of the conductor zones (an area 15 feet from the conductors). (Eversource 1, Vol. 1, pp. 4-9, 4-10)

100. Stumps would only be removed from the cleared areas to facilitate construction or rehabilitation of access roads and the installation of work pads. Stumps that are removed would be hauled off-site or chipped for use as ground cover in the right-of-way, where appropriate. (Eversource 1, Vol. 1, pp. 4-11, 4-12)

101. Clearing in sensitive areas, such as wetland areas or along stream banks, would be minimized to the extent practical. (Eversource 1, Vol. 1, p. 4-11)

102. Eversource would coordinate with respective property owners regarding disposition of logged trees along the right-of-way. Eversource would leave timber portions of the trees on the landowner's property if requested, stacked in upland areas. If the landowner does not want the timber, the timber would become property of the land clearing contractor and removed from the property. (Eversource 1, Vol. 1, p. 4-10)

103. DEEP has indicated that it does not want the forest products harvested from the East Swamp Wildlife Management Area. (DEEP comments of September 19, 2016)

104. Temporary erosion and sedimentation (E&S) controls would be installed as practicable prior to and/or during vegetation clearing in compliance with the *2002 Connecticut Guidelines for Soil Erosion and Sedimentation Control* and Eversource's *Best Management Practices Manual: Construction and Maintenance Environmental Requirements for Connecticut.* Temporary controls include silt fence, hay/straw bales, and filter socks to be used during any construction that involves soil disturbance. (Eversource 1, Vol. 1, pp. 4-6, 4-7)

105. Additional E&S controls may be used after vegetation removal to demarcate limits of work within environmentally sensitive areas. (Eversource 1, Vol. 1, p. 4-7)

106. Work pads would be established at each proposed transmission structure location to provide a level work area for construction equipment used to erect the transmission structure. Typical work pads would consist of gravel and measure 100 feet by 100 feet for a tangent structure and 200 feet by 100 feet for a dead-end structure. (Eversource 1, Vol. 1, pp. 4-15, 4-16)

107. Work pad construction includes the removal of vegetation and topsoil, grading, and the installation of a rock base overlain with a rock fines and soil mixture (typical). A roller is typically used to flatten and compact the pad. In wetland areas, temporary timber mats would be used to create work pads. The temporary mats would minimize disturbance to wetland soils and would allow water to flow beneath the mats. (Eversource 1, Vol. 1, pp. 4-15, 4-16)

108. Transmission structures would be delivered to the work pad in sections, then assembled and installed with a crane. (Eversource 1, Vol. 1, p. 4-17)

109. Tangent structures would be directly embedded into the ground. Dead-end and angle structures would have a drilled shaft foundation. Excavations for foundations would be accomplished by mechanical means. If blasting is required based on soil borings at each structure location, a certified blasting contractor would develop a controlled drilling and blasting plan in compliance with state and local regulations, including notification to adjacent residents. (Eversource 1, Vol. 1, pp. 4-16, 4-17)

110. Overhead conductors would be installed using pulling and tensioning equipment placed at one to three mile intervals along the route. Gravel pull pads measuring 100 feet wide by 100 to 300 feet long would be constructed for the staging and operation of the pulling equipment. Helicopters may also be used for installation of the pulling lines. Once the conductors are pulled into place, linemen in bucket trucks would complete the conductor installation at each structure location. (Eversource 1, Vol. 1, pp. 4-17, 4-18)

111. Gravel "guard" pads would be installed adjacent to roads to provide locations for temporary guard structures used to provide line clearance over roadways. (Eversource 1, Vol. 1, p. 4-16)

112. Traffic impacts during construction are expected to be temporary and localized. Eversource would consult with the affected municipalities and the DOT to minimize traffic disruptions and to resolve potential Project access issues during construction. (Eversource 1, Vol. 1, pp. 4-20, 4-21)

113. Based on initial review, the only private structures/materials that would need to be removed from the right-of-way to accommodate construction are several large dumpsters near Structure 1019 in the Town of Bethel. (Eversource 2, R. 2)

114. Three existing wood pole structures adjacent to the Stony Hill Substation would be removed using standard construction methods. Hardware would be recycled or disposed of accordingly. (Eversource 1, Vol. 1, pp. ES-8, 4-29)

115. Upon completion of the transmission line installation, gravel work pads located in upland areas would remain in place "as is" unless directed by the landowner or if the work pad is located within a sensitive environmental area. Access roads in upland areas would remain in place to facilitate future maintenance activities. Although work pads and access roads would remain in place where permitted, Eversource would not regularly clear vegetation from these areas. (Eversource 1, Vol. 1, p. 4-16; Tr. 1, pp. 67-68)

116. Following construction of the proposed project, construction debris, pull pads, guard pads and temporary access roads would be removed. Final grading of areas affected by construction would occur, if applicable, and the disturbed areas stabilized through re-vegetation, installation of water bars, and/or other measures. (Eversource 1, Vol. 1, pp. 4-16, 4-18, 4-19)

117. Post-construction right-of-way vegetation management includes the removal of targeted species such as tall growing trees and State-listed invasives, encouraging the growth of native shrub and small tree species. (Eversource 1, Vol. 1, p. 4-19)

118. Vegetation management within the right-of-way is typically performed every four years, while side-trimming of vegetation encroaching on the edge of the managed portion of the right-of-way occurs every ten years. (Eversource 1, Vol. 1, p. 4-30)

119. Vegetation management would be conducted in accordance with Eversource's *Specifications for Rights-of-Way Vegetation Management* document. (Eversource 1, Vol. 1, p. 4-30)

120. Eversource anticipates developing a Wetland Invasives Species Control Plan for right-of-way management upon consultation with various state and federal entities. (Eversource 1, Vol. 1, p. 4-30)

121. No landscaping is proposed for either substation as both are set back from local roads and blocked from view by intervening vegetation. (Eversource 1, Vol. 1, p. 4-30, Vol. 5, Appendix 2B, p. 1A, p. 14)

Environmental Resources

122. The proposed Project is mostly located within the Southern Marble Valley physiographic region of Connecticut, generally characterized by metamorphosed limestone and marble overlain by glacial drift. (Eversource 1, Vol. 1, p. 5-2)

123. Elevations along the right-of-way range from 300 feet above mean sea level near Plumtree Substation to 520 feet above mean sea level along the midpoint of the transmission route in Bethel. (Eversource 1, Vol. 1, p. 5-3)

124. The project is consistent with the FERC Guidelines for the Protection of Natural, Historic, Scenic and Recreational Values in the Design and Location of Rights-of-Way and Transmission Facilities as the proposed route utilizes existing rights-of-way that are occupied by existing transmission structures different kinds of utility services. (Council Administrative Notice Item No. 7)

Watercourses

125. The proposed Project is located within the Housatonic River regional drainage basin. (Eversource 1, Vol. 1, p. 5-8)

126. The proposed Project crosses a total of seven watercourses and one pond. Of these, four are perennial streams, two are intermittent watercourses, one is a drainage channel, and one is pond. (Eversource 1, Vol. 1, p. 5-9)

127. Two of the perennial watercourses, East Swamp Brook and Limekiln Brook, are associated with a large wetland complex located along the southern portion of the Project route. (Eversource 1, Vol. 1, p. 5-10)

128. All of the watercourses and waterbodies along the Project route are already spanned by transmission lines. (Eversource 1, Vol. 1, p. 5-11)

129. The proposed route extends across a Federal Emergency Management Agency (FEMA) designated 100-year flood zone and floodway associated with East Swamp Brook and Limekiln Brook. A floodway is the channel of the watercourse and adjacent land that discharges the base flood, and thus, it has the highest flood velocities. (Eversource 1, Vol. 1, p. 5-17)

130. Eversource would install 12 new structures within the flood zone and, of these; five would be in the floodway. Given the extensive flood zone and floodway along the existing transmission right-of-way, Eversource cannot locate the new structures out of the flood zone or floodway. Elimination of a structure by increasing the conductor span would not be a feasible option due to span swing clearance requirements necessary to avoid interference with the adjacent existing transmission line. (Eversource 1, Vol. 1, p. 4-25; Eversource 2, R. 5)

131. Eversource would obtain all necessary permits from the U.S. Army Corps of Engineers (USACE) and the DEEP for construction work within the floodway. DEEP noted in its comments that the USACE would mostly likely require hydraulic modeling of floodplain flows to determine if the new structures would adversely affect flood flows. Eversource calculated that the new structures would increase the flood elevation by 0.0002 feet. (Eversource 1, Vol. 1, p. 4-25; Eversource 2, R. 5; DEEP comments dated September 19, 2016)

132. The Project does not cross any rivers designated as a National Wild and Scenic River or any State designated river corridors. (Eversource 1, Vol. 1, p. 5-11)

133. The Project would not adversely affect any fisheries. None of the watercourses traversed by the Project are DEEP designated Trout Management Areas. (Eversource 1, Vol. 1, pp. 5-20, 5-21)

Wetlands

134. Wetlands in the Project area were delineated by a soil scientist using guidelines established by the USACE, United States Department of Agriculture Central-Northeast, and the State of Connecticut. Due to differences between State and Federal wetland delineation criteria and methodology, the boundaries of state and federal wetlands may not always correspond. (Eversource 1, Vol. 1, pp. 5-11, 5-12)

135. Six wetlands were delineated within the existing right-of-way using State and Federal criteria. One of these wetlands is a permanently flooded open water pond. Two additional wetlands were delineated adjacent to the Stony Hill Substation. (Eversource 1, Vol. 1, pp. 5-13, 5-14, 5-47)

136. A majority of the wetlands along the Project route are classified as scrub-shrub and emergent wetlands dominated by the common reed *(Phragmites australis)*. Most are maintained as such through ongoing right-of-way maintenance activities. Most of these wetlands extend into non-maintained areas, transitioning into forested wetlands. (Eversource 1, Vol. 1, pp. 5-13, 5-14; Tr. 1, p. 56)

137. The largest wetland, referred to as Wetland 1, is associated with East Swamp Brook and Limekiln Brook and extends 1.3 miles along the right-of-way between the Plumtree Substation and Brookfield Junction. Eversource would permanently fill 0.03-acre of this wetland to install 11 of the new transmission structures. Due to the extensive wetlands in this area of the Project route, wetland impact cannot be avoided. (Eversource 1, Vol. 1, p. 6-9)

138. Expansion of the cleared area within the right-of-way would occur within four wetland areas, resulting in 2.6-acres of forested wetland being permanently converted to a scrub-shrub wetland. Eversource can use low-ground-pressure track vehicles to remove vegetation in wetland areas. (Eversource 1, Vol. 1, pp. 4-2, 6-9 - 6-11; Tr. 1, pp. 48-49)

139. Project construction would temporarily affect a total of 4.5-acres of wetlands through the use of construction timber mats or other temporary installations for site access and/or work pads. (Eversource 1, Vol. 1, pp. 6-11, 6-12)

140. Compensatory wetland mitigation may be required depending on permit requirements from DEEP and the USACE and could include wetland restoration and/or enhancement, wetland preservation payment, and/or conservation restrictions. (Eversource 1, Vol. 1, p. 6-13)

141. No vernal pools were identified along the Project route. Vernal pool surveys were conducted in the Spring of 2015 and extended 100 feet to 200 feet beyond the edge of the right-of-way. (Eversource 1, Vol. 1, p. 5-21)

142. The Project route does not traverse any DEEP designated aquifer protection areas. The nearest aquifer protection area is approximately 0.8 mile east of the existing transmission structure 10257 in Bethel. (Eversource 1, Vol. 1, p. 5-16)

143. The Project would not affect groundwater resources, private groundwater wells or public water supplies. Eversource would require its contractors to adhere to its best management practices to prevent and contain spills of potentially hazardous materials. (Eversource 1, Vol. 1, pp. 6-13, 6-14)

144. If groundwater is encountered during any Project excavations, dewatering would be performed in accordance with authorizations from applicable regulatory agencies. (Eversource 1, Vol. 1, p. 4-27)

Vegetative Clearing

145. Eversource currently maintains a 95-foot to 140-foot wide area of the existing right-of-way for low-growth vegetation. (Eversource 1, Vol. 1, p. 6-16)

146. Construction and operation of the new transmission line would require clearing of forest for an additional 25 feet to the east/south of the existing 321/1770 lines. This additional 25 feet coincides with the right-of-way boundary for most of the route. (Eversource 1, Vol. 1, pp. 3A-3, 3A-5, 6-16; Tr. 1, pp. 31-34)

147. The additional forest clearing would total 8.4 acres. (Eversource 1, Vol. 1, pp. 6-16, 6-17)

148. In its May 31, 2012 Report on Transmission Facility Outages During the Northeast Snowstorm of October 29-30, 2011, the FERC determined that the vast majority of transmission line outages (80 percent) were caused when healthy trees contacted the transmission lines within the "full right of way," the portion of land for which a utility has documented legal rights to build and maintain transmission facilities, but outside of the "maintained right of way," the area in which the utility performs vegetation management. All of the trees that fell into the lines were located within the utility's "full right of way." Although managing a narrower "maintained right of way" has been a relatively common industry practice, FERC specifies that this is not a best practice. Therefore, in its Report, FERC concluded that utilities should work toward reclaiming the "full right of way" width where feasible. (Council Administrative Notice Item No. 8)

149. Eversource would inspect areas adjacent to the right-of-way for "hazard" trees – trees that are weak, broken, decaying, or very tall - that could threaten the integrity of the transmission system and remove or prune them accordingly. For hazard trees located beyond the right-of-way, Eversource would obtain approval from the underlying property owner prior to conducting any tree work. (Eversource 1, Vol. 1, p. 4-12; Tr. 1, pp. 72-73)

150. Eversource would remove low-growing tree species and shrubs from the construction footprint. (Eversource 1, Vol. 1, p. 6-15)

151. Scrub-shrub vegetation would be retained to the greatest extent possible, typically outside of construction areas and outside of the conductor zone. (Eversource 1, Vol. 1, p. 6-19)

152. Once construction is complete, cleared areas would be seeded with appropriate seed mixes, eventually reverting to scrub-shrub habitat. (Eversource 1, Vol. 1, pp. 6-17, 6-18)

153. Shrubland and edge habitats support high biodiversity, offering foraging, nesting, and cover habitat for various species. Due to land use patterns, shrubland and old field habitats are in decline. Managed right-of-ways are a valuable surrogate for this declining habitat type. (Eversource 1, Vol. 1, pp. 5-19, 6-17, 6-21)

154. In accordance with C.G.S. §16-50h(h), the maintained scrub-shrub habitat would be a benefit to pollinators such as moths, butterflies and bees. (Eversource 1, Vol. 1, p. 6-17)

155. Soil designated as Prime Farmland and Farmlands of Statewide Importance are located along the route. However, no land along or adjacent to the Project right-of-way is presently used for agriculture. (Eversource 1, Vol. 1, p. 5-5)

Federal and State-listed Species

156. Based on review of the Natural Diversity Database for state endangered, threatened or special concern species, ongoing consultations with DEEP, and field surveys, four state-listed species were identified as potentially occurring in the Project area: a reptile, a plant, and two bird species. (Eversource 1 Vol. 1, pp. 6-24, 6-25; DEEP comments dated September 19, 2016; Tr. 1, p. 27)

157. Upon consultation with DEEP, Eversource would develop DEEP-approved protection strategies for the reptile species and plant species. These strategies would be implemented as part of the Development and Management Plan for the Project. (Eversource 1, Vol. 1, p. 6-25; DEEP comments dated September 19, 2016: Tr. 1, pp. 9-10. 21-22, 57-58)

158. In addition to the identified reptile species, the southern portion of the project area contains habitat for the spotted turtle, a State Species of Special Concern. Although the spotted turtle was not specifically identified as occurring in the area, Eversource would be willing to incorporate DEEP-specified spotted turtle protection measures into the D&M Plan. (Tr. 1, pp. 57-58)

159. Project construction would temporarily disturb the listed bird species as both rely on shrub habitats. Post-construction, the right-of-way would offer additional shrub habitat for these species. (Eversource 1, Vol. 1, p. 6-25)

160. Although it is recommended to avoid tree/shrub clearing during bird nesting season, April to mid – August, Eversource would only adhere to this recommendation if the Project schedule allows. (Eversource Vol. 3, Breeding Bird Assessment, p. 6-1; Tr. 1, pp. 27-28)

161. Two federally-listed Threatened Species and State-listed Endangered Species, have been documented to occur in the vicinity of the proposed site: northern long-eared bat and bog turtle. Further consultation with DEEP as well as field investigations indicated that no suitable habitat for either species exists along the Project route. (Eversource 1, Vol. 1, p. 6-24; Eversource 6, p. 20; DEEP comments of September 19, 2016; Tr. 1, pp. 55-56)

Historic, Scenic and Recreational Resources

162. The Project would not affect any previously identified historic sites, archeological sites, or properties listed on the National Register of Historic Places or disturb any important cultural or archeological resources of the Wampanoag, Mashantucket Pequot or Mohegan Tribes. (Eversource 1, Vol. 1, pp. 5-42, 6-32, 6-33; Eversource 6, p. 23)

163. The existing right-of-way traverses portions of designated open space, Meckauer Park, a recreational park in Bethel, and the East Swamp Wildlife Management Area, a DEEP property used primarily for small game and deer hunting. Impacts to these recreational resources would be minimal and temporary. There would be no impact to developed recreational resources in Meckauer Park as the right-of-way passes through a wooded area. (Eversource 1, Vo. 1, pp. 6-27, 6-28; Eversource 1, Vol. 3, Visual Resource Analysis, p. 3-3; DEEP comments of September 19, 2016)

164. The Project may affect a recreational trail located in Bethel, the Enchanted Trail, which traverses open space and Eversource property around the Plumtree Substation. The trail extends across the access road and along the south fenceline of the Plumtree Substation on Eversource property. Eversource would coordinate with the Bethel Land Trust regarding temporary trail closures related to Project construction. (Eversource 6, p. 31)

165. The Project is not located within or near any State designated heritage areas. (Eversource 1, Vol. 3, Visual Resource Analysis, p. 3-3)

166. The Project would not be visible from DOT designated Scenic Land Strips. (Eversource 1, Vol. 3, Visual Resource Analysis, p. 3-3)

167. The Project crosses Stony Hill Road (Route 6) in Bethel. This section of Route 6 is designated the Washington-Rochambeau National Historic Trail. The Project would have no visual effect on the trail given the dense commercial and industrial development in this area. (Eversource 1, Vol. 3, Visual Resource Analysis, p. 3-1)

168. In general, the visibility impact of the new transmission line would be incremental as the new towers are shorter than the existing structures. Furthermore, the new structures are in-line with existing structures to the greatest extent practical. The existing cleared area of the right-of-way would be expanded towards residential homes in some areas. Eversource has conducted and would conduct further outreach to adjacent property owners affected by clearing activities. (Eversource 1, Vol. 1, p. 6-28; Vol. 3, p. 4-4; Tr. 1, pp. 25-26, 71-72)

169. The DEEP comments of September 19, 2016 recommended that the Norway maple in front of 12 Chimney Drive be retained, if possible, as this tree provides the only vegetative screening of the transmission line from the residence. Eversource would need to remove the tree as it would create a clearance issue with the new conductors that span this portion of the right-of-way. Vegetation within the right-of-way should not exceed ten feet to maintain appropriate conductor clearance. The residence was built in 1977 and is beyond the edge of the right-of-way which was established across this lot in 1975. (DEEP comments of September 19, 2016; Tr. 1, pp. 23, 33, 50-51)

170. During the MCF process, the Town of Bethel and several landowners requested that Eversource consider installing the new transmission line on the west/north side of the right-of-way instead of the east/south side. Eversource examined this configuration for a 0.7 mile segment of line in the Payne Road/Sky Edge Drive area of Bethel but decided to not pursue this design option for the following reasons:
    a. the existing right-of-way does not have sufficient space on the west/north sides to accommodate the new transmission line. Eversource would be required to obtain easements from private landowners for an additional 25 feet of right-of-way space;
    b. two single family homes would encroach on the acquired right-of-way;
    c. the transmission line would require a re-design to accommodate cross overs of the existing 321/1770 Lines. Four additional three pole structures would be required; and
    d. the total Project cost would increase by $7.5 million. (Eversource 1, Vol. 1, pp. 11-32, 11-33)

Noise

171. Eversource expects only short-term and highly localized construction-related noise effects from the Project. Most construction related noise would occur during normal work hours of 7 AM to 7 PM Monday through Saturday. Construction may occur beyond these times to accommodate electric outages or the installation of certain facilities. (Eversource 1, Vol. 1, p. 6-34)

172. During the development of access roads or the installation of some of the proposed steel monopole structures, rock may be encountered. Whereas mechanical methods are the preferred method for removing rock, in some areas, controlled blasting may be required. If blasting is required, Eversource would develop a Blasting Control Plan in compliance with state, industry, and Eversource standards. Potential impacts from rock removal may include dust, vibration, and noise. (Eversource 1, Vol. 1, p. 6-5)

173. Once completed, operation of the Project facilities would result in a minimal change in the existing ambient noise environment and would meet applicable state regulations. (Eversource 1, Vol. 1, pp. 6-34, 6-39)

Electric and Magnetic Fields

174. Electric fields (EF) and magnetic fields (MF) are two forms of energy that surround an electrical device. Transmission lines are a source of both EF and MF. In North America, electric utilities provide power at 60 hertz (oscillates 60 times per second). (Eversource 1, Vol. 1, p. 7-1)

175. Electric fields result from voltages applied to electrical conductors and equipment. Appliances within homes and the workplace are the major sources of electric fields indoors, and power lines are the major sources of electric fields outdoors. EF levels decrease rapidly with distance from the source, diminishing even faster when interrupted by conductive materials, such as buildings and vegetation. The scientific community does not regard EF levels to be a concern to the general public and thus

studies of health effects from electrical transmission lines and equipment has focused on MF. (Council Administrative Notice Item No. 17; Eversource 1, Vol. 1, p. 7-1)

176. Magnetic fields are produced by the flow of electric currents. The level of a magnetic field is commonly expressed as magnetic flux density in units called gauss (G), or in milliGauss (mG). The magnetic field level at any point depends on characteristics of the source, which can include the arrangement of conductors, the amount of current flow through the source, and its distance from the point of measurement. MF levels decrease rapidly with distance from the source but are not easily interrupted as they pass through most materials. (Council Administrative Notice Item No. 17; Eversource 1, Vol. 1, p. 7-1)

177. In the United States, no state or federal exposure standards for 60-hertz MF based on demonstrated health effects have been established. Nor are there any such standards established world-wide. However, the International Commission on Non-Ionizing Radiation Protection (ICNIRP) has established a guideline exposure level of 2,000 mG, based on extrapolation from scientific experimentation, and the International Committee on Electromagnetic Safety (ICES) has calculated a guideline of 9,040 mG for exposure to workers and the general public. (Council Administrative Notice Item No. 17; Eversource 1, Vol. 1, p. 7-13)

178. In accordance to the Council's *Electric and Magnetic Fields Best Management Practices for the Construction of Electric Transmission Lines in Connecticut* guidelines (EMF BMP), Eversource is required to provide an analysis of recent scientific literature regarding MF exposure, an analysis of pre and post construction MF levels, and investigate 'no cost" and "low cost" transmission line design alternatives to reduce MF levels at the edge of a right-of-way and in areas of particular interest, as long as such designs do not compromise system reliability or worker safety, or environmental and aesthetic project goals. (Council Administrative Notice Item No. 17)

179. As required by the Council's EMF BMP's, Eversource provided an analysis of recent scientific literature regarding MF exposure and determined there were no relevant changes in current research conclusions or the recommended exposure standards established by ICES and ICNIRP. (Eversource 1, Vol. 1, p. 7-14)

180. Eversource conducted an analysis of pre- and post-construction MF levels at the edge of the right-of-way under average transmission line load conditions. As shown in the table below, generally, MF levels would increase by 2-3 mG along the edges of right edge from Plumtree Substation to Brookfield Junction.

Magnetic Field Calculation Summary (Average Annual Loads, field in mG)	Left Edge of ROW		Right Edge of ROW	
	Pre	Post	Pre	Post
	9.85	12.91	12.24	14.02

***Left and right edges of ROW are defined by looking from Plumtree Substation to Brookfield Junction**

All pre and post-construction values are a fraction of the ICNIRP and ICES recommended exposure guidelines. (Eversource 1, Vol. 1, pp. 7-10, 7-13)

181. In addition to the new transmission line, the transformers and other equipment within the Plumtree and Stony Hill Substations are other potential EMF sources. These sources, however, would be expected to cause little or no exposure to the general public because the strength of fields from typical substation equipment decreases rapidly with distance and reaches very low levels at relatively short distances beyond the substation perimeter fence. (Eversource 4, p. 29)

182. The EMF BMP directs an Applicant to initially develop a baseline Field Management Design Plan that incorporates "no-cost" MF mitigation design features. The Applicant shall then study potential design alternatives by adding "low-cost" MF mitigation design features specifically where portions of the project are adjacent to residential areas, public or private schools, licensed child day-care facilities, licensed youth camps, or public playground. The overall cost of "low-cost" design features are to be calculated at four percent of the initial Field Management Design Plan. The four percent guideline for "low-cost" mitigation should aim at a magnetic field reduction of 15 percent or more at the edge of the utility's ROW. This 15 percent reduction should relate specifically to those portions of the project where the expenditures would be made. (Council Administrative Notice Item No. 17)

183. Eversource's base Field Management Design Plan incorporates "no cost" magnetic field reduction measures, consistent with the Council's EMF BMP by arranging the conductor phases to achieve optimum MF cancellation from other MF sources in the existing transmission line right-of-way. This "no cost" design was used to develop the pre and post-project MF calculations. (Eversource 1, Vol. 1, p. 7B-4, Eversource 4, pp. 32-33)

184. As required by the Council's EMF BMP, Eversource examined the project route to determine the location of any schools, daycare facilities, youth camps, playgrounds, and residential areas, as defined under C.G.S. § 16-50p(a)(3)(D), for specific MF analysis. Eversource did not identify any schools, licensed day-care facilities, youth camps or public playgrounds within 300 feet of the proposed transmission line route. Eversource identified two residential areas, referred to as Focus Areas, for additional MF analysis; as follows, the Chimney Drive/Hearthstone Drive area in Bethel and the Lexington Meadows Condominium complex in Danbury/Bethel. (Eversource 1, Vol. 1, pp. 7B-7, 7B-8)

185. Although the post-construction MF levels at the edge of the right-of-way are small compared with the guidelines from ICNIRP and ICES when using a "no cost" design, Eversource examined "low cost" methodologies to reduce MF along the sections the right-of-way abutting the identified Focus Areas. (Eversource 1, Vol. 1, Appendix 7B; Eversource 4, pp. 32-33)

186. As part of the "low cost" modification to the Field Management Design Plan, Eversource examined the feasibility of installing the transmission line underground as well as other overhead design options. After examining various options, Eversource concluded a split-phase overhead design in the Focus Areas would achieve a reduction of at least 15 percent along the west/north side of the right-of-way. (Eversource 1, Vol. 1, pp. 7B-4, 7B-5)

187. Construction of the split-phase design in the Chimney Drive/Hearthstone Drive area and the Lexington Meadows Condominium complex would add $3.92 million and $3.22 million to the Project cost, respectively. Using a split-phase design in either area would significantly exceed the recommended four percent "low cost" design criteria. (Eversource 1, Vol. 1, pp. 7B-7 - 7B-10; Eversource 4, p. 33)

Public Safety

188. The proposed Project would be constructed in full compliance with the National Electric Safety Code, standards of the Institute of Electrical and Electronic Engineers, and the American National Standards Institute, good utility practice and applicable PURA regulations regarding the methods and manner of transmission line construction. (Eversource 1, Vol. 1, p. 4-31)

189. Protective relaying equipment would be incorporated into the new transmission line and substation designs to automatically detect abnormal operational conditions. Circuit breakers would automatically be triggered to isolate the faulted section of the transmission system. (Eversource 1, Vol. 1, p. 4-31)

190. Protective relay mechanisms include redundant primary and back up equipment to ensure continuous operational monitoring if some of the monitoring equipment was out of service. (Eversource 1, Vol. 1, p. 4-31)

191. The new transmission line design includes fiber optic strands installed within the lightning shield wires above the new overhead transmission line to allow for protective relay system communication. (Eversource 1, Vol. 1, p. 4-31)

192. The substations would be remotely controlled and monitored by the Connecticut Valley Electric Exchange System Operator using digital metering systems and a Supervisory Control and Data Acquisition system. (Eversource 4, p. 4-35)

193. Smoke detection systems located at the substations would automatically activate an alarm at the Connecticut Valley Electric Exchange System, a central monitoring installation, where further appropriate action would be taken such as dispatch of personnel to the substation. (Eversource 4, p. 35)

194. The existing substations are enclosed by a seven-foot high chain link fence topped with barbed wire to deter unauthorized entry. Access to the substations is through a locked gate. Appropriate signage is in place around each substation indicating the presence of high-voltage equipment. (Eversource 1, Vol. 1, p. 4-32)

195. Low-level lighting is installed in and around both substations for safety and security concerns. Additional lighting is present to facilitate emergency night work. (Eversource 1, Vol. 1, p. 4-32)

196. Physical security at both the Plumtree and Stony Hill Substations is consistent with the Council's *White Paper on the Security of Siting Energy Facilities*. The white paper guidelines focused on security issues related to intentional physical destruction of substation equipment. Both substations are classified as "low risk" per the NERC Physical Security Standard. (Council Administrative Notice Item No. 19; Eversource 1, Vol. 1, pp. 4-32, 4-33)

197. Unauthorized access onto the transmission line right-of-way by third-party off road vehicles is discouraged to the greatest extent practical. Typically, Eversource would install a gate where a right-of-way access road intersects with a public roadway to deter access. Additional gates, berms, and fences would be installed upon consultation with the underlying landowner. (Eversource 1, Vol. 1, p. 6-30; Tr. 1, pp. 64-65)

198. Signs are installed in the right-of-way warning the public of the presence of high-voltage transmission lines. (Eversource 1, Vol. 1, p. 6-30)

Figure 1: Cross section of the existing right-of-way with the new transmission line, typical of the Project route. (Eversource 1, Vol. 5, App. 4B)

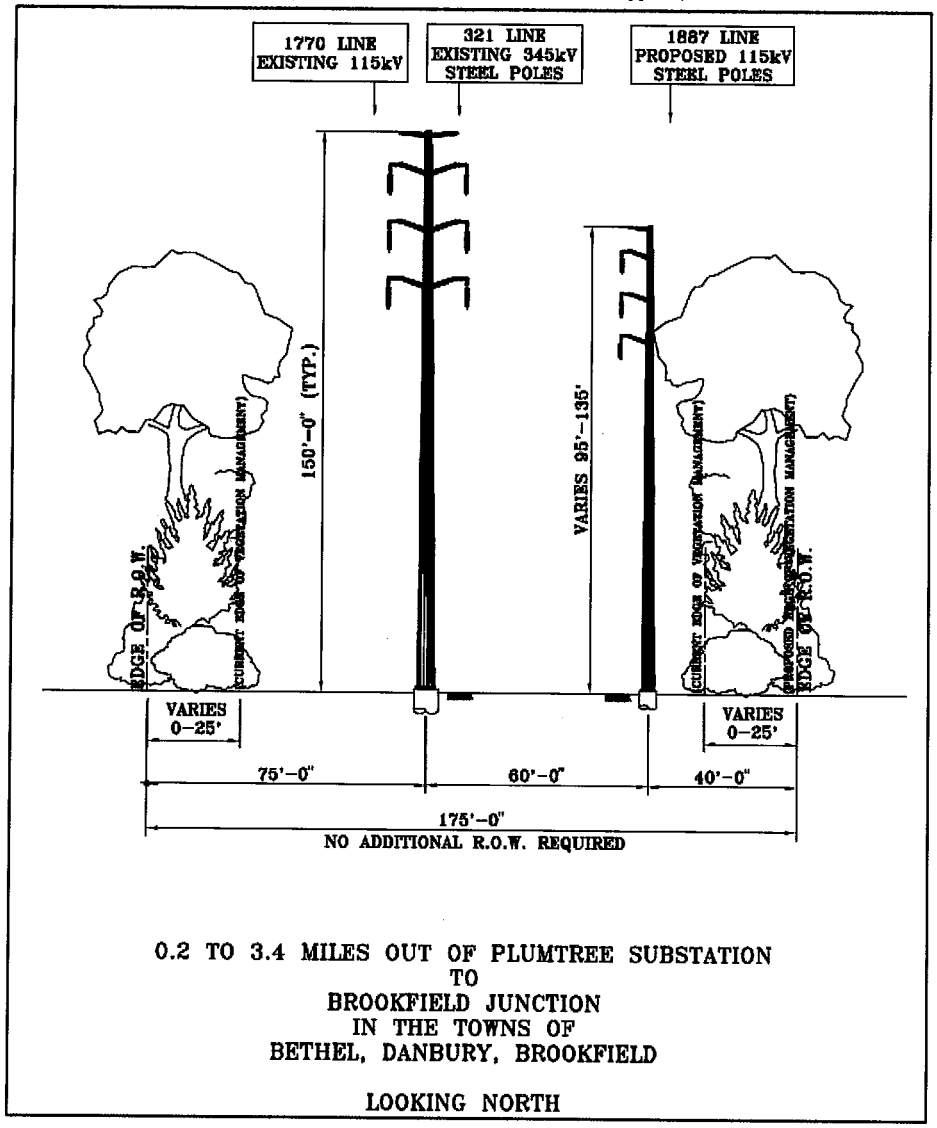


Figure 2: Cross section of the existing right-of-way with the new transmission line, adjacent to Plumtree Substation.
(Eversource 1, Vol. 5, App. 4B)

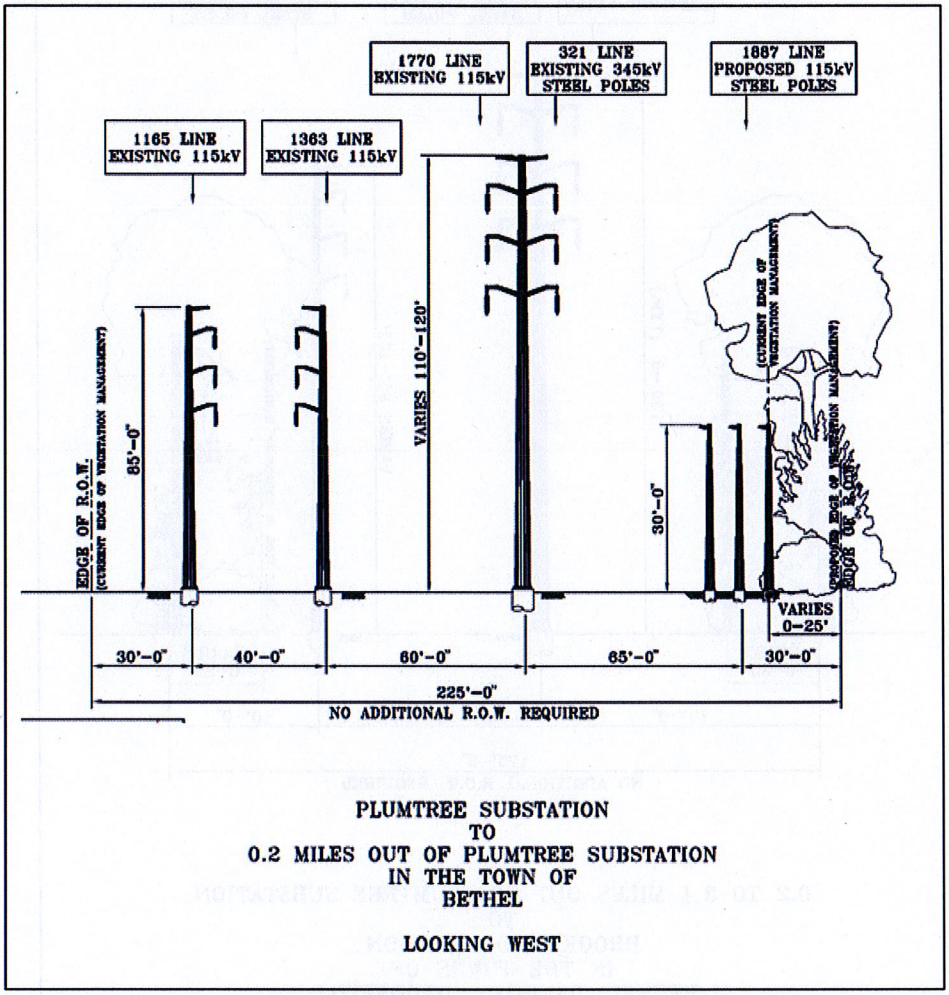


Figure 3: Cross section of the existing right-of-way with the new transmission line at Brookfield Junction.
(Eversource 1, Vol. 5, App. 4B)

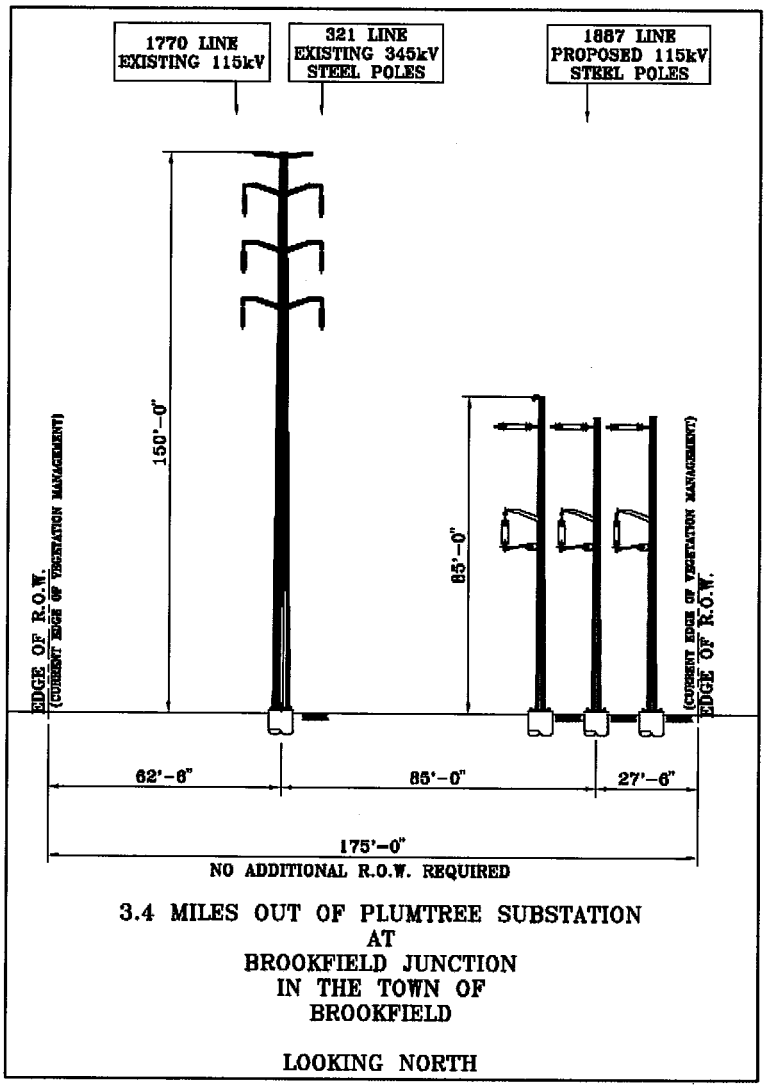


Figure 4 - Aerial Photograph of Plumtree Substation and Improvements (Eversource 1, Vol. 5, App. 2B, p.1)

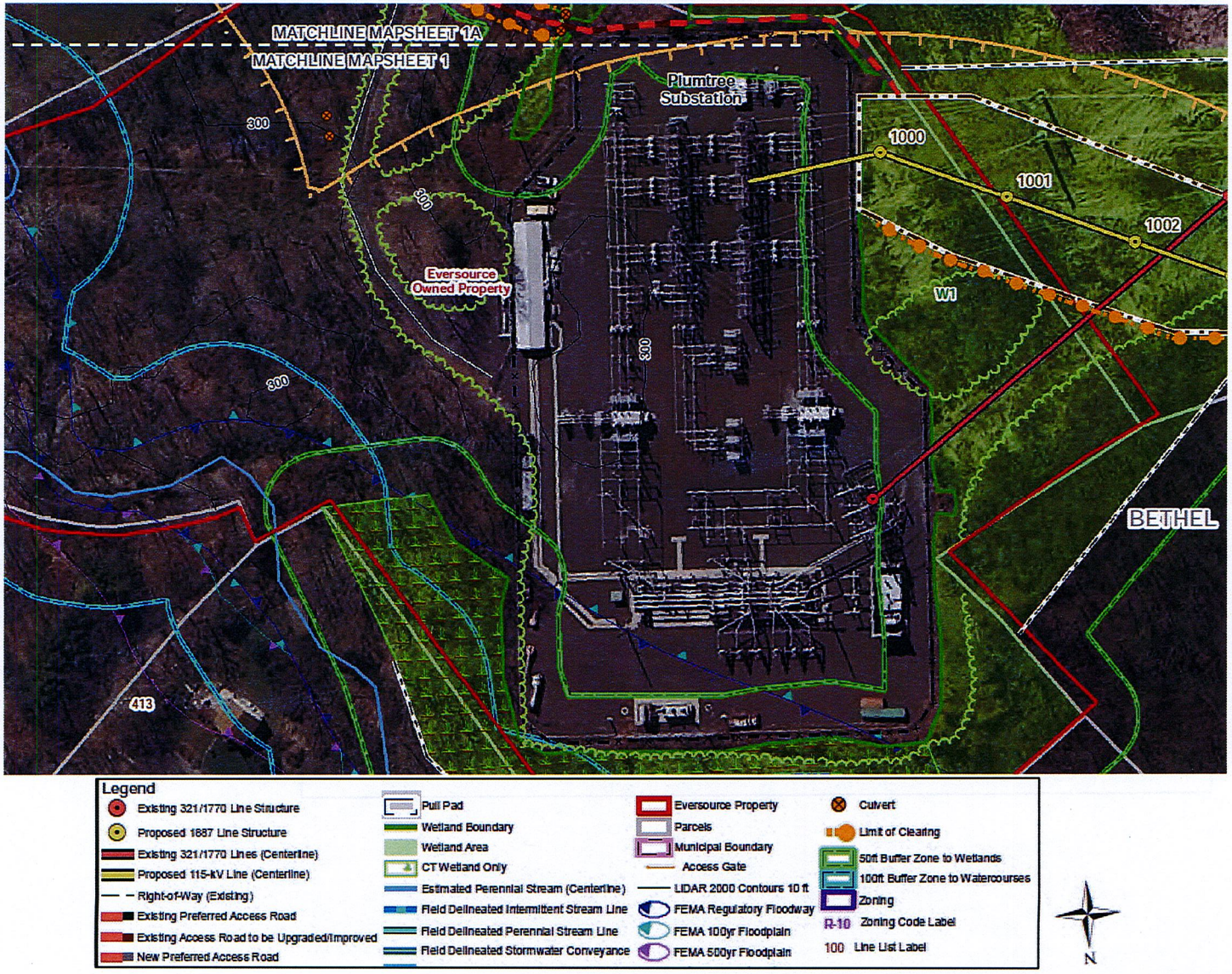
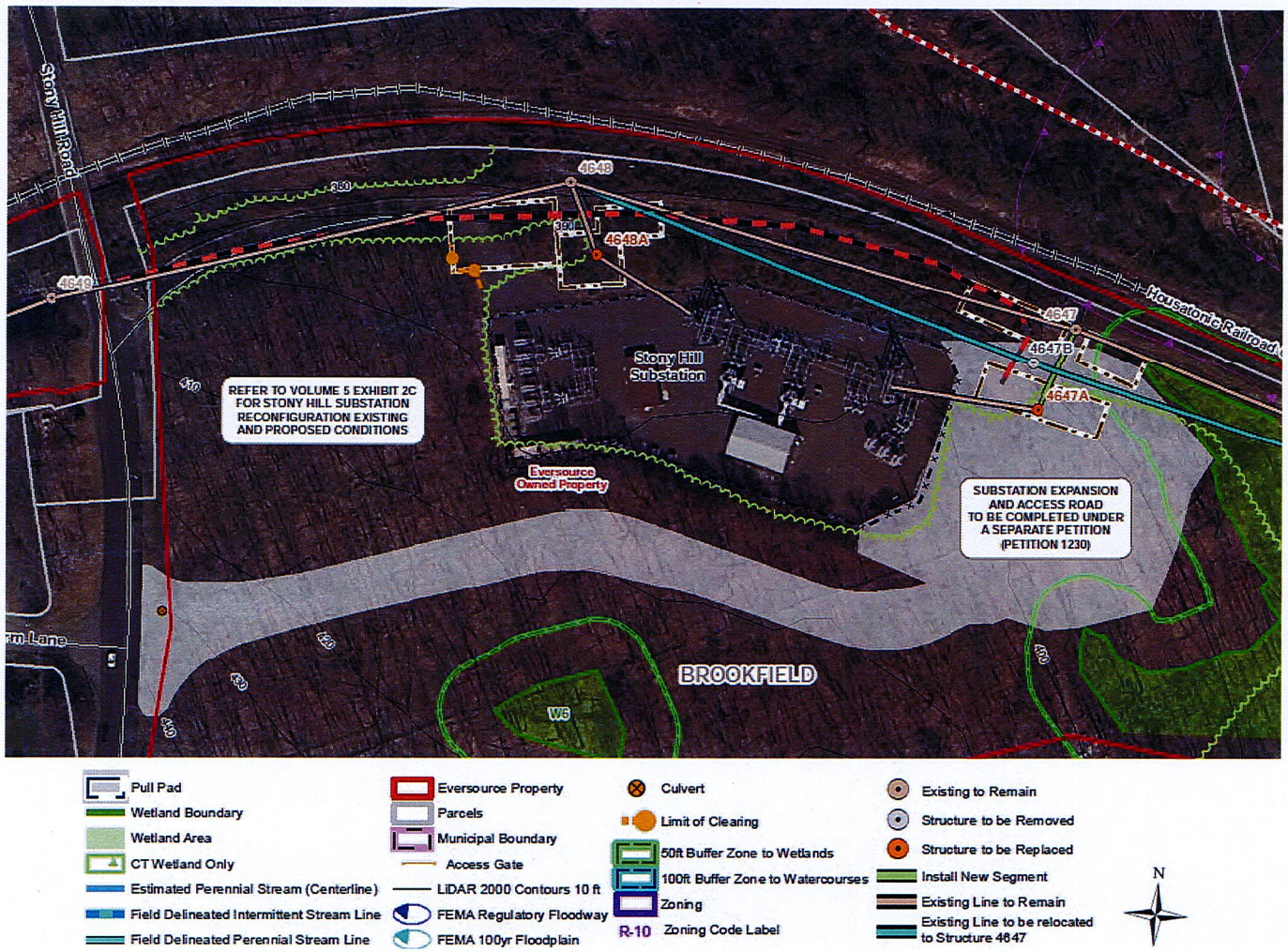


Figure 5- Aerial Photograph of Stony Hill Substation and Improvements (Eversource 1, Vol. 5, App. 2B, p.14)



DOCKET NO. 468 - The Connecticut Light & Power Company d/b/a Eversource Energy application for a Certificate of Environmental Compatibility and Public Need for the Southwest Connecticut Reliability Project that traverses the municipalities of Bethel, Danbury, and Brookfield, which consists of (a) construction, maintenance and operation of a new 115-kV overhead electric transmission line entirely within existing Eversource right-of-way and associated facilities extending approximately 3.4 miles between Eversource's existing Plumtree Substation in the Town of Bethel to its existing Brookfield Junction in the Town of Brookfield; (b) reconfiguration of two existing 115-kV double-circuit electric transmission lines at Eversource's existing Stony Hill Substation in the Town of Brookfield; and (c) related substation modifications.	}	Connecticut Siting Council November 10, 2016

Opinion

Introduction

On June 29, 2016, The Connecticut Light and Power Company d/b/a Eversource Energy (Eversource) applied to the Connecticut Siting Council (Council) for a Certificate of Environmental Compatibility and Public Need (Certificate) for the Southwest Connecticut Reliability Project that traverses the municipalities of Bethel, Danbury, and Brookfield. The Southwest Connecticut Reliability Project consists of (a) construction, maintenance and operation of a new 115-kV overhead electric transmission line entirely within existing Eversource right-of-way and associated facilities extending approximately 3.4 miles between Eversource's existing Plumtree Substation in the Town of Bethel to its existing Brookfield Junction in the Town of Brookfield, (b) reconfiguration of two existing 115-kV double-circuit electric transmission lines at Eversource's existing Stony Hill Substation in the Town of Brookfield; and (c) related substation modifications (Project).

Public Need

The purpose of the Project is to bring the electric supply system in portions of Southwest Connecticut (SWCT) into compliance with applicable national and regional reliability standards and criteria by eliminating potential thermal overloads and voltage violations identified in studies conducted by the Independent System Operator in New England (ISO-NE). ISO-NE is responsible for the reliable and economical operation of New England's electric power system, which includes managing the comprehensive, long-term planning of the regional power system to identify the region's electricity needs and the development of plans to meet those needs.

ISO-NE initially identified transmission needs in the SWCT region in 2001. At that time ISO-NE focused on the construction and completion of additional transmission into the SWCT area, specifically the Docket 217 Bethel-Norwalk 345-kV line, the Docket 272 Middletown-Norwalk 345-kV line and the Docket 292 Glenbrook-Norwalk 115-kV cable. Despite the completion of these three major projects, the need for additional upgrades to the SWCT transmission network was necessary. The Council, in its 2005 final decision in Docket 272, acknowledged that thermal overloading issues would remain after construction of the Docket 272 project. It was recognized that this need would have to be addressed locally through future substation or transmission line upgrades.

As part of a Working Group formed by ISO-NE in 2012 to study grid reliability in the SWCT region, ISO-NE divided the SWCT region into five sub-areas and analyzed transmission load capability within and between the sub-areas. In June 2014, ISO-NE published the results of the needs assessment study, the SWCT Needs Report, identifying one of the needs as occurring within Housatonic Valley-Norwalk-Plumtree (HV) sub-area. The study determined that the HV sub-area does not have sufficient generation and/or transmission to serve its electric load and the existing electric system is insufficient to reliably serve peak load customer demands under contingency events. The study identified failures in reliability for various transmission elements and facilities, leading to thermal overloads and voltages falling below acceptable limits. The worst-case condition was identified as the loss of one or more electric import paths into the HV sub-area.

In early 2015, ISO-NE published the SWCT Solutions Report to address the identified electric system deficiencies, including solutions for the HV sub-area. Solutions include the proposed Project as well as other upgrades independent of the objectives of the proposed Project, and as such, these additional upgrades are being implemented separately. On April 16, 2015, ISO-NE, after a review of the Solutions Report by the Reliability Committee, issued a technical approval of the preferred solutions contained within the SWCT Solutions Study, including transmission improvements to the HV sub-area.

Project Alternatives

During the Working Group's SWCT study, Eversource considered and rejected a "no action" alternate on the grounds that doing nothing to eliminate existing and potential violations of national and regional reliability standards would be inconsistent with its obligation to provide reliable electric service. Eversource also considered several non-transmission alternatives to the proposed Project, namely: load pocket generation, energy efficiency and energy storage. However, none of the non-transmission alternatives were cost effective or able to provide enough power to resolve the identified reliability criteria violations.

In planning the specific route of its proposed 115-kV transmission circuit, Eversource wanted to find the shortest feasible route with the fewest potential environmental and social impacts. To solve the identified need, Eversource examined four possible routes, ultimately selecting the proposed Project as there was an existing right-of-way between the Stony Hill Substation and Plumtree Substation. Eversource examined ten route options between the two substations, including various overhead routes, an underground route, and combination overhead/underground routes. The proposed Project route was selected as it was within existing Eversource right-of-way that could easily and cost effectively accommodate a new transmission line. The alternatives and variations were found not to be cost effective and had a greater environmental and community impact than the proposed Project.

Project Description

The proposed Project entails the installation of a new 115-kV electric transmission line that would extend the existing 115-kV 1887 Line from Brookfield Junction in Brookfield to the Plumtree Substation in Bethel. Related improvements include:

a) minor modifications to the Plumtree Substation;
b) modifications at the Stony Hill Substation in Brookfield;
c) reconfiguration of the existing 1770 Line; and
d) reconfiguration of the existing 1887 Line.

Transmission Line

The proposed 3.4 mile overhead transmission line would be constructed in existing Eversource right-of-way, portions of which are already cleared and support existing electric transmission infrastructure. Land use along the existing right-of-way consists of a mix of wetlands, developed commercial property, highway infrastructure, and residential areas. Most of the residential areas occur along a 0.5 mile segment in Bethel south of Interstate 84 and a 0.2 mile segment in Bethel north of Interstate 84.

The new transmission line would be installed adjacent to other existing 115-kV and/or 345-kV lines (Lines 321, 1770, 1363, 1165). The new transmission line would consist of three conductors installed in a vertical configuration on weathering steel monopoles. West of Plumtree Substation, four three-pole weathering steel structures with conductors arranged in a horizontal configuration would be installed to accommodate conductor angles and to cross existing transmission lines. In general, the new vertical configuration monopoles would range in height from 95 feet to 135 feet above ground level (agl) and the horizontal structures range in height from 30 to 40 feet agl. The new structures would be shorter than the existing 150-foot double-circuit monopoles that support the existing 1770 Line (115-kV) and 321 Line (345-kV) within the entire Project right-of-way.

Substations

Modifications to both the existing Plumtree Substation and the existing Stony Hill Substation would occur on property owned by Eversource. Modifications at the Frost Bridge Substation would include new equipment and structures within the existing fenceline. Modification at the Stony Hill Substation consists of the installation of new equipment and relocation of existing equipment. The existing transmission lines adjacent to the substation would be modified to loop the existing 1770 line into the substation so that the 1770 Line becomes two new two new terminal lines, referred to as the 1268 Line and 1485 Line. The 1770 Line designation would no longer be used. Additionally, the substation connection to the existing 1887 Line would be removed. Thee wood pole structures would be removed adjacent to the substation and replaced with two monopole structures to accommodate this transmission line reconfiguration.

Environmental

The Project area is mainly suburban in character, with scattered residential areas, a former landfill, commercial/industrial areas, parks, major travel corridors, forested areas, and extensive wetlands. The existing substations, right-of-way and overhead transmission lines have been part of the landscape for over 40 years.

Work at both substations would have little environmental effect. Minimal clearing would occur adjacent to the Stony Hill Substation to accommodate the related transmission line work. Both substations are well established and are adjacent to existing transmission right-of way.

The existing right-of-way in the Project area has an established access road network in upland areas. Eversource would widen and re-surface the existing access roads to a base width of 20-25 feet and a travel surface width of 16-20 feet. The Council is concerned about the large footprint of the refurbished access roads both from a cost and environmental perspective. Eversource indicated that it would examine the issue in more detail, perhaps creating designated passing areas along sections of narrower roads, covering roads with soil if requested by the landowner upon completion of the Project, and by directing the selected contractor to build roads as narrow as possible to meet Project needs. The Council will order the access road design to be submitted as part of the Development and Management (D&M) Plan for the Project.

Vegetation

Transmission line construction and maintenance requirements are established by international, federal, and regional power authorities so as to assure reliability. In its Report on Transmission Facility Outages During the Northeast Snowstorm of October 29-30, 2011, the Federal Energy Regulatory Commission (FERC) determined that the vast majority of transmission line outages (80 percent) were caused when healthy trees contacted the transmission lines within the "full right of way," the portion of land for which a utility has documented legal rights to build and maintain transmission facilities, but outside of the "maintained right of way," the area in which the utility performs vegetation management. All of the trees that fell into the lines were located within the utility's "full right of way." Although managing a narrower "maintained right of way" has been a relatively common industry practice, FERC specifies that this is not a best practice. Therefore, in its Report, FERC concluded that utilities should work toward reclaiming the "full right of way" width where feasible.

For this Project, Eversource plans to remove all tall-growing tree species to the south and east edges of the right-of-way while low-growing tree species and scrub-scrub species would be retained where possible. Eversource would remove hazard trees from areas outside of the right-of-way where necessary and upon consultation with the respective property owner.

Construction and operation of the new transmission line would require clearing of forest for an additional 25 feet to the east/south of the existing 321/1770 lines, totaling 8.4-acres. The additional 25 feet coincides with the right-of-way boundary for most of the route. In some instances, clearing would remove most or all of the screening vegetation from open areas of residential properties along the route. Clearing for construction and operation of the new transmission line is unavoidable and would affect some adjacent residential properties by removing vegetation that screens the existing line. In some instances, landscape vegetation would need to be removed such as a decorative Norway maple in front of the residence at 12 Chimney Drive. In such cases Eversource has contacted the landowners to discuss specific details of the Project.

Following construction and restoration activities, the right-of-way would be monitored and controlled on a four-year vegetation management cycle. Invasive species would be discouraged from establishing in the new right-of-way area through repeated cutting or targeted removal.

The Council recognizes the additional clearing in the right-of-way would alter established forest and associated wildlife habitats, but considers these effects would be minor given that extensive woodland would remain in the southern portion of the Project area. Woodland in the northern portion of the Project area is fragmented by commercial and residential development and offers no core forest habitat. Once the Project is completed, the cleared areas would revert to shrubland habitat, benefiting wildlife species that depend on this habitat type. Old field and shrubland habitats are in decline because former post-agricultural lands are either being developed or allowed to revert to second-growth woodland. Maintained transmission line right-of-ways are now important surrogates for this habitat type. This habitat type is also a benefit to the health and diversity of pollinators by providing additional habitat for numerous types of flowering plants. Given the environmental sensitivity of clearing operations, the Council will recommend the use of clearing techniques to minimize environmental impacts, including seasonal clearing restrictions to reduce potential impacts to nesting birds, in the D&M Plan to the extent such methods will not violate the FERC standards regarding transmission line reliability.

Wetlands and Watercourses

The existing right-of-way traverses six wetlands, seven streams, and an open water pond. No vernal pools were identified in the Project area. One of the wetlands, associated with East Swamp Brook and Limekiln Brook in Bethel, extends for 1.3 miles along the right-of-way. Although Eversource intends to minimize disturbance to wetlands and watercourses to the greatest extent practical, there would be impacts from construction including the use of timber matting for temporary access and work pads and clearing of forest within wetlands or along watercourses. Permanent impacts include the filling of 0.03-acre of wetlands to install 11 new transmission structures within the East Swamp Brook/Limekiln Brook wetland complex. Due to the extensive wetlands in this area of the Project route, permanent wetland impacts cannot be avoided. Additionally, the East Swamp Brook/Limekiln Brook wetland complex includes a Federal Emergency Management Agency (FEMA) designated 100-year flood zone and associated floodway. Eversource would install 12 new structures within the flood zone and, of these; five would be in the floodway. Elimination of transmission structures by increasing the conductor span between the new structures is not feasible given the clearance requirements necessary to avoid the conductor sway interference with the adjacent existing transmission line.

Wildlife

Based on review of the Natural Diversity Database for state endangered, threatened or special concern species and ongoing consultations with the Department of Energy and Environmental Protection (DEEP), four state-listed species were identified as potentially occurring in the Project area: a reptile, a plant, and two bird species. During construction, Eversource would implement DEEP-approved protection strategies for each of these species. In addition to the identified reptile species, the southern portion of the project area contains habitat for the spotted turtle, a State Species of Special Concern. Although the spotted turtle was not specifically identified as occurring in the area, Eversource would be willing to incorporate DEEP-specified spotted turtle protection measures into the D&M Plan. Upon consultation with DEEP, Eversource has developed DEEP-approved protection strategies for the reptile species. The Council will order DEEP-approved species protection measures to be incorporated into the D&M Plan.

Historic and Recreational Resources

The Project would not affect any previously identified historic sites, archeological sites, or properties listed on the National Register of Historic Places.

The Project would traverse a wooded portion of Meckauer Park, a Town of Bethel park, and the East Swamp Wildlife Management Area, a DEEP property used primarily for small game and deer hunting. Impacts to these recreational resources would be minimal and temporary. The Project requires the temporary closure of a recreational trail which traverses open space and Eversource property around the Plumtree Substation. Eversource would coordinate with appropriate entities regarding construction related impacts to recreational resources.

Visibility

The visual impact of the Project on State and Town public recreation facilities and properties would be minimal given the presence of the existing managed transmission line right-of-way adjacent to and within these areas. Most visibility from recreational resources would be from open areas on these properties or where formal and informal trails intersect with the right-of-way.

Although concerns regarding clearing in the existing right-of-way for the new transmission line have been expressed by the Town of Bethel and several property owners along the right-of-way, the visibility impact of the new transmission line from adjacent areas would be incremental as it is being installed within an existing right-of-way that already contains transmission line structures. To minimize the visual effect of new transmission structures and in compliance with the *FERC Guidelines for the Protection of Natural, Historic, Scenic and Recreational Values in the Design and Location of Rights-of-Way and Transmission Facilities*, Eversource would install the structures in line with existing structures to the greatest extent practical.

The Council recognizes Eversource's effort to minimize visibility to abutting residential properties and notes Eversource examined the option of installing the transmission line on the opposite side of the right-of-way in certain residential areas. The Council concurs with Eversource's determination that such a design is not feasible or cost effective given the additional property easements that must be obtained, the shift of visibility of the new structures to residential properties on the other side of the right-of-way and the requirement of larger transmission towers in certain areas to cross over the existing 150-foot transmission towers within the existing right-of-way.

Electric and Magnetic Fields

The Project route traverses a corridor already occupied by transmission lines that emit electric and magnetic fields (EMF). In accordance with the Council's *Electric and Magnetic Fields Best Management Practices for the Construction of Electric Transmission Lines in Connecticut*, Eversource reviewed current literature to determine if there were new developments or guidelines related to EMF exposure. No changes were identified. Additionally, Eversource developed a Field Management Design Plan to investigate cost effective ways to minimize EMF levels resulting from the new transmission line. Due to the presence of an existing 115 kV line and a 345-kV line within the right-of-way, Eversource selected an optimum phase design that arranges the conductors to enhance cancelation of the different magnetic field (MF) sources from the existing and proposed line. If the new line was installed on taller structures, it would reduce its ability to reduce MF emanating from existing sources, resulting in higher MF levels along the right-of-way. Upon review of the EMF data provided in the Application, the Council finds the EMF levels associated with the operation of the Project to be well below recommended EMF exposure standards from research groups and transmission line design changes are not warranted.

Conclusion

The Council finds the proposed Project necessary for the reliability of the electric power supply of the state, serving the interests of electric system economy and reliability, and as such, conforms to the long-range plan for expansion of the electric system serving the state and related interconnected utility systems.

The Council has examined the Project in accordance with the policies of the state concerning the natural environment, ecological balance, public health and safety, air and water purity, and fish, aquaculture and wildlife, together with all other environmental concerns, including EMF, and balanced the interests in accordance with Conn. Gen. Stat. §16-50p(a)(3)(B) and Conn. Gen. Stat. §16-50p(a)(3)(C). The environmental effects that are the subject of Conn. Gen. Stat. §16-50p (a)(3)(B) can be sufficiently mitigated and do not overcome the public need for the facility. Furthermore, the Council finds that the location of the new transmission line will not pose an undue hazard to persons or property along the area traversed by the transmission line pursuant to Conn. Gen. Stat. §16-50p (a)(3)(E).

The Council will require Eversource to submit a D&M Plan for the Project to include, but not limited to, provisions for municipal comment and review; detailed site plans identifying structure and equipment locations as well as temporary and permanent facilities and roadways; wetland mitigation methods for temporary and permanent effects, species protection plan upon consultation with DEEP, an erosion and

sediment control plan consistent with the *2002 Connecticut Guidelines for Soil Erosion and Sediment Control*; a Spill Prevention, Control, and Countermeasures Plan; identification of vegetative removal areas, including shrub habitats, identification of existing scrub-shrub habitats to remain, provisions for post construction re-vegetation and maintenance of the right-of-way, provisions for inspection and monitoring of the proposed right-of-way and substation construction, and pre-construction and post-construction measurements of EMF. In order to verify consistency with the Council's Decision and Order, the Council will require Eversource to retain an independent environmental inspector to document compliance with environmental requirements and prepare periodic status reports.

With the conditions listed above, the Council will issue a Certificate of Environmental Compatibility and Public Need for the construction, maintenance, and operation of a new 115-kV transmission circuit between the Brookfield Junction in Brookfield to the Plumtree Substation in Bethel and related substation and line improvements.

DOCKET NO. 468 - The Connecticut Light & Power Company d/b/a Eversource Energy application for a Certificate of Environmental Compatibility and Public Need for the Southwest Connecticut Reliability Project that traverses the municipalities of Bethel, Danbury, and Brookfield, which consists of (a) construction, maintenance and operation of a new 115-kV overhead electric transmission line entirely within existing Eversource right-of-way and associated facilities extending approximately 3.4 miles between Eversource's existing Plumtree Substation in the Town of Bethel to its existing Brookfield Junction in the Town of Brookfield; (b) reconfiguration of two existing 115-kV double-circuit electric transmission lines at Eversource's existing Stony Hill Substation in the Town of Brookfield; and (c) related substation modifications.	}	Connecticut Siting Council November 10, 2016

Decision and Order

Pursuant to Connecticut General Statutes Section 16-50p and the foregoing Findings of Fact and Opinion for the Southwest Connecticut Reliability Project, the Connecticut Siting Council (Council) finds that there is a public need for the proposed facility and the effects associated with the construction of a new 115-kV overhead electric transmission line, associated facilities and related improvements to the Stony Hill Substation in Brookfield and the Plumtree Substation in Bethel (Project), including effects on the natural environment; ecological integrity and balance; forests and parks; scenic, historic, and recreational values; air and water purity; fish and wildlife; and public health and safety are not disproportionate either alone or cumulatively with other effects compared to need, are not in conflict with the policies of the State concerning such effects, and are not sufficient reason to deny the application. Therefore, the Council directs that a Certificate of Environmental Compatibility and Public Need, as provided by Connecticut General Statutes §16-50k, be issued to Eversource Energy (hereinafter referred to as the Certificate Holder) for the construction, maintenance and operation of the Project.

Unless otherwise approved by the Council, the Project shall be constructed, operated, and maintained substantially as specified in the Council's record in this matter, and subject to the following conditions:

1. The Certificate Holder shall construct the proposed electric transmission line overhead along the proposed route and perform related Project improvements, as proposed, subject to modifications during final site design and approval of the Development and Management (D&M) Plan for the project.

2. The Certificate Holder shall prepare a D&M Plan for this Project that shall be in compliance with Sections 16-50j-60 through 16-50j-62 of the Regulations of Connecticut State Agencies. The D&M Plan shall be served on the municipalities of Bethel, Danbury and Brookfield for comment and submitted to and approved by the Council prior to the commencement of facility construction. The D&M Plan shall include:

    a. Detailed site plans showing the design and placement of transmission structures and associated work pads;
    b. Detailed site plans showing design and the location of temporary and permanent access roads, including provisions for narrower access roads where possible and identification of wider sections for use as designated passing areas;
    c. Detailed site plans for substation improvements;
    d. Identification and design of staging and equipment lay down areas, field office trailers, sanitary facilities and parking;
    e. Identification of wetland and watercourse resources, related temporary and permanent construction impacts and methods to reduce such impacts;

f. Details of ground disturbance;
g. Vegetative clearing plan including identification of areas of scrub-shrub habitat within the right-of-way that would be retained. Identify methods, including the use of seasonal restrictions where practical, to minimize environmental impacts related to vegetative clearing;
h. An erosion and sediment control plan, consistent with the *2002 Connecticut Guidelines for Soil Erosion and Sediment Control*, as amended;
i. Wetland restoration plan;
j. Invasive species control plan;
k. A schedule of construction hours;
l. A blasting plan, if necessary;
m. A spill prevention and countermeasures plan;
n. An EMF Monitoring Plan; and
o. Plan to prevent post-construction use of the right-of-way by all-terrain vehicles.

3. The Certificate Holder shall comply with the Department of Energy and Environmental Protection recommendations, or coordinate with the Department of Energy and Environmental Protection, for construction of the route in the area of endangered, threatened, or special concern species identified along the Project route. Include provision for the spotted turtle, a State Species of Special Concern.

4. The Certificate Holder shall hire an independent environmental inspector, subject to Council approval, to monitor and provide bi-weekly reports to the Council regarding environmental compliance with the approved D&M Plan.

5. The Certificate Holder shall obtain necessary permits from the United States Army Corps of Engineers and the Connecticut Department of Energy and Environmental Protection prior to the commencement of construction, in areas where said permits are required.

6. The Certificate Holder shall conform to the Council's Best Management Practices for Electric and Magnetic Fields.

7. The Certificate Holder shall comply with all future electric and magnetic field standards promulgated by State or federal regulatory agencies. Upon the establishment of any new standards, the facilities granted in this Decision and Order shall be brought into compliance with such standards.

8. The Certificate Holder shall provide to the Council an operating report within three months after the conclusion of the first year of operation of all facilities herein, and annually thereafter for a period of three years, with information relevant to the overall condition, safety, reliability, and operation of the new transmission line.

9. Unless otherwise approved by the Council, this Decision and Order shall be void if all construction authorized herein is not completed within five years of the effective date of the Decision and Order, or within five years after all appeals to this Decision and Order have been resolved. Authority to monitor and modify this schedule, as necessary, is delegated to the Executive Director. The Certificate Holder shall provide written notice to the Executive Director of any schedule changes as soon as is practicable.

10. Any request for extension of the time period referred to in Condition 9 shall be filed with the Council not later than 60 days prior to the expiration date of this Certificate and shall be served on all parties and intervenors, as listed in the service list, and the municipalities of Bethel, Danbury and Brookfield.

11. This Certificate may be surrendered by the Certificate Holder upon written notification to the Council.

12. In accordance with Section 16-50j-62 of the Regulations of Connecticut State Agencies, the Certificate Holder shall provide the Council with written notice two weeks prior to the commencement of site construction activities. In addition, the Certificate Holder shall provide the Council with written notice of the completion of site construction, and the commencement of site operation.

13. The Certificate Holder shall remit timely payments associated with annual assessments and invoices submitted by the Council for expenses attributable to the facility under Conn. Gen. Stat. §16-50v.

14. This Certificate may be transferred in accordance with Conn. Gen. Stat. §16-50k(b), provided both the Certificate Holder/transferor and the transferee are current with payments to the Council for their respective annual assessments and invoices under Conn. Gen. Stat. §16-50v. In addition, both the Certificate Holder/transferor and the transferee shall provide the Council a written agreement as to the entity responsible for any quarterly assessment charges under Conn. Gen. Stat. §16-50v(b)(2) that may be associated with this facility.

We hereby direct that a copy of the Findings of Fact, Opinion, and Decision and Order be served on each person listed in the Service List, dated August 1, 2016, and notice of issuance published in the News-Times.

By this Decision and Order, the Council disposes of the legal rights, duties, and privileges of each party named or admitted to the proceeding in accordance with Section 16-50j-17 of the Regulations of Connecticut State Agencies.

CERTIFICATION

The undersigned members of the Connecticut Siting Council (Council) hereby certify that they have heard this case, or read the record thereof, in **DOCKET NO. 468** - The Connecticut Light & Power Company d/b/a Eversource Energy application for a Certificate of Environmental Compatibility and Public Need for the Southwest Connecticut Reliability Project that traverses the municipalities of Bethel, Danbury, and Brookfield, which consists of (a) construction, maintenance and operation of a new 115-kV overhead electric transmission line entirely within existing Eversource right-of-way and associated facilities extending approximately 3.4 miles between Eversource's existing Plumtree Substation in the Town of Bethel to its existing Brookfield Junction in the Town of Brookfield; (b) reconfiguration of two existing 115-kV double-circuit electric transmission lines at Eversource's existing Stony Hill Substation in the Town of Brookfield; and (c) related substation modifications, and voted as follows to approve the proposed project:

Council Members	**Vote Cast**
Robert Stein, Chairman	Yes
James J. Murphy, Jr., Vice Chairman	Yes
Acting Chairman John W. Betkoski, III Designee: Larry Levesque	Abstain
Commissioner Robert Klee Designee: Robert Hannon	Absent
Philip T. Ashton	Yes
Daniel P. Lynch, Jr.	Yes
Dr. Michael W. Klemens	Yes
Michael Harder	Yes

Dated at New Britain, Connecticut, November 10, 2016.

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ATTACHMENT A.2

PROJECT ENVIRONMENTAL INSPECTION AND COMPLIANCE PROGRAM

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A.2 ENVIRONMENTAL INSPECTION

A.2.1 INDEPENDENT ENVIRONMENTAL CONSULTANT

Pursuant to Condition 4 of the Connecticut Siting Council's (Council's; CSC's) Decision and Order approving the Project, Eversource will retain an independent environmental inspector, subject to approval by the Council. The independent environmental inspector will perform the following functions:

- Monitor the construction of the new 115-kV transmission line and substation modifications, including restoration, for consistency with the Council-approved D&M Plans for the Project.
- Provide bi-weekly monitoring reports to the Council.
- Coordinate with Eversource's environmental compliance monitor (refer to Section A.2.2).

The independent environmental inspector can notify the Eversource environmental compliance monitor to stop construction practices that are inconsistent with the Decision and Order or the approved D&M Plans or that may cause significant damage to the environment that is not otherwise approved in the Decision and Order or Project environmental permits.

A.2.2 EVERSOURCE'S ENVIRONMENTAL COMPLIANCE PROGRAM

The Project construction contractors will be required to comply with all applicable environmental regulatory requirements, as well as with the Council-approved D&M Plans. Eversource will require construction contractors' management personnel to attend training regarding Project-specific requirements, including the specifications of this D&M Plan.

To verify the contractors' compliance with the applicable siting and permitting requirements, Eversource will assign to the Project an environmental compliance monitor who will routinely monitor Project construction activities for conformance to the D&M Plans and to other Project-specific permits and approvals. The compliance monitor also may coordinate with the independent environmental inspector, assist in preparing required notices and reports to the Council as appropriate, and support other aspects of Project development.

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ATTACHMENT A.3

REQUIRED NOTICES AND REPORTS TO THE COUNCIL REGARDING THE PROJECT

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A.3 REQUIRED NOTICES AND REPORTS TO THE COUNCIL REGARDING THE PROJECT

A.3.1 REQUIRED NOTICES TO THE COUNCIL: START AND COMPLETION OF CONSTRUCTION AND COMMENCEMENT OF SITE OPERATION

Pursuant to the Regulations of Connecticut State Agencies (RCSA) Section 16-50j-62(b) and Condition 12 of the Council's Decision and Order in Docket No. 468, Eversource will provide written notice to the Council **two weeks prior to the commencement of site construction activities.** Pursuant to RCSA Section 16-50j-62(b) and Condition 11 of this Docket, Eversource also will provide written notice to the Council of the completion of site construction and the commencement of site operation.

Pursuant to RCSA Section 16-50j-62(a)(1) and Condition 2(d) of the Project Decision and Order, Eversource also will provide written notification to and seek approval (as necessary) from the Council regarding the location and size of all areas to be accessed or used for site testing or staging and not otherwise included in the Project D&M Plans.

A.3.2 NOTICE OF CHANGES TO THE D&M PLAN

Pursuant to RCSA Section 16-50j-61(d), notice of a filing of changes to the D&M Plans that require Council approval will be provided to the service list and the property owner of record, if applicable, at the time that the filing is made with the Council.

A.3.2.1 D&M Plan Changes Requiring Notice to the Council

Pursuant to RCSA Section 16-50j-62(b)(2), the Council must pre-approve any significant changes to the Project D&M Plans. Eversource (or its agent) will identify, track, and approve all changes, whether significant or insignificant. *No changes to the D&M Plans will be implemented without such documented approvals.*

Eversource will provide the Council with advance written notice whenever a significant change of the approved Project D&M Plans is necessary. If advance written notice is impractical, Eversource will provide immediate verbal notice to the Council, followed by written notice no later than 48 hours after the verbal notice.

RCSA Section 16-50j-62(b)(2) defines a "significant" change to an approved D&M Plan as including, but not limited to, Project modifications that entail a change in:

- The location of a wetland or watercourse crossing.
- The location of an accessway or structure in a regulated wetland or watercourse area.
- The construction or placement of any temporary structures or equipment.
- Transmission line structure type or location including, but not limited to, towers, guy wires, associated equipment, or other structures.
- Use of additional mitigation measures or elimination of mitigation measures.

In addition to the above criteria, Eversource proposes to define a "significant" Project change as one that would substantially reduce the amount of protection to the environment, substantially increase potential public concern, or would otherwise potentially result in a meaningful effect on the environment, the public, or other Project permits and approvals.

A.3.2.2 D&M Plan Change Approval Process

A request for a change to a D&M Plan may originate from the Project team, construction contractors, or others, or be driven by regulatory agency approvals issued after the Council's approval of the D&M Plans, with which the D&M Plans must be consistent. The following procedures will be used to identify, track, and obtain the approval of the Council, if required, for changes to the D&M Plans.

1. **Identify Proposed Project Change**. A proposed change is identified and described by the change originator and provided to Eversource. Data to be provided to Eversource by the change originator may include, for example:

    - Description of the change (location, type);
    - Reason/need for the change;
    - Date by which the change is required (timing);
    - Project schedule and cost implications (if applicable); and
    - Identification of effects (if any) on the environment, cultural resources, and the public.

    The Project change request will be supported by maps and drawings, as appropriate.

2. **Assess Significance of Proposed Change**. Eversource will evaluate each proposed change to determine whether it either:

    - Qualifies as a significant change to the approved D&M Plan and thus requires advance notification to and approval by the Council; or
    - Constitutes a minor change requiring only Eversource approval.

3. **Significant Changes Requiring Notice to and Prior Approval by the Council.** After Eversource determines that a proposed change represents a significant change to the D&M Plan requiring

notification to the Council and the Council's pre-approval, Eversource will categorize each proposed change as either "urgent" or "non-urgent", based on the following:

- ***Urgent.*** A Project change will be considered "urgent" if waiting until the next regularly-scheduled Council meeting to obtain approval of the change would have a negative impact on Project construction costs or scheduling, or if the provision of written notice is impractical for other reasons. For "urgent" changes, Eversource will provide verbal notification of the change to Council staff and will request that the Council approve the change expeditiously. Eversource will promptly implement the D&M Plan change in accordance with the Council's expedited approval (verbal or written). Not later than 48 hours after the provision of verbal notice of the D&M Plan change request to the Council, Eversource will submit written notice to the Council. If the Council elects not to act on the proposed D&M Plan change request pursuant to the urgent (verbal) notice, Eversource will provide the Council with written notice of the proposed Project Change within 48 hours and will defer any construction activities related to the change request pending the Council's determination.

- ***Non-Urgent.*** If Eversource determines that a D&M Plan change request is "non-urgent", Eversource will provide written notice to the Council, seeking the Council's consideration of the proposed D&M Plan change at the next regularly-scheduled Council meeting.

4. **Non-Significant D&M Plan Change: No Council Pre-Approval Required.** Minor changes to the approved D&M Plan will require Eversource approval prior to implementation, as well as Project documentation. Documentation of minor changes will be provided in the monthly construction progress reports that will be submitted to the Council.

Figure A.3-1 provides a flow chart illustrating this change approval process.

A.3.2.3 D&M Plan Change Documentation and Reporting

Although only significant D&M Plan changes will require the Council's pre-approval, Eversource will document all D&M Plan changes and provide such documentation to the Council in its monthly construction progress reports.

A.3.3 REPORTS

Table A.3-1 identifies the written reports that will be provided to the Council regarding the Project. Eversource will provide general updates regarding the status of the Project in the Monthly Construction Progress Reports.

Figure A.3-1
D&M Plan Change Process

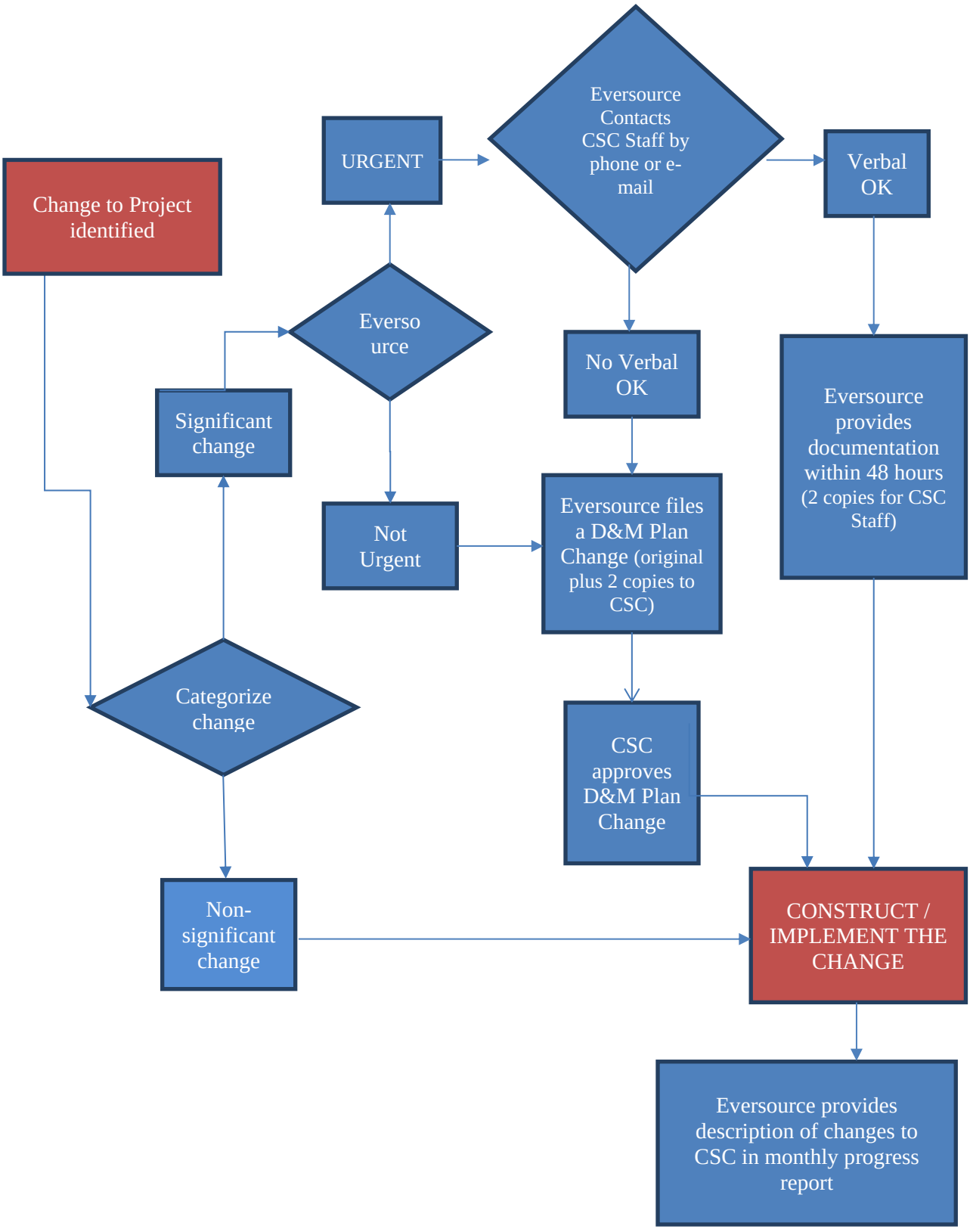

Table A.3-1
Reports to be Provided to the Council

Report Type (Regulatory Requirement)	Content
Monthly Construction Progress Report (RCSA Section 16-50j-62(b)(3))	Monthly construction progress report will summarize the status of the Project construction (by location, percent complete) and will also identify changes and deviations to the approved D&M Plans, including both significant changes involving Council pre-approval and minor changes that did not require Council action.
Bi-Weekly Independent Environmental Inspector Report (Docket No. 468, Decision and Order, Condition 4)	The Independent Environmental Inspector will submit to the Council bi-weekly written reports regarding environmental compliance with the approved D&M Plan.
Final Report (RCSA Section 16-50j-62(c))	Eversource will provide to the Council a final report no later than 180 days after the completion of all site construction and rehabilitation. The report will identify the following: 1 All agreements with abutters or other property owners regarding special maintenance precautions 2 Significant changes to the D&M Plans that were required because of property rights or underlying and adjoining owners or for other reasons 3 The location of construction materials that have been left in place, including but not limited to, culverts, erosion control structures along watercourses and steep slopes, and corduroy roads in regulated wetlands 4 The location of areas where special plantings and reseeding have been performed 5 The actual construction cost of the facility, including but not limited to the following costs: a. Clearing and access; b. Construction of the facility and associated equipment; c. Rehabilitation; and d. Property acquisition for the site or access to the site.
Operating Report (Docket No. 468, Decision and Order, Condition 8)	Within three months after the conclusion of the first year of the operation of all Project facilities, and annually thereafter for three years, Eversource will provide to the Council a report that includes information relevant to the overall condition, safety, reliability, and operation of the new transmission line.

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ATTACHMENT B

VEGETATION CLEARING PLAN

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APPENDIX

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1. INTRODUCTION

As part of the Southwest Connecticut Reliability Project (Project), The Connecticut Light and Power Company doing business as Eversource Energy (Eversource) will install approximately 3.4 miles of new 115-kilovolt (kV) transmission line in the municipalities of Bethel, Danbury, and Brookfield (Fairfield County, Connecticut). The new 115-kV transmission line will be located adjacent to Eversource's existing 321/1770 overhead transmission lines, which are situated within an existing Eversource right-of-way (ROW) that is approximately 175 to 225 feet wide. In addition, as part of the Project modifications to Eversource's Stony Hill Substation in Brookfield, the existing 1770 and 1887 lines adjacent to the substation will be reconfigured, requiring vegetation removal within a portion of Eversource's nearby ROW.

Beneath and in the vicinity of the existing transmission lines that occupy its ROWs, Eversource routinely manages vegetation pursuant to requirements for the reliable operation of the overhead transmission line. Eversource's ROW vegetation management practices[1] comply with mandatory standards adopted by the North American Electric Reliability Corporation following the August 14, 2003 Northeast blackout[2], as well as the National Electrical Safety Code. In response to the transmission line outages caused by falling trees during the October 2011 snow storm, in 2015, Eversource began implementing an enhanced ROW vegetation management program in Connecticut. These vegetation management practices are designed to allow the reliable operation of the transmission facilities by preventing the growth of trees or invasive vegetation that would otherwise interfere with the transmission facilities or hinder access along the ROWs.

The vegetation within the managed portions of the Project ROWs typically consists of shrubs and small trees (generally maturing at less than 20 feet in height) and herbaceous species. The vegetation outside the currently managed portions of the ROWs consists of mixed deciduous forest of various ages and sizes[3], lawn areas, and low-growing vegetative communities.

Vegetation within Eversource's ROWs will be removed where necessary to construct the new 3.4-mile 115-kV line and the 1770/1887 line reconfigurations at Stony Hill Substation, to provide and maintain access to the new transmission line structures, and to provide safe distances between the conductors and vegetation at all times. However, the amount of and type of vegetation clearing required for the Project will vary, depending on factors such as the existing width of the managed ROW, vegetation communities present (e.g., forested, herbaceous, scrub-shrub, lawn), the configuration of the transmission line conductors, transmission line span lengths, and terrain. Shrub vegetation will be preserved to the extent practical.

1 Eversource Energy, 2017, Specification for Rights-of-Way Vegetation Management, Section III, Technical Requirements.
2 Transmission line outages triggered by conductors sagging into overgrown vegetation in Ohio were substantial factors in causing the blackout.
3 A "tree" is defined as a woody plant maturing at 20 feet or more in height, usually with a single trunk, un-branched for several feet about the ground, with a definite crown

This *Vegetation Clearing Plan (Plan)*, which is provided pursuant to Condition 2g of the Connecticut Siting Council's (Council's, CSC's) Decision and Order approving the Project (CSC Docket 468), describes the vegetation clearing that will be performed along the Eversource ROWs as part of Project construction, as required to meet the established vegetation clearances when operating the new transmission line and the reconfigured lines adjacent to Stony Hill Substation.

The vegetation removal limits along the 3.4-mile transmission line ROW are illustrated on the Volume 2 maps for the *Transmission Line Development and Management (D&M) Plan*. The small area of forest vegetation removal (less than approximately 0.02 acre) associated with the 1770/1887 line reconfiguration adjacent to Stony Hill Substation is illustrated on the Volume 2 maps for the *Substation Modification D&M Plan*. As required per CSC Condition 2g, Eversource has minimized vegetation removal limits for the Project to the extent practical, particularly with respect to the removal of forest vegetation along the ROW near residential areas (refer to the Volume 2 maps).

Either as part of vegetation removal during construction or after the new 115-kV line conductors are installed, additional trees, located outside of the initially cleared area, may need to be selectively removed or pruned to maintain the required clearances from conductors. Vegetation (trees and herbaceous or low growing scrub/shrub) removal or trimming outside of the vegetation clearing limits shown on the Volume 2 maps will also be required, as needed along off-ROW access roads and on-ROW access roads that extend beyond the limits of vegetation removal shown on the Volume 2 maps.

The *Plan* also addresses the typical methods to be used for forested and low growing herbaceous and scrub/shrub vegetation removal, along with measures for salvaging merchantable timber.

Vegetation clearing methods will be in accordance with this *Plan*, as well as the conditions, as applicable, of Project regulatory approvals received from the Council, U.S. Army Corps of Engineers (USACE), and the Connecticut Department of Energy and Environmental Protection (CT DEEP). In addition, the methods identified in Eversource's September 2016 *Best Management Practices Manual for Massachusetts and Connecticut (Construction and Maintenance Environmental Requirements)* (*BMP Manual*) will be implemented, as appropriate to the vegetation clearing activities (refer to Attachment E of this D&M Plan volume).

2. LIMITS OF VEGETATION REMOVAL

Vegetation removal, consisting of tree and shrub clearing, as well as vegetation mowing, will be required along both the new 115-kV transmission ROW and the 1770/1887 lines ROW near Stony Hill Substation. The type and extent of vegetation removal required along these ROWs will vary, by location and the characteristics of the existing vegetation. Because of the location of the Project in an urban/suburban area, vegetation along the ROW consists of a mix of wetlands (forested and scrub-shrub), upland forest and shrublands, lawn, and ornamental species associated with residential and commercial developments.

New 115-kV Transmission Line

Within the 3.4-mile ROW within which the new 115-kV line will be located, approximately 8.4 acres of forested vegetation (5.8 acres of upland forest and 2.6 acres of forested wetland) will be removed for the construction of the new 115-kV transmission line. These presently forested areas will thereafter be managed by Eversource in shrub land or other low-growth species habitat, consistent with industry standards and Eversource specifications for ROW management.

For the Project, an additional 25 feet of vegetation (located along the eastern or southern portions of the ROW, outside of the areas of the ROW that Eversource presently manages) will be cleared and subsequently maintained in low-growth species. As illustrated on the *Transmission Line D&M Plan* Volume 2 maps, the vegetation removal limits along the ROW encompass both the areas where vegetation will be cleared to accommodate the construction and operation of the new 115-kV transmission line and the areas within the existing managed portions of the ROW where Project work activities (e.g., access roads) may temporarily affect shrub-scrub or herbaceous vegetation.

Outside of the limits of vegetation removal shown on the Volume 2 maps, most of the vegetation within the remaining width of the ROW (consisting primarily of scrub-shrub habitat, as well as trees along the edges of the ROW) will not be affected by construction activities. However, some additional vegetation removal (typically tree trimming, brush clearing, or mowing) may be required to facilitate construction equipment use of access roads. Some vegetation clearing may be required along off-ROW access roads.

In addition, as part of vegetation removal during construction or after the conductors have been installed, additional trees, located outside of the initially cleared areas, may need to be selectively removed or pruned to eliminate at risk danger or hazard trees and/or maintain the required clearances.

115-kV Line Reconfigurations adjacent to Stony Hill Substation[4]

To reconfigure the existing 1770 and 1887 lines in the vicinity of Stony Hill Substation, vegetation will be cleared primarily within the presently managed portions of Eversource's ROW adjacent to the substation, as illustrated on the *Substation D&M Plan* Volume 2 maps. However, on Eversource property, a small area of trees (<0.02 acre), located outside of the managed ROW, also will be removed.

This forested vegetation must be removed in order to establish work pads and access for the 1770/1887 transmission line structure removal and replacement work, as well as to provide access for construction equipment from Stony Hill Road to Project work areas within the substation.

4 Note: Eversource is expanding the Stony Hill Substation pursuant to CSC approval under Petition 1230. Vegetation removal will be required for that expansion project. Some of the planned SWCT Project modifications within the substation fence will be situated within the newly expanded area.

3. VEGETATION REMOVAL METHODS

3.1 General Approach

Vegetation will be removed along those portions of the ROW to be used for the construction of the new transmission line and the reconfiguration of the existing 1770/1887 lines at Stony Hill Substation, as well as in areas that contain undesirable, tall-growing, woody species that could grow to interfere with the operation of the transmission lines should they not be removed. As part of construction, all tall growing vegetation will be removed within the identified "vegetation removal limits" shown on the *Transmission Line and Substation D&M Plans*, Volume 2 maps.

Vegetation (all types) also will be cleared, as required, at work pads, as well as along new access roads. Along existing access roads, vegetation will be removed (mowed, cut, trimmed) as needed to improve the roads for Project construction. Vegetation will be removed, as necessary, along existing or new access roads that may be on the ROW (but outside the designated vegetation removal limits) or off the ROW (but required to reach the ROW). In addition, danger or hazard trees outside the limits of clearing (on or off the ROW) will be removed as necessary to protect the integrity of the new transmission line.

Clearing will typically be accomplished using mechanical methods, although manual methods (e.g., climbing crews with chain saws) will be used in certain sensitive resource areas, such as rare species habitats or wetlands where hydrology and soils pose challenges for access road construction. Vegetation removal activities typically require flatbed trucks, brush hogs or other types of mowing equipment, skidders, forwarders, bucket trucks for canopy trimming, feller bunchers for mechanical tree cutting, wood chippers, log trucks, and chip vans.

3.2 Access for Vegetation Clearing

Clearing crews must be able to access areas where vegetation removal is required for construction and within the clearance zones of the new 115-kV conductors, as well as to reach on-ROW or off-ROW danger and hazard trees (refer to Section 3.4). Thus, vegetation clearing crews will remove vegetation not only from areas of Project work pads and access roads, but also from locations within the vegetation removal limits where no other types of construction activities will be required.

For example, there are segments of the transmission line ROW, such as between the work pads for Structures 1009 and 1010 (refer to the *Transmission Line D&M Plan*, Mapsheet 5), where no on-ROW access road will extend between the two structures, but where forested vegetation must be cleared. In this and similar areas, clearing crews will move equipment along the ROW, within the vegetation removal limits, as required to cut vegetation within the conductor clearance zone. In wetlands, the clearing crews will create temporary "access routes", using timber mats to reach areas where vegetation must be removed.

New and existing access roads are illustrated on the *Transmission Line and Substation D&M Plan* Volume 2 maps. Temporary clearing crew "access routes", as needed, will be identified in the field at the time of construction, based on site-specific conditions. Such "access routes" will typically be used only for vegetation clearing.[5]

During vegetation removal, timber mats, timber corduroy roads, or equivalent may be used to provide a stable base for clearing equipment to cross watercourses or wetlands. Timber mats (or equivalent) also will be used to allow clearing crews to cross small streams along the ROW. At stream crossings, the temporary mats must be installed to span from bank-to-bank. Within wetlands and across streams, vegetation clearing crew "access routes" will be in accordance with all Project regulatory requirements, including permits from the USACE and CT DEEP.

This temporary support will avoid or minimize the potential for rutting in wetlands and sedimentation in streams. Any materials used for temporary support in wetlands, across watercourses, or in floodplains/floodways must conform to regulatory requirements, and will typically be removed after the completion of vegetation clearing work.

3.3 Vegetation Removal: Low-Impact Tree Clearing

Eversource will implement various measures to minimize the environmental effects of vegetation removal. For example, Eversource will incorporate into the vegetation clearing contract relevant specifications for access, wetland/stream crossings, vegetation removal methods, state-listed species protection, and maintenance of site quality.

In addition, Eversource will require the vegetation clearing contractor to use low-impact tree clearing means and methods to the extent practical. Low-impact tree clearing incorporates a variety of approaches, techniques, and equipment to minimize site disturbance and to protect wetlands, watercourses, soils, threatened and endangered species and their habitats. Eversource will require the clearing contractor to use some or all of the following low-impact tree clearing methods, depending on site-specific considerations:

- Consider soil and weather conditions when scheduling vegetation removal activities.
- Align clearing access routes in uplands to the maximum extent practical.
- Fell trees directionally (parallel to and within the ROW) to minimize impacts to residual vegetation, where practical.
- Adhere to BMPs, as described in the *Best Management Practices for Water Quality while Harvesting Forest Products*, 2007 Connecticut Field Guide (also referenced in the Eversource *BMP Manual*, Volume 3, Attachment E)
- (http://www.ct.gov/deep/cwp/view.asp?a=2697&q=379248&deepNav_GID=1631)

[5] Clearing access routes also will be used to reach danger and hazard trees, located either on-or off the ROW that, in the opinion of Eversource foresters, must be removed to protect the integrity of the transmission line. Such danger and hazard trees cannot be identified until the construction phase and may be located outside of the ROW, or within the ROW, but outside of Vegetation Removal Limits depicted on Volume 2 of the *Transmission Line D&M Plan*.

- Use clearing methods appropriate to site-specific features (e.g., terrain, environmental resources and land uses) to minimize impacts to the extent practicable.
- Cut trees close to the ground, leaving stumps and root systems intact, where practical, to provide additional soil stability.
- Permanently stockpile cut timber and brush only in uplands, outside of the FEMA floodplains.

Where removal of woody vegetation is required, vegetation will be cut so that stumps are generally 6 inches or less above the ground surface.

Desirable species will be preserved to the extent practical. For example, certain desirable, low-growing trees may be kept on the ROW in specific locations, pursuant to Eversource's standards. Generally, all tall-growing tree species will be removed from the managed portion of the ROW and low-growing tree species and taller shrub species will be retained (when possible, providing the vegetation would not pose constraints to construction or Eversource's long-term access to the ROW) in the areas outside of the conductor zones. The conductor zone is the area directly beneath the conductors extending outward a distance of 15 feet from the outermost conductors.

3.4 Vegetation Removal: Environmentally Sensitive and Other Special Areas

In environmentally sensitive and other special use areas, Eversource will conduct vegetation removal activities in accordance with applicable CSC, USACE, and CT DEEP approvals and permit requirements. Site-specific vegetation removal conditions may apply.

Wetlands and Waterbodies[6]. Along stream banks and within wetlands, Eversource will attempt to retain low-growing vegetation to the extent practicable.

Vegetation removal near streams will be performed selectively, preserving desirable streamside vegetation within a 25-foot-wide riparian zone adjacent to either side of the stream bank in order to maintain habitat, shading, and bank stability and to minimize the potential for sedimentation.

In wetlands, vegetation clearing will be conducted to minimize rutting. In addition, stumps will not be removed from forested wetlands unless it is determined that intact stumps will pose a safety concern for construction personnel during the establishment/use of access roads and work pads, or the installation of the 11 new transmission line structures that must unavoidably be placed in a wetland.

For additional information regarding vegetation removal in and near water resources, refer to the *Wetlands and Waterbodies Impact Avoidance and Minimization Measures* included on Detail Sheet 2, Volume 2 of the *Transmission Line D&M Plan*.

[6] No wetlands or watercourses will be affected by the Project substation modifications or the 1770/1887 line modifications near Stony Hill Substation.

Other. Eversource may adjust vegetation removal activities in the following areas, provided that the vegetation clearing is consistent with Project-specific permits and approvals; construction requirements; and standards for the operation of the overhead transmission line facilities:

a. Areas spanned by the new transmission line where the vegetation at full mature height would not violate conductor clearances and would not cause construction or access problems.

b. Near homes or in commercial areas where owner-maintained ornamental vegetation or landscaping does not interfere with the construction, maintenance, or operation of the transmission line.

c. In areas documented to provide state-listed species habitat, Eversource will minimize mowing and ground disturbance outside of the areas required to safely complete the necessary vegetation clearing for construction activities.

3.5 Timber and Brush Disposition

Based on surveys performed as part of the Project planning process, Eversource determined that most of the 8.4 acres of forest vegetation that will be removed for the Project consists of trees with an average diameter at breast height (DBH[7]) of 6 inches or greater.

The clearing contractor will be responsible for properly disposing of any vegetative materials cut along the ROW that are not otherwise planned for use by the landowner (e.g., firewood). Other than when wood is to be left for the landowner, Eversource will not dictate to the clearing contractor the means and methods for wood disposition, except that all wood debris not requested by the landowner or chipped for use as mulch on the ROW is to be removed from Project construction areas. Further, no timber or brush shall be stockpiled or left as chips in any wetlands, watercourses, or environmentally sensitive areas, including floodplains. The disposition of timber and brush cut within the ROW on private property will be in accordance with Eversource's landowner agreements, consistent with any applicable siting and regulatory approvals.

The value of timber resources removed from the ROW for such uses as lumber, firewood, mulch, or biomass chips is a function of the species, location, size, and quality, as well as the market for such products. Typically, a clearing contractor can be expected to reduce waste, minimize clean-up costs, and maximize the value of the wood resources. The following methods may be used for timber disposition:

1. **Wood Requested by Landowners.** For landowners who request to retain timber wood that is cleared from an easement area on their property, tree tops will be cut, chipped and removed or spread in upland areas, but the timber/firewood will be piled on the edge of the ROW (on the landowner's property), outside of any environmentally sensitive areas and away from construction activities.

2. **Drop and Lop.** This method involves cutting a tree, lopping off the branches (as appropriate), and then leaving the wood materials where felled. The "drop and lop" method is typically used in areas that are inaccessible to clearing equipment; when cutting sapling-size trees (generally less than 2

[7] DBH is defined as outside bark diameter at breast height. Breast height is defined as 4.5 feet above the forest floor on the uphill side of the tree. For the purposes of determining breast height, the forest floor includes the duff layer that may be present, but does not include unincorporated woody debris that may rise above the ground line.

inches DBH) on the managed portions of the ROWs; or when impacts to nearby compatible vegetation need to be avoided.

3. **Chipped on ROW.** Brush, tree tops, limbs, and other non-marketable timber and marginally marketable trees typically will be disposed of by chipping. Chips must not be left in piles or placed within any wetlands, watercourses, floodplains, or other sensitive resource or land use areas, but may be spread on the ROW at a depth not to exceed 3 inches.

4. **Used for Log Riprap.** Some timber may be requested by the construction contractor involved in access road construction for use when developing temporary access roads (corduroy) across wetlands. The use of corduroy must be in accordance with regulatory requirements.

5. **Removed for Forest Product Use.** The harvested trees or other wood materials (e.g., wood chips) are transported off-site for productive use. Market demand, transportation costs, and quality of the wood materials will factor into the viability of this option.

3.6 Danger and Hazard Trees

As defined in Eversource's standards, danger tree is a tree that, due to its location and height, could cause a flashover or damage to the structures or conductors, or violate the conductor zones, if it were to fall toward the transmission line. A hazard tree is a danger tree that exhibits some type of defect or damage (e.g., weakness, broken limbs, decay, infestation) that increases the risk of it falling into the transmission line.

During and after the 115-kV transmission line construction[8], on- and off-ROW danger and hazard trees that threaten the transmission line will be identified. Such trees will be removed or pruned as necessary. To the extent that un-managed portions of the existing Eversource ROW border the new 115-kV line, there is a lower potential for the occurrence of off-ROW danger or hazard trees. However, on-ROW danger or hazard trees, located in un-managed areas outside the limits of the Project clearing, may be identified and then would be removed.

Prior to the removal of any off-ROW danger or hazard trees, Eversource will inform and seek permission from the affected landowner.

[8] Given the location of the existing ROW adjacent to Stony Hill Substation, the 1887 and 1770 line modifications are not expected to result in the identification of any danger or hazard trees. However, if any such trees are identified during the course of Project construction, they will be removed as described for the new 115-kV line.

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4. VEGETATION MANAGEMENT AND PRESERVATION: GOALS AND METHODS

The objective of Eversource's well-established vegetation management program is to maintain safe access to its transmission facilities and promote the growth of vegetative communities along its ROWs that are compatible with transmission line operation and in accordance with federal and state standards. The vegetation along the new transmission line will be managed in accordance with these standards.

Eversource's vegetation management practices are designed to allow the reliable operation of transmission line by preventing the establishment and growth of trees or invasive woody vegetation that could interfere with the transmission facilities or access along the ROWs. As a result, the vegetation within the managed portions of Eversource's ROWs typically consists of low growing shrubs, grasses, ferns and herbaceous plant species. Unused or un-managed portions of Eversource's ROWs not proximate to existing lines may be characterized by forest vegetation, which is allowable as long as it does not conflict with the operation of the overhead transmission facilities.

During the construction of the Project, undesirable tall-growing woody species within the ROWs and proximate to the new 115-kV transmission line will be removed. These species will be cut to provide access and work pads for the construction of the Project facilities, as well as to ensure adequate clearance from transmission wires and structures. In selected locations, certain desirable low-growing trees or tall growing shrubs, due to their growth characteristics and locations relative to the new line, may be allowed to remain within the ROWs.

Vegetative species compatible with the use of the ROWs for transmission line purposes are expected to regenerate naturally over time. Eversource will promote the re-growth of desirable species by implementing selective ROW vegetative management practices to control tall-growing trees and woody invasive species and promote native plant colonization.

Vegetation preserved during Project construction activities may be removed in the future in accordance with Eversource's *Specification for Rights-of-Way Vegetation Management*.

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5. LANDOWNER OUTREACH AND BENEFICIAL USE OF FOREST PRODUCTS

The timber and firewood resources along the 115-kV transmission line route belong to the landowners across whose properties the ROW is aligned. Eversource's policy is to proactively coordinate with landowners regarding the disposition and use of the trees to be removed from private property along the ROW.[9]

If requested by the landowner, the firewood and timber portions of the trees will be left on the landowner's property, in upland areas that are not otherwise designated as environmentally sensitive, on the edge of the managed portion of the ROW. After limbs are removed, the boles of the trees would be piled in tree-length logs for landowners to cut and remove at their convenience.

Timber and firewood removed along the ROW on Eversource-owned properties or on parcels where the landowners are not interested in retaining the wood will become the property of the Project's land clearing contractor.

[9] Information for landowners regarding vegetation clearing and timber also is described in Eversource's brochure "Making Requests for Wood". A copy of this brochure is included in Appendix B.1 of this *Plan*.

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APPENDIX B.1

Making Requests for Wood

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Making Requests for Wood

Property owners whose land falls within the right-of-way to be cleared may retain all or a portion of the wood cleared on the property.

As part of any new transmission line construction project, Eversource must remove vegetation from the transmission line rights-of-way. This vegetation removal facilitates the use of line construction equipment and better ensures the safety of construction crews. Eversource is also required to comply with mandatory federal standards which dictate specific distances that vegetation must be kept from energized conductors for transmission system reliability.

The vegetation clearing process is typically a very noticeable activity associated with the construction of new transmission lines. Clearing in some areas may seem especially significant to public observers either because electric facilities presently may not be using the full width of a right-of-way, or because additional right-of-way widths may have been acquired.

During the vegetation removal process, property owners whose land includes the right-of-way being cleared are offered the opportunity to retain the cut wood for their personal use. Unless otherwise specified in the easement granting the transmission rights-of-way, this document outlines the process by which property owners can request the wood.

Property owners whose land is crossed by a transmission line right-of-way being cleared are eligible to retain all or a portion of the wood from the trees cleared from their property. Wood is provided only for the property owner. It will not be provided for renters, neighbors, friends, family or others who are not the property owner of record.

How to Retain Wood

Eversource compiles a list of property owners whose trees will need to be removed. Prior to the start of clearing, project representatives will inform each property owner of the amount of clearing necessary and the potential for keeping wood. A Wood Information Form must be signed by the property owner at this point.

Before the actual clearing begins, Eversource will review the requests of property owners interested in keeping wood. Agreement will be reached with each owner on the quantity of wood to be left, and the location for that wood. Wood will be left in a mutually agreeable location on the parcel of land from which the trees were removed, within an agreed-upon time period. Please be aware that the wood will be in log lengths, typically 18-22 feet long, and can be placed only in areas not considered wetlands or near rare, threatened, and/or endangered species habitats. The quantity and location of wood cannot be guaranteed and is subject to change based on accessibility, permit requirements, project constructability and maintenance requirements.

If you are a property owner and interested in keeping the wood of the trees cleared from your property, please advise the Eversource project representatives during the initial briefing.

For More Information

TransmissionInfo@eversource.com
800-793-2202
Eversource.com

EVERSOURCE

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ATTACHMENT C

SPILL PREVENTION AND CONTROL PLAN

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1. INTRODUCTION

This Spill Prevention and Control Plan (SPCP or Plan) describes measures to minimize the potential for a spill of petroleum products or a hazardous or toxic substance and, in the event that a spill does occur, to contain and control the release to minimize the effects. Eversource Energy (Eversource) will require all construction contractors to adhere to the procedures presented in this Plan during the construction of the Southwest Connecticut Reliability Project (Project). Accordingly, this Plan describes:

- The identification of petroleum products and materials classified as hazardous or toxic that are likely to be used during Project construction;
- Training, equipment inspection and maintenance, and other procedures designed to minimize the potential for a spill;
- The transport, storage, and disposal procedures for these substances; and
- The procedures to be followed in the event of a release of a petroleum or hazardous / toxic substance to the environment, including a spill reporting protocol. Attachment B.1 includes a copy of the Spill Report Form that construction contractors must complete and submit to Eversource.

This SPCP conforms to the requirements of the Project's regulatory approval from the Connecticut Siting Council (Council), as well as commitments made in Project permit applications to the U.S. Army Corps of Engineers (USACE) and the Connecticut Department of Energy and Environmental Protection (CT DEEP)[1]. The Plan applies to all elements of the construction of the Project, including not only Project sites (e.g., the transmission line rights-of-way [ROWs], off-site access roads, and substations), but also contractor yards and staging areas managed for Project support purposes.

Note: Eversource does not anticipate on-site bulk storage of petroleum or other regulated substances during Project construction. However, if a construction contractor elects to maintain large quantities of petroleum products at a Project staging area, then requirements in addition to this SPCP may apply. Specifically, pursuant to Title 40, Section 112 of the Code of Federal Regulations (CFR), a Spill Prevention, Control, and Countermeasure (SPCC) Plan must be prepared if the construction site will have 1,320 gallons of aggregate above-ground storage capacity or more in 55-gallon (or larger) containers, or 42,000 gallons in underground storage not regulated by underground storage tank (UST) rules. Any temporary tanks or fueling trucks parked on site and used to "store" petroleum are subject to the SPCC Plan requirements. If, at any time, a Project construction contractor's cumulative storage capacity exceeds 1,320 gallons on-site, the contractor must prepare a SPCC Plan, signed by a registered professional engineer, in accordance with 40 CFR 112. Copies of the SPCC Plan do not need to be filed with any regulatory agencies, but must be maintained at the contractor's Project office and also be provided to Eversource

[1] Condition No. 2(m) of the Council's approval of the Project (Decision and Order, Docket No. 468, November 10, 2016) requires that a SPCP be prepared as part of the D & M Plans for the Project. Eversource also committed to conform to its *Best Management Practices Manual for Massachusetts and Connecticut: Construction and Maintenance Environmental Requirements* (September 2016), which includes references to spill prevention.

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2. IDENTIFICATION OF PETROLEUM PRODUCTS AND OTHER HAZARDOUS / TOXIC SUBSTANCES USED DURING CONSTRUCTION, AND DESIGNATION OF CLEANUP CONTRACTOR

2.1 Materials Subject to this SPCP

The principal materials used during Project construction that are addressed in this SPCP are petroleum products, such as fuels, lubricants, fluids, and related materials used for the operation of construction vehicles and equipment. Also included are other substances classified as hazardous or toxic that may be used during construction.

Each construction contractor will compile and maintain a list of the petroleum products and hazardous / toxic substances used in the performance of Project work, along with a Safety Data Sheet[2] (SDS) for each such material. The SDSs will be kept on-site (e.g., at the construction contractors' offices in Project construction yards or staging areas) for the duration of construction. The contractor(s) will make the list of products and associated SDSs available for audit by Eversource or Eversource representatives upon request.

Due to the different types of petroleum products and other regulated materials typically used during construction, different handling and storage procedures may be required. Eversource will require its construction contractors to adhere to all directions and warnings for products used on the Project.

2.2 Designation of Connecticut-Licensed Spill Response and Cleanup Contractor

Prior to the start of construction, each primary Project construction contractor must identify a licensed spill response contractor who can respond promptly, if required, during construction as detailed in Section 4.4 of this SPCP.

[2] Formerly referred to as Material Safety Data Sheets (MSDSs).

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3. TRAINING AND MANAGEMENT PRACTICES

Key measures to avoid spills during construction include proper training of construction personnel in spill prevention and control techniques, properly maintaining construction equipment, and proper management regarding the storage and use of petroleum and hazardous/toxic substances used during construction. In the event that a spill does occur, construction personnel will be trained in the techniques to promptly and properly contain, clean up, and report the spill.

3.1 Training

Prior to the start of a contractor's work on the Project, Eversource (or its representative) will provide training for the Project contractors' management personnel with respect to safety, environmental compliance, and public outreach. As part of this contractor training, construction personnel will be briefed on the requirements of this SPCP; will be made aware of sensitive resources along and in the vicinity of Project work sites (e.g., ROW, off-ROW access roads, substations, staging areas); and will be informed of the key pollution control laws, rules, and regulations applicable to their work.

Contractors will be required to implement procedures aimed at minimizing the potential for spills and for promptly responding to and reporting spills, should they occur. Examples of such procedures are:

a. Inspect, operate, and maintain equipment to minimize the potential for the accidental discharge or release of fuel, oil, or lubricants to the environment.
b. Implement employee training / awareness regarding the handling of fuels and, as applicable, hazardous or toxic materials.
c. Perform refueling to minimize the potential for a release to the environment.
d. Maintain adequate supplies of spill response equipment, materials, and supplies in accessible locations for cleanup of a release.
e. Conform to regulatory requirements and Project specifications regarding equipment operation, refueling, and the use of petroleum products near water resources.
f. In the event of a spill, promptly respond and follow required reporting procedures.

3.2 Equipment Inspection and Maintenance

To minimize the potential for a spill due to equipment failure, the Project construction contractors will be responsible for:

a. Routinely inspecting and maintaining construction equipment, including hydraulic lines, valves, and other hoses;
b. Promptly repairing any equipment leaks or faulty equipment components;

c. Routinely inspecting and maintaining in good condition all containers, valves, pipes, hoses, and other components of storage areas for fuels and lubricants;

d. Providing appropriately-sized and provisioned spill containment kits to construction crews and replenishing such supplies as needed; and,

e. Maintaining stockpiles of spill cleanup materials at easily accessible locations, including at both substations sites and staging areas.

In addition, the construction contractors will be responsible for providing portable toilets at construction sites. The construction contractor will be responsible for properly locating portable toilets in upland areas, away from any water resources, sensitive environmental resources, or other restricted areas, and for arranging for routine cleaning and maintenance of these facilities.

3.3 Fuel and Material Storage

Eversource's construction contractors will be required to implement the following procedures when storing fuels and hazardous / toxic substances. These procedures are intended to limit the potential for spills and to minimize the impact of releases that may accidentally occur:

a. No bulk quantities of hazardous substances, toxic materials, or petroleum products will be stored, unless approved by Eversource, within 25 feet of any waterbody, wetland, water supply well, spring, or other water resource. Such materials typically will be stored in upland areas;

b. At Project staging and support sites, contractors will make efforts to store only enough products required to complete the job;

c. Materials will be stored in a neat, orderly manner, in appropriate containers, and, if possible, under a roof or enclosure;

d. Chemical and/or petroleum products will be kept in original containers with the original manufacturer's label. Fuels that need to be kept in portable containers will be stored in tightly sealed containers designed to hold such fuels and will be clearly labeled. Preferably, the containers will be stored in a covered truck or trailer that provides secondary containment for the products;

e. Substances will not be mixed unless approved by the manufacturer;

f. Whenever possible, all of a product will be used before disposing of the container;

g. Manufacturer's recommendations for proper use and disposal of a product will be followed; and

h. If surplus product must be disposed, the manufacturer's or state-recommended methods for proper disposal will be followed.

Any containment area for the storage of petroleum products will have a minimum capacity of 110% (1.1 times) the combined maximum volume of all containers within the containment area. The containment must have sufficient freeboard to accommodate the maximum precipitation from a 25-year 24-hour storm event.

Storage areas will not have drains unless such drains lead to a containment area or vessel of sufficient size to contain and recover a full release of all stored products. A berm, or other suitable containment device, will be installed around any storage shed housing materials that are potentially hazardous to the

environment. Bulk storage tanks having a capacity of more than 55 gallons will be provided with secondary containment consisting of a temporary earthen berm or other means.

After each rainfall, the contractor will inspect all containment areas for excess water.

- If no sheen is visible, the contractor can pump the collected water to the ground in a manner that does not cause scouring.
- If present, any sheen must be cleaned up prior to discharging the water.
- Otherwise, the contaminated water must be transported and disposed of off-site in accordance with local, state, and federal requirements.

3.4 Equipment Refueling and Parking

Contractors will implement the following measures when refueling equipment and when parking equipment on Project sites:

a. Generally, fuel will be stored at contractor yards and certain construction equipment will be refueled there. Other equipment, such as cranes and drilling equipment, will be refueled in uplands on the ROW or at the substations.

b. Refueling equipment will be manned throughout the refueling operation.

c. Spill kits will be on hand during all refueling operations.

d. Equipment refueling will not be performed within 25 feet of any waterbody or wetland, with the following potential exceptions:

   - Areas with of steep slopes where movement of equipment outside of such 25-foot buffers would cause excessive disturbance to the work area;
   - Areas where removing equipment from or near a wetland and/or watercourse for servicing or refueling would increase adverse impacts to the water resource;
   - Locations where the water body or wetland is located adjacent to a road crossing (from which the equipment can be fueled): and
   - Refueling of equipment that is not readily mobile or must remain on-site for prolonged periods to safely complete a construction task (e.g., drilling rigs, cranes for structure installation).

e. During refueling, all necessary precautions will be taken to avoid or minimize the potential for an accidental spill. Appropriate spill kits / absorbent materials will be available at all refueling sites. If refueling must occur within a wetland or within 25 feet of a water resource, temporary containment will be provided as appropriate.

f. Except for equipment that cannot be practically moved (e.g., cranes, drill rigs), construction equipment and vehicles will not be serviced or parked overnight on access roads or work pads within wetlands.

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4. SPILL EQUIPMENT, RESPONSE, CONTROL, AND CLEANUP

4.1 Spill Containment and Cleanup Equipment

Prior to the start of construction, contractors will prepare, for approval by Eversource, a list of the type, quantity, and storage location of spill containment and cleanup equipment that will be available for use during construction. Table 4-1 provides a general list of the basic types of spill containment and cleanup materials to be kept on-hand during construction activities in uplands, near water resources, and at refueling and product storage sites. In response to a spill, the contractor will use equipment and control/cleanup measures appropriate to contain and clean up the spilled material, taking into consideration the environmental characteristics of the area affected by the release.

4.2 Spill Response and Control

If a spill occurs, containment and control of the release are the immediate priorities. Eversource's construction contractor(s) will take immediate action to minimize the impact of the spill (containment) and to implement appropriate cleanup action. Cleanup procedures will begin immediately after a release is contained. In the event of a spill, the contractor will typically take the following actions:

- The spill will be immediately stopped at the source;
- If the spill impacts a water resource, the spill will be contained through the use of appropriately deployed containment materials (e.g., sorbent booms, absorbent pads, constructing dikes) and then will be collected with sorbent materials, skimmed off water surfaces with booms, and/or the contaminated soil will be excavated;
- If the spill occurs in uplands, the contaminated soil will be excavated;
- The waste materials will be properly disposed at a Eversource-approved disposal site; and
- The affected areas will be restored as closely as possible to previous condition.

4.3 Spill Notifications

4.3.1 Notifications to Federal, State, and Local Agencies

In Connecticut, a spill, as defined in Connecticut General Statutes (CGS) Section 22a-450, means the discharge, spillage, uncontrolled loss, seepage, or filtrations of oil or petroleum or chemical liquids or solid, liquid or gaseous products or hazardous waste that poses a potential threat to human health or the environment. **All such spills are reportable.**

Table 4-1

Typical Spill Containment and Cleanup Equipment and Supplies

For General Construction in Upland Areas (Transmission Line, Substations):

- Sorbents (e.g., pillows, socks, and wipe sheets) for containment and pick-up of spilled liquids;
- Pre-packaged, self-contained spill kits containing a variety of sorbents for small to large releases;
- (e.g., kits that can be stored on equipment with the capacity of absorbing up to 5 gallons);
- Structures such as gutters, culverts, and dikes for immediate spill containment;
- Shovels, backhoes, etc., for excavating contaminated materials;
- Sumps and collection system; and
- Drums, barrels, and temporary storage bags to clean up and transport contaminated materials.

For General Construction in or Near Water Resource Areas:

- All of the above (for upland sites) and the following:
- Oil containment booms and the related equipment needed for rapid deployment; and
- Equipment to remove petroleum-based products from water.

(This equipment will be located near wetlands and water bodies to reduce response time in the event of a release.)

For Storage of Products and Equipment Refueling:

- Sorbent pads and/or mats, containment equipment, or equivalent protective measures (e.g., kiddie pools or basins to be placed on the ground beneath equipment before refueling or maintenance activities). (The quantity and capabilities of the mats will be sufficient to capture the largest foreseeable spill given workspace characteristics, crankcase size, and other fuel vessel capacities.)
- Dedicated sorbent / spill response kits or functional equivalent to be kept on major pieces of construction equipment (e.g., pumps, cranes, drill rigs, hydraulic lifts) that must be routinely refueled or maintained on Project sites because movement of such equipment to designated refueling or maintenance yards is impractical or inefficient.

Eversource requires that **ANY release of these materials, in any amount, must be reported to the CT DEEP.** Project construction contractor(s) are responsible for providing immediate notification of spills to the CT DEEP and other entities, as required. When notifying CT DEEP, obtain the CT DEEP representative's badge number and record the Spill Identification Number assigned to the incident by CT DEEP.

It is the Project construction contractors' responsibility to report spills of any amount to CT DEEP. Spills must be reported immediately (24/7) to:

CT DEEP Emergency Response and Spill Prevention Division
860-424-3338 or toll free at 866-337-7745 (866-DEPSPIL)

If the above numbers are unavailable for any reason, call 860-424-3333

In the event of any spill, the Project construction contractor shall immediately report the following facts to CT DEEP, pursuant to CGS Section 22a-450[3]:

- Location of spill;
- Quantity and type of substance, material, or waste released;
- Date and cause of the incident;
- Name and address of the owner;
- Name and address of the person making the report, and their relationship to the owner.

In addition to the notification to CT DEEP, some spills may be reportable to the Federal government. An oil spill must be reported to the Federal government if the spill is to navigable waters[4] or the adjoining shoreline; water quality standards could be violated; the spill causes a sheen or discoloration; or the spill causes a sludge or emulsion. Spills of hazardous chemicals must also be reported to the Federal government, depending on the quantity of the material spilled and if the release could threaten human health. The Federal reportable spill quantities for hazardous materials are listed in 40 CFR, Part 302.4 (refer to the table entitled "List of Hazardous Substances and Reportable Quantities")[5]. Incidents that are required to be reported under the Federal Emergency Planning and Community Right-to-Know Act or other prevailing/applicable Federal law are reportable to:

- The State Emergency Response Commission (CT DEEP at 860-424-3338);
- The National Response Center at 800-424-8802; and,
- The local community emergency coordinator.

[3] Note: Unless specifically requested for a particular incident, CT DEEP does not require a written submission when reporting a spill.
[4] No waters traversed by the Project ROW or near the Project substations are navigable.
[5] Available online at: http://www.gpo.gov/fdsys/pkg/CFR-2010-title40-vol27/pdf/CFR-2010-title40-vol27-sec302-4.pdf

A report by the Project construction contractor to the local fire department is also recommended (911 throughout Connecticut).

4.3.2 Notification and Reporting to Eversource

In addition to notifying the CT DEEP, the construction contractor or other Project personnel who first observe a spill will provide immediate verbal notification to the designated Eversource or Project representative[6]. Within 24 hours of a spill, the construction contractor will prepare and submit to Eversource or Eversource's Project representative a *Spill Report Form* (refer to Appendix C.1). This form must include the following information regarding the spill, along with any relevant supporting information (such as maps) and representative photographs:

- Date, time, and location of the spill, including name and address (municipality) of the owner of the property where the spill occurred and the nearest transmission line structure number (if on the ROW);
- The quantity and type of the substance, material, or waste spilled;
- Circumstances that caused the spill;
- List of water resources affected or potentially affected by the release (if applicable);
- Statement verifying whether a sheen is present;
- Size of the affected area;
- Estimate of the depth that the material has reached in water or in soil;
- Determination of whether the release has or will migrate off Project work areas (e.g., Eversource property, ROWs, staging areas, off-ROW access roads);
- Determination of whether the release is under control;
- Status of the cleanup effort and a description of the methods used (or to be used) to clean up the release;
- Name(s), company affiliation(s), and address(es) of the personnel who identified the release;
- List of any soil and water samples taken;
- Names of contacts made to federal, state, and local agencies, as applicable, and time of report (include, at minimum, CT DEEP representative's badge number and the CT DEEP-assigned spill identification number); and
- Name, address, and company affiliation of the person who completed the *Spill Report Form*.

The designated Eversource Project representative will verify that the construction contractor's *Spill Report Form* is complete and will submit it to Eversource Environmental Affairs.

[6] Contact information for Eversource and other Project personnel will be provided to construction contractors.

4.4 Spill Cleanup

Eversource's construction contractors will clean up all spills promptly using appropriate containment and cleanup measures. Spill containment equipment will not be used for storing wastes resulting from cleanup efforts or other contaminated material.

Small spills may be contained and cleaned up by Project construction crews using the on-site spill containment and cleanup materials. In such cases, all contaminated materials will be properly handled, contained, and transported in secure containment to a staging area for pick-up and ultimate disposal by the construction contractor's designated and pre-approved spill response firm**.**

In no case will spills or contaminated materials (including waste oils) be buried or otherwise disposed of on Project sites.

If the Project construction contractor determines that a release cannot be adequately excavated and disposed of by its construction crews alone, the construction contractor will contact the designated spill response firm. Any cleanup must be performed by a licensed spill response contractor, as required by CGS Section 22a-454. The Project construction contractor will work with the spill response contractor(s) and will verify that all excavated wastes are transported to a licensed disposal facility approved by Eversource.

4.5 Penalties for Non-Reporting

Any person who fails to report incidents as required by CGS Section 22a-450 may be fined by CT DEEP not more than $5,000 and the employer of such person not more than $10,000. Failure to report incidents, as required by the Project, can result in removal from the Project or termination.

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APPENDIX C.1

Spill Report Form

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SPILL REPORT FORM

Date: _____ **Time of Spill Occurrence: _____**

Name/Title of the first observer:_____

Regulatory Agencies Notified / Time & Date of Notification (use reverse side if needed; include CT DEEP representative badge number and CT DEEP-assigned spill identification number): _____
_____
_____

Location of Spill: **Parcel No. _____** **Town _____** **County _____**

Nearest Public Road: _____Nearest Transmission Structure No. (if on-ROW): _____

Nearest Street Address or landmark (if off-ROW): _____

Attachments (circle all that apply): map photographs other_____

Type of material spilled: _____

Quantity spilled (circle one): 10 gals. or less 10 - 1,000 gals. Over 1,000 gals.

Specify approximate amount spilled: _____

Circumstances causing spill: _____
_____

Size of area affected by spill: _____ Estimate depth of spilled material on water or soil: _____

If spill is into water, is a sheen present? (circle one): YES NO

Has spill left Company property or ROW? (circle one): YES NO

Is spill under control? (circle one): YES NO*

*If not, is there a potential for the spill to leave the ROW or staging area? (circle one): YES NO

Has spill cleanup begun? (circle one): YES** NO

**If so, what methods are being or will be used?: _____

_____

Have soil and/or water samples been taken? (circle one) YES*** NO

***If yes, list sample types: _____

Signature of Contractor Representative/Date:
_____

Print Name/Title: _____

Signature of Designated Project Representative/Date:
_____

Print Name/Title: _____

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ATTACHMENT D

SNOW REMOVAL AND DE-ICING PROCEDURES

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APPENDIX

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1. INTRODUCTION

1.1 Applicability

The Connecticut Light and Power Company doing business as Eversource Energy (Eversource) anticipates that the primary construction of the Southwest Connecticut Reliability Project (Project), including the installation of approximately 3.4 miles of new 115-kilovolt (kV) transmission line, modifications to existing 115-kV line connections to Stony Hill Substation, and modifications to Plumtree and Stony Hill substations, will occur over an 18-month period and thus will require work during the winter, when periods of ice and snow can be expected.

The removal of ice and snow from work sites, including from on- and off- right-of-way (ROW) access roads, work pads, staging areas, contractor yards, and substations, will be critical to allow construction to proceed safely. However, snow removal and de-icing must be performed to protect the environment, in accordance with the Project's regulatory requirements.

This document presents the procedures that will apply during construction when accumulated snow or ice must be removed from Project work sites. The procedures are designed to:

1. Define responsibility for snow removal and disposal;
2. Identify acceptable snow disposal (i.e., stockpile or mounding) areas;
3. Describe the requirements for snow disposal areas; and
4. Establish methods for removing snow and ice from work sites safely and in conformance with Project environmental requirements, as contained in Development and Management (D&M) Plans and other state and federal permits.

In addition to these Project-specific procedures, snow removal and disposal activities must be in accordance with Eversource's *Best Management Practices Manual for Massachusetts and Connecticut: Construction and Environmental Requirements* (BMP Manual, September 2016) and the applicable provisions of the Connecticut Department of Energy and Environmental Protection's (CT DEEP's) BMPs for such activities. Attachment E of this D&M Plan Volume 3 includes the Eversource *BMP Manual*. The CT DEEP BMPs are reproduced in Appendix D.1 of this document and can also be found on the CT DEEP website at: http://www.ct.gov/dep/cwp/view.asp?a=2721&q=325692&depNav_GID=1654.

1.2 Responsibility

The Project contractor(s) will be responsible for implementing these snow removal and de-icing procedures. The contractor must review the locations of snow disposal areas with Eversource or Eversource's Project representative, prior to use, to verify conformance to this plan. Any proposed deviations from these procedures must be justified by the contractor and will require approval in advance by Eversource or its representative, who will determine whether any modifications to this plan also may require regulatory approval.

2. SNOW DISPOSAL AREAS

2.1 General

Snow will typically be plowed from access roads, work pads, and other work sites pursuant to the procedures described in Section 3. However, depending on snowfall amounts, snow also may need to be mounded or stockpiled in areas along the ROW or at contractor yards and staging sites. Such snow disposal areas may be located in uplands within the Project ROW, at substations, or within identified Project staging and support sites, except as noted below.

No snow disposal stockpiles or mounds will be located in the following areas:

1. Any water resources (e.g., wetlands, ponds, watercourses, or swales).
2. Within public wellhead protection areas associated with a public water supply well or within 100 feet of a private well.
3. On top of stormwater catch basins or in stormwater drainage swales or ditches.
4. Within environmentally sensitive areas, as defined on the D&M Plan maps (including, but not limited to, threatened and endangered species habitat).
5. On private property (including privately-owned portions of the ROW) immediately adjacent to residential areas without the prior approval of the landowner.

Snow disposal stockpiles or mounds placed on pervious surfaces must be located to allow snow melt water to infiltrate into the soil, without causing sedimentation into water resources, and leaving behind any access road / work pad materials (e.g., gravel) or other debris that may be mixed with the snow. Such materials must be collected and removed from the Project areas when possible in the springtime.

Snow stored on asphalt or concrete must not be piled on top of manholes or catch basins.

At substations, snow disposal locations may be situated anywhere within the fenced portion of the substation or on upland portions of the surrounding Eversource property / nearby ROW. To the extent practicable, snow disposal areas will be at least 25 feet from any water resources or catch basin, and protected with appropriate erosion and sedimentation controls if necessary.

2.2 Disposal Site Ownership

Snow disposal stockpile / mound sites typically will be located on the ROW, at least 25 feet from water resources, in non-environmentally sensitive areas, and/or in Project-approved designated staging areas.

If snow must be disposed of in off-ROW locations (e.g., municipally-approved stockpile sites), the contractor must obtain and provide documentation to Eversource or its Project representative of all applicable approvals and any conditions relating to the use of the disposal site.

3. SNOW AND ICE REMOVAL FROM WORK SITES

The following procedures will apply for the removal of snow and ice, when necessary, from Project work sites:

1. Snow may be removed by plowing (blading) and windrowing, or snow blowing, depending on the amount and type of snow, the area that must be cleared, and the site location.
2. Snow may be bladed level (rather than removed) along access roads to improve driving conditions. If appropriate, this technique also may be used at work pads and staging areas.
3. When removing or blading snow from access roads or work pads, contractors shall attempt to avoid plowing up topsoil, subsoil, or gravel.
4. Any erosion and sedimentation controls damaged during the snow removal and/or stockpiling processes will be repaired as soon as practical, taking into consideration snow depth and frozen ground. (Note: Winter weather conditions may preclude the re-establishment of damaged erosion and sedimentation controls until a thaw occurs or until spring).
5. Sand, salt, sand/salt mix, or Calcium Magnesium Acetate (CMA) may be applied for traction and de-icing along all access roads, as well as on work pads, at staging areas, and at substations.
    a. Where timber mats are located along access roads or as part of work pads in wetlands, Eversource's contractor will use the minimum amount of sand, salt, sand/salt mix, or CMA necessary to maintain safe working conditions when frozen precipitation represents a safety hazard for construction activities.
    b. To clear snow from timber mats placed in wetlands, for any event that results in greater than 4 inches of snow, Eversource's contactor will push or blow clean snow off the timber mats, down to 3 inches. This clean snow will be windrowed along either side of the timber mat access road. The bottom 3 inches of snow will be carefully removed from the timber mats and transported to an upland area.
    c. For any event resulting in 4 inches of snow or less, all snow will be scraped off the timber mats and moved to upland areas.
    d. CMA will be applied according to product specifications.

During extreme weather events, this protocol may be amended as needed to address immediate worker safety issues or to prevent significant damage to property.

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4. SNOW DISPOSAL WHEN APPROVED AREAS ARE FULLY UTILIZED

Depending on snowfall accumulations, it is possible that all available snow disposal areas within the Project ROW and/or at Project substations could be fully utilized and that additional disposal sites or other snow disposal options will need to be considered. Under such circumstances, contractors must coordinate with Eversource to identify snow disposal options.

New snow disposal sites must be pre-approved by Eversource and may require notice to or approval by local, state, and/or federal regulatory agencies.

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APPENDIX D.1

Connecticut Department of Energy and Environmental Protection

Best Management Practice for Disposal of Snow Accumulations from Roadways and Parking Lots

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Connecticut Department of Energy & Environmental Protection

Best Management Practices for Disposal of Snow Accumulations from Roadways and Parking Lots

Purpose: These guidelines have been developed to clarify DEEP recommendations to state and municipal officials, and others regarding the removal and disposal of snow accumulations from roadways and parking lots. For purposes of this guidance snow accumulations refers to snow banks and snow piles that are removed by front-end loader or by loading on trucks for disposal. This guidance does not apply to normal snow plowing operations that must, inevitably, discharge some snow into wetlands and watercourses.

Implementation: While following these guidelines does not constitute a permit or authorization, the Department recognizes there is a considerable need for flexibility in implementation of this policy, particularly in emergency situations. There is no intent to interfere with snow plowing operations. Where trucking and snow dumping operations are undertaken the Department recommends these guidelines be followed.

Problem: Current road maintenance activities include removal of snow accumulations from bridges, roads and parking areas for the purpose of providing more space for subsequent snow storms and for ease of travel and parking. Sometimes this snow is moved by truck or with a front-end loader and deposited directly into surface waters of the state including streams, wetlands and Long Island Sound. This practice is not recommended due to the presence of dirt, salt, litter and other debris, which are routinely mixed in the accumulated snow.

Under normal conditions of snowmelt, the majority of these contaminants remains on or next to the paved surface or may be captured in stormwater catch basins. These contaminants can then be swept from streets and bridges or vacuumed from catch basin sumps. However, when accumulated snow is collected and dumped into surface waters, this mixture of snow, sand and debris may smother aquatic life in the bottom of streams and rivers and degrade the aesthetics of the surface water with silt plumes and litter. Large quantities of snow (and the sand and debris) may also cause blockage of storm drainage systems, resulting in increased chance for localized flooding.

Recommended Management Practice: Snow accumulations removed from roadways, bridges, and parking lots should be placed in upland areas only, where sand and other debris will remain after snowmelt for later removal. Care must be exercised not to deposit snow in the following areas:

1. freshwater or tidal wetlands or in areas immediately adjacent to such areas where sand and debris may be flushed during rainstorms;
2. on top of storm drain catch basins;
3. in storm drainage swales;
4. on stream or river banks which slope toward the water, where sand and debris can get into the watercourse; and
5. in areas immediately adjacent (within at least 100 feet) of private or public drinking water well supplies (due to the possible presence of road salt).

For Governmental Entities: In normal winter conditions, governmental entities should follow the recommended management practices outlined above. In extraordinary winter conditions, the commissioner may, upon public notification, offer governmental entities the flexibility of limited in-water disposal. When such flexibility is offered, governmental entities who have determined that extraordinary circumstances exist where all upland, land-based disposal options have been fully exhausted (i.e., disposal capacity is not available) and snow needs to be removed to meet public safety demands (i.e., clear access ways for police, emergency medical and fire responders), may use certain waterways for snow disposal in accordance with the following conditions:

1. Upland storage and disposal of snow (i.e., athletic fields, parks and other flat, open-field sites) and other snow management methods (i.e., snow melting equipment) must be the first alternatives explored and exhausted. Environmentally sensitive areas must be avoided;

2. This guidance applies only to snow and ice which is not visibly contaminated with material other than salt and sand from road clearing activities;
3. For coastal communities, preference should be given to snow disposal in salt water where available;
4. Disposal in rivers or streams must be limited to those water bodies that have adequate flow and mixing and are not prone to ice jams;
5. The disposal must occur only in open water in areas that will not interfere with navigation;
6. Disposal must be conducted in a manner so as to prevent ice dam formation or damage to bridges, docks or other structures;
7. Disposal in ponds and lakes is discouraged;
8. There shall be no disposal in coastal or freshwater wetlands, eelgrass beds, vegetated shallows, vernal pools, shellfish beds mudflats, public water supply reservoirs and their tributaries, or others areas designated as being environmentally sensitive;
9. The activity must comply with local laws and requirements;
10. Precautions must be taken to avoid shoreline or stream bank damage or erosion from truck/equipment activity; and
11. Governmental entities must notify the Department by email (address email to kevin.sowa@ct.gov) prior to disposing of snow and ice in waterways or, if advance notification is not possible, then the Department must be contacted as soon as possible after snow disposal has begun.

Notification: Notification can be made by addressing an email to Kevin Sowa at: kevin.sowa@ct.gov. The notification must include the following: (1) the name of the governmental entity making the notification; (2) contact information for the governmental entity including name, email address and phone number; (3) the street address where the snow disposal activity will occur; (4) the name of the waterbody where the snow will be disposed; (5) the estimated quantity of snow to be disposed; (6) the dates during which the disposal activity will occur; and (7) a statement that the governmental entity has exhausted all disposal alternatives and snow management methods and will make best efforts to adhere to these snow disposal guidelines.

Information: For further information please call the Water Permitting and Enforcement Division Engineer of the Day at 860-424-3018.

DEP-PED-GUID-002 Revised 02/04/11

ATTACHMENT E

EVERSOURCE'S BEST MANAGEMENT PRACTICES MANUAL FOR MASSACHUSETTS AND CONNECTICUT (CONSTRUCTION AND MAINTENANCE ENVIRONMENTAL REQUIREMENTS), SEPTEMBER 2016

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Tighe&Bond

Construction & Maintenance
Environmental Requirements

Best Management Practices Manual for Massachusetts and Connecticut

Prepared For:

Eversource Energy Environmental Licensing and Permitting Group
107 Selden Street
Berlin, CT

September 2016

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Tighe&Bond

Table TOC-1
Best Management Practices Summary Table

	Area/Activity	Applicable BMPs	Tab	Tab Section
CONSTRUCTION	Upland	Construction Entrance Track Pad	1	A
	`	Stormwater Management BMPs (includes temporary water bars, drainage swales, and sedimentation basins)		B
	Wetland	Construction mats	2	A
		Permeable Road		B
	Watercourse Crossings	Without bridged crossings	3	A
		Bridged crossings		B
		Culverts		C
		Poled fords		D
	De-Energized	Construction mat workpads, including construction mats and lightweight mats	4	A
	Energized	Construction mat workpads		B
SOIL STOCKPILE MANAGEMENT	All	Soil Stockpile Management	5	A

Table TOC-2

Appendix A: Erosion/ Sedimentation and Water Control Summary Table

Type	Applicable Control	Location
EROSION/ SEDIMENTATION CONTROLS	Preservation of Existing Vegetation	
	Topsoil Segregation for Work in Wetlands and Agricultural Areas	
	Straw (or Hay) Bales*	Section I
	Silt Fence	
	Syncopated Silt Fence	
	Erosion Control Blankets	
	Straw/Compost Wattles	
	Wood Chip Bags	
	Catch Basin Protection	
	Loaming and Seeding	
	Mulching with Hay/Straw/Woodchips	
	Coir Log Use for Bank Stabilization	
	Level Spreader	
	Check Dams	
	Temporary and Permanent Diversions	
	Temporary and Permanent Trench Breaker	
WATER CONTROL	Dewatering Activities	
	- Overland Flow	
	- Frac Tank	
	- Filter Bags and Hay Bale Containment	
	- Discharge Hose Filter Socks	Section II
	Coffer Dam and Stream Bypass via Pumping	
	Coffer Dam and Stream Bypass via Gravity	
	Silt Barriers	

***** Straw bales preferred in wetlands, if allowed by permit, and hay bales in uplands

TABLE TOC-3
List of Acronyms

Acronym	Definition
ATV	All-Terrain Vehicle
BMP	Best Management Practices
ConnDOT	Connecticut Department of Transportation
ACOE	United States Army Corps of Engineers
CT	Connecticut
CTDEEP	Connecticut Department of Energy and Environmental Projection
EBT	Eastern Box Turtle
EPA	United States Environmental Protection Agency
Eversource	Eversource Energy
EL&P	Environmental Licensing and Permitting
FEMA	Federal Emergency Management Agency
HDD	Horizontal Directional Drilling
LGP	Low Ground Pressure
MA	Massachusetts
MassDEP	Massachusetts Department of Environmental Protection
MassDOT	Massachusetts Department of Transportation
MassWPA	Massachusetts Wetlands Protection Act
NDDB	Connecticut Natural Diversity Database
NHESP	Massachusetts Natural Heritage Endangered Species Program
OLISP	Office of Long Island Sound Programs
ORV	Off-Road Vehicle
PSI	Pounds per square inch
RIM	Record Information Management System
ROW	Right of Way
TOC	Table of Contents

Section 1
Introduction

1.1 Purpose

As a matter of Eversource Energy (Eversource) policy regarding environmental stewardship and in accordance with local, state, and federal regulations, all construction and maintenance projects shall use environmentally sound best management practices (BMPs) to minimize or eliminate environmental impacts that may result from construction activities. Regardless of whether a specific permit is needed for the work, construction and maintenance projects must follow internal environmental performance standards, which is the purpose of these BMPs. In many cases, maintenance activities are exempt from regulatory authorization. Permits are usually required for new work. Contractors will be provided with copies of any project specific permits, and will be required to adhere to any and all conditions of the permit(s). Permit conditions that are more detailed than the BMPs outlined in this manual shall always be given priority. However, where certain construction elements are not addressed by permit conditions, or where permitting is not required, or for emergency situations where obtaining a permit before the work occurs may not be an option, these BMPs shall be considered as Eversource's standards. In some cases, and at the discretion of the Eversource Management, the BMPs presented herein may be modified to be more appropriate for site-specific conditions.

1.2 Scope and Applicability

These BMPs primarily address the disturbance of soil, water, and vegetation incidental to construction within on- and off-road utility corridors, substations, including the establishment of access roads and work areas, within rights of way (ROWs) and on private property, in and near wetlands, watercourses, or other sensitive natural areas (such as protected species), including storm drain systems (e.g., catchbasins). Types of construction include, but are not limited to, installation or maintenance of underground and overhead utilities, access road repair/improvement or installation, and upgrades or maintenance of substations and other facilities. Other common construction issues such as noise, air pollution, oil spill procedures, handling of contaminated soils, and work safety rules are addressed in the Eversource Energy Contractor Work Rules and related appendices.

1.3 Definitions

The following definitions are provided to clarify use of common terms throughout this document.

Best Management Practice (BMP): A means to reduce and minimize impact to natural resources.

Casing: A galvanized steel corrugated pipe that serves as the form for a utility structure foundation.

Emergency Projects: Actions needed to maintain the operational integrity of the system or activities necessary to restore the system and affected facilities in response to a sudden and unexpected loss of electric or gas service or events that affect public health and safety.

Embedded Culvert: A culvert that is installed in such a way that the bottom of the structure is below the stream bed and there is substrate in the culvert.

Environmentally Sensitive Areas: An area containing natural features, cultural features or ecological functions of such significance to warrant protection. Some examples are rivers, streams, ponds, lakes, wetlands, rare species habitat, water supply protection areas, cultural sites, parks, and agricultural land.

Erosion Control: A measure to prevent soil from detachment and transportation by water, wind, or gravity.

Existing Access Roads: Previously permitted or grandfathered access roads that are used to access structures that are clearly visible or can be found by mowing or by the presence of road materials in soil cores.

Grubbing: A site preparation method that is used to clear the ground of roots and stumps.

Intermittent Watercourse: An intermittent watercourse is broadly defined as a channel that a flowing body of water follows at irregular intervals and does not have continuous or steady flow. Regulatory definitions for intermittent water courses are:

- Connecticut—Per the Connecticut Inland Wetland and Watercourses Act, intermittent watercourses are delineated by a defined permanent channel and bank and the occurrence of two or more of the following characteristics: (A) Evidence of scour or deposits of recent alluvium or detritus, (B) the presence of standing or flowing water for a duration longer than a particular storm incident, and (C) the presence of hydrophytic vegetation.

- Massachusetts—Under the Massachusetts Wetlands Protection Act (MassWPA), a jurisdictional intermittent watercourse is defined as a body of running water which moves in a definite channel in the ground due to a hydraulic gradient, does not flow throughout the year, and which flows within, into or out of an area subject to protection under the MassWPA. Intermittent watercourses upgradient of any Bordering Vegetated Wetlands are not jurisdictional under the MassWPA. A watercourse can be determined to be intermittent if it meets MassWPA criteria in regards to watershed characteristics found on the Stream Stats website or documented observations of no flow.

Limit of Work/Disturbance: The boundaries of the approved project within regulated areas. All project related activities in regulated areas must be conducted within the approved limit of work/disturbance. The limit of work/disturbance should be depicted on the approved permit site plans, which may require the limits to be identified in the field by flagging, construction fencing, and/or perimeter erosion controls.

Low-Impact Vehicles: Vehicles that have a lesser impact on an environmentally sensitive area due to the vehicle being smaller, lighter, or different in another way than a vehicle which would have a greater impact. Low impact vehicles could include ORVs or

ATVs, tracked vehicles with low ground pressure, or vehicles with oversized balloon-type tires.

Maintenance Projects: Typically consist of activities limited to the repair and/or replacement of existing and lawfully located utility structures and/or facilities where no substantial change in the original structure or footprint is proposed. Maintenance activities also include vegetation management.

Minimization: Causing as little disturbance to an area as practicable during construction.

New Construction: Construction of new transmission or distribution facilities that previously did not exist or construction that substantially modifies existing facilities. All new (and existing) construction projects are required to go through a full permit review by the Eversource Environmental Licensing and Permitting Department.

Pre-Construction Notification (PCN): Project activities that do not qualify for SV or where otherwise required by the terms of the MA and CT GPs must submit a PCN and obtain written verification before starting work in ACOE jurisdiction. Refer to MA and CT GP appendices for PCN thresholds. Projects that cannot be completed under a PCN must file for an Individual Permit with the ACOE. In CT, for coastal projects, notification is provided to ACOE by CT DEEP, Office of Long Island Sound Programs (OLISP) or by applicants as necessary. Written approval from ACOE is required.

Restoration: To return a disturbed area to its former, original or unimpaired condition. A site is considered fully restored when it has returned (as closely as practicable) to its original state. Restoration of disturbed areas should occur as soon as practicable following the completion of activities at that location.

Re-Vegetation: Establishment of plant material for temporary or permanent soil stabilization.

Right of Way: A pathway, road, or corridor of land where Eversource Energy has legal rights (either fee ownership, lease, or easement) to construct, operator, and maintain an electric power line and/or natural gas pipeline.

Self-Verification (SV): Activities that are eligible for SV are authorized under the MA and CT GPs and may commence without written verification from the ACOE provided the prospective permittee has:

i. Confirmed that the activity will meet the terms and conditions of applicable MA and CT GPs

ii. Submitted the Self-Verification Notification Form (SVNF) to the ACOE.

In CT, coastal projects do not require filing of a Self-Verification Notification Form. ACOE relies on CT DEEP and OLISP submittals.

Stabilization: A system of permanent or temporary measures used alone or in combination to minimize erosion from disturbed areas.

Sediment Control: Control of eroded so that it does not wash off and pollute nearby wetland and water resources.

Vehicles with Low Ground Pressure: Vehicles which have tires or tracks that apply less than three pounds per square inch (psi) on the ground surface.

Work: For the purposes of this BMP Manual, the disturbance of soil, water, and vegetation incidental to construction within on- and off-road utility corridors, substations, including but not limited to the establishment of access roads and work areas, in and near wetlands, watercourses, or other sensitive natural areas, including storm drain systems (e.g., catch basins). Types of construction include, but are not limited to installation or maintenance of underground and overhead utilities, substations and other facilities.

1.4 BMP References

The following table lists the public guidance documents utilized during the preparation of this BMP manual. Refer to these documents for additional information.

TABLE 1-2

Document Title
General
Best Management Practices (BMPs) Manual for Access Road Crossings of Wetlands and Waterbodies, EPRI, Palo Alto, CA (2002) 1005188.
Gas Research Institute. Horizontal Directional Drilling Best Management Practices Manual (2002) ENSR Corporation, Westford, MA and Trenchless Engineering Corp., Houston, TX.
Connecticut
Connecticut Department of Transportation (ConnDOT). ConnDOT Drainage Manual (October 2000) http://www.ct.gov/dot/cwp/view.asp?a=1385&Q=260116
Connecticut Standard Specifications for Roads, Bridges and Incidental Construction, FORM 816 (2004) http://www.ct.gov/dot/cwp/view.asp?a=3609&q=430362
Connecticut Department of Energy & Environmental Protection. Connecticut Guidelines for Erosion and Sediment Control. (2002) http://www.ct.gov/deep/cwp/view.asp?a=2720&q=325660&deepNav_GID=1654%20
Connecticut Department of Energy & Environmental Protection, Bureau of Natural Resources, Division of Forestry. Best Management Practices for Water Quality While Harvesting Forest Products (2007) http://www.ct.gov/dep/lib/deep/forestry/best_management_practices/best_practicesmanual.pdf
Massachusetts
Commonwealth of Massachusetts Department of Public Works Standard Specifications for Highways and Bridges (1988) http://www.mhd.state.ma.us/default.asp?pgid=content/publicationmanuals&sid=about
Massachusetts River and Stream Crossing Standards (Revised March 1, 2011) http://www.nae.usace.army.mil/Portals/74/docs/regulatory/StreamRiverContinuity/MA_RiverStreamCrossingStandards.pdf
Massachusetts Erosion and Sediment Control Guidelines for Urban and Suburban Areas. Original Print: March 1997. *Reprint: May 2003*. http://www.mass.gov/eea/docs/dep/water/essec1.pdf
The Massachusetts Unpaved Roads BMP Manual (Winter 2001) http://www.mass.gov/eea/docs/dep/water/resources/a-thru-m/dirtroad.pdf

Section 2
Project Planning

After undergoing an initial screening review by the department conducting the proposed project, if resources are identified, the project is required to go through a permit review by the Environmental Licensing and Permitting Group. The permit review process is supported by Geographic Information Systems (GIS) or a similar program that references the most current spatial data for the project areas in question. Through the GIS review process various geo-processing tools are used to compose maps and provide a spatial reference to environmentally sensitive areas. In consultation with the Environmental Licensing and Permitting Group, the Project Engineer, permitting specialist, or other project planner should determine regulatory jurisdiction and which (if any) environmental permits or approvals are required before starting any project. Questions regarding which activities may be conducted in regulated areas or within environmentally sensitive areas should be referred to the Environmental Licensing and Permitting Group. Summaries of potentially applicable laws and regulations are provided in Appendices B and C of this document.

2.1 Types of Wetlands

Wetland areas common to New England and common to both Connecticut and Massachusetts include, but are not limited to, the following:

Forested Wetlands

Forested wetlands are wetlands that are dominated by trees that are 20 feet or taller. These wetlands are typically drier with standing water typically occurring during periods of high precipitation, seasonally high groundwater, snowmelt, and runoff (e.g., early spring through mid-summer). Tree species typical of this type of wetland include red maple (*Acer rubrum*) and eastern hemlock (*Tsuga canadensis*). "Pit and mound" topography is common in forested wetlands, where mature trees grow on the higher and drier mounds and obligate wetland species are found in the lower pits.

Scrub-Shrub Wetlands

Scrub-shrub wetlands are dominated by woody vegetation less than 20 feet tall, and may include peat bogs. Typical bog species include leatherleaf (*Chamaedaphne calyculata*), cotton grasses (*Eriophorum* sp.), cranberry (*Vaccinium macrocarpon, V. oxycoccus*), and black spruce (*Picea marina*). Other non-bog scrub-shrub wetlands are characterized by buttonbush (*Cephalanthus occidentalis*), alders (*Alnus* sp.), dogwoods (*Cornus* sp.), and arrowwoods (*Viburnum* sp.).

Marshes

Marshes are dominated by erect, herbaceous vegetation and appear as grasslands or stands of reedy growth. These wetlands are commonly referred to by a host of terms, including marsh, wet meadow, fen. These areas are flooded all or most of the year and, in New England, tend to be dominated by cattails (*Typha* sp.).

Wet Meadows

Typical wet meadow species include grasses such as bluejoint (*Calamagrostis canadensis*) and reed canary grass (*Phalaris arundinacea*), sedges (*Carex* sp.) and rushes (*Juncus* sp.), and various other forbs such as Joe-Pye-weeds (*Eupatorium* sp.) and asters (*Aster* sp.).

Floodplains

A floodplain is generally defined as an area of low-lying ground adjacent to a stream or river that is formed mainly of river sediments and is subject to flooding. State-specific regulatory definitions vary and are described as follows:

- In Connecticut, areas that contain alluvial or floodplain soils are regulated as wetlands. These areas may flood so infrequently or be so freely drained that hydrophytic vegetation and hydric soils are not present. Soils in these areas must be examined carefully to determine whether well drained alluvial or floodplain soils are present.

- In Massachusetts, a floodplain is a type of wetland resource are that floods following storms, prolonged rainfall, or snowmelt. There are three types of floodplain areas protected under the MassWPA: coastal areas, areas bordering rivers and streams, and isolated depressions that flood at least once a year.

Streams

A stream is any natural flowing body of water that empties to any ocean, lake, pond or other river. Perennial streams, or rivers, have flows throughout the year. Intermittent streams do not have surface flows throughout the year, though surface water may remain in isolated pockets.

Vernal Pools

Vernal pools are typically contained basin depressions lacking permanent aboveground outlets. These areas fill with water with the rising water table of fall and winter and/or with the meltwater and runoff of winter and spring snow and rain. The pools contain water for a few months in the spring and early summer. Due to periodic drying cycles, vernal pools do not support breeding fish populations and can thus serve as breeding grounds for a variety of amphibians, including some rare and protected species of frogs and salamanders.

Other Considerations

Other regulated factors taken into consideration during the project planning process include the presence of protected (i.e., threatened, rare or endangered) species, non-native invasive plant species and/or historical and archaeological resources. Special requirements may need to be evaluated as part of new construction and/or some maintenance activities.

2.2 Meetings

A pre-construction meeting is typically held prior to the commencement of all work with the purpose to appoint responsible parties, discuss timing of work, and further consider options to avoid and/or minimize disturbance to sensitive areas. The meeting

confirms that there is consensus on work methods and responsibilities, and ensure that tasks will be fulfilled with as little disturbance to the environment as practicable. These meetings can occur on or off-site and should include all the applicable stakeholders (i.e., Eversource, contractors, consultants, inspectors and/or monitors, and regulatory agency personnel). A short and less formal briefing should suffice for smaller maintenance projects.

2.3 Site Staging and Parking

During the project planning and permitting process, locations should be identified for designated crew parking areas, material storage, and staging areas. Where possible, these areas should be located outside of buffer zones, watershed protection areas, and other environmentally sensitive areas. Any proposed locations should be evaluated for all sensitive receptors and for new projects requiring permitting, should be incorporated onto permitting and access plans.

2.4 Construction Monitoring

Construction projects require environmental monitoring, which can be conducted either internally or by consultants. Some permitted projects require oversight by designated and pre-approved compliance monitors. Environmental monitoring is a way to keep a chronological record of pre-construction site conditions, progress, and changes that are made, as well as to document issues and authorized solutions.

If work will occur in a wetland resource area or an area mapped or otherwise designated as rare or endangered species habitat, permit conditions may dictate that construction be monitored by a qualified and pre-approved wetland or wildlife specialist.

2.5 Signage/Limit of Boundaries

Where appropriate, wetland delineation flagging or signage shall be installed that makes clear where critical boundaries (i.e., the limits of jurisdictional wetland resource areas and/or rare species habitat) and setbacks occur, regulatory authorization by agencies, and certain uses on ROWs are prohibited, such as ORV traffic.

Where appropriate, signage shall be installed along sediment and erosion control barriers at appropriate intervals, heights and sizes to ensure that the presence and location of said barriers is clear to construction personnel during deep snow or other low visibility conditions. Inspection and maintenance of this signage shall be conducted on a regular basis to ensure effectiveness.

Photo provided courtesy Tighe & Bond/GSRP.

Photo provided courtesy of Tighe & Bond, Inc./PSg

Examples of signage at wetlands.

Section 3
Construction Considerations

During all project activities (e.g., maintenance, new construction), federal, state, and local regulatory authorities require steps be taken to avoid, minimize, and/or mitigate disturbance to the environment. Wetlands and other sensitive areas should be avoided whenever practicable. However, some work may require entrance into these areas in order to perform work. This section discusses measures that should be taken to minimize disturbance to if work must occur within sensitive areas.

BMPs were developed to aid in this process and should be carefully selected and implemented based on the proposed activities and the nature of sensitive area(s) encountered at each site. Proper selection of BMPs should take into consideration the project goals, permit requirements, and site specific information. Once an assessment of the area is made and requirements of the project are established, all BMPs should be considered and implemented as appropriate.

Tables TOC-1 and TOC-2 summarize BMP types. This section addresses BMPs specific to construction of new access roads, repair of existing access roads, the installation of work pads, structure-related work, and soil stockpile management. Information regarding recommended erosion and sedimentation controls or stormwater controls is also discussed. Please refer to Appendix A for typicals and representative photographs of BMPs used for erosion and sedimentation control and water diversion during construction.

3.1 Avoidance and Minimization

Avoidance and minimization should always be considered before beginning any construction or maintenance project. Take appropriate measures to avoid construction impacts to wetlands, waterways, rare species habitats, known below and above ground historical/archeological resources, and other environmentally sensitive areas. Use existing ROW access whenever practicable. Keep to approved routes and roads and do not widen or deviate from them. Consult with the Environmental Licensing and Permitting Group, when avoidance is not practicable, to determine measures to minimize the extent of construction impacts. Alternate access routes and/or staging areas that will minimize construction impacts to the natural environment may be considered.

3.2 Rare Species Habitat

The Environmental Licensing and Permitting Group coordinates with state and local agencies when work is within areas that are identified as rare species habitat. In Connecticut, the Natural Diversity Database (NDDB) is used to identify rare species habitat and is under the Department of Energy and Environmental Projection (CTDEEP). In Massachusetts, the Natural Heritage Endangered Species Program (NHESP) is consulted to identify rare species habitat, which is under the Department of Fisheries and Wildlife and part of the Natural Heritage network. State regulatory agencies may require crew training and turtle sweeps of work areas, botanist identification of rare plants for avoidance, and protection of vernal pools, prior to starting the work.

3.3 Vernal Pools

Construction within and across wetlands and in proximity to vernal pools should be limited to the extent practicable to avoid working in the periods between April 1st and June 1st. This will allow for obligate vernal pool species to emigrate to the breeding areas, deposit egg masses, and allow for hatching and development of juveniles. Silt fence should be installed at the limits of the construction to prevent individual reptiles and amphibians from entering the workspace, but in a manner that does not impede movement to and from pools from adjacent forested uplands. Consider installing syncopated silt fencing.

Protection Measures

When performing construction activities in proximity to vernal pools, a number protection measures should be implemented.

Vegetation Removal

- Maintain existing scrub-shrub vegetation (consistent with ROW vegetation management requirements) within 25 feet of vernal pools, except in areas where access roads and work pads must be installed.

- Minimize removal of low growing (scrub-shrub) vegetation surrounding vernal pools by utilizing construction matting where access is needed. If vegetation must be cut adjacent to vernal pools, the cut vegetation (slash) should be left in place to serve as recruitment for leaf litter and coarse woody debris.

Erosion and Sedimentation Control

- Install and maintain erosion and sedimentation control measures along construction access roads and work pads to protect water quality and to limit the potential for sediment transport to vernal pools.

- Promptly remove erosion and sedimentation control devices upon final revegetation and stabilization of the ROW.

Access Roads

- Use construction mats, corduroy roads, or clean materials (i.e., clean riprap, gravel, stone or equivalent and rock fords) in locations where existing on-ROW access roads must be improved and are adjacent to vernal pools.

- Man-made depressions along existing on-ROW access roads provide low-quality vernal pool breeding habitat (due to an insufficient hydroperiod). Access roads must be graded and/or improved to accommodate project construction vehicles and may eliminate these depressions and the associated potential for amphibian breeding habitat. Perform improvements to on-ROW access roads outside of the breeding and migration seasons of vernal pool species to avoid direct impacts to amphibians that may breed in the man-made depressions along existing on-ROW access roads.

Scheduling and Site-Specific Considerations

- To the extent practicable (considering circuit outages and other construction timing constraints), schedule access road and work pad installation in and around vernal pool habitats to minimize interference with amphibian breeding and migration seasons.

- For project activities that must occur adjacent to vernal pools during amphibian migration periods, implement measures on a site-specific basis to facilitate unencumbered amphibian access to and from vernal pools. Consider the site-specific conditions including the type of construction activity that will occur in proximity to a vernal pool, the amphibian species known to occur in the vernal pool, and seasonal conditions. Identify appropriate mitigation measures. Options to be evaluated to allow amphibian access to vernal pools may include, but not be limited to: syncopated silt fencing in the immediate vicinity of vernal pools; elevated construction matting; and aligning erosion and sedimentation controls to avoid bifurcating vernal pool habitat.

3.4 Access Roads

Existing construction access roads are unpaved roadways that work crews use to access a site within a ROW. These access roads were generally either permitted previously or constructed prior to the promulgation of regulations and are grandfathered in under past general permits.

3.4.1 New Access Roads

New access roads are generally associated with new or large-scale projects that have separate permitting requirements. Construction of new access roads will be based on plans that are reviewed and approved by applicable federal, state, and local agencies. If a new access road is needed and not associated with a large project, notify the Environmental Licensing and Permitting Group to make a decision on best access routes and identification of the necessary permits and approvals required to construct the new road. **Permit requirements must be followed.**

3.4.2 Existing Access Roads

The travel surface width of access roads in upland areas will not exceed 16 feet. This does not include side slopes. Maintaining existing access roads includes mowing of vegetation, grading, placement/replacement of stone, and the installation/maintenance of erosion control features (e.g., water bars, swales, sedimentation basins).

When access roads are in wetlands, measures should be taken to avoid disturbance to wetlands, waterways, and sensitive areas. If avoidance is not practicable, then measures should be taken to minimize the extent of disturbance. Alternate access routes should always be considered. Below is a list of methods that should be considered where disturbance is necessary:

- Minimize the width of typical access roads through wetlands. If an existing access road is evident in the wetland, the existing width of the access road must be maintained. If unable to ascertain the original width of the access, then do not make the road wider than 16 feet (including side slopes).

- To the extent practicable, use low-impact vehicles and/or vehicles with low ground pressure when driving through wetlands.
- Coordinate the timing of work to cause the least impacts during the regulatory low-flow period under normal conditions, when water/ground is frozen, after the spring songbird nesting season, and, outside of the anticipated amphibian migration window (mid- February to mid-June). The United States Army Corps of Engineers defines the low-flow periods for streams as follows:
    - Connecticut streams—July 1 through September 30
    - Massachusetts non-tidal streams—July 1 through September 30
    - Massachusetts tidal streams—November 16 to February 15
    - New Hampshire streams—July 15 through October 1
- Use construction mats in wetlands to minimize soil disturbance and rutting when work needs to occur during non-frozen ground conditions.
- If practicable, conduct work manually if warranted (decision to be made by Project Team).

Existing access roads that have become part of the wetland are considered previous fill that were either permitted or grandfathered and where it is evident that an access road exists, it is acceptable to place stone over the previously placed fill. Where the existing access road is not evident, Environmental Licensing and Permitting must be consulted to make a determination whether stone can be placed in the wetland. If stone is not evident, through soil cores, hand digging or other methods, construction mats will be used. If permanent access is warranted through the wetland, the new access road will need to have a permitting review and will likely require permits.

The access road in the wetland should not exceed 16 feet in width (unless there is evidence that the road was originally wider than 16 feet).

Over time, existing access roads require maintenance and repair. Travel by construction equipment and general traffic to reach a particular portion of the ROW must be via the designated access road and route. Changes in the location of the access road or the use of alternate roads must be reviewed and approved by the Project Team prior to their construction or use. Access road routes were selected to prevent degradation of the utility corridor, and must be constructed, used, and maintained in accordance with this manual, as well as federal, state, and local requirements, and other project plans.

Though, in some situations, they may be necessary, constructing duplicate access roads should be avoided to the extent practicable. Some appropriate reasons for suggesting alternate routes are:

- Poor site conditions along preferred route because of weather or season.
- Property rights constraints, or property owner's preference.
- Equipment requirements.
- Unanticipated off-site access limitations along existing roads.
- Unanticipated access opportunities (e.g., ice, snow, other developments) which may avoid environmental disturbance and/or reduce cost.

General Design: New and Existing Access Roads

Construction access roads that require new grading and/or filling, or are to be heavily used require the creation of a stable, tractable, load-bearing surface resistant to erosion. If the existing soil and subsoil are not well drained, it may be necessary to import an aggregate road base (i.e., gravel borrow) such as that meeting the requirements of aggregate found in the:

- *Commonwealth of Massachusetts Department of Public Works Standard Specifications for Highways and Bridges*, Section 400
- Connecticut *Standard Specifications for Roads, Bridges and Incidental Construction*, Section M1.02

When the construction access road follows the same route as the permanent design road, constructing the grades and subgrade for the permanent roadway early in the construction sequence is recommended.

The travel surface of construction access roads shall typically not exceed 16 feet in width except for passing points, where necessary. Subgrading shall not extend beyond the space required for the finished road and normal side slopes.

Where practicable, construction access roads should conform to the contours of the land, avoiding grades steeper than 10 percent and creating side slopes no steeper than a ratio of 2:1. If the side slopes are steeper than 2:1, then use of engineered slope stabilization methods may be necessary Consider the volume and type of construction traffic as well as the extent that natural ground must be altered to accommodate the traffic. If no grading is required and the construction traffic is very intermittent (i.e., access roads used to maintain utility lines) the measures used may be limited to water bars, or some top dressing with gravel or stone in areas where the vegetation over soft soil is destroyed by traffic.

During wet weather, these roadways can generate significant quantities of sediment if not constructed with adequate stormwater management and erosion control measures. During an active construction or maintenance activity, inspection of the construction access road and the associated erosion and sedimentation measures should be conducted by the person(s) designated at the pre-construction meeting, should occur regularly while the activity is occurring, and repairs to controls should be made in a timely matter. Repairs may include regrading and/or top dressing the traveled surface with additional aggregate to eliminate ruts, as well as those repairs required by each erosion and sedimentation measure used. When the roadway is no longer needed on a regular basis, the access road should be reviewed to ensure that the road is left in a condition that prevents future erosion and sedimentation (i.e., installation of water bars, gravel, etc.). In some cases, permit conditions may warrant that the access road be removed and that the disturbed area be seeded and mulched as required to match the pre-construction conditions.

Erosion and Sedimentation Controls

Construction personnel are reminded to control erosion and flow conditions during access road construction or maintenance by utilizing the following erosion and sedimentation measures which are described and illustrated further in Appendix A:

- **Outlet protection**, a **level spreader**, a **trench breaker**, a **sediment trap or basin**, or a **stone check dam** may be used to de-energize concentrated flows from diversions and in temporary channels.
- **Geotextile silt fencing**, **compost filter berms**, **straw wattles** and **hay/straw bale barriers** may be utilized to provide protection at the toe of fill slopes and discharges from water bars.
- Side slopes can be protected by installing **erosion control blankets** and **seeding** the area with a fast-growing native or annual grass mix.
- **Dust contro**l should be employed when construction access road conditions create airborne dust.
- **Geotextile fabric** shall be used beneath all new fill and construction entrances, where needed.

3.4.2.1 Best Management Practices – New Access Roads

The following are BMPs that are applicable to new access roads in uplands and are described at the following tabs:

Construction Entrance Track Pad – Tab 1A

Stormwater Management BMPs (includes Water Bars, Drainage Swales, and Sedimentation Basins) – Tab 1B

TAB 1A

Construction Entrance Track Pad

Applications: Erosion and sedimentation control, roadway protection

Limitations:

- Maintenance is required if the pad becomes clogged with soil.
- Muddy conditions may warrant the use of a tire wash station.

Overview:

Where access roads or construction areas connect to paved roads, a stone track pad must be installed at the construction entrance to prevent construction machinery from tracking soil onto paved roadways. Materials appropriate to construction site soil conditions should be employed and/or replenished, as necessary.

Installation:

- Use 3- to 6-inch washed stone to install stone tracking pads at a minimum length of 50 feet and a minimum depth of 12 inches.
- On sites with clayey soils, underlay stone tracking pads with a geotextile liner to prevent the stone from sinking into the soil.

Maintenance:

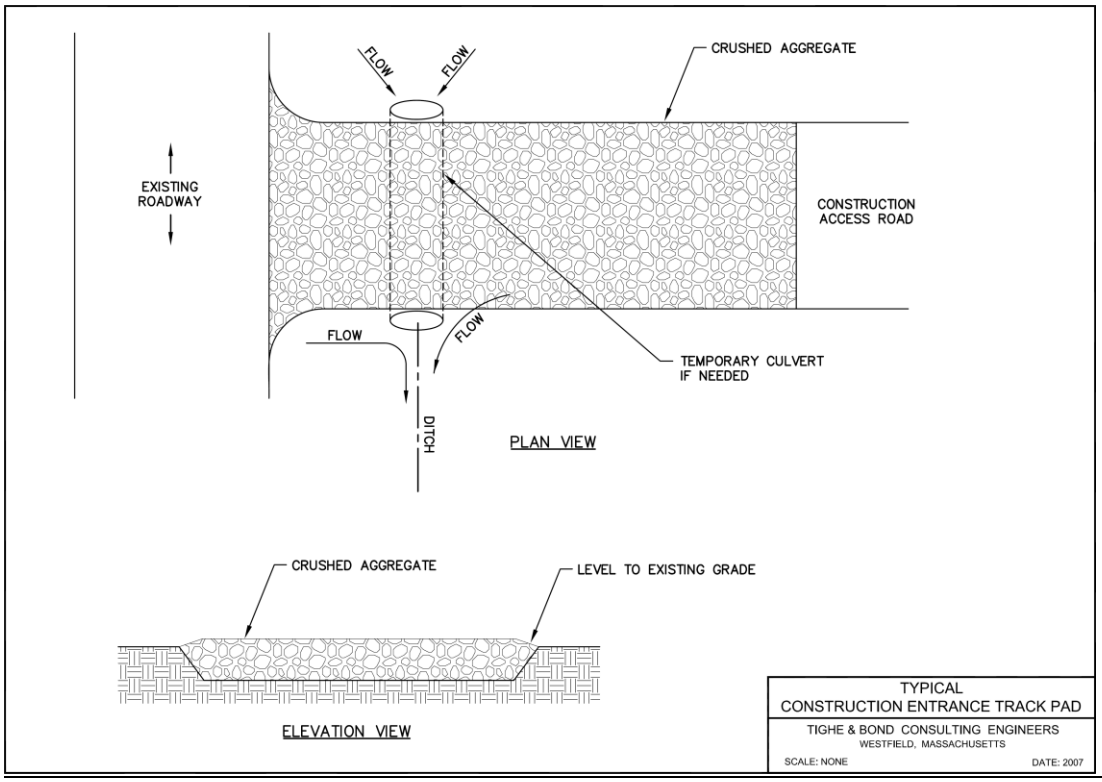
- Periodically inspect the stone in the entrance tack pad. If the pad becomes clogged with soil, remove and refresh and/or clean stone.

Additional Comments:

If muddy conditions warrant the use of a tire wash station, procedures should be established to ensure soils are not tracked off site.

Where appropriate and when safety and environmental conditions are considered, vehicle tires or tracks may be spun quickly ("burn out") on the track pad to further facilitate the removal of soil.

Construction entrance track pad.



TAB 1B

Water Bar

Applications: Erosion and sedimentation control

Limitations:

- Should never be used to direct a watercourse into another waterbody or to divert unfiltered runoff to a wetland.
- Can impede vehicular movement.
- Damage from vehicle traffic and stormwater flow may require water bars to be reinstalled/reworked at the beginning and end of each construction season.

Overview:

Water bars are linear features built diagonally across access roads or ROWs to redirect waterflow off of the road surface at non-erosive intervals. In general, they consist of a trench dug at least 6 inches below grade followed by an earthen mound at least 6 inches above grade. Use water bars to prevent erosion on sloping roadways less than 100-feet wide. Water bars must be designed to be stable throughout their useful life and meet the criteria in the table below. The maximum capacity should be the peak runoff from a 10-year storm. Permanent diversions (Appendix A) may also be used if water bars are not suitable.

Installation:

- Set water bar direction to utilize stable outlets and do not allow upslope water bar runoff to converge with down slope water bars.
- Construct the bar immediately after vegetation has been cleared on constant or slightly increasing grades, not exceeding 2%. Avoid reverse grades.
- Mark the location and width of the ridge and disk the entire length.
- Fill ridge to above the design height and compact with wheeled equipment to the design cross section.
- Construct sediment traps or outlet stabilization measures, as needed.
- After the area has been permanently stabilized, remove the ridge and channel to blend with the natural ground level.
- Seed and mulch diversions that are intended for use for more than 30 days.

Minimum Cross Section

Top Width (ft)	Height (ft)	Side Slopes
0	1.5	4:1
4	1.5	2:1

Maximum Recommended Spacing

Land Slope (%)	Spacing (ft)
1 or less	300
2	200
3 to 5	150
Greater than 5	100

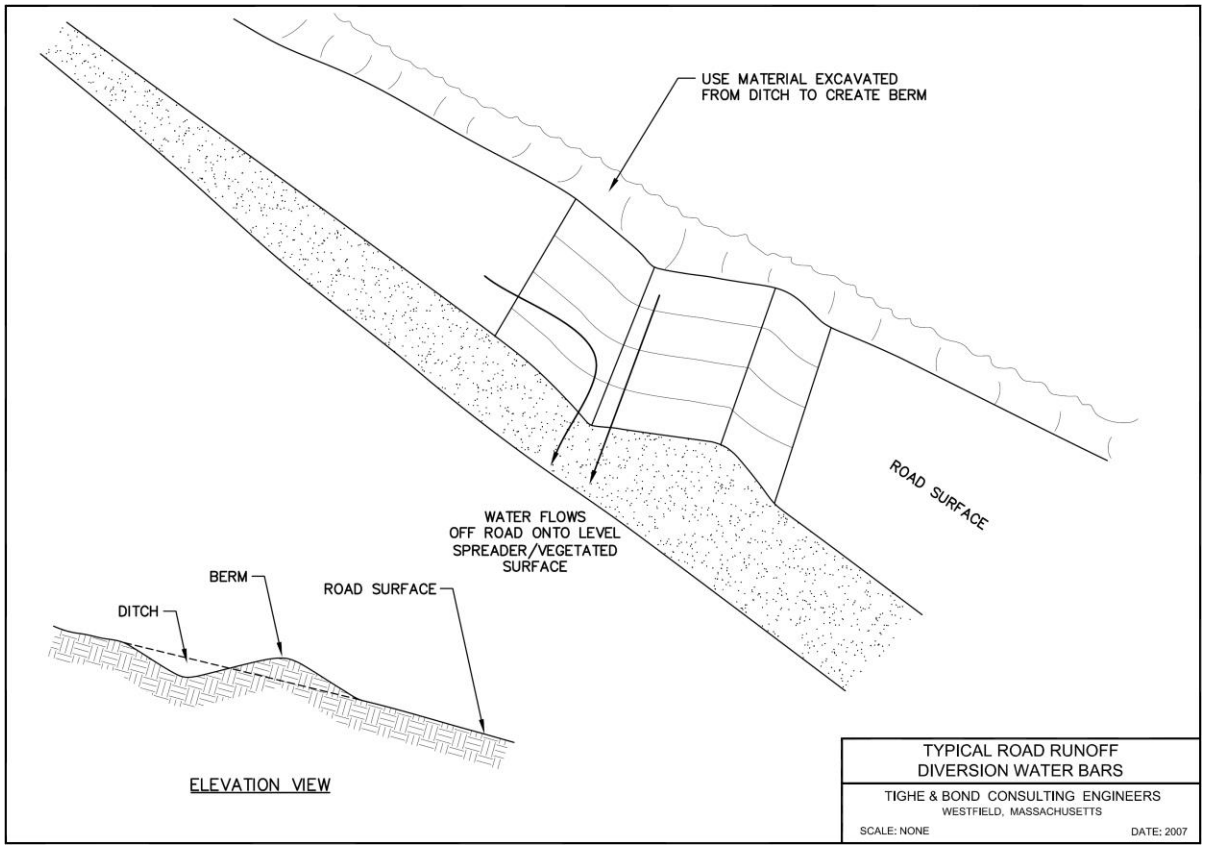
Maintenance:

- Inspect each week and after rain events. Repair damage caused by construction traffic or erosion.
- Remove accumulated sediment and debris from the trench and stabilize outlets.
- If necessary, repair ridge to a positive grade and cross section, and add gravel at crossing areas.
- Use routine inspections to determine if the original spacing is adequate or if additional water bars need to be constructed.

Additional Comments:

Water bars may include the use of hardwood logs to provide structural stability.

Diversion waterbar.


USE MATERIAL EXCAVATED
FROM DITCH TO CREATE BERM
ROAD SURFACE
WATER FLOWS
OFF ROAD ONTO LEVEL
SPREADER/VEGETATED
SURFACE
BERM
ROAD SURFACE
DITCH
ELEVATION VIEW
TYPICAL ROAD RUNOFF
DIVERSION WATER BARS
TIGHE & BOND CONSULTING ENGINEERS
WESTFIELD, MASSACHUSETTS
SCALE: NONE
DATE: 2007

Drainage Swales

Applications: Convey stormwater away from work area and/or improve water quality and reduce peak runoff.

Limitations:

- Vegetated swales need to have adequately established vegetation before flow is diverted to them.
- Need to have adequate bottom stabilization to prevent scouring.

Overview:

Drainage swales usually consist of a ditch that is either vegetated or lined with rip rap, erosion control blankets, or other materials. They are natural or constructed waterways/outlets that intercept, redirect, and convey stormwater away from the work area to a stable location and are used in areas where concentrated runoff would otherwise cause erosion/flooding. Swales can be used to reduce erosion in uplands and/or prior to discharge of stormwater flows to natural receiving waters (e.g., wetlands or streams). They also help to reduce surface flow velocity and turbidity.

Grass Lined Channels (Stabilized with vegetation)

- Use where vegetative lining will provide sufficient stability, slopes are less than 5%, and space is available for large cross section.

Installation:

- Remove trees, brush and stumps.
- Excavate and shape channel to dimensions on plans. Overcut 0.2 ft for vegetative growth.
- Install temporary liner or riprap at inflows and stabilize outlets.
- Vegetate immediately after construction and divert water until grass establishes. Install matting if flow cannot be diverted.
- Install sod rather than seeding where slopes approach 5%.
- Spread topsoil to a minimum of 4 inches where soil conditions are unfavorable. Seeded channels should be mulched.

Vegetated Swales (Stabilized with dense vegetation)

- Use for water quality improvement and peak runoff reduction. Applicable for small drainage areas with relatively small amount of impervious cover. The grassed waterway is used to convey runoff at a non-erosive velocity. Dense vegetation can be established and a stable outlet constructed.

Installation:

- General design parameters are as follows: minimum capacity 10-year, 24-hour storm; design slopes to prevent erosion during the 2-year storm event; maximum side slopes 3:1; bottom width 2 to 8 feet.
- Vegetate with water resistant grasses and divert flow until established.

Riprap Lined Channels (Contains lining of riprap or stone)

- Use on sites where channel flow velocities exceed those acceptable for grass lined waterway. Applicable where vegetative establishment is not possible or there are steep grades, wetness, highly erodible soils, seepage or prolonged base flow.

Installation:

- Remove trees, brush, and vegetation from channel area.
- Stabilize inlets and install outlet protection.
- Construct channel and install filter and lining as shown on plan.
- Use the maximum stone size for riprap plus thickness of filter.

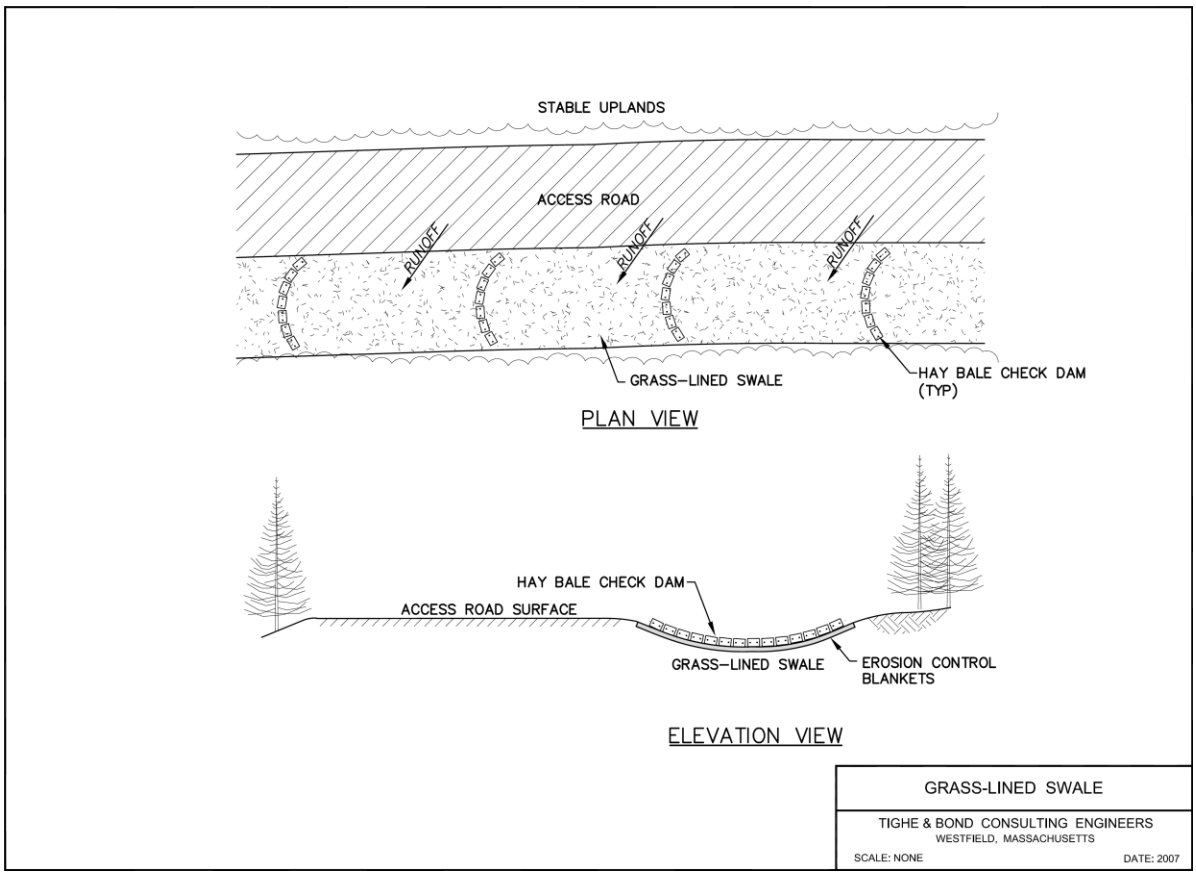
Maintenance:

- Swales need to be routinely maintained to prevent brush/sediment buildup. Inspect swale regularly and after every rain event (0.25 inches or greater). Repair and/or re-seed rill or gully erosion. Remove accumulated sediments and brush before it reaches a depth of six inches.

Additional Comments:

- Depth and spacing of swales should be dependent on runoff conditions of the specific site.
- If required, install check dams constructed of rip rap or other materials to slow flows along certain reaches of a swale.
- Remove temporary swales once construction is complete or areas are stabilized. If leaving swales in place will allow for long-term benefits and be compatible with the ultimate use of the site, then they may remain in place.

Grass-lined swale underlain with erosion control blanket and containing hay bale check dams; used to quickly stabilize soils along a construction access road subjected to significant stormwater runoff. Blue arrow indicates direction of flow.



Sedimentation Basins

Applications: Erosion and sedimentation control

Limitations:

- Traps and basins need to be adequately sized based on expected rain events and the contributing drainage area.

Overview:

Sediment traps and basins are used to filter and settle out sediment in stormwater runoff before water is released into a wetland or other unprotected and/or sensitive area. A sediment trap is a temporary measure installed during construction to detain runoff, while a basin is a more permanent measure. Basins are also used where other erosion control measures are not adequate to prevent off-site sedimentation.

A sediment traps and basins should have three components: a forebay, a check dam, and a basin. Debris and some sediments begin to settle out of the water in the forebay. The stone or hay bale check dam filters more sediments as water flows through. The actual basin is a low velocity pool where sediments settle out of the water column before the water is released at the outlet.

Based on the size of the project area, a qualified engineer may be required to calculate the appropriate size of the basin. State-specific guidance for basin sizing can be found in the following locations:

- *Massachusetts Erosion and Sediment Control Guidelines for Urban and Suburban Areas* (Page 140); http://www.mass.gov/eea/docs/dep/water/esfull.pdf
- *2002 Connecticut Guidelines for Soil Erosion and Sediment Control* (Section 5-11-1); http://www.ct.gov/dep/cwp/view.asp?A=2720&Q=325660.

Installation:

Drainage area of 5 acres or less

- Install to direct stormwater runoff to the sedimentation trap or basin. Form basin by excavating a depression similar to a small pond or by placing an earthen embankment across an existing drainage swale or naturally low area.
- The ratio between the basin length and width should be greater than 3:1 (L:W). A ratio of 9:1 is recommended.
- Clear, grub, and strip all vegetation and root material from area of embankment and place embankment fill in lifts (<9”/lift, max). Compact fill and construct side slopes 2:1 or flatter. Excavate rectangular outlet section from compacted embankment.
- Filter fabric may be installed on bottom and sides of basin and covered by riprap.
- Extend outlet apron/spillway below toe of dam on level grade until stable conditions are reached (5 feet minimum). Cover inside face of stone outlet section with a 1-foot layer of ½- to ¼-inch aggregate.
- Use permanent or temporary seeding to vegetate embankments, spillways, and disturbed areas downgradient of the basin.

Drainage area of 10 acres or less

- Locate the basin in an easily accessible upland area, not a wetland area.
- Install the basin so that it intercepts the largest possible amount of runoff from the disturbed area.
- Divert sediment-laden water to the upper end of the sediment pool to improve trapping effectiveness.
- Basin should have a minimum volume based on ½-inch of storage for each acre of drainage area.
- Size basin to provide a minimum detention of 12 to 24 hours at the maximum runoff quantity expected for the duration of the basin's use.

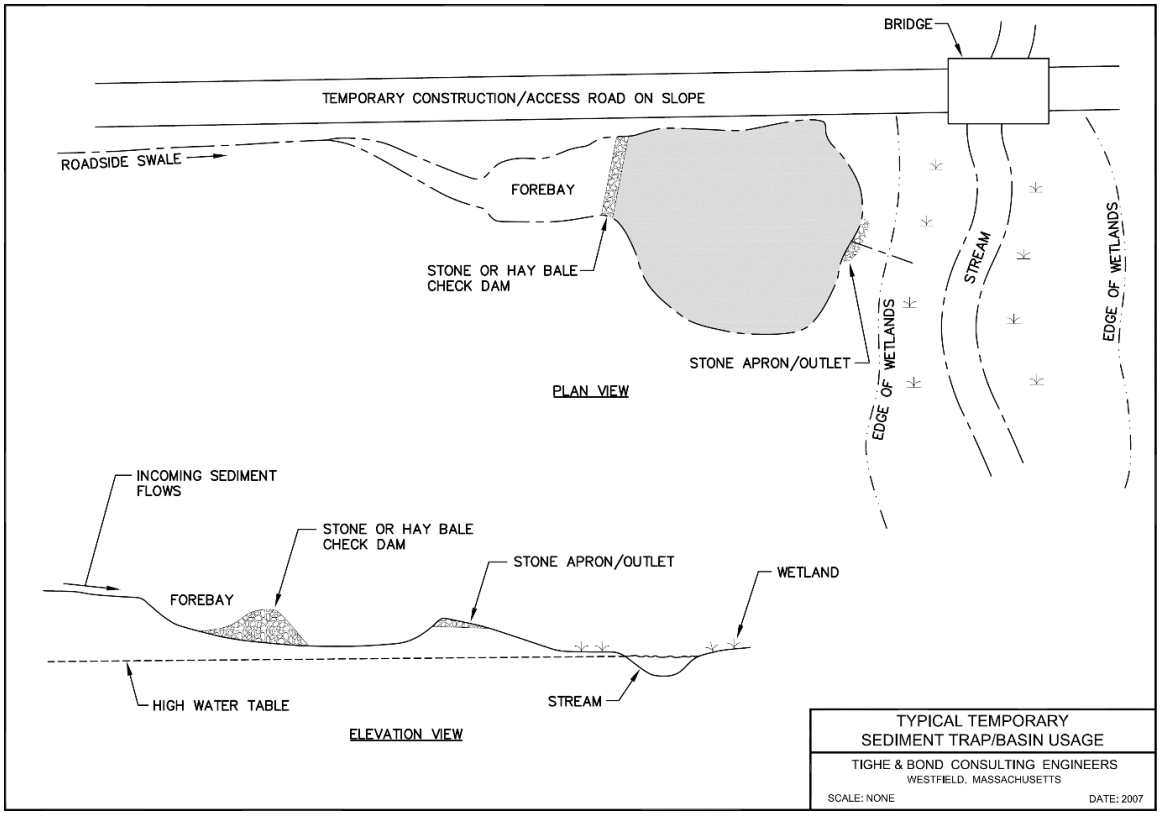
Maintenance:

- Monitor the amount of sedimentation in the trap/basin. Install a stake with a marking at half the design depth. Remove sediment when it reaches this mark.
- Inspect after every rain event.
- Clean or replace the spillway gravel and re-seed/plant vegetation, as needed.
- Monitor embankment, spillway, and outlet for erosion. Repair erosion problems immediately.

Additional Comments:

Construction of sediment traps and/or basins should occur before primary construction on a project begins. They are often a critical stormwater management component for larger construction sites and/or those with poorly drained upland soils. If compatible with the post-construction site use, it may be appropriate to leave sediment basins in place indefinitely.

Sedimentation basin with hay bale filters.



3.4.3 Construction in Wetlands

Access roads that are constructed in or across wetlands require the following considerations in addition to the considerations for access roads in uplands:

- Construction of new access roads in wetlands, whether temporary or permanent, that do not utilize construction mats (e.g., earthen and/or rock fill roads, corduroy roads) require considerable project specific permitting and design. These kinds of projects should comply with project specific permits and plans, while only using this BMP manual as a general reference source. Permits often also require wetlands replication when permanent new access roads are constructed in wetlands.
- Avoid putting the construction access road in a wetland whenever practicable. Explore all feasible and prudent alternatives before determining that a wetland crossing is necessary. When avoidance is not practicable, consider crossings that will result in the least amount of disturbance. This may involve locating the construction access road so that it crosses the wetland at its narrowest width or uses areas previously disturbed for access or other purposes.
- Minimize the width of the temporary construction access road through the wetlands (generally no wider than 16 feet when using construction mats). It is preferable to have a passing point created before and after the wetland crossing, but internal passing points may be needed if the crossing is very long or critical sight line restrictions exist.
- Construct access roads so that wildlife is able to pass under or go through the road. In areas where the road is only one construction mat thick, allow for passageways or "gaps" between construction mats. In locations where the access road is greater than one mat thick, install elevated construction mat road crossings or "bridges." Gaps and/or bridges are to be placed along the access road at intervals no less than 50 feet.
- Consider the soil conditions. Expect deep organic wetland soils to require geotextiles, construction mats, or other materials during use to keep imported road materials separated from wetland soils. In shallow organic or saturated soils, thick plywood sheets or AlturnaMATS® may be sufficient to support a stable travel surface for small, lightweight vehicles. In addition, in areas which are inundated or have deep organic wetland soils, it may be necessary to use more than one layer of construction mats.
- Prevent obstructions to surface and subsurface flow across and through the construction access road. Provide adequate drainage. This may require the use of crushed stone, a layer of log corduroy, construction mat bridges, or multiple cross culverts, particularly if the wetland does not contain a well-defined watercourse channel and/or the wetland crossing is long. If the wetland soils are susceptible to seasonal high groundwater tables or flooding, then give additional consideration for maintaining flows across and/or over the construction access road without causing erosion or siltation during such times.
- Plan in advance how the construction access road will be removed and the wetland restored. A road stabilization geotextile can facilitate the segregation of imported soils and crushed stone and/or log corduroy from the native wetland soils and make wetland restoration easier. However, after the end of an extensive project and a highly traveled crossing, stone removal from the wetland surface will still usually have to occur, even when placed in conjunction with geotextile.

In some cases, access roads may not need to be constructed in a wetland to get access into or through a wetland if the work can be designed such that disturbance to the wetland are avoided or negligible. Options to be considered are presented below.

Equipment Selection and Usage

- **Low ground pressure equipment**. Using equipment that reduces the pressure it exerts on the ground can minimize disturbance to sensitive areas. Employing the use of equipment with wide tires, rubberized tracks, and low ground pressure (<3 psi) can help minimize soil compaction.
- **Wide tires**. Increasing the width of tires will increase traveling surface area and therefore reduce the amount of ground compaction that the equipment will cause. Ultimately, this will reduce rutting, and allow for easier maneuvering of the vehicle. However, wide tires may be costly and will require a wider travel area.
- **Rubberized tracks**. Equipment with rubberized tracks spreads the weight of the vehicle over a much larger surface, reducing ground pressure and enabling the vehicle to move more freely through wet substrates. Each track can be between 1.5 and 3 feet wide, length depending on the width of the vehicle. This can greatly reduce rutting and allow the vehicle to move with less difficulty through wet substrates.
- **Lightweight equipment**. Disturbance in a wetland area can be lessened by reducing the size of equipment (e.g., ORVs, Gator™) used in sensitive areas. This reduces the amount of pressure to the travel surface as well as the necessary width of access ways.

Equipment with rubberized tracks.

Timing of Work

- **Work during frozen conditions**. Activities conducted once wetland areas are frozen can minimize rutting and other disturbance to the surrounding environment. Work during this time also generally reduces disturbance of aquatic and terrestrial wildlife movement by avoiding sensitive breeding and nesting seasons.
- **Work during the "low flow" period**. Conducting work during the low flow period can reduce disturbance to surface water and generally avoids spawning and breeding seasons of aquatic organisms. The United States Army Corps of Engineers defines the low-flow periods for streams as follows:
    - Connecticut streams—July 1 through September 30
    - Massachusetts non-tidal streams—July 1 through September 30
    - Massachusetts tidal streams—November 16 to February 15
    - New Hampshire streams—July 15 through October 1

Alternate Access

- **Manual access.** Consider accessing work areas on foot through terrestrial areas and/or by boat through open water or ponded areas. Smaller projects (e.g., repairs

to individual structures or parts of structures) do not categorically require the use of heavy machinery and should be accessed manually to the extent practicable.

- **Limit trips.** Multiple trips through a wetland have shown to increase the potential for damage and requirement for matting. Try to limit trip to one in and one out.

Use of overhead/aerial access (e.g., helicopters)

- Using overhead or aerial equipment can be expensive and is not always feasible, but it may be appropriate in some situations in order to get vehicles and other equipment to a site that may be otherwise very difficult to access. The use of overhead and/or aerial equipment may be beneficial for work in areas where large water bodies, deep crevices, or mountainous areas hinder ground access.

Erosion and Sedimentation Controls

Construction personnel are reminded to control erosion and flow conditions during new access road construction by utilizing the following erosion and sedimentation measures which are described and illustrated further in Appendix A:

- **Straw wattles, Geotextile silt fencing** and **hay/straw bale barriers** may be installed at the edges of earthen roads or construction mat roads to prevent erosion of soil into wetlands from the road fill or tracked soil on construction mats.
- In areas where silt fencing is required for more than one activity season, **syncopated silt fencing** may be installed to permit animal crossings.
- Side slopes of earthen roads can be protected by installing **erosion control blankets** and **seeding** the area with a fast-growing native or annual grass mix.
- **Dust control** should be employed as necessary when construction access road conditions create airborne dust when necessary.

3.4.3.1 Best Management Practices – Construction in Wetlands

The following are BMPs that are applicable to new access roads in wetlands and are described at the following tab:

Construction Mats (includes Elevated Construction Mats and AlturnaMATs) – Tab 2A

Permeable Road- Tab 2B

Dewatering – Appendix A Section II

TAB 2A

Construction Mats (i.e., timber or swamp mats)

Applications: Wetland crossings, rut minimization

- Used for access where the ground surface is unstable due to shallow, standing water, saturated soils, or other substrates not suitable for heavy vehicles.

Limitations:

- Only for temporary use. Generally mats should be removed upon construction completion.
- May float away in high water conditions.
- Need to be installed with heavy machinery.
- AlturnaMATs® limited to smaller vehicles and equipment.
- Equipment operators should remain cautious so as not to drive off or slip off the side of the mats.
- In winter, mats must be plowed and sanded or heated to prevent equipment from sliding off mats. Use of a deicing agent requires approval by the Environmental Licensing and Permitting Group.

Installation:

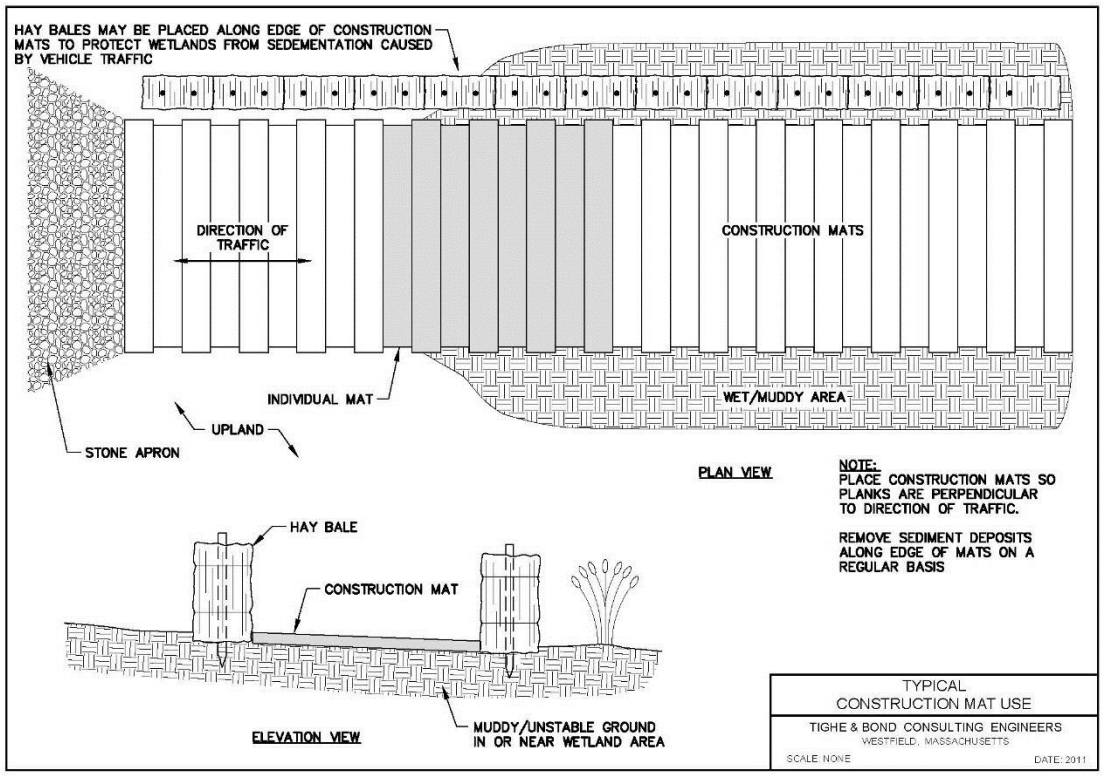
- Place mats along the travel area without any gaps and so that each board is positioned perpendicular to the direction of traffic. Position mats so that they are offset far enough from the resource area so that ruts are not created when equipment enters and exits a sensitive area.
- Remove mats by "backing" out of the site and removing mats one at a time. Regrade soils to pre-existing contours while taking care not to compact soils.
- Clean mats after use to remove any invasive plant species seed stock. Cleaning methods may include, but are not limited to, shaking or dropping mats in a controlled manner with a piece of machinery to knock off attached soil and debris, spraying with water or air, sweeping, or exposing the mats to high temperatures.
- Clean mats that were used in wetlands dominated by invasive species using brooms, shovels, and compressed air, if needed.

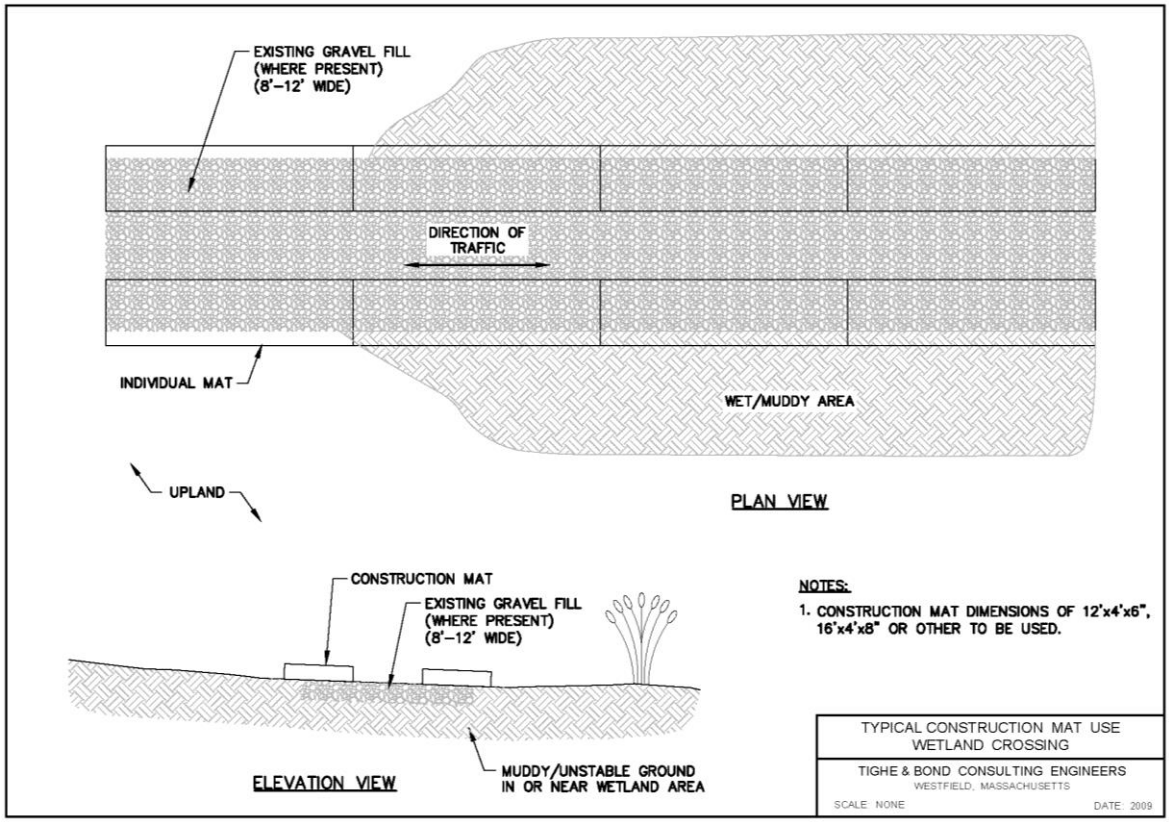
Additional Comments:

Lightweight, easy to maneuver alternatives to traditional mats are available. For example, AlturnaMATS® are half-inch thick polyethylene slip-resistant ground protection mats available in dimensions up to 4 feet by 8 feet and weigh between 21.5 and 86 pounds.

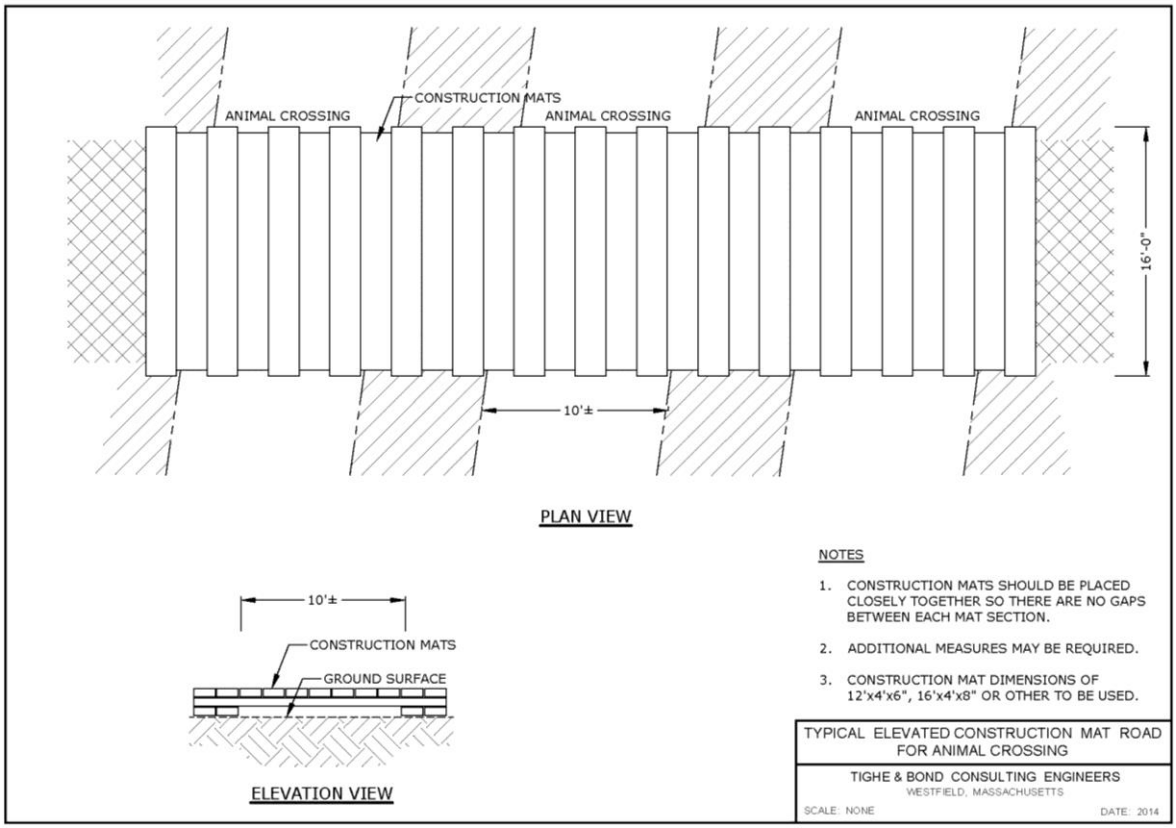
See photograph and typical sheet on following pages.

Construction mat access road.

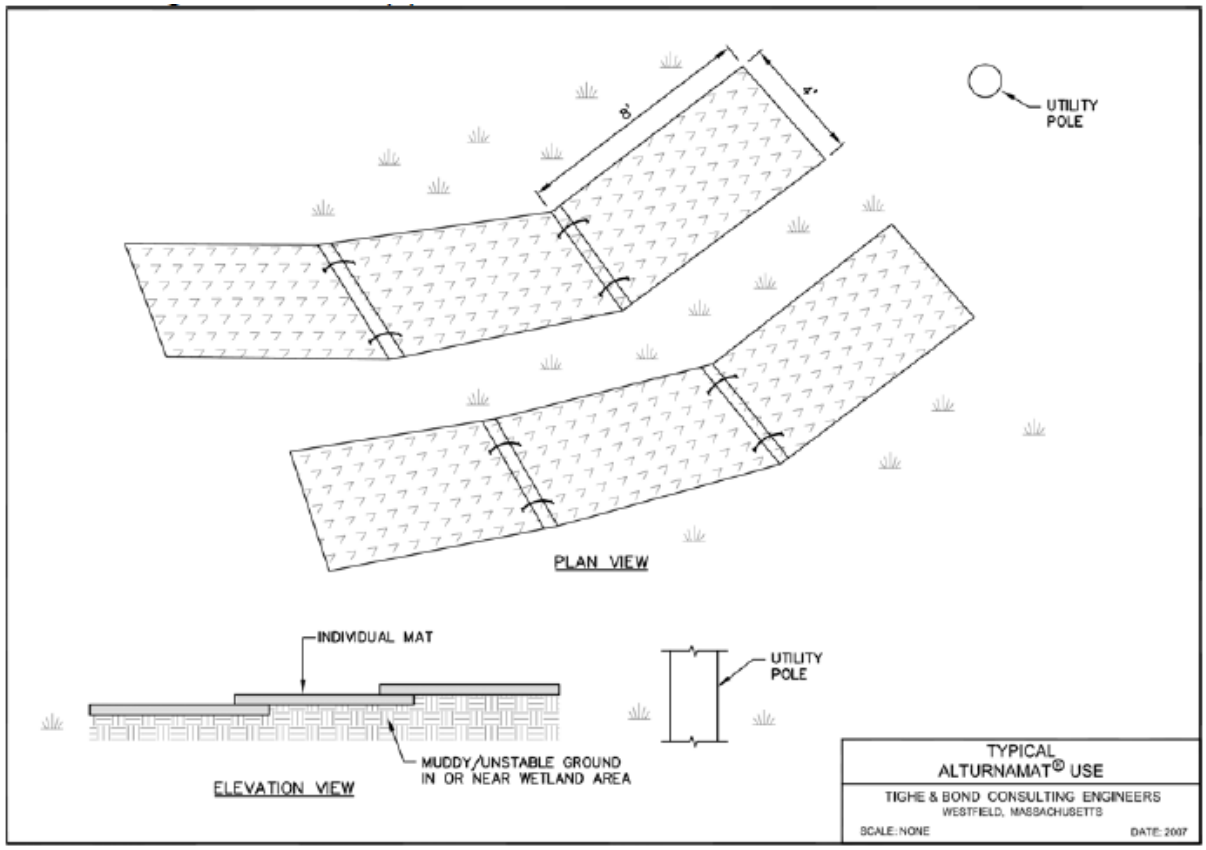



EXISTING GRAVEL FILL
(WHERE PRESENT)
(8'–12' WIDE)
DIRECTION OF
TRAFFIC
INDIVIDUAL MAT
WET/MUDDY AREA
UPLAND
PLAN VIEW
CONSTRUCTION MAT
EXISTING GRAVEL FILL
(WHERE PRESENT)
(8'–12' WIDE)
ELEVATION VIEW
MUDDY/UNSTABLE GROUND
IN OR NEAR WETLAND AREA
NOTES:
1. CONSTRUCTION MAT DIMENSIONS OF 12'x4'x6",
16'x4'x8" OR OTHER TO BE USED.
TYPICAL CONSTRUCTION MAT USE
WETLAND CROSSING
TIGHE & BOND CONSULTING ENGINEERS
WESTFIELD, MASSACHUSETTS
SCALE: NONE
DATE: 2009

Elevated construction mat road with bridging for animal crossing.



AlturnaMAT® tracks to utility pole in wetland.



TAB 2B

Permeable Road (i.e., rock sandwich, French Mattress, or road with continuous cross-drainage)

Applications: Wetland crossings, rut minimization

Limitations:

- Not appropriate for areas where concentrated, high volume and/or velocity water flow will intersect the road (i.e., stream crossings).
- Need to be installed with heavy machinery.
- Equipment operators should remain cautious so as not to drive or slip off the side of the road.

Overview:

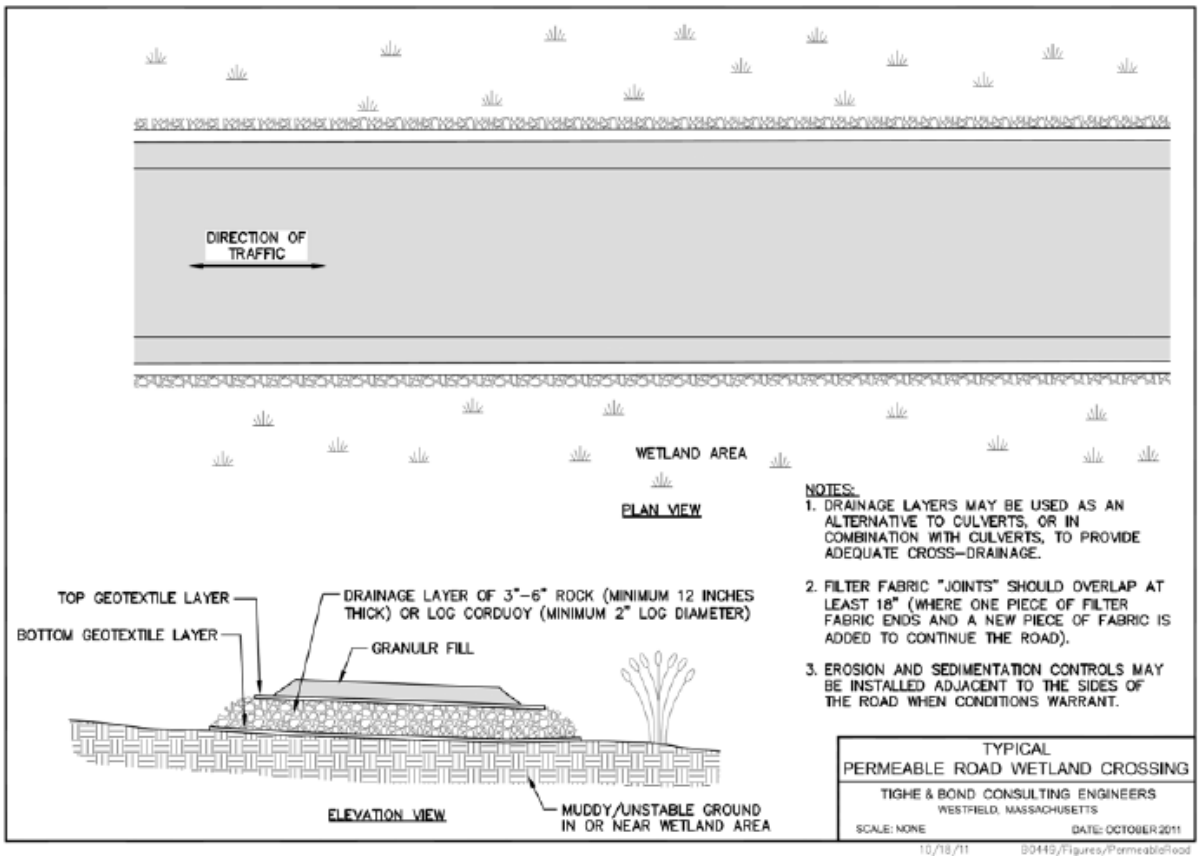
Permeable roads are used for access in situations not suitable for heavy vehicle use often due to unstable ground surfaces with shallow standing water, saturated soils, or other unstable substrate. Installation of a permeable road can also help reduce the potential for frost action and pothole creation by preventing groundwater from wicking up into the road fill material.

Installation:

- Cover existing soil with a geotextile fabric prior to road construction. Excavation of existing soil is generally not recommended in order to minimize impacts to the resource area. Construct road on top of the soil surface, as shown on the typical on the next page. Drainage layer materials include 3- to 6-inch rock (12-inch minimum depth) or log corduroy (2-inch minimum diameter).
- Install the road so that it is offset far enough from the resource area so that ruts are not created when equipment enters and exits a sensitive area.
- Remove road by "backing" out of the site and removing road one section at a time. Regrade soils to pre-existing contours while taking care not to compact soils.

Maintenance:

- Regularly inspect and clean edges of cross-drainage layer along the sides of the road to prevent clogging by debris, leaf litter, sediment, etc.


DIRECTION OF TRAFFIC
WETLAND AREA
PLAN VIEW
NOTES:
1. DRAINAGE LAYERS MAY BE USED AS AN ALTERNATIVE TO CULVERTS, OR IN COMBINATION WITH CULVERTS, TO PROVIDE ADEQUATE CROSS-DRAINAGE.
2. FILTER FABRIC "JOINTS" SHOULD OVERLAP AT LEAST 18" (WHERE ONE PIECE OF FILTER FABRIC ENDS AND A NEW PIECE OF FABRIC IS ADDED TO CONTINUE THE ROAD).
3. EROSION AND SEDIMENTATION CONTROLS MAY BE INSTALLED ADJACENT TO THE SIDES OF THE ROAD WHEN CONDITIONS WARRANT.
TOP GEOTEXTILE LAYER
BOTTOM GEOTEXTILE LAYER
DRAINAGE LAYER OF 3"-6" ROCK (MINIMUM 12 INCHES THICK) OR LOG CORDUOY (MINIMUM 2" LOG DIAMETER)
GRANULR FILL
ELEVATION VIEW
MUDDY/UNSTABLE GROUND IN OR NEAR WETLAND AREA
TYPICAL
PERMEABLE ROAD WETLAND CROSSING
TIGHE & BOND CONSULTING ENGINEERS
WESTFIELD, MASSACHUSETTS
SCALE: NONE
DATE: OCTOBER 2011
10/18/11
S0449/Figures/PermeableRoad

3.4.4 Watercourse Crossings

There are a number of BMPs that can be used to minimize disturbance to streams. For each application, consider the site and project needs to select a method that is cost effective and will incur the fewest secondary disturbances. Additional erosion and sedimentation controls (e.g., hay or straw bales) may be required in conjunction with the stream crossing BMPs to protect sensitive areas. The stream crossing methodology chosen will depend largely on the equipment required for a particular task, the existing environmental conditions, and the duration of the crossing. In constructing any stream crossing, care should be taken to limit disturbance to the extent practicable within 100 feet of the stream banks (the riparian area). The riparian area provides habitat to a number of species and provides protection and shading to the stream.

Erosion and Sedimentation Controls

Construction personnel are reminded to control erosion and flow conditions during new watercourse crossings by utilizing the following erosion and sedimentation measures which are described and illustrated further in Appendix A:

- **Straw wattles, Geotextile silt fencing** and **hay/straw bale barriers** may be installed at the edges of earthen roads or construction mat roads to prevent erosion of soil into watercourses from the road fill or tracked soil on construction mats. These controls however should generally not be placed within a watercourse.
- Side slopes of earthen roads can be protected by installing **erosion control blankets** and **seeding** the area with a fast-growing native or annual grass mix.

3.4.4.1 Best Management Practices – Watercourse Crossings

The following are BMPs that are applicable to new access roads watercourse crossings and are described at the following tabs:

Stream Crossings without Bridges (includes limiting turbidity and stone crossing) – Tab 3A

Bridged Crossings (includes construction mat bridges and rail car frame bridges) – Tab 3B

Culverts – Tab 3C

Poled Fords – Tab 3D

Dewatering – Appendix A Section II

TAB 3A

Stream Crossings Without Bridges: Limiting Turbidity

Applications: Stream crossing, turbidity control

Limitations:

- Limited to areas where stream banks and bottoms will not be significantly damaged by the crossing.

Overview/Use:

- In some situations, such as routine or emergency maintenance with small ORVs, pickup trucks or tracked equipment, it may be acceptable for equipment to simply travel (perpendicularly) through a stream.
- Crossings are generally considered acceptable in situations where there is an existing or historic access road, a stable rock or sand/gravel stream bottom, and/or the crossing is at a relatively narrow reach of the stream and any adjacent wetlands.
- Cross streams slowly to minimize in-stream turbidity.

Stream Crossings Without Bridges: Stone Crossings

Applications: Stream crossing, turbidity control

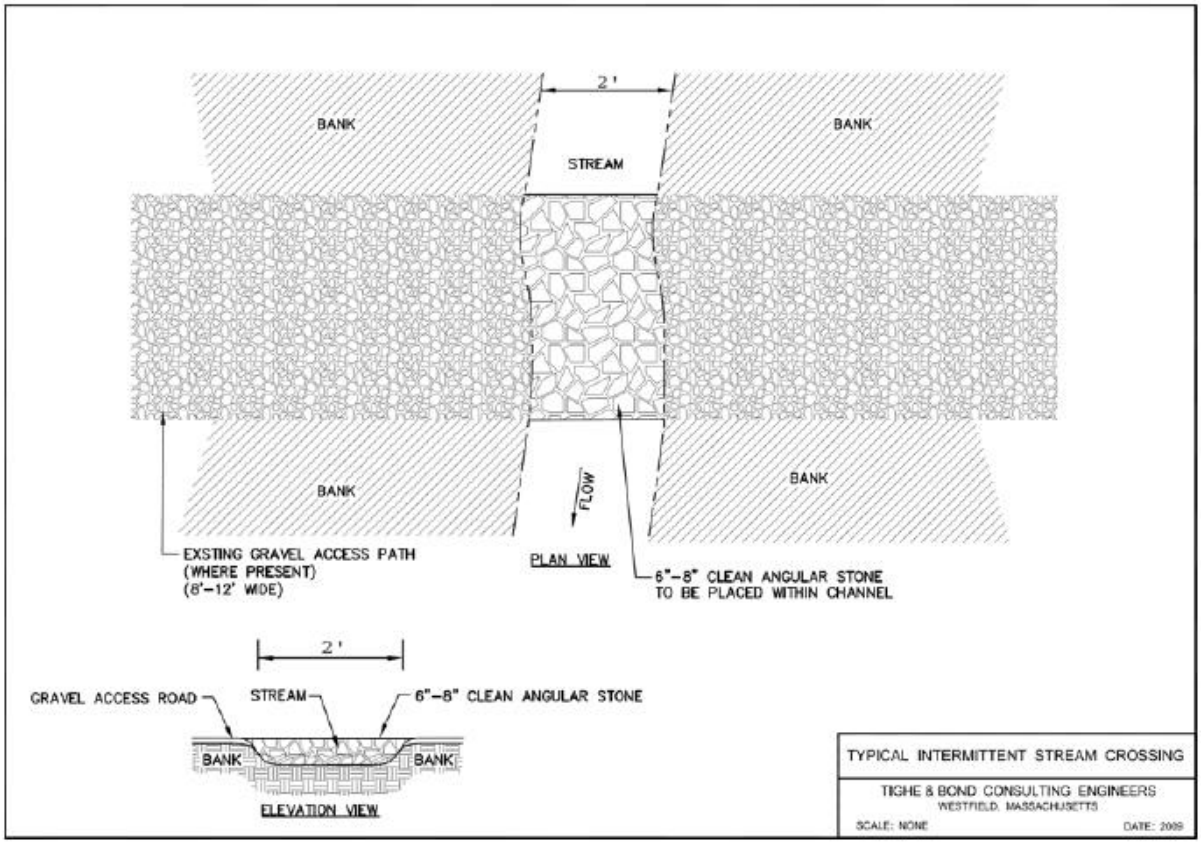
Limitations:

- Only use in small (less than 2-feet wide or braided) intermittent streams which do not appear on USGS topographic maps, and have a downstream section with a gradient greater than 20%.
- Not suitable in areas where there could be a potential for fish passage.
- Stone size should be sufficient to allow for macroinvertebrate passage.
- Not preferred for new access road crossings. Generally is a BMP more suitable for existing access road crossings.

Overview/Use:

- Use to cross small streams with stable stream bottoms.
- Carefully place 6-inch to 8-inch clean angular stone within stream at crossing. Limit width of stone to that needed for widest vehicle/equipment to crossing the stream.
- Drive over stone slowly.
- Leave riprap in intermittent streams for future use. More damage will occur by removing stone.

Intermittent stream crossing with angular stone.



TAB 3B

Bridged Crossings: Construction Mats as Temporary Bridge

Applications: Watercourse crossings

Limitations:

- Installation requires machinery.
- May become unstable under high flows.

Overview/Use:

- Untreated wooden construction mats may be used as a temporary bridge over a stream to allow construction vehicles access to the work site. Construction mat bridging is suitable for crossing intermittent and perennial streams. Before constructing a stream crossing, confirm that the construction mats are capable of supporting the equipment to be used.
- Place small sections of matting on either side of the stream parallel to the flow of water at top of banks to act as supports. Then place mats perpendicular to the stream and resting on top of the initial construction mat supports.
- It may be necessary to place a large steel plate along the top of the construction mats for extra stability and to minimize the amount of sediment that could fall between the spaces of each timber.

Construction mat bridge.

Bridged Crossings: Rail Car Frame as Temporary Bridge

Applications: Watercourse crossings

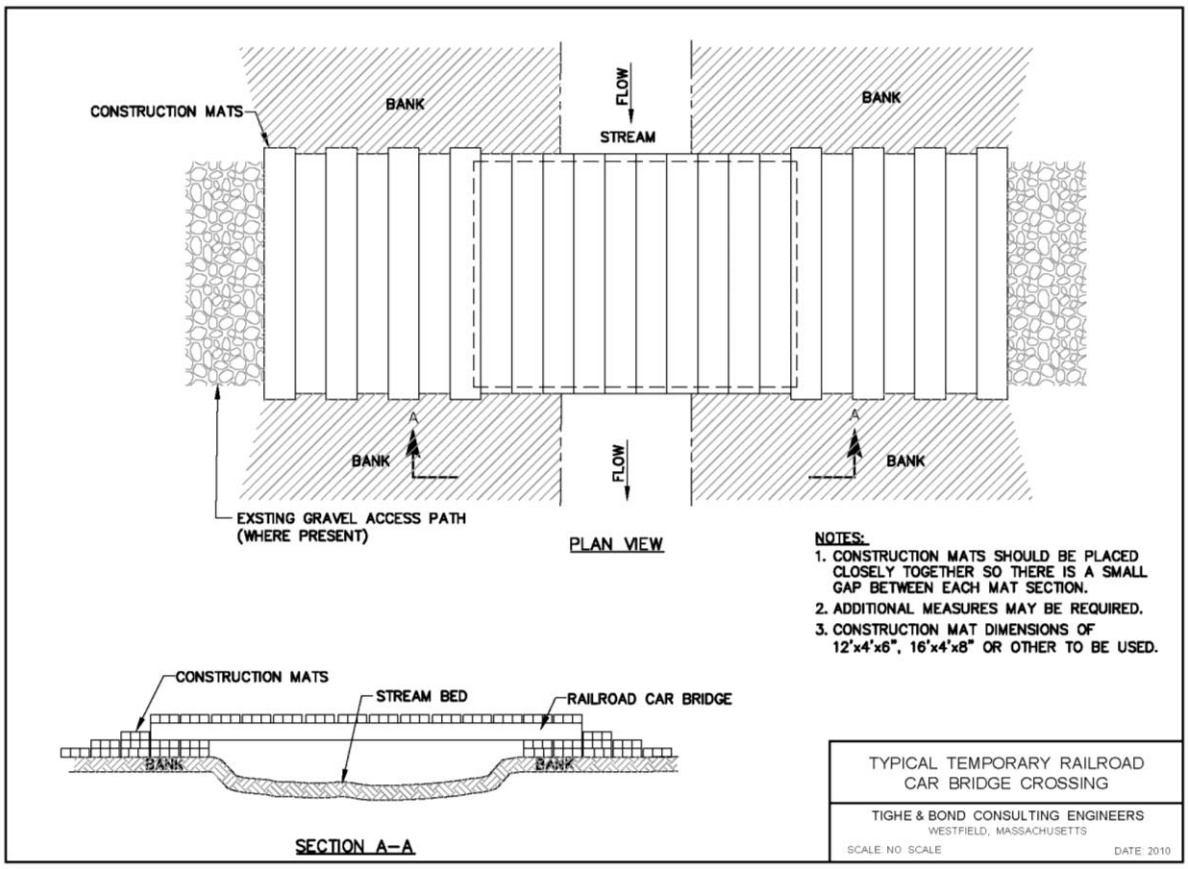
Limitations:

- Requires heavy equipment for transport and installation.
- Expensive.
- Banks must be stable to support heavy loads.

Overview/Use:

- Used rail car frames can be used for crossing larger and deeply incised streams where construction mats are unsuitable.
- Place the rail car frame perpendicular to the stream flow and between opposing banks. Use timber frame footings, if necessary. Next, place construction matting on the rail car frame to provide vehicle access.

Rail car frame bridge crossing.


CONSTRUCTION MATS
BANK
FLOW
STREAM
BANK
A
BANK
FLOW
A
BANK
EXSTING GRAVEL ACCESS PATH
(WHERE PRESENT)
PLAN VIEW
NOTES:
1. CONSTRUCTION MATS SHOULD BE PLACED CLOSELY TOGETHER SO THERE IS A SMALL GAP BETWEEN EACH MAT SECTION.
2. ADDITIONAL MEASURES MAY BE REQUIRED.
3. CONSTRUCTION MAT DIMENSIONS OF 12'x4'x6", 16'x4'x8" OR OTHER TO BE USED.
CONSTRUCTION MATS
STREAM BED
RAILROAD CAR BRIDGE
BANK
BANK
SECTION A–A
TYPICAL TEMPORARY RAILROAD CAR BRIDGE CROSSING
TIGHE & BOND CONSULTING ENGINEERS
WESTFIELD, MASSACHUSETTS
SCALE: NO SCALE
DATE: 2010

TAB 3C

Culvert Installation/Repair/Replacement

***Contact Environmental Licensing and Permitting prior to performing any culvert installations or replacements.**

Applications: Stream and wetland crossings

Limitations:

- Permitting and design are required for new culvert installation or expansion of existing culvers over streams and wetlands. Significant regulatory requirements must be followed. Permitting restrictions on time of year use.
- Installation may require in-stream work; dewatering and sedimentation concerns.
- Culverts are susceptible to washouts, sedimentation, erosion, and failure during heavy wet-weather events and flooding.
- Culverts require routine and long-term maintenance because they often become clogged with debris or other obstructions.

Overview:

Culverts are installed to maintain wetlands or streams at road crossings. Hydraulic calculations are required at all crossings to determine the area that will drain to the culvert.

General Design Guidelines:

- Size culverts to handle the maximum expected flow of the wetland or watercourse. It is preferable to one large culvert rather than multiple culverts. Corrugated culverts are favored because they slow the water velocity. Plastic pipes are preferred to metal.
- Design culverts to withstand and accommodate high flows while maintaining existing low flows and not impeding on the movement of indigenous aquatic life. Culverts must be sized to accommodate flows from at least the 100-year storm and preferably 500-year storm.
- The maximum velocity at the culvert outlet should be consistent with the velocity of the natural channel. To mitigate higher velocities, use outlet protection measures, energy dissipation, and channel stabilization, if necessary.
- Refer to state specific stream crossing guidance documents for additional design requirements:
    - Connecticut: Stream Crossing Guidelines, CT DEEP, Inland Fisheries Division Habitat Conservation and Enhancement Program, February 26, 2008, www.ct.gov/deep/lib/deep/fishing/restoration/streamcrossingguidelines.pdf
    - Massachusetts: Massachusetts River and Stream Crossing Standards, River and Stream Continuity Partnership, March 1, 2006, Revised March 1, 2011, www.nae.usace.army.mil/Portals/74/docs/regulatory/StreamRiverContinuity/MA_RiverStreamCrossingStandards.pdf

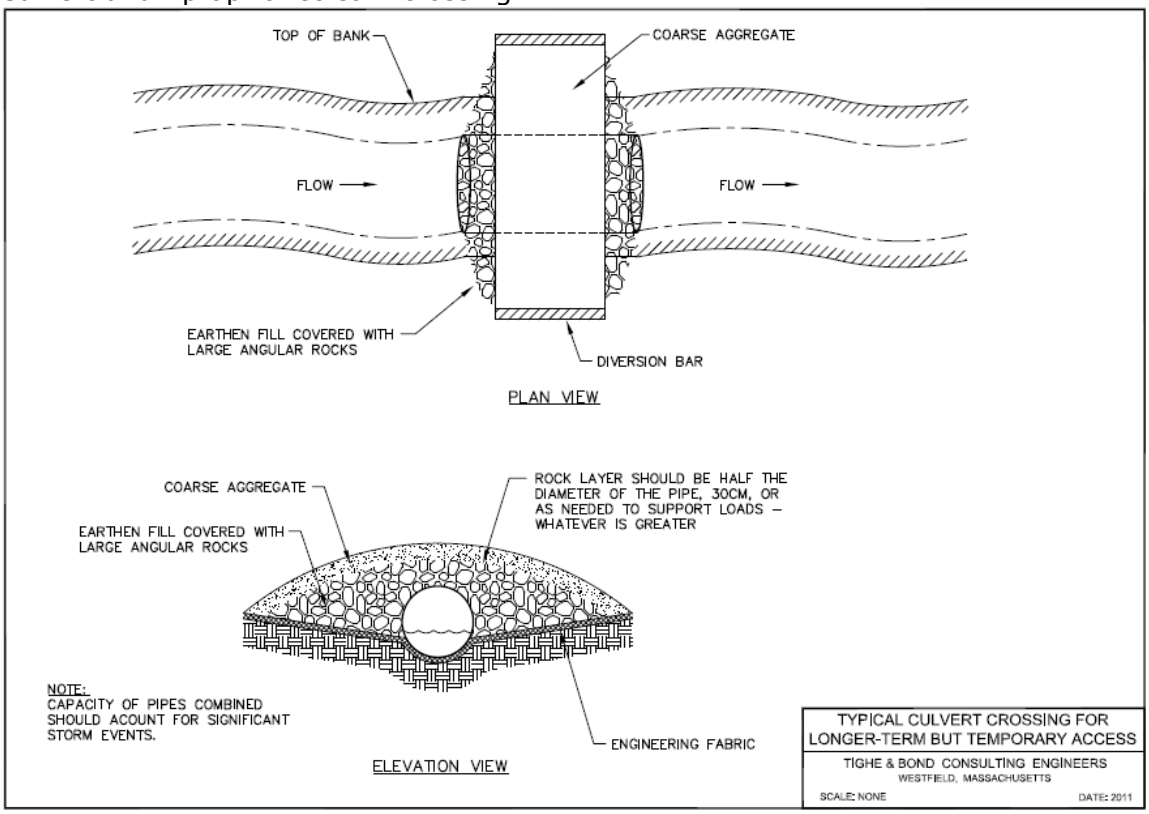
Installation:

- Construction mats may be placed over culverts to provide structural protection from heavy loads.
- Backfill culverts with natural substrate matching the upstream and downstream streambed substrate, even when fish passage is not a concern. Other aquatic organisms rely on natural streambed sediment to aid their movement.
- Strive to install culverts with minimal disruption to the watercourse and riparian buffer zone.
- Culvert length should be as short in length as practicable. Cut culverts to size if they are protruding into the natural streambed.

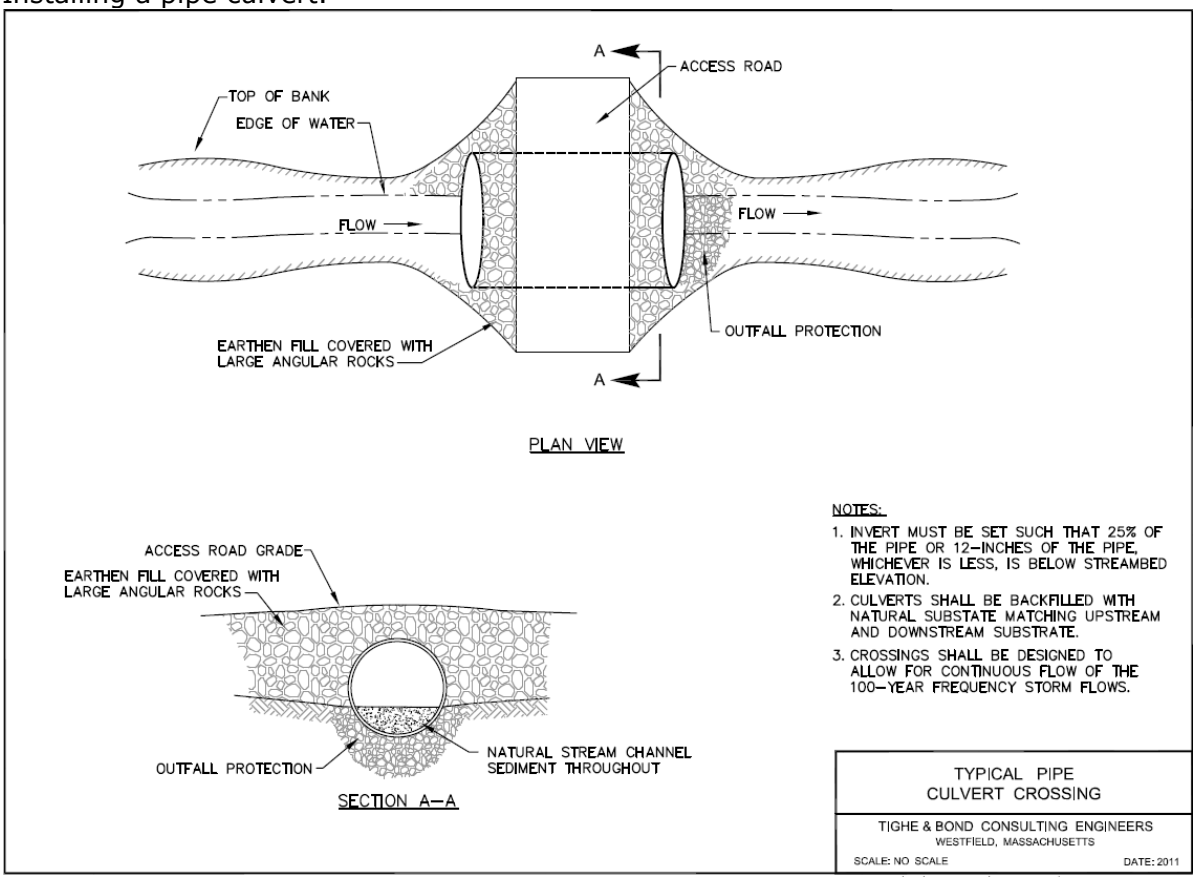
Maintenance:

- Remove debris and sediment from culverts to maintain an open channel for flow. A clogged culvert could result in flooding and washout.

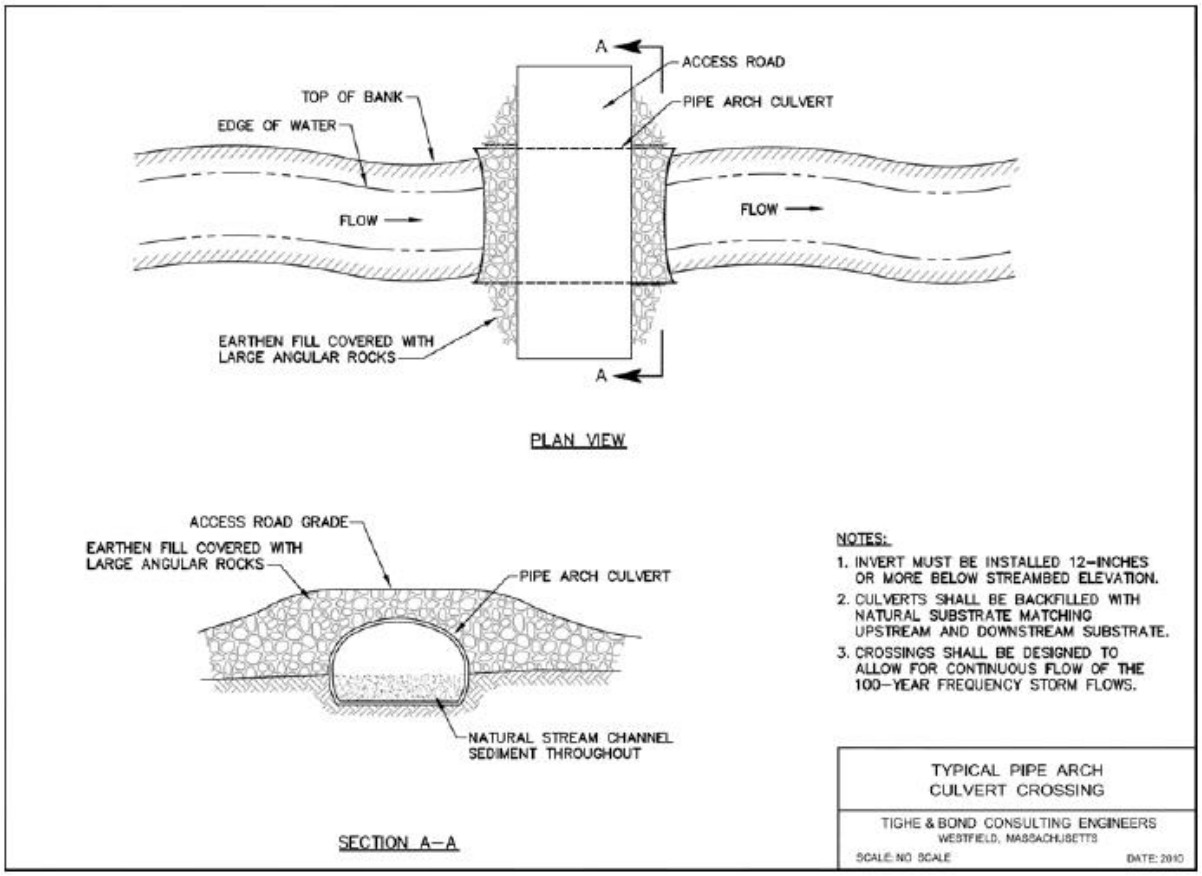
Culvert and riprap for stream crossing.



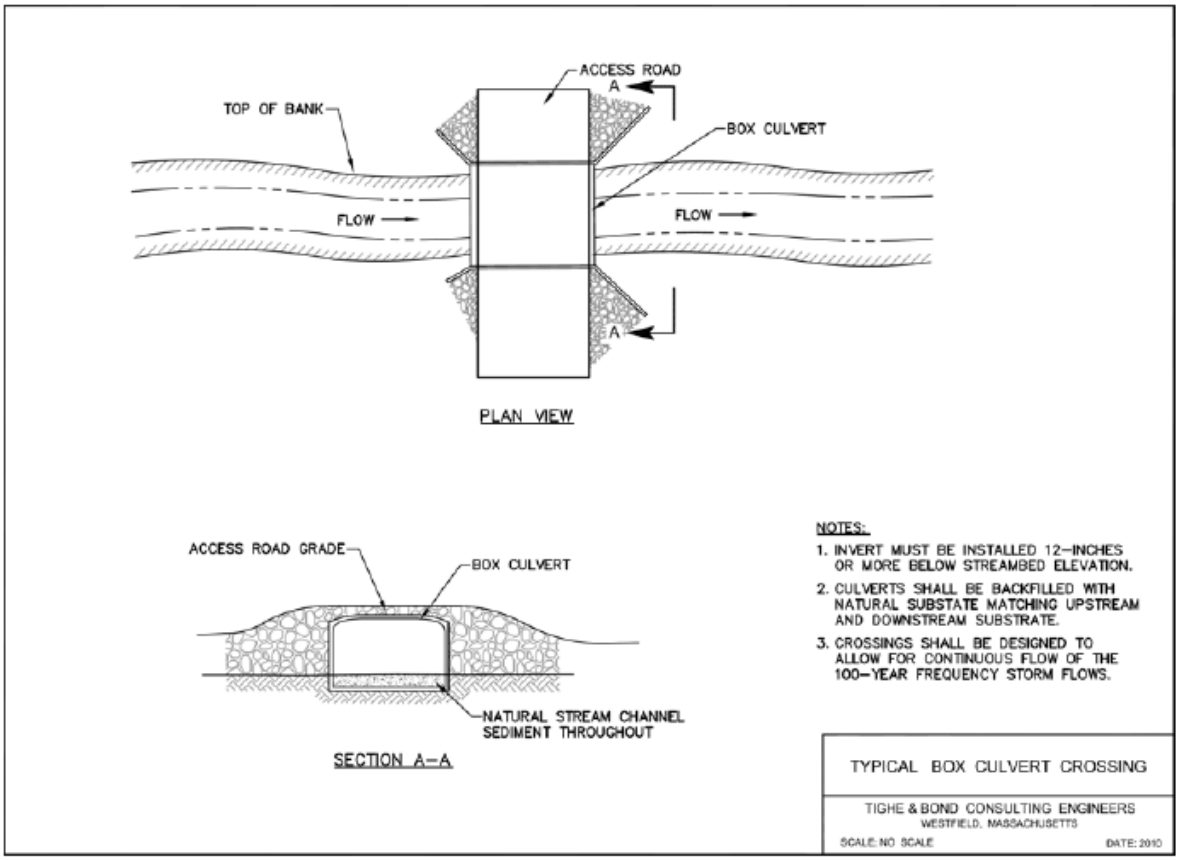
Installing a pipe culvert.



Pipe arch culvert.



Embedded box culvert with wing walls.



TAB 3D

Poled Fords

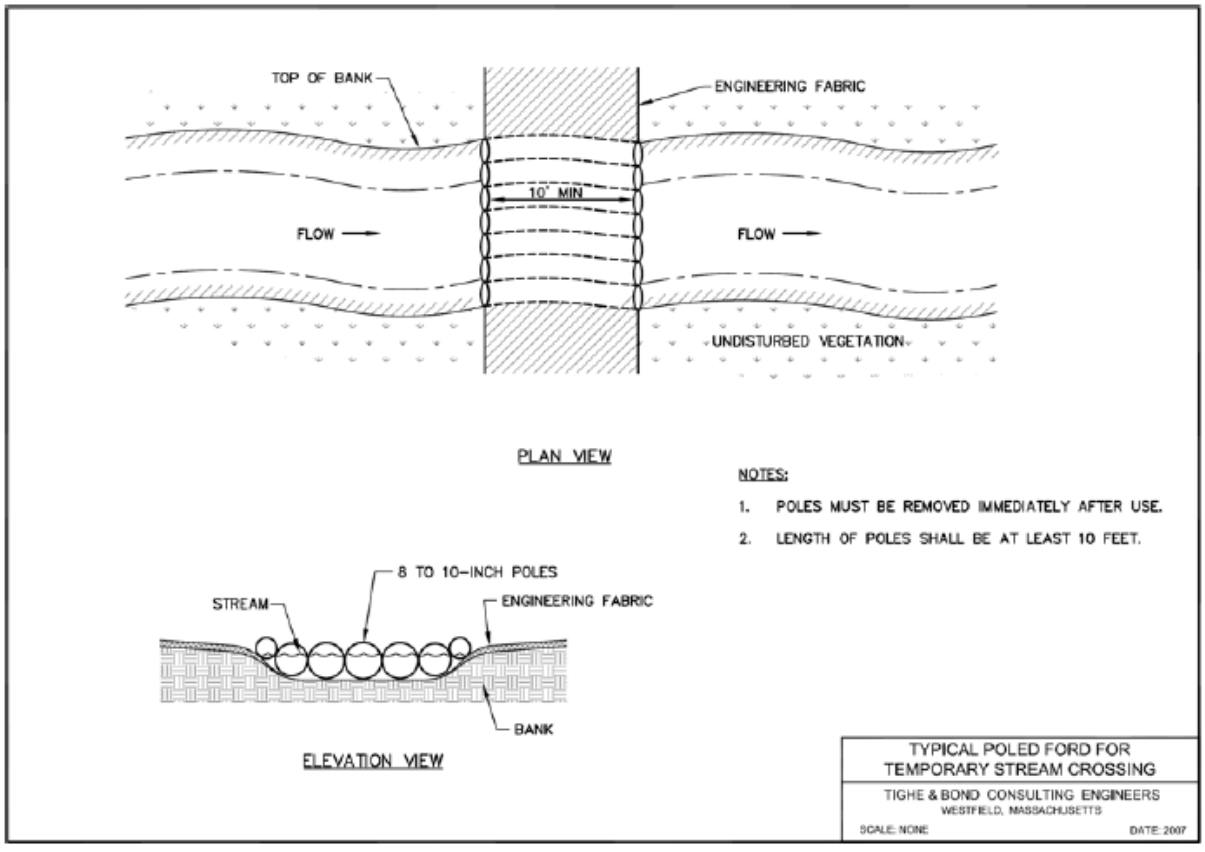
Applications: Stream Crossings

Limitations:

- Limited to streams with gently sloping adjacent land.

Overview/Use:

- Poled fords are used in remote locations where a stream crossing requires a functional BMP, but it is impractical to bring in larger materials. Sufficiently sized wood poles or saw logs of may be laid in the streambed parallel to the flow.
- Gently slope the road to and from the streambed at a maximum ratio of 1:5 (V:H). To limit disturbance to the riparian area, install engineering fabric and cover with an aggregate bed at the approach and exit.
- Use poles with a minimum length of ten feet.
- Remove poles immediately after use.



3.5 Slope Excavation

Engineering designs may be required for any upland changes that could potentially direct or channel water across the face of a terrace escarpment slope. No snow or soil piles, construction materials, or equipment should be stored in the immediate vicinity at the top of the terrace escarpment slope.

3.6 Vegetation Removal and Preservation

Care should be taken to limit disturbance to the extent practicable when removing vegetation. Grubbing is not preferred as it results in considerable erosion and should be avoided to the extent feasible. Utilize grubbing only when all other methods cannot be used to prepare stable and safe work areas. If grubbing is necessary, the area must be covered with seed and mulch to protect it prior to the end of the work day. During mowing and trimming, woody debris greater than two (2) inches in diameter should not be placed in wetlands, and no woody debris should be placed in standing water. All woody debris must be removed from wetlands if required by a permit condition. Mowing must be kept to a minimum, particularly at road crossings.

3.6.1 Right of Way (ROW) Vegetation and Eastern Box Turtle (EBT)

Eastern box turtles (EBT) are often found near small streams and ponds and inhabit old fields, deciduous forests, and logged woodlands. Adults are completely terrestrial, while the young may be semiaquatic and hibernate on land by digging down in the soil between October and April. EBTs have an extremely small home range and can usually be found in the same area year after year. EBT populations have been negatively impacted by the loss of suitable habitat. Some turtles may be killed directly by construction activities, but many more are lost when important habitat areas for shelter, feeding, hibernation, or nesting are destroyed. As remaining habitat is fragmented into smaller pieces, turtle populations can become small and isolated. Therefore, vegetation removal in ROWs should be performed in a manner that minimizes impacts to turtle populations.

Cleared and Maintained ROW—EBTs have been found to use existing ROWs for foraging and nesting. Whenever feasible, perform maintenance mowing in identified habitat during inactive periods (November 1 to April 1). If mowing during the active turtle season (April 1 to November 1) is required, mow vegetation to no lower than seven (7) inches. Use Brontosaurus or Fecon mower heads to minimize the impact to identified habitat areas. Do not used Flail-type mowers during the active season.

Uncleared ROW—When project work requires vegetation removal in an uncleared ROW, cut and mow uncleared portions of EBT habitat during the active season (April 1 to November 1). If clearing must be conducted during hibernation periods, pre-planning will involve conducting a turtle survey and the possible use of telemetry. Consult Environmental Licensing and Permitting before performing work because this activity may not be covered under the Operation and Maintenance Plan and may require a permit.

		Recommended Maintenance Activity if the Existing ROW is:	
Time Period	Turtle Status	Cleared and Maintained	Uncleared
April 1 to November 1	Active	*Perform only if required*—Mow vegetation no lower than seven (7) inches and use recommended mower heads	*Recommended*—Cut and mow uncleared areas
November 1 to April 1	Inactive	*Recommended*—Perform maintenance mowing	*Not recommended*—Requires turtle survey at minimum before removing vegetation

General Construction Recommendations –The following are general construction guidelines for protecting turtles:

- Install silt fencing around the work area prior to construction activity. Consider using syncopated silt fencing (Appendix A).
- Turtle training is required for all contractors. Apprise workers of the possible presence of turtles and provided a description of the species. Include a turtle sweep reminder on the Tail Board.
- Conduct a turtle sweep after installing silt fencing and before conducting work.
- Perform daily turtle sweeps in work areas before performing any work.
- Carefully move any turtles that are discovered to an area immediately outside of the fenced area. Position turtle in the same direction that it was walking.
- Perform work with caution during early morning and evening hours. Take special care not to harm basking or foraging individuals.
- Remove silt fencing after work is completed and soils are stable so that reptile and amphibian movement between uplands and wetlands is not restricted.
- Return temporary cross country access routes to pre-construction grade, seed if adequate root and seed stock are absent, and mulch. Do not seed pre-existing sandy soils that are within mapped rare turtle habitats unless directed by Environmental Licensing and Permitting in order to avoid altering nesting habitat

3.6.2 Preservation of Existing Vegetation

Preserve the existing vegetation (i.e., groundcovers, vines, shrubs, trees) on a site when practicable to improve soil stability and decrease the runoff volume and velocity. Identify and protect specified trees for erosion and sediment control benefits and/or aesthetic purposes. Consider saving trees that provide shading or screening benefits, particularly in residential areas. Preserve existing vegetation by reducing the width of a cleared ROW at stream crossings. See Appendix A for preserving existing vegetation BMP.

3.7 Work Pads

3.7.1 De-Energized and Energized

Applications: Work in wetlands

- Reconnaissance of each workpad area in or adjacent to wetlands should be performed to determine if the construction mat workpad areas could be located outside of wetland resource areas. Wetland disturbances should be avoided or minimized where practicable. Contact Environmental Permitting and Licensing.

Limitations:

- Requires heavy machinery for installation.
- Significant amount of time required for installation and removal.
- Pads for live line work require a considerably larger footprint.
- Several layers of matting may be needed in deep, construction areas.
- Animals may be injured or killed when attempting to cross workpads.
- May not be suitable in deep/open water wetlands.

How to Use:

- Work at structures may require placement of construction mats to provide safe and stable workpad areas for employees and contractors.
- Live line work, which is work that is done while the line is energized, requires a much larger workpad area. Efforts should be made to stay out of wetland areas to the extent practicable.
- Sizes of workpads vary based on the type of work being proposed.
- Workpad areas may extend into wetlands where structures that require maintenance either fall within or are in close proximity to wetlands. In these cases, untreated wooden construction mats shall be used to limit disturbance.
- Install silt fencing around work pads in identified amphibian and reptile priority habitat and where matting is greater than one mat thick. The exclusionary silt fencing will deter animals from moving across workpads and reduce the likelihood of being crushed by heavy equipment.
- Following construction activities all mats at each workpad and vehicle access locations must be removed.
- Remove mats by "backing" out of the site and removing mats one at a time. Regrade soils to pre-existing contours while taking care not to compact soils.
- In areas with invasive species, plant material should be removed from mats following removal from the infested area to prevent the spread of invasive species.

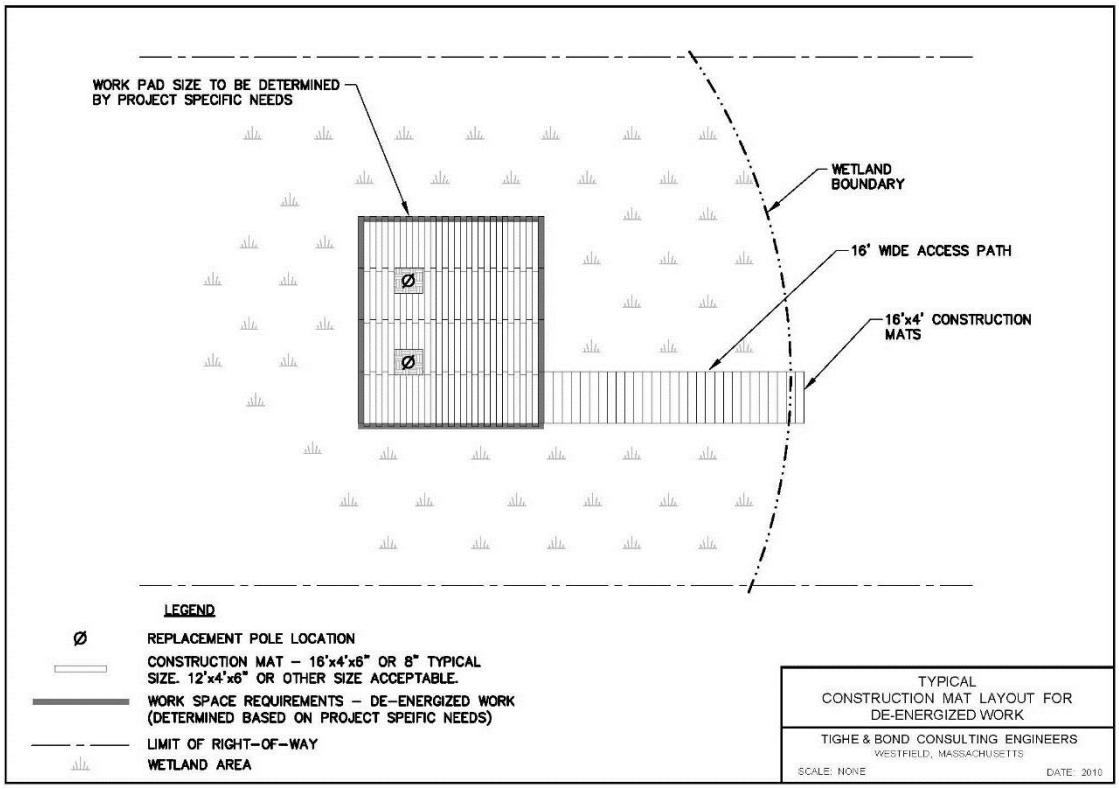
3.7.1.1 Best Management Practices – Work Pads

De-energized work requires small workpad areas, while live line work (i.e., work that is done while the line is energized) requires a much larger workpad areas.

De-energized construction mat workpads – Tab 4A

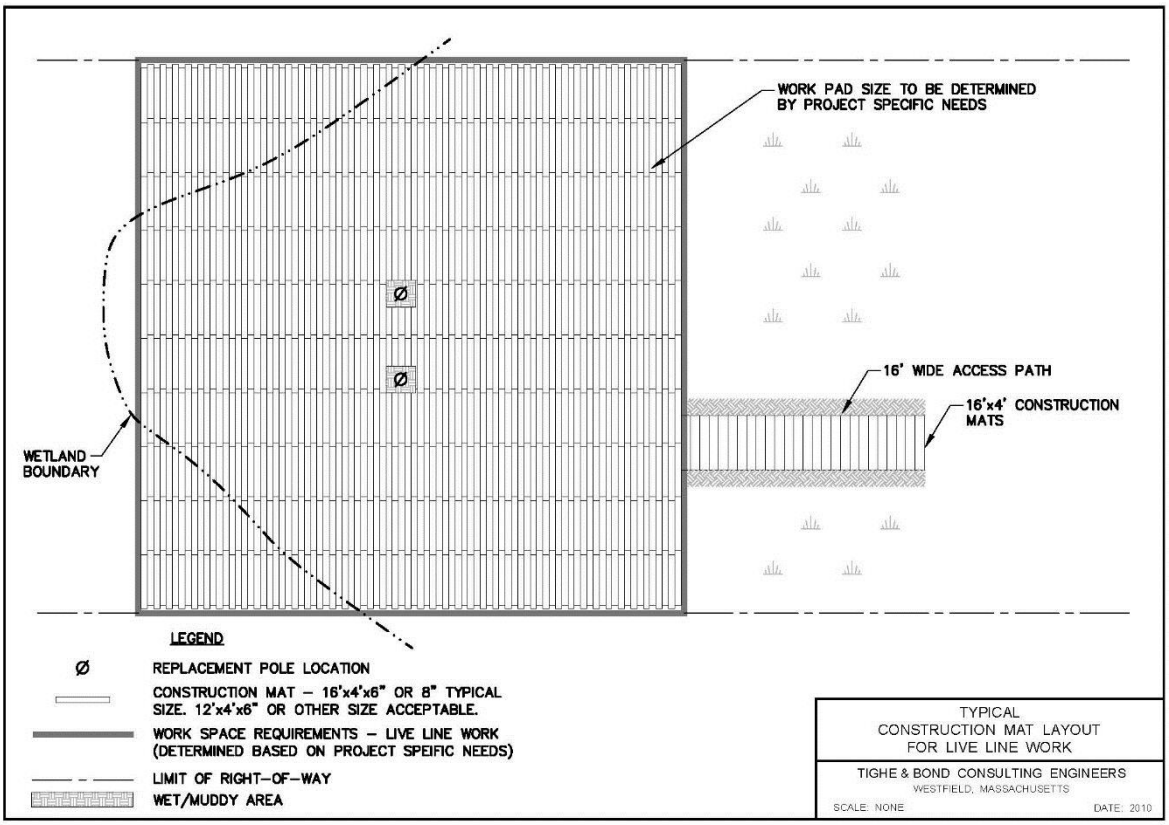
Energized construction mat workpads – Tab 4B

TAB 4A



Construction mat wetland work-pad for de-energized work.

TAB 4B



Construction mat wetland workpad for live line work.

3.8 Structure-Related Work

3.8.1 Wetland

Structure-related activities that may occur in wetlands include structure replacement/ installation (including casing installation), guy wire anchor installation, counterpoise installation, and pole butt removal. Access to these areas and completion of the activities can cause disturbance to wetland vegetation and soils. Therefore, structure-related activities in wetlands should entail use of adequately sized work-pads and proper dewatering methods. Inspection of the construction access and associated dewatering measures should occur daily during construction to ensure that controls are in working order, and repairs to damaged/deteriorating controls are made in a timely matter. Repairs may include regrading the traveled surface to eliminate ruts as well as those repairs required by each erosion and sedimentation measure used.

Structure Replacement/Installation

Structure replacement may require impacts to wetlands to install new poles and their casings. Poles that are significantly damaged must be replaced to comply with engineering and safety standards. Not replacing damaged structures could result in the eventual failure of one or more structures within or adjacent to wetlands.

Replacement structures will often be replaced within a few feet of the original structure to maintain the required distances and line sags between other existing structures. Therefore, options for relocating proposed replacement structures are limited. Pole replacement will also require placement of construction mats in wetlands to provide a safe workpad for the required structure replacement activities. Usually, there are no alternatives to conduct this work from nearby upland areas or to install the replacement structures in upland areas. Each structure replacement area should be assessed to determine the required footprint needed for construction mat workpads. Typical installation is as follows:

- At each pole location, remove wetland topsoil with an excavator and stockpile.
- If a borehole is drilled, collect and dispose of drilling spoils in an upland area.
- A galvanized steel casing is then driven into place at least 12 inches below the ground surface. The new pole is installed within the casing with a crane. The casing is then backfilled with crushed rock and compacted.
- Stockpiled wetland topsoil is placed above the casing to the ground surface. No net fill in wetlands occur, as the original poles are removed.
- Following installation of the new structures, the old structures are removed. Each pole is cut with a chainsaw and allowed to fall to the ground, which in wetland areas is protected by construction mats. Pole butts will remain in place; if removing the pole butt will cause more damage than if left in place.
- Remove the pole and all appurtenant accessories (e.g., cross-arms, insulators) and properly dispose off-site. Remove each pole butt by pulling with an excavator positioned on a construction mat. If it is apparent that pole removal will compromise the integrity of the new pole installation, or that removal will result in additional disturbance to wetland areas, cut off the old pole at least 12 inches below ground level.

Guy Wire Anchor Installation

Guy wire anchors supporting the structures may also require replacing. There are two types of anchors: 1) helical and 2) plate type. The helical anchor is preferred over the plate anchor because the installation of the helical anchor results in less disturbance to the wetland.

- Load test the existing anchor to 15,000 pounds to determine whether it will support the pole structure. In the event the existing anchor cannot be re-used, remove it and install a new anchor.
- Screw in place a special triple helix ("screw type") anchor with 1 ½-inch square rods with an anchor installation rig operated from the matting area. Add rod sections in five foot increments as needed until proper holding capacity of the anchor is achieved.
- Helical anchors are turned into the ground with only the rods protruding. Disturbance to the wetland from the helical anchor is minimal.
- Plate anchors are used in wetlands when proper holding cannot be achieved with screw anchors. To install a plate anchor, a pit is excavated to a sufficient depth and if necessary a concrete footing would be installed several feet below surface grade.
- When excavating to install plate anchors, segregate the top 12 inches of wetland topsoil from the underlying material. When the plate anchor has been set, backfill the excavation with underlying material. Then following the backfilling of underlying material return the segregated topsoil to the surface of the excavation.

Counterpoise Installation/Grounding

To install grounding equipment in wetlands, use hand digging or minimally invasive methods to dig around the structure and restore soil to previous grades. In some cases, grounding rods can be driven directly into the ground with hand tools. Where work is occurring in the vicinity of wetland areas, sedimentation and erosion controls will be used to limit disturbance to wetlands.

Underground facility repair/replacement

Underground facilities such as cables and conduits may be present beneath wetland areas. In the event underground facilities require repair, BMPs are required for both access and construction. Construction mats are used for access where warranted, and sedimentation and erosion controls are used to isolate the work area. During excavation activities, excavate wetland topsoil and store separately from subsurface soils. Dewatering is often required during excavation and repair activities.

An alternative to repairing a subsurface line by excavation would be to install a new line via trenching or horizontal directional drilling. The decision to use one of these alternatives is made on a case by case basis. Consult with Environmental Licensing and Permitting to determine if any permits will be needed.

Pole Butt Removal

When transmission poles are decommissioned or otherwise taken out of service, in most cases the entire pole shall be removed. Treated wood pole butts shall be removed completely from the ground and properly disposed at an off-site location. Locations where

the removal of pole butts may cause significant disturbance to wetlands or other sensitive areas will be considered for exception to this practice on a site-by-site basis. The Transmission Line Construction and Maintenance Manager, in consultation with Environmental Licensing and Permitting, will be responsible for determining if a pole butt can be removed if located in a sensitive area.

All pole butt holes must be backfilled and compacted (every 3') with appropriate fill material. Existing material on-site can be reused if it does not include materials that can rot (e.g., vegetation) and cause sink holes.

Disposal

Treated and non-treated wood products owned by the Transmission Group shall be stored in an area(s) designated by the Transmission Line Construction/Contract Field Services Supervisor until collected by an approved disposal vendor.

3.9 Gas Piping-Related Work

Gas piping-related activities will typically occur within roadways or along roadway shoulders. There may be some instances where wetland permitting is required when wetlands are located adjacent to or in the vicinity of roadways. However, when work is performed within the roadway/shoulder, no permitting is typically required. In all cases, BMPs should be followed to ensure environmental compliance.

Roadways and Shoulders

When working in roadways, particularly in residential areas, the following activities should be performed in addition to standard construction BMPs:

- Repave disturbed paved areas and return to original elevations on the same day that construction is performed.
- Restore all non-paved areas to preexisting or better conditions. Replace any sod or other plantings in kind or with an acceptable alternative.
- Employ dust control as necessary to minimize airborne dust.

Under certain circumstances, gas piping must be installed beneath existing culverts within roadways. Take care to ensure that any saturated material excavated from the trench be properly stored and disposed as to not cause sedimentation issues. Implement dewatering methodologies, as required.

There may be cases where a drainage ditch or swale must be crossed to gain construction access from paved roads onto ROWs along the roadway shoulder. Install construction mats, mat bridges, or temporary culverts, as necessary, to facilitate access. Culverts should be for temporary use, sized for peak flow, and removed after construction is complete. Consult with Environmental Licensing and Permitting prior to installation.

Bridges and Culverts

Attachment of gas piping to bridges or culverts is the environmentally preferable method for crossing a wetland or watercourse. Consult with the appropriate people (engineers,

the Department of Transportation (DOT), etc.) to determine if attachment to a bridge or culvert is a technically feasible option at the desired crossing location. Environmental Licensing and Permitting should also evaluate the impacts to FEMA flood storage quantities and potential Coast Guard permitting requirements. Ensure that proper erosion and sedimentation controls are in place on either side of the bridge or culvert throughout construction.

Rivers and Streams

There are two primary approaches for crossing a river or stream with a gas pipeline: direct bury (open trenching) and trenchless methods (e.g., horizontal directional drilling, standard bore/pipe jacking).

Direct bury methods involve erecting a coffer dam to isolate the work area and redirecting water flow using gravity or pumping to move water from one side of the work area to the other. Direct bury methods have larger direct environmental impacts than trenchless methods. Typical coffer dam examples are included in Appendix A.

Trenchless methods use specialized equipment to install piping beneath a waterbody (or a major roadway, railroad, etc.). The most common method used for gas piping is horizontal directional drilling (HDD) which uses remote controlled, steerable drilling equipment to install pipe along a long arc alignment. The drilling process can be divided into three steps: pilot, reaming, and pull-in. The first step is to drill a pilot bore-hole. Next, a larger diameter fly cutter is used to enlarge the opening. A specialized bentonite slurry drilling fluid is injected into the bore-hole to stabilize the surrounding soil and to lubricate and cool the drill bit. For the final step, a barrel reamer is used to further enlarge the bore-hole and to pull the pipe into place.

A notable environmental concern with HDD is called "frac-out." This occurs when drilling fluid breaks through the soil surface and into the waterbody. Regulatory agencies may require a "frac-out plan" which details preventative controls and response measures should frac-out occur. A typical frac out plan is included in Appendix D.

3.10 Construction Material along the Right of Way (ROW)

Once a site is prepared by clearing and/or installing erosion and sediment controls, materials may be stored along the ROW prior to the start of construction. Such materials may include the following: piping, poles, cross-arms, cable, insulators, stone, and other engineered backfill materials. In general, the stockpiling of stone and other unconsolidated material on construction mats should be avoided. If it is determined necessary due to access and workpad constraints, the material should be placed on a geotextile fabric and be properly contained with a sedimentation barrier such as straw wattle or hay bales. No construction materials should be placed in wetlands or other sensitive resource areas.

3.11 Winter Construction

3.11.1 Snow Management

Snow should not be stockpiled or disposed in any waterbody or near water supply sources. These include wetlands, rivers/streams, the ocean, reservoirs, ponds, stormwater catch basins, wellhead protection area, in high or medium yield aquifer, or within 200 feet of a

private well. In addition to water quality impacts and flooding, snow disposed in surface water can cause navigational hazards when it freezes into ice blocks. Maintain a minimum buffer of 25 feet between any snow disposal area and the high water mark of any surface water. A silt fence or equivalent barrier should be installed between the snow storage area and the high water mark of rivers, streams, ponds, or the ocean. Consult with Environmental L&P regarding any specific state and local snow management requirements.

Avoid disposing of snow on top of storm drain catch basins or in storm water drainage swales or ditches. Snow combined with sand and debris may block a storm drainage system and cause localized flooding. A high volume of sand, sediment, and litter released from melting snow also may be quickly transported through the system into surface water and could also result in fines or a violation.

All debris in a snow storage area should be cleared from the site and properly disposed of no later than May 15th of each year. Care shall be taken not to plow road materials away when removing snow.

3.11.2 De-Icing

Where permitted, calcium chloride is the preferred de-icing agent when applied according to manufacturer's guidelines in upland areas. Sand should be used on construction mats through wetland areas. Consult with Environmental Licensing and Permitting on de-icing agents when working in a facility or substation near resource areas. Many municipalities have specific de-icing agent requirements for work within 100 feet of wetland resources and other sensitive areas.

3.11.3 Snow and Ice Management on Construction Mats

Promptly and properly remove snow from construction mats to avoid ice formation. Remove snow from construction mats before applying sand to avoid forming ice. A round street sweeping brush mounted on the front of a truck may be an effective way to remove snow from construction mats. Propane heaters may also be suitable solutions for snow removal and/or de-icing of construction mats. Sand should be collected from the construction mats and disposed of in an upland area prior to removing construction mats from wetlands. Once construction mats are removed, wetlands shall be inspected for sand buildup that may have fallen through construction mats.

3.12 Dust Control

Dust control measures are used to reduce surface and air movement of dust from exposed soil surfaces during land disturbance, demolition, and construction activities. These practices reduce the amount of dust in the air and decrease the potential for accidents, respiratory problems, and airborne sedimentation. Construction activities should be scheduled appropriately to minimize the amount of site surface exposed at one time in order to reduce the amount of areas requiring dust control. Use dust control measures on disturbed soil surfaces and exposed soil surfaces, especially during hot or dry weather periods and in areas with excessively well-drained soils. Repetitive treatments should be used as needed, or required by permits, and until the surface is permanently stabilized.

Type	Description/Use
Vegetative Cover	• Most effective and practical method. • Use in disturbed areas not subject to traffic. • Follow seeding requirements as directed by local guidelines or permit requirements.
Stone	• Cover soil surface with crushed stone/coarse gravel.
Water/Sprinkling	• Sprinkle exposed soils until wet (Water trucks may be used depending on size of the site). • Do not excessively wet the soil as this causes run-off and also wastes water.
Barriers	• Board fences, wind fences, and sediment fences control air currents and blowing soil. • Wind barriers protect soil downgradient for a distance of ten times the barrier height. • Perennial grasses and stands of existing trees also serve as wind barriers, stressing the importance of planning work phasing properly and minimizing the amount of exposed soil.
Plastic Covering	• Cover soil piles with sheets of plastic/tarp to minimize dust.
Calcium Chloride	• Loose, dry granules of calcium chloride may be applied with a mechanical spreader. • Apply at a rate that keeps the surface moist but not high enough to cause water pollution or plant damage. This method should be done under consultation with an expert in order to maintain this balance and to determine if the site is applicable.

3.13 Soil Stockpile Management

Some projects may involve excavation and stockpiling of soil. Stockpiles should be located outside sensitive areas to the extent practicable and managed to prevent erosion and sedimentation of adjacent areas. Typical measures include the installation of protective measures (e.g., siltation fence and/or hay bales) around the perimeter of the stockpile. The stockpile must be seeded if left in place for more than 30 days. No snow or soil piles, construction materials, or equipment should be stored in the immediate vicinity at the top of a terrace escarpment slope.

When polluted/contaminated soil is encountered, it must be handled in accordance with the appropriate regulatory requirements. In addition to the measures discussed above, contaminated soils should be stockpiled on and covered by polyethylene sheeting. Sheeting used to cover the stockpile should be weighted down to prevent the wind migration of contaminated dust.

For soil stockpiles in substations, contact Environmental Licensing and Permitting. If soil/water must be stored and/or disposed, comply with existing soil and groundwater management guidelines. Coordinate with the Environmental Affairs Department (EAD) to ensure appropriate procedures are followed.

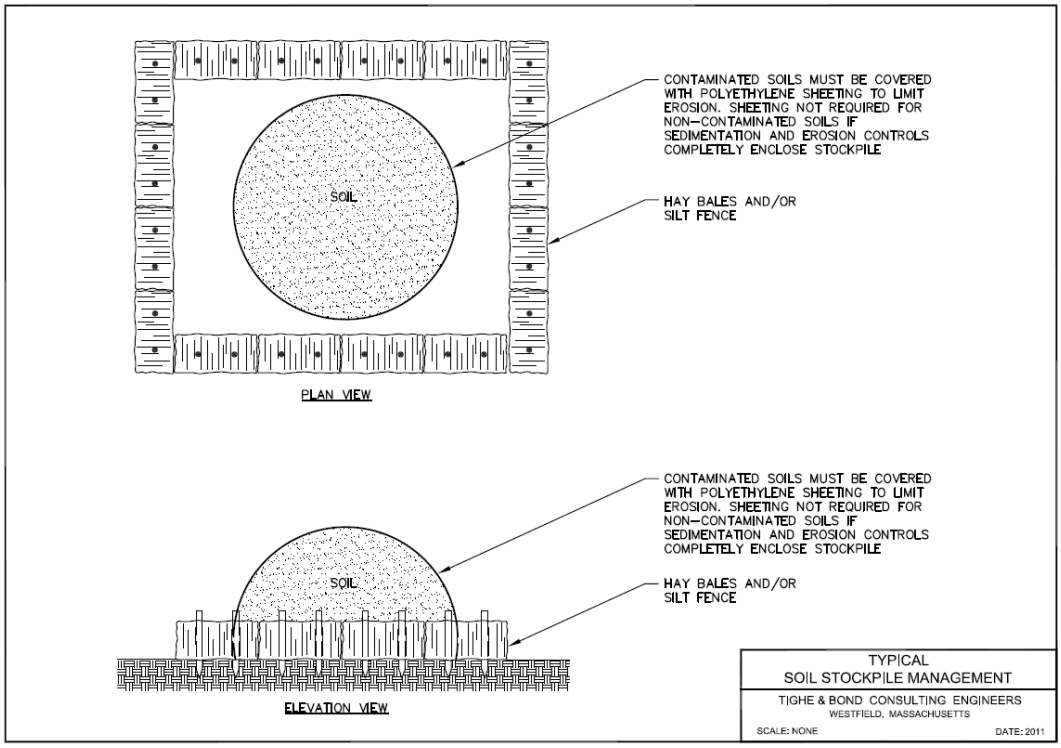
3.13.1 Best Management Practices – Soil Stockpile Management

The following BMP is applicable to soil stockpile management and is described at the following tab:

Soil Stockpile Management – Tab 5A

TAB 5A

Soil stockpile management.



Section 4
Inspection and Maintenance

A pre-construction meeting will be held to discuss how often and who will be checking that all erosion and sedimentation controls are in working order. All BMPs will be inspected at least once per week during construction and at least once per month during restoration. Construction sites will be inspected after major storm events (rainfall events greater than 0.25 inches).

4.1 During Construction

Construction sites, construction access roads, and the associated erosion and sedimentation controls should be inspected by the person(s) designated at the pre-construction meeting, as required by permit conditions. Any damage observed must be repaired in a timely matter, at least within 48 hours of observation. Repairs may include regrading and/or top dressing the surface with additional aggregate to eliminate ruts as well as those repairs required by each erosion and sedimentation measure used.

All inspections will be documented in the project folder.

4.1.1 Maintenance of E&S Controls

Spare erosion and sedimentation control materials such as straw wattles, hay/straw bales and silt fencing should be kept on site or readily available so they may be replaced if they become non-functional due to deterioration or damaged during a storm, extreme water or wind, or other unexpected events.

4.1.2 Rapid Wetland Response Restoration

In the event of unintended discharges of sediment into wetlands, Eversource will quickly control, contain and remove sediment using non- or marginally invasive methods. Responding quickly to unintended discharges minimizes the difficulty and cost of restoration if the sediment is left in place for an extended period of time. Eversource will conduct sediment removal activities at the time of discharge and will notify the appropriate regulators of the discharge and the restoration process.

4.1.3 Vehicle Storage

All storage and refueling of vehicles and other equipment must occur outside of and as far away as practical from sensitive areas such as wetlands, unless specifically agreed by the Project Team and an alternate protocol is developed and approved internally. Refueling for larger, less mobile equipment such as drill rigs or large cranes, may be allowed within wetland resources only with prior approval and if specified precautions and protocols are followed. A proper location for refueling should be identified and designated before site work begins. The recommended minimum distance from wetland areas for storage of fuel and refueling is 100 feet. Additionally, equipment should be checked regularly for evidence of leaks. Construction material storage should also be located at least 100 feet from wetlands.

4.1.4 Spills

Spill kits consist of emergency cleanup and spill containment materials that can be used in the event of a fuel or other chemical spill. Spill kits must be kept on site and accessible at all times in case of an emergency spill. Such kits should generally contain multiple absorbent socks and/or pillows and wipes and temporary disposal bags. Follow the applicable Eversource Contractor Work Rules.

4.1.5 Post Construction

Post-construction inspections of restored areas will be conducted at regular intervals throughout the growing season, as required by any applicable permits, and/or after major storm events. Sites should be inspected for success or failure of revegetation, invasive species colonization, and erosion and sedimentation. In the event additional measures are required to achieve site restoration and stabilization, corrective actions shall be identified and implemented.

All information collected during inspections, regular maintenance, and repair procedures should be documented in project folders. In addition, photographic or diagrammatic logs may be kept to help record certain events and for documentation of project progress and any noteworthy observations.

The construction work is not complete until all areas are restored.

Section 5
Rehabilitation and Restoration

5.1 Restoration

All areas disturbed by construction, repair, and maintenance activities shall be substantially restored to pre-construction conditions. Please refer to Appendix A Section I for photos and typicals for loaming, seeding, and mulching. Prompt restoration minimizes the extent and duration of soil exposure and protects disturbed areas from stormwater runoff. Stabilization should be conducted as soon as practicable. Where appropriate, it is preferable to allow wetlands to naturally revegetate.

5.1.1 Seed Mixes

Several different seed mixes are available for upland and wetland restoration. State-specific comprehensive summaries of seed mixes for both temporary and permanent seeding of disturbed sites can be found within the following documents:

- Massachusetts: Massachusetts Erosion and Sediment Control Guidelines for Urban and Suburban Areas, page 157: http://www.mass.gov/eea/docs/dep/water/essec1.pdf

- Connecticut: 2002 Connecticut Guidelines for Soil and Erosion Sediment Control, page 5-3-8: http://www.ct.gov/deep/cwp/view.asp?A=2720&Q=325660

Upland Seed Mix: If significant grading or upland alteration has occurred, annual rye grass seed shall be placed following manufacturer's recommendations after regrading activities.

Wetland Seed Mix: If significant grading or wetland alteration has occurred, a wetland seed mix shall be placed following manufacture's recommendations after regrading activities.

5.1.2 Upland

The following restoration techniques apply to restoration projects in upland areas.

- Soil excavated during construction and not used as backfill must be evenly spread onto disturbed areas to restore grades. Topsoil shall be stripped and separated to the extent practical, for re-use. Permanent soil protection shall be provided for all areas disturbed by construction activities. All areas will be seeded either by Hydro-seeding or broadcast seeding. If areas cannot be seeded due to the time of year, then mulch (hay or straw) is still required prior to the next precipitation event.
- Topsoil removed during construction activities will be replaced, seeded, and mulched.
- All areas that are broadcast seeded shall be treated with a layer of mulch, such as hay, but preferably straw, up to one inch thick to enhance moisture retention, dissipate disturbance from precipitation, and detract birds foraging on broadcast seed.

- Rehabilitation of access routes and other areas must be performed as soon as practicable after construction is completed, including reestablishment of water bars or other BMPs to control erosion of the access road, and the removal and restoration of temporary wetland or waterway crossings.
    - Temporary breaks in construction activities may warrant seeding and mulching of disturbed areas as interim erosion control measures.
- Erosion control measures shall remain in place until soils are clearly stabilized. Once soils are stable, erosion controls – especially silt fence, which presents an obstacle to movement of small animals shall be removed and properly disposed. Stakes should be removed from hay bales and spread as mulch to remove barriers to wildlife movement.
- Straw is preferred over hay to prevent the spread of invasive plant species seed stock.
- If a grading operation at a site shall be suspended for a period of more than 29 consecutive days, the disturbed area shall be stabilized by seeding, mulching, and/or other appropriate means within the first 7 days of the suspension of grading.
- Within 7 days after a final grade is established in any grading operation the disturbed area shall be stabilized by seeding, loaming, and/or other appropriate means.

5.1.3 Wetland/Watercourses

Regrading of Ruts: Upon removal of construction mats, or other BMPs, the wetland resource area should be inspected for rutting or disturbance from eroded upland soils. Any rutting should be regraded to pre-existing contours and upland soils removed from wetland areas while taking care not to compact soils.

The following restoration techniques apply to restoration project in wetlands:

Maintenance, Repair, and Emergency Projects (When No Permit is Required)

- Remove mats by "backing" out of the site and removing mats one at a time. Regrade soils to pre-existing contours while taking care not to compact soils.
- Soils excavated from wetland areas shall be segregated and stockpiled separately (i.e., topsoil/muck apart from mineral subsoil) in a dry/upland area at least 100 feet from wetland boundaries unless other provisions have been made to facilitate restoration activities.
- Excavated wetland soils that have been stockpiled during underground utility installations within wetlands shall be replaced in the same order (i.e., mineral subsoil beneath organic topsoil/muck) to the extent practicable and restored to pre-disturbance grades.
    - Grading activities should include the elimination of ruts within the area to be restored.
- If replacement of soil associated with temporary wetland or watercourse crossings for access roads is necessary, disturbed areas must be restored to pre- disturbance grades, either seeded and mulched, or allowed to revegetate from the natural seed bank.

- Disturbed wetland areas shall generally be allowed to revegetate from the natural seed bank. Measures to discourage the establishment or spread of plant species identified as non-native, invasive species by federal or state agencies shall be utilized. Environmental Licensing and Permitting can evaluate whether to let the wetland vegetate naturally.
- Any restoration plantings or seed mixes used in restoration shall consist of species native to the project area and, if feasible, from local nursery stock.
- Any stream banks and beds damaged shall be restored through use of geotextile erosion control blankets, and/or coir logs.
- All seeded areas shall be treated with a layer of mulch (i.e., hay, but preferably straw) up to one inch thick to enhance moisture retention, dissipate disturbance from precipitation, and detract songbirds foraging on broadcast seed.

5.2 Private Property

5.2.1 Improved Areas

Access to and along the ROW over private property must be improved to the extent necessary to ensure suitable passage for construction equipment, provide erosion control, and maintain proper drainage. Upon completion of construction activities, altered yards, lawns, agricultural areas, and other improved areas must be restored to a condition equal to or better than before their use for the construction project. If access is over a property off the transmission easement, then it is the responsibility of a construction representative to determine if legal access rights are available to cross the property.

5.2.2 Overall Work Site

Construction personnel should remove all work-related trailers, buildings, rubbish, waste soil, temporary structures, and unused materials upon satisfactory completion of work. All areas should be left clean, without any litter or equipment (wire, pole butts, anchors, insulators, cross-arms, cardboard, coffee cups, water bottles, etc.) and restored to a stable condition and close to the original condition. Debris and spent equipment should be returned to the operating facility or contractor staging area for disposal or recycling as appropriate.

5.2.3 Material Storage/Staging and Parking Areas

Upon completion of all work, all material storage yards, staging areas, and parking areas shall be completely cleared of all waste and debris. Unless otherwise directed or unless other arrangements have been made with an off ROW or off-property owner, material storage yards and staging areas shall be returned to the condition that existed prior to the installation of the material storage yard or staging area. Regardless of arrangements made with a landowner, all areas shall be restored to their pre-construction condition or better. Also any temporary structures erected by the construction personnel, including fences, shall be removed by the construction personnel and the area restored as near as possible to its original condition, including seeding and mulching as needed.

5.3 Work in Agricultural Lands

Transmission lines often cross agricultural lands. In some instances, this may affect ongoing agricultural activities in and around the ROWs. If a construction or maintenance project occurs on agricultural lands, Eversource will work closely with landowners, licensees and stakeholders to minimize agricultural impacts. Whenever practical, Eversource will make reasonable efforts to coordinate the schedule of construction-related activities around the growing and harvest seasons to minimize the impacts on agricultural operations. When this is not practical, Eversource will pursue reasonable measures to mitigate any impacts.

Eversource recognizes that disturbed soils, or soils compacted by heavy construction equipment, may affect the soil's ability to support certain agricultural activities. Eversource will take reasonable steps to avoid or minimize soil compaction, and will restore soils that are compacted by construction equipment. Eversource will also work with affected landowners to determine the appropriate method for restoring the soils, and is open to discussing and implementing the landowners' alternative restoration suggestions. After the transmission improvement is complete, Eversource will remove all construction-related equipment and debris from the ROW.

Tighe&Bond

APPENDIX A

Table of Contents

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Introduction

Adequate erosion and sedimentation control management measures shall be installed and properly maintained to reduce erosion and retain sediment on site during and after construction. These devices shall be capable of preventing erosion, collecting sediment (suspended and floating materials) and filtering fine sediment. Sediments collected by these devices shall be removed and placed in an upland location beyond buffer zones/upland review areas and any other regulatory setbacks preventing later migration into a waterway or wetland. Once work has been completed, all areas shall be stabilized with erosion control blankets and/or robust vegetation and erosion control devices shall then be removed. Erosion and sedimentation controls are provided in Section I of this Appendix. Note that stormwater management is an important part of erosion and sedimentation control. Accordingly, temporary stormwater management measures are outlined in Section II of this Appendix. Please refer to the below table for a complete list of BMP typicals and photos provided in this appendix.

Appendix A

Section I

Section 1
Erosion and Sedimentation Controls

1.1 Preservation of Existing Vegetation

Applications: Erosion and sedimentation control, habitat and aesthetic preservation, reduce landscaping and restoration costs

Limitations:

- Access needs on ROWs.
- Required distances between underground utilities and mature trees.

Overview:

Examine the area to identify vegetation (i.e., groundcovers, vines, shrubs, trees) that may be saved. Focus on preserving vegetation on steep slopes, near drainage ways, and/or drainage swales in order to help increase soil stability and decrease runoff volume and velocity. Use construction phasing to preserve vegetation in areas where activities are not scheduled to occur or will occur at a later time.

Identify and protect specified trees for erosion and sediment control benefits and/or aesthetic purposes. Consider saving trees that provide shading or screening benefits, particularly in residential areas.

Installation:

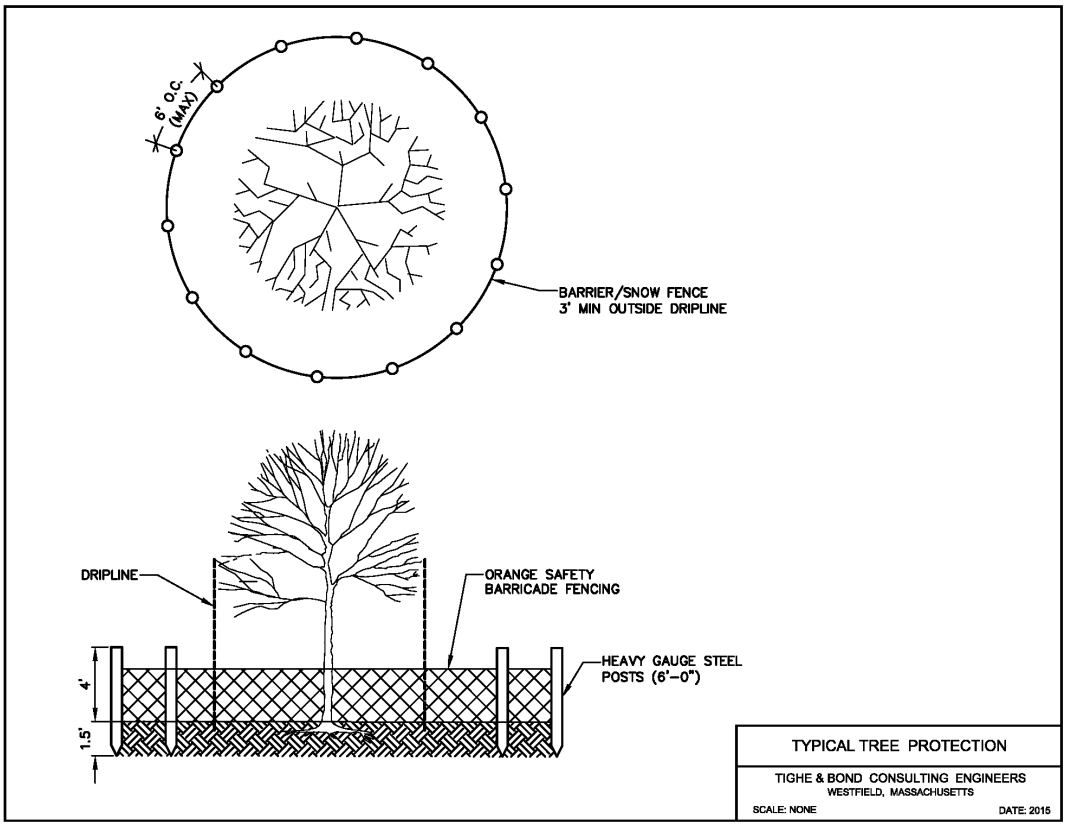
- Select healthy, relatively young trees (less than 40 years old) and vegetation that will not interfere with the installation or maintenance of utilities. Pay attention to the aesthetics of trees along roadways and preserve wherever practicable.
- Place barriers around trees least three feet from the drip line or five feet from the trunk (whichever is greater) using wooden and wire fencing made from scrap lumber or snow fencing. If fencing is not feasible, mark the selected trees with bright flagging.
- Construct the barrier (or place the flags) before heavy equipment arrives to the site and leave in place until the last piece of machinery is gone.
- Dig trenches as far from the trunks and outside of the canopy drip line as practicable. If large roots are encountered, consider trenching under them.
- The width of the ROW will vary depending on the corridor's designated use. Federal guidelines suggest that 15 feet on either side of a buried pipeline should remain clear of mature trees.

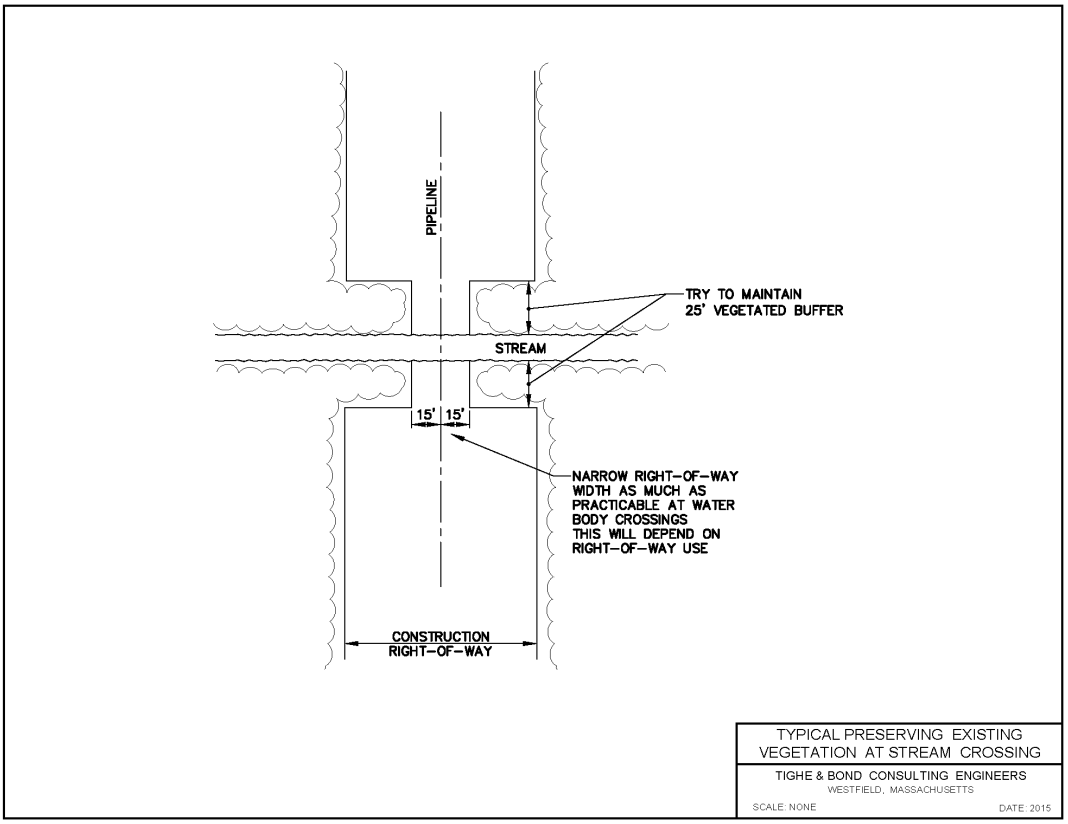
Maintenance:

- Inspect flagged and/or barricaded areas throughout construction. Replace flagging and repair/replace barriers as needed.
- Inspect exposed tree roots. Re-cover or re-seal roots that have been exposed and/or injured by construction activity.

Additional Comments:

When approaching a stream crossing, limit the amount of clearing of the existing stream bank and riparian vegetation to only the areas essential for construction and maintenance. Maintain a 25-foot wide vegetated buffer between the stream bank and the cleared ROW, except in locations where the line is directly installed.




PIPELINE
TRY TO MAINTAIN
25' VEGETATED BUFFER
STREAM
15'
15'
NARROW RIGHT-OF-WAY
WIDTH AS MUCH AS
PRACTICABLE AT WATER
BODY CROSSINGS
THIS WILL DEPEND ON
RIGHT-OF-WAY USE
CONSTRUCTION
RIGHT-OF-WAY
TYPICAL PRESERVING EXISTING
VEGETATION AT STREAM CROSSING
TIGHE & BOND CONSULTING ENGINEERS
WESTFIELD, MASSACHUSETTS
SCALE: NONE
DATE: 2015

1.2 Topsoil Segregation for Work in Wetlands and Agricultural Areas

Applications: During excavation in wetlands and agricultural areas

Limitations:

- May be site-specific limitations; otherwise none.

Overview:

The top 12 inches of soil are the most important for providing nutrients and a suitable growth medium to the existing vegetative cover in an area, as well as containing the root stock and seed bank of the plant community. Topsoil segregation is recommended for the first 12 inches of soil in all wetlands and agricultural land, but is also a good practice in any area, including uplands in order to provide a suitable growth medium and more rapid revegetation and restoration of the original plant species.

When digging a trench for installation or maintenance of a pipeline or conduit, or excavating for the installation or replacement of the base of a utility pole, it is good practice to segregate the first 12 inches of topsoil and stockpile it separately from the subsoil until the layers can replaced into the excavation in the proper order. In some cases, it may be necessary to strip topsoil off the areas where the subsoil will be stockpiled as well. Additional topsoil can also be brought into an upland or residential area if necessary where the existing soil is too shallow to provide adequate rooting depth, moisture and nutrients, or too much topsoil was lost during construction.

Installation:

- Set up proper erosion control (i.e., hay bales, silt fence) around the work area before beginning any excavation near wetland areas.
- Identify the stockpile locations near the trench or excavation.
- Locate stockpiles from active work areas to the extent practicable.
- Remove the top 12 inches of topsoil from the trench or excavation. If less than 12 inches are available, remove the entire layer of soil.
- Place the topsoil in a separate stockpile than the layers of excavated subsoil.
- Place additional lines of erosion control around the stockpiles to control sedimentation, if necessary.
- Side slopes of soil stockpiles should not exceed 2:1.
- Stabilize stockpiles with temporary seeding or plastic covering if they will remain exposed for more than 21 days.
- Backfill the trench with the proper soil layers, subsoil followed by topsoil, when work activities are completed. Backfilling should take place immediately after activities are completed, and grading and site stabilization should take place within 10 days following backfilling.

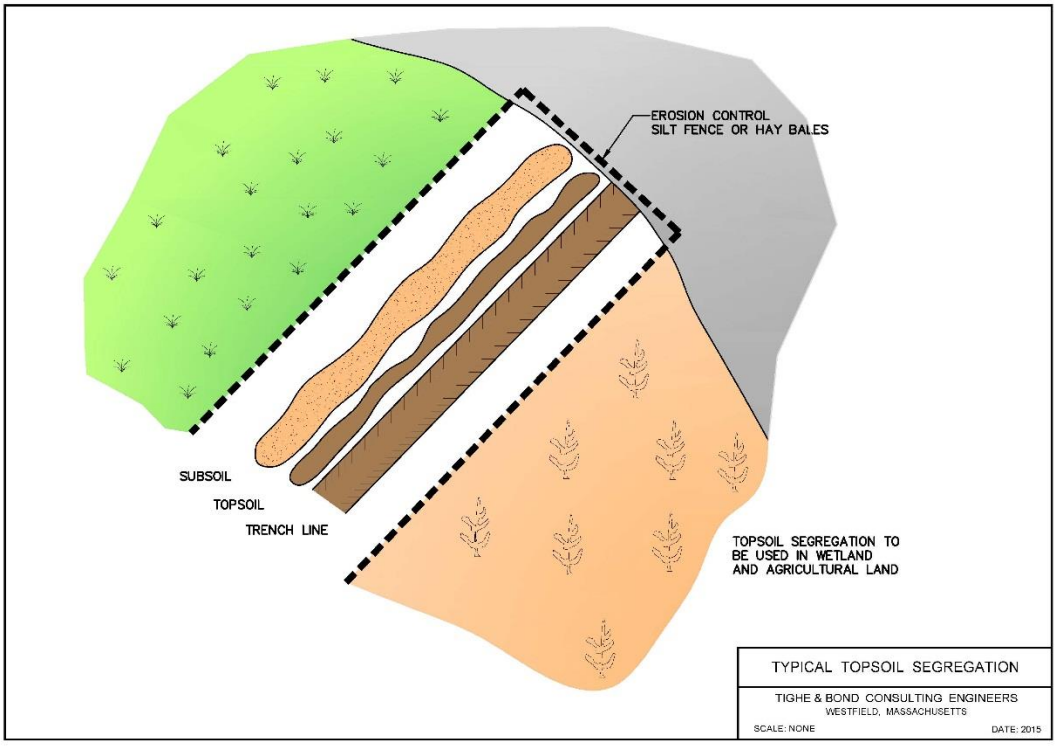
Maintenance:

- Inspect and maintain erosion control on a regular basis and observe the stockpiles for any signs of sedimentation or mixing.
- In residential and agricultural areas, make a reasonable effort to remove all rocks larger than 4 inches in diameter from the topsoil that have been turned up during construction.

Additional Comments:

If the topsoil and subsoil stockpiles are mixing:

- The piles are located too close together. Try placing the separate stockpiles on opposite sides of the trench or work area.
- The topsoil stockpile could also be individually enclosed in hay bales or silt fence. This will help create a barrier, keeping it separate from the subsoil.
- Avoid working with large amounts of trench or excavation open when heavy rains are predicted.
- If polluted/contaminated soil is encountered, handle in accordance with appropriate regulatory requirements. Stockpile contaminated soil on and cover with polyethylene sheeting. Weigh down sheeting covering contaminated soil to prevent the wind migration of contaminated dust.



1.3 Straw (or Hay) Bales

Applications: Erosion and sedimentation control, mulch

Limitations:

- Hay bales degrade quickly.
- Hay bale height can provide an obstacle to movement of smaller wildlife.
- Should not be used as a temporary check dam/ stormwater control within waterways.
- Difficult to install during frozen conditions.
- Generally only effective for 3-6 months (hay) or 6-12 months (straw) before replacement.

Overview:

Hay/straw bales should be placed end-to-end to form a temporary sedimentation control barrier. This barrier should run perpendicular to the slope and direction of runoff, and should be installed downgradient of the disturbed site (i.e., construction area). Hay/straw bales are intended to slow flow velocity and trap sediments to prevent siltation in sensitive areas, specifically downgradient areas with open and/or flowing water. Barriers should be removed once the project is complete and soils are stabilized with erosion control blankets and/or well-established vegetation.

Installation:

- Install hay/straw bales end-to-end lengthwise along the toe of a slope or along a slope contour being sure the bales are butted tightly against each other without gaps between them. The outer ends of the barrier should be turned slightly upslope.
- Entrench to a minimum depth of 4 inches and backfill around the base of the bale. If additional protection is needed, backfill both upslope and downslope to create better ground contact and reduce sediment passage through or beneath hay/straw bales.
- Stake each hay/straw bale into the ground by two stakes each approximately 3 feet long
- If a silt fence is being used with the hay/straw bale barrier, position the silt fence downgradient of the hay/straw bales (hay bales filter first).
- Since hay/straw bales degrade quickly, check barriers often and replace as needed. Routinely remove and dispose of sediment buildup in a stable upland area.
- The hay/straw bale barrier should be as far away from downgradient sensitive areas, and as close to the work areas as construction limitations allow, in order to minimize the total work area and disturb as little area as possible.
- Once the project is complete and soils are stabilized, hay/straw bales should generally be compacted and allowed to decay in place, as their height can provide an obstacle to movement of smaller wildlife. Spreading hay bales around a site as mulch could introduce weed seeds. Using hay/straw as mulch is not generally

problematic if the site is already colonized by invasive species. Plastic bailing twine should be removed from hay/straw bales. Wooden stakes should also be removed.

Maintenance:

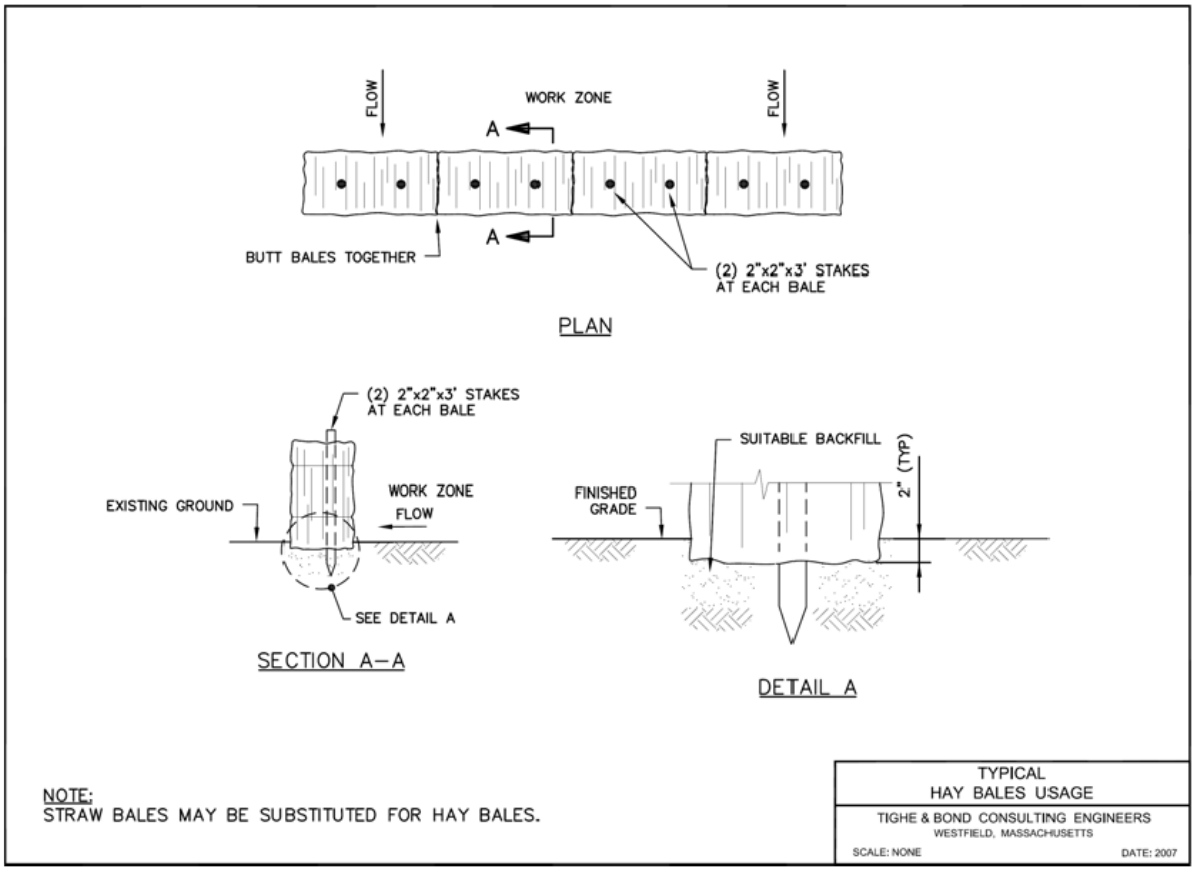
- Inspect before a forecasted storm event and daily during a prolonged rain event.
- Remove accumulated sediment and properly disposed outside sensitive areas when it has reached a thickness of ½ to ⅔ the height of the bale.
- Replace rotted or sediment-covered bales when necessary.

Additional Comments:

Straw bales are favored over hay bales for use as erosion control barriers. Since straw bales are composed of the dried stalks left over after a grain is harvested, they do not contain the plant's seeds and therefore will not spread growth of such species, some of which may be exotic, invasive or otherwise undesirable. Hay bales are generally less expensive, but consist of the seed heads and the upper, thinner portion of the stems which generally decay faster than straw.

Properly installed hay bale barrier with silt fence.

Properly installed hay bale barrier with silt fence.



1.4 Silt Fence

Applications: Sedimentation control, work limits, temporary animal barrier, slows flow on steep slopes

Limitations:

- Frozen or rocky ground (for installing stakes).
- May prevent critical movements of sensitive wildlife species.
- Disposal.

Overview:

Silt fence is constructed of a permeable geotextile fabric secured by wooden stakes driven into the ground. It is installed as a temporary barrier to prevent sediments from flowing into an unprotected and/or sensitive area from a disturbed site. A silt fence should be installed downgradient of the work area. Once the project is complete and soils are stabilized, silt fence materials (i.e., geotextile fabric and wooden stakes) must be removed and properly disposed off-site (see environmental scientist to determine if area is stabilized).

Installation:

- Install silt fence along the toe of a slope or along a fairly level contour with the outermost ends directed upslope. The fabric should be laid into a 6-inch wide by 6-inch deep trench dug on the upslope side of the fence and tamped down with fill material to ensure a sturdy base and so sediments will not flow beneath the fabric. Use of a Ditch Witch® or similar equipment is suggested for this task.
- Drive the silt fence stakes into the ground until secure (≥6 inches below grade).
- If a hay bale or straw bale barrier is being used with the silt fence, position the silt fence downgradient of the bales.
- The silt fence should be as far away from downgradient sensitive areas, and as close to the work areas as construction limitations allow, in order to disturb as little area as possible.

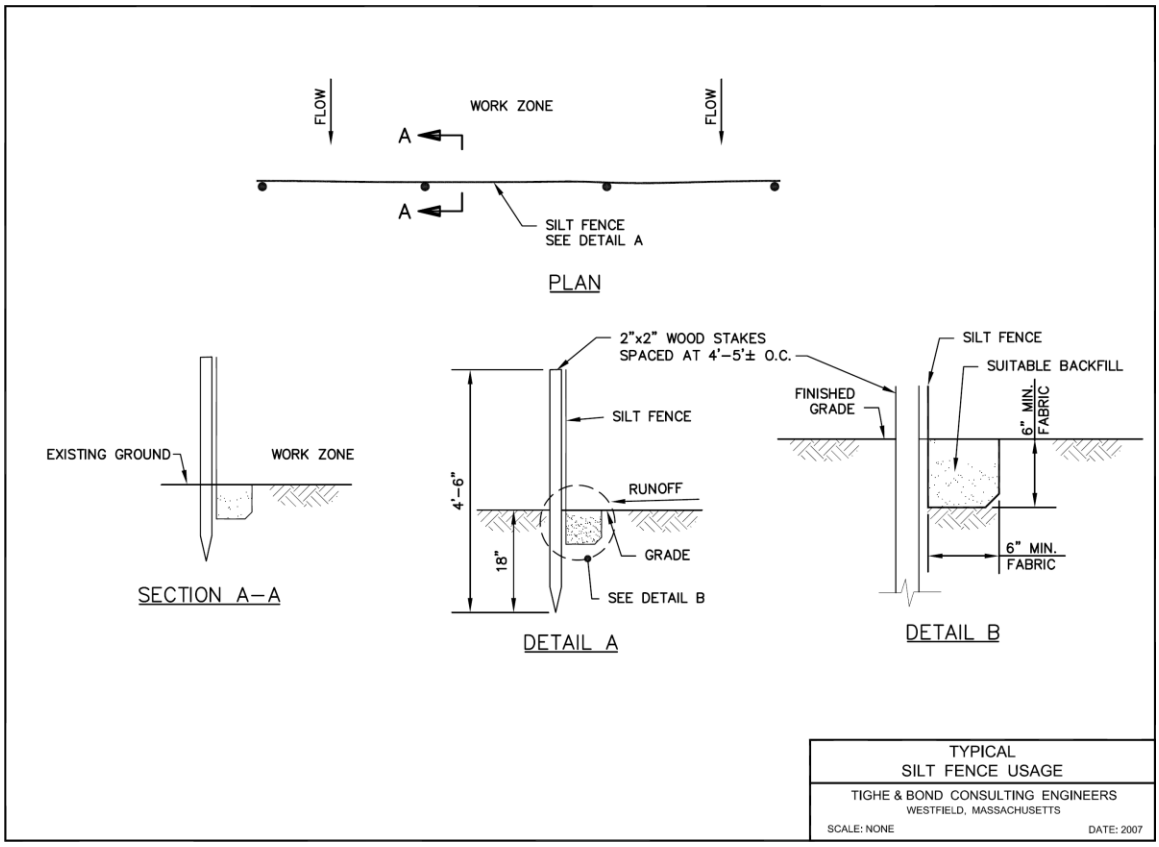
Maintenance:

- Inspect frequently and replace or repair as needed, especially during long-term projects.
- Routinely remove and properly dispose of sediment buildup in a stable upland area, outside of sensitive areas. Remove sediment when it has accumulated to a thickness of ½ the height of the silt fence.

Additional Comments:

A silt fence must be installed in an excavated trench and located where shallow pools can form so sediment can settle. The fence must be placed along the contour. If placed otherwise, water may concentrate to a low point and is likely to flow beneath the fence.

Properly installed and functioning silt fence. Direction of flow indicated by blue arrow.


FLOW
WORK ZONE
FLOW
A
A
SILT FENCE
SEE DETAIL A
PLAN
EXISTING GROUND
WORK ZONE
SECTION A–A
2"x2" WOOD STAKES
SPACED AT 4'–5'± O.C.
SILT FENCE
4'–6"
RUNOFF
18"
GRADE
SEE DETAIL B
DETAIL A
SILT FENCE
SUITABLE BACKFILL
FINISHED
GRADE
6" MIN.
FABRIC
6" MIN.
FABRIC
DETAIL B
TYPICAL
SILT FENCE USAGE
TIGHE & BOND CONSULTING ENGINEERS
WESTFIELD, MASSACHUSETTS
SCALE: NONE
DATE: 2007

1.5 Syncopated Silt Fence

Applications: Sedimentation control, work limits, slow flows on steep slopes, and permit wildlife movement.

Limitations:

- Frozen or rocky ground (for installing stakes).
- Complex installation compared to standard silt fence.
- Disposal.

Overview:

Syncopated silt fence refers to silt fence that is installed in a specific layout that permits wildlife movement. Many construction projects continue over at least one wildlife activity season, and silt fence may impede the movement of animals. Syncopated silt fencing is to be installed in areas where silt fencing may impede wildlife access to a resource (i.e., vernal pool, wooded area). These areas will be identified when developing wetland protection measures.

Installation:

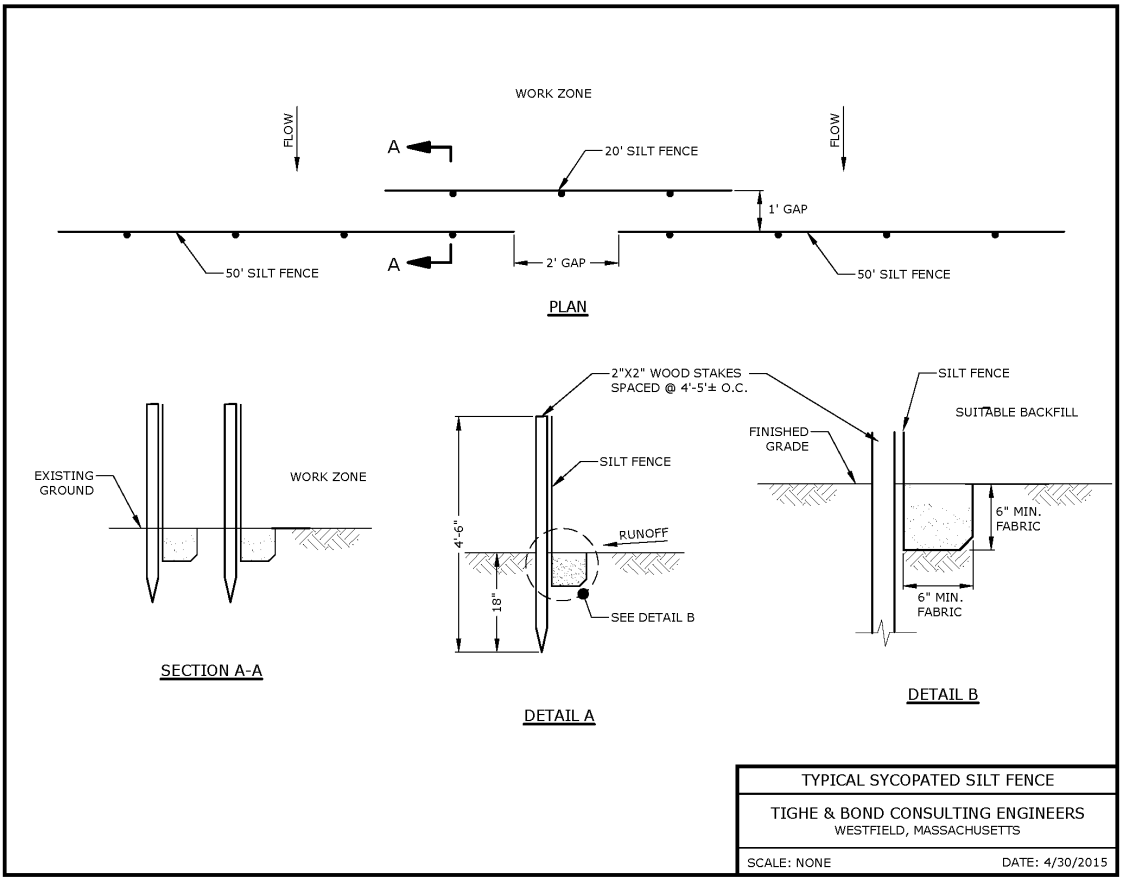
- The syncopated silt fence layout is shown on the typical below. For every 50 feet of siltation fence installed, allow for a gap of two feet before installing the next section. The gap allows wildlife movement One foot behind the main silt fence line, install a second row of silt fence approximately 20 feet in length and centered at the gap.
- Install silt fence along the toe of a slope or along a fairly level contour with the outermost ends directed upslope. The fabric should be laid into a 6-inch wide by 6-inch deep trench dug on the upslope side of the fence and tamped down with fill material to ensure a sturdy base and so sediments will not flow beneath the fabric. Use of a Ditch Witch® or similar equipment is suggested for this task.
- Drive the silt fence stakes into the ground until secure (≥6 inches below grade).
- If a hay bale or straw bale barrier is being used with the silt fence, position the silt fence downgradient of the bales.
- The silt fence should be as far away from downgradient sensitive areas, and as close to the work areas as construction limitations allow, in order to disturb as little area as possible.

Maintenance:

- Inspect frequently and replace or repair as needed, especially during long-term projects.
- Routinely remove and properly dispose of sediment buildup in a stable upland area, outside of sensitive areas. Remove sediment when it has accumulated to a thickness of ½ the height of the silt fence.

Additional Comments:

A silt fence must be installed in an excavated trench and located where shallow pools can form so sediment can settle. The fence must be placed along the contour. If placed otherwise, water may concentrate to a low point and is likely to flow beneath the fence.



1.6 Erosion Control Blankets

Applications: Slope stabilization, erosion and sedimentation control

Limitations:

- Can be used on steep (i.e. greater than 45°) slopes but not on rocky soils.
- Mulches may be more cost effective on flatter areas.

Overview:

Erosion control blankets are generally composed of biodegradable or synthetic materials and are used as a temporary or permanent aid in the stabilization of disturbed soil on slopes. These blankets are used to prevent erosion, stabilize soils, and protect seeds from foragers while vegetation is recolonized.

Installation:

- Always follow manufacturer's instructions for properly installing erosion control blankets. Different composition blankets are recommended for site-specific conditions (slope grades, contributing watershed areas) and use requirements (biodegradable, photodegradable, non-biodegradable).
- Prior to installation, clear the slope of any rocks, branches, or other debris.
- Rolled out blankets in a downward direction starting at the highest point of installation. Secure blankets above the crest of the slope using a berm tamped down along the top of the disturbed area.
- Tack down blankets with stakes or staples every 11 to 12 inches (or closer) horizontally and every 3 feet (or closer) vertically. Biodegradable staples are preferred.
- Overlap each blanket section horizontally with the next section by approximately 2 or 3 inches. Vertical overlaps should be approximately 6 inches, with the upslope section overlaying that of the down-slope section.

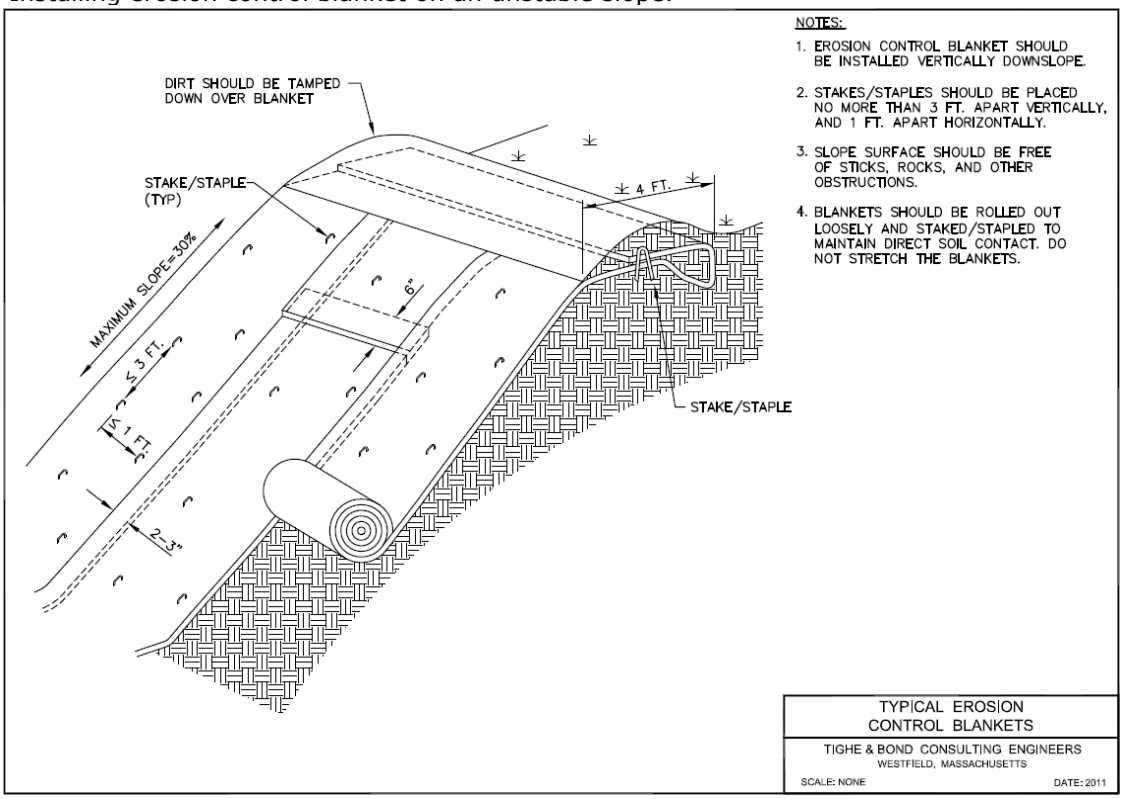
Maintenance:

- Inspect for movement of topsoil or erosion weekly and after major precipitation events. Inspect until vegetation is firmly established.
- Repair surface, reseed, replace topsoil, and install new netting if washout, breakage, or erosion occurs.

Additional Comments:

Additional materials used for erosion control with a continuous sheet or material include Jute Mats (sheets of woven jute fiber) and Turf Reinforcement Matting (geotextile matrix most effective for channels).

Installing erosion control blanket on an unstable slope.



1.7 Straw/Compost Wattles

Applications: Erosion and sedimentation control, work limits

Limitations:

- Not recommended for steep slopes.

Overview:

Straw wattles are used as an erosion control device to slow runoff velocities, entrain suspended sediments, and promote vegetation growth until an area is stabilized. They are not generally intended for steep slopes, but rather, to stabilize low to moderate grades where there is a broad area of disturbance. Straw wattles may also be used along small stream banks to protect areas before vegetation has stabilized the soils. The wattles are constructed from a biodegradable netting sock stuffed with straw and may be left to biodegrade in place once a project is complete.

Wattles should be placed lengthwise, perpendicular to the direction of runoff. The wattles are typically spaced about 10 to 40 feet apart, depending on the slope angle. Additionally, the soil texture should be considered – for soft, loamy soils, wattles should be placed closer together; for coarse, rocky soils, they may be placed further apart.

Installation:

- Install prior to disturbing soil in the upgradient drainage area.
- Install so that the ends of each row of wattles on a slope are slightly turned downhill to prevent ponding behind them.
- Where straw wattles are installed end-to-end, butt the wattles tightly together so as not to allow water/sediments to flow between them.
- Place straw wattles in a shallow trench to assure stabilization and soil should be packed against the wattle on the uphill side.
- Securely stake straw wattles to the ground by driving a stake directly through the wattle approximately every four feet. A portion of each stake should remain approximately 2 to 3 inches above the wattle.
- Use *without* silt fence reinforcement: at the base of shallow slopes, on frozen ground, bedrock, and rooted, forested areas.
- Use *with* silt fence reinforcement: at low points of concentrated runoff, below culvert outlets, at the base of slopes more than 50 feet long, and in places where standalone mulch wattles have failed.

Maintenance:

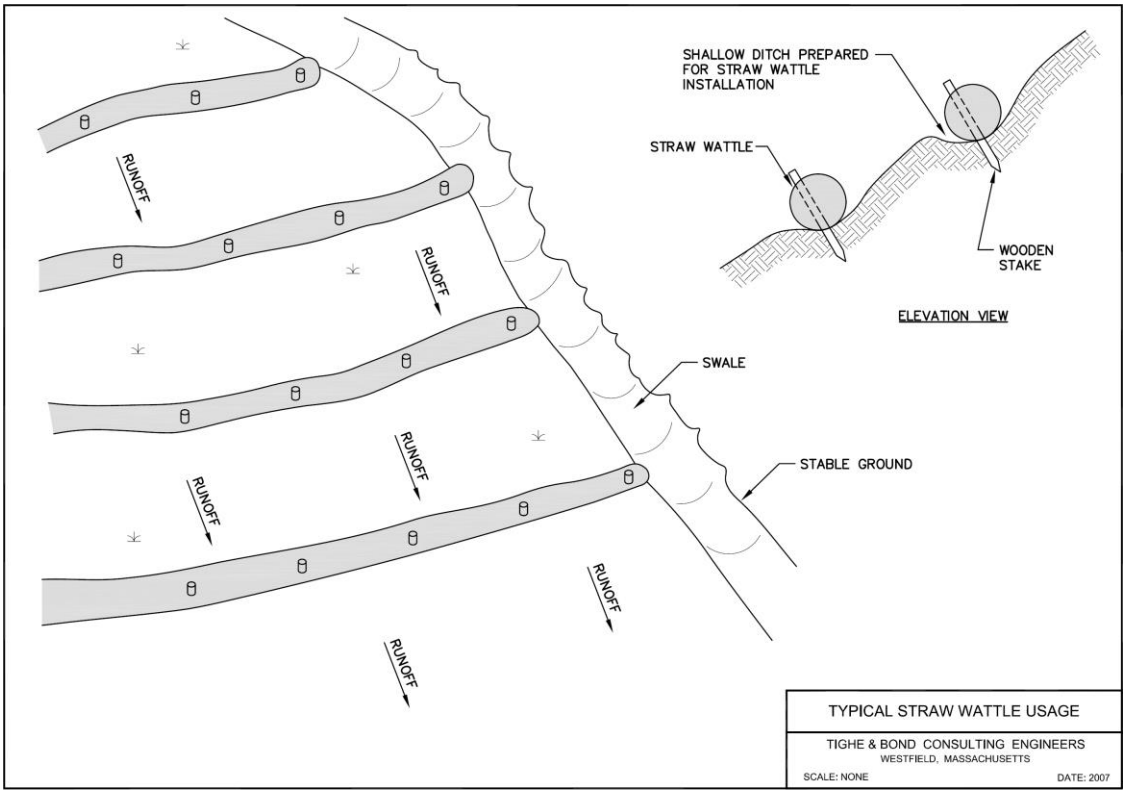
- Routinely inspect wattles and after rain events. Repair as needed with additional wattles and/or stakes.
- Remove sediment deposits when they reach half the height of the wattle. Repair or reshapes wattles when they have eroded or have become sediment clogged or ineffective.

- If flow is evident around the edges, extend the barriers or evaluate replacing them with temporary check dams.

- Reinforce the berm with an additional sediment control measure, such as silt fence or a temporary rock check dam, if there is erosion or undercutting at the base or sides of the berm or if large volumes of water are being impounded behind the berm.

Additional Comments:

Woody vegetation and tall grasses may need to be removed before installing the berm to prevent voids that allow sediment under the berm. Wattles can also be planted with woody vegetation and seeded with legumes for additional stability.


SHALLOW DITCH PREPARED FOR STRAW WATTLE INSTALLATION
STRAW WATTLE
WOODEN STAKE
ELEVATION VIEW
RUNOFF
SWALE
STABLE GROUND
TYPICAL STRAW WATTLE USAGE
TIGHE & BOND CONSULTING ENGINEERS
WESTFIELD, MASSACHUSETTS
SCALE: NONE
DATE: 2007

1.8 Wood Chip Bags

Applications: Erosion and sedimentation control, mulch

Limitations:

- Frozen or rocky ground (for installing stakes).
- Can pose a barrier to small animal movements.
- Requires close attention for maintenance and repair.

Overview:

Wood chip bags are perimeter barriers that intercept, filter, and reduce the velocity of stormwater run-off. They may be used separately or in conjunction with hay/straw bales and are installed and maintained in a similar manner. Wood chip bags should be staked in a line around perimeters of disturbed areas, especially those adjacent to wetlands, waterways, roadways or at the base of slopes.

Installation:

- Install wood chip bags end-to-end lengthwise in a single row along the toe of a slope or along a slope contour. Ensure that the bags are butted tightly against each other without gaps between them.
- Entrench to a minimum depth of 4 inches and backfill around the base of the bag.
- Stake each hay/straw bale into the ground using two stakes each that are approximately 3 feet long.

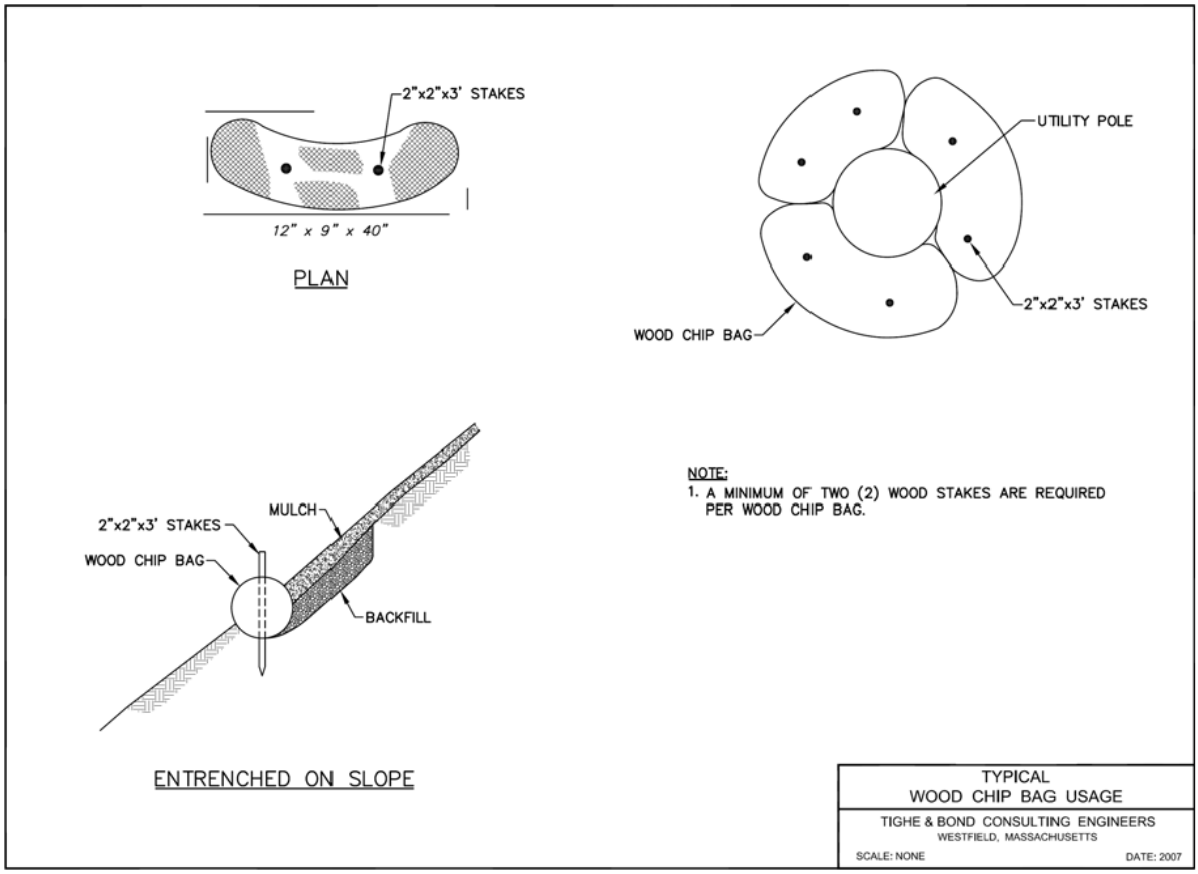
Maintenance:

- Inspect before a forecasted storm event and daily during a prolonged rain event.
- Remove accumulated sediment and properly disposed outside sensitive areas when it has reached a thickness of ½ to ⅔ the height of the bag.
- Replace rotted or sediment-covered bag when necessary.

Additional Comments:

Wood chip bags can stabilize soils in a number of applications. They may be left in place as they eventually photo-degrade, as long as they do not pose a barrier to small animal movements.

Wood chips in photo-degradable bags used to stabilize soils.



1.9 Catch Basin Protection

Applications: Erosion and sedimentation control

Limitations:

- For small quantity and low velocity stormwater flows.
- Hay/straw bales hard to stake into paved areas.
- Ineffective for very silty water.
- May require authorization from local government for discharge to municipal system.
- Fabric drop inlet should be used where stormwater runoff velocities are low and where the inlet drains a small, nearly level area.
- Undercutting and erosion under filter fabric if fabric is not buried at bottom.

1.9.1 Hay/Straw Bales, Filter Fabric, and Filter Baskets

Overview:

Hay bales, filter fabric, and filter baskets are all temporary devices placed around and within existing catch basin inlets to protect the stormwater management system from high sediment loads and high velocities during construction. Use in areas where stormwater runoff is relatively small and velocities are low and where shallow sheets of run-off are expected.

Hay/Straw Bales Installation: Hay/straw bales are recommended for areas which have the storage space to allow temporary ponding since they are one of the least permeable protection methods.

- Installation is similar to perimeter hay/straw bale barriers.
- Use bales that are wire bound or string tied. Place bales so that the bindings are on the sides of the bales rather than against the ground.
- Install hay/straw bales in a box configuration around the drop inlet with the ends of the bales placed tightly against each other.
- If the area is unpaved, anchor bales using two stakes driven through the bale and into the ground.
- Hay bales can be placed around the perimeter of the inlet in order to extend the life of the filter fabric and/or basket by removing much of the sediment before-hand.

Filter Fabric Installation: Filter fabric is used to protect catch basins from excessive sediment.

- Cut fabric from a single roll.
- Place fabric beneath catch basin grate.
- Avoid setting top of fabric too high, which will lead to flow bypassing the inlet.

Filter Baskets/Bags Installation: Install filter baskets/bags within catch basins in combination with hay bales, fabric, stone or sod drop inlets. They may be used alone where drainage area is small with shallow flows.

- Install per manufacturer's instructions.
- Filter baskets typically consist of a porous fabric bag which is fitted under the catch basin grate.
- Sediments are filtered out of the stormwater and accumulate in the basket or bag.

Maintenance:

- Inspect weekly and after each major rain event.
- Remove accumulated sediment on a regular basis.
- Replace or make repairs as needed.
- Remove after area is permanently stabilized.

Additional Comments:

Discharge of clean water into municipal system catch basins may be an option for certain sites. However, this activity must be coordinated with the municipality and shall not occur without their written consent.

1.9.2 Sod or Stone Mound Drop Inlets

Overview:

Sod or stone mound drop inlets are temporary devices placed around and within existing catch basin inlets to protect the stormwater management system from high sediment loads and high velocities. They are used in areas where stormwater run-off is relatively heavy and overflow capacity is necessary. Sod should only be used in well vegetated areas and when the general area around the inlet is planned for vegetation and is well suited for lawns. Stone mounds are well suited for the heaviest flows.

Installation:

- For Sod: Place a mound of permanently vegetated sod around the perimeter of the inlet to a minimum height of 6 inches.
- For Stone: Stone can be used alone or in combination with stacked concrete blocks. Gravel alone will slow drainage time and increase settlement.
- Place wire mesh with ½" openings over the inlet with 1 foot extending on each side. Overlay with filter fabric.
- Surround inlet with mound of gravel, 1" diameter or smaller, to a minimum height of 6", placed over the mesh.
- If blocks are used, stack them around the inlet, between 12 and 24" high, place mesh over the openings and pile the gravel against the outside face of the blocks.

Maintenance:

- Inspect weekly and after each major rain event.
- Remove accumulated sediment when it reaches ½ of the height of the filter mound. Stone especially must be regularly maintained.

- Repair erosion as necessary.
- If the storm flow bypasses inlet and causes erosion, the top of the structure is too high.
- If the trap is not efficient and/or there is sediment overload, the drainage area is too large to handle load. Consider constructing a temporary sediment trap.
- If scour holes develop (if blocks are being used), blocks are not placed snugly against the inlet grate.

Filter Baskets/Silt Bags

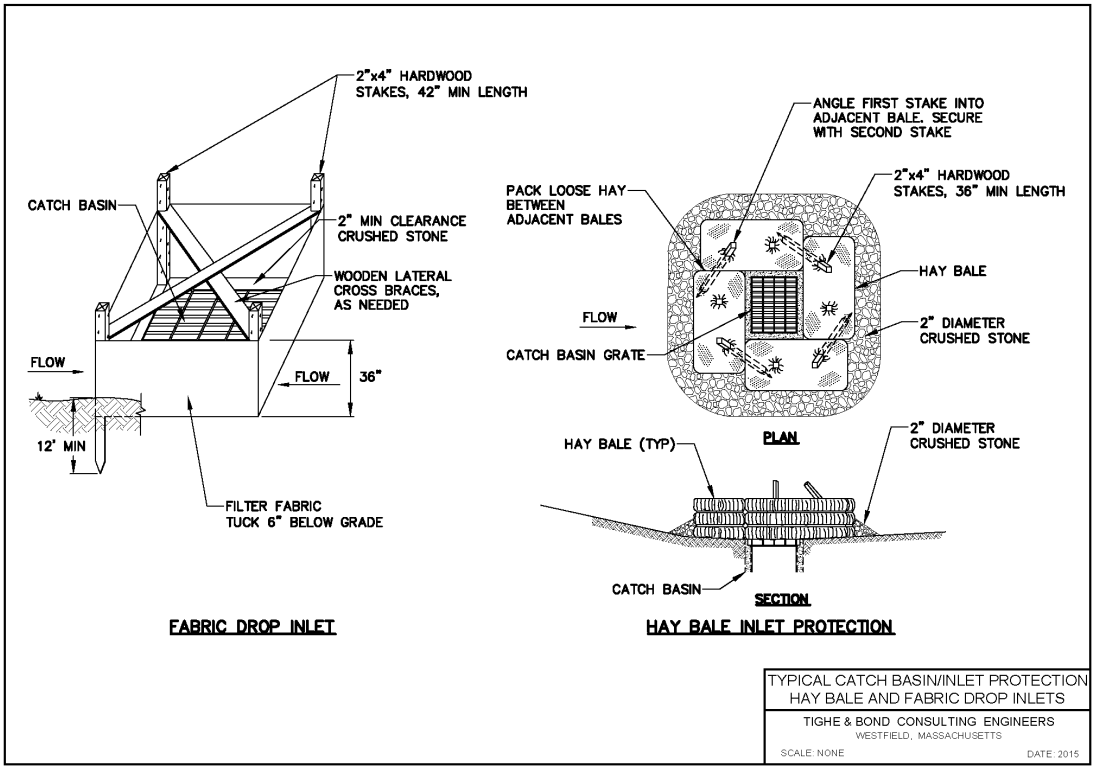
Filter baskets/silt bags are installed within catch basins in combination with hay bales, fabric, stone or sod drop inlets. They can potentially be used alone where drainage area is small with shallow flows. They may cause ponding or may rip under heavier flows without the additional external filtering method.

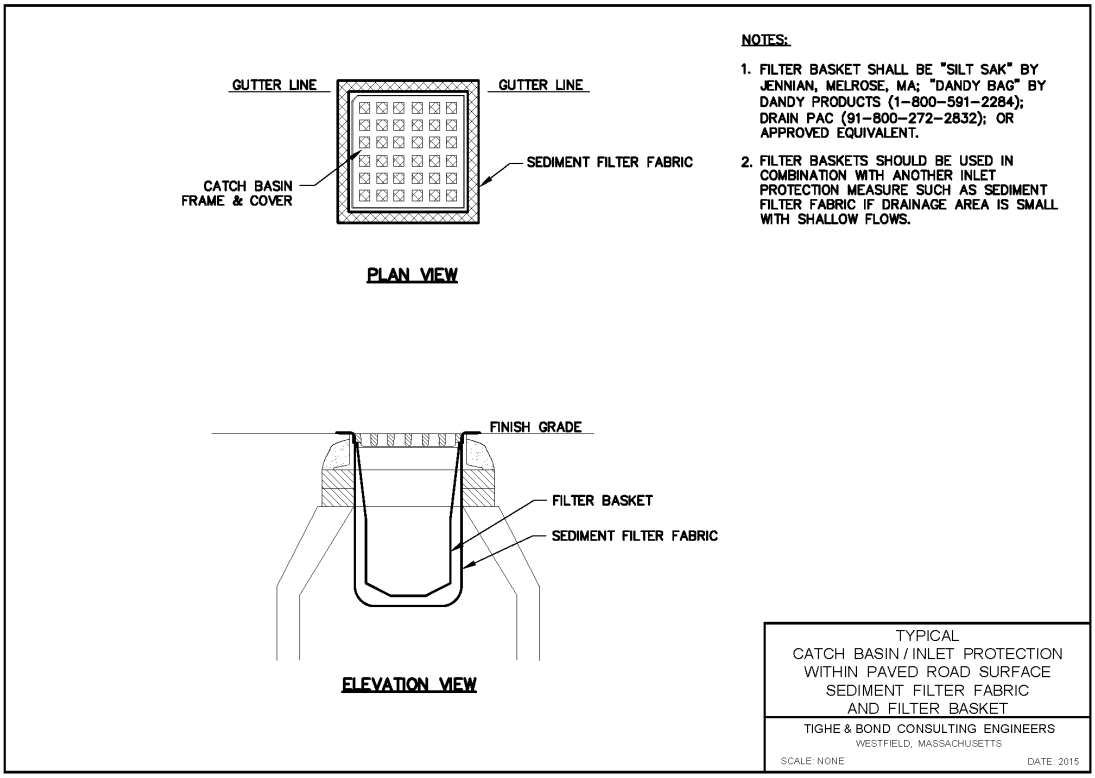
Installation:

- Several trademarked/name brand filter/silt bags exist and should be installed per the manufacturer's instructions. Almost all consist of a porous fabric bag which is fitted under the catch basin grate. Sediments are filtered out of the stormwater and accumulate in the bag.

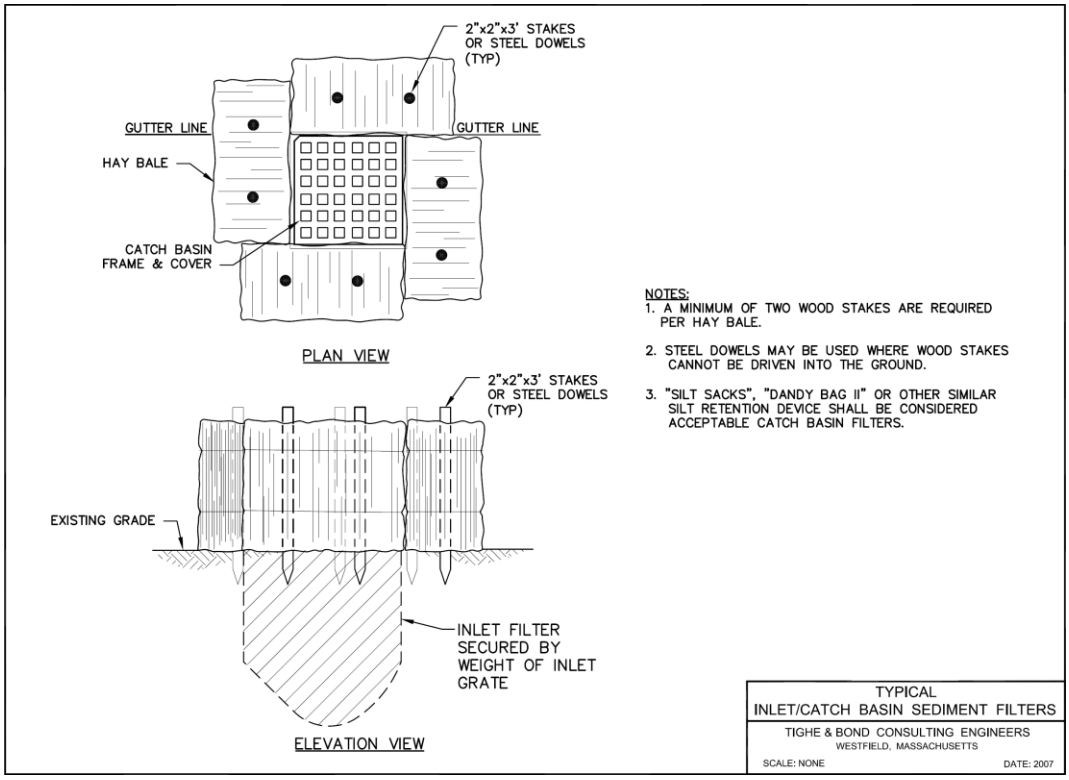
Maintenance:

- Inspect inlet and fabric weekly and after each major rain event.
- Remove sediment when the bag is halfway full.
- Replace bags as necessary due to wear or ripping.





Catchbasin protected from sedimentation by filter fabric.


2"x2"x3' STAKES
OR STEEL DOWELS
(TYP)
GUTTER LINE
GUTTER LINE
HAY BALE
CATCH BASIN
FRAME & COVER
PLAN VIEW
2"x2"x3' STAKES
OR STEEL DOWELS
(TYP)
EXISTING GRADE
INLET FILTER
SECURED BY
WEIGHT OF INLET
GRATE
ELEVATION VIEW
NOTES:
1. A MINIMUM OF TWO WOOD STAKES ARE REQUIRED PER HAY BALE.
2. STEEL DOWELS MAY BE USED WHERE WOOD STAKES CANNOT BE DRIVEN INTO THE GROUND.
3. "SILT SACKS", "DANDY BAG II" OR OTHER SIMILAR SILT RETENTION DEVICE SHALL BE CONSIDERED ACCEPTABLE CATCH BASIN FILTERS.
TYPICAL
INLET/CATCH BASIN SEDIMENT FILTERS
TIGHE & BOND CONSULTING ENGINEERS
WESTFIELD, MASSACHUSETTS
SCALE: NONE
DATE: 2007

1.10 Loaming and Seeding

Applications: Erosion control, soil stabilization, site restoration

Limitations:

- May be site specific limitations (e.g. permit or State requirements).
- Applies to upland areas only.

Overview:

Permanent seeding is appropriate for vegetated swales, steep slopes, or filter strips. Temporary seeding is used if construction has ceased and if an area will be exposed.

Installation:

- Apply loam/ topsoil prior to spreading seed mix per manufacturer's recommendations. Apply water, fertilizer, and mulch to seedbed, as needed.
- Plant native species of grasses and legumes where practicable.

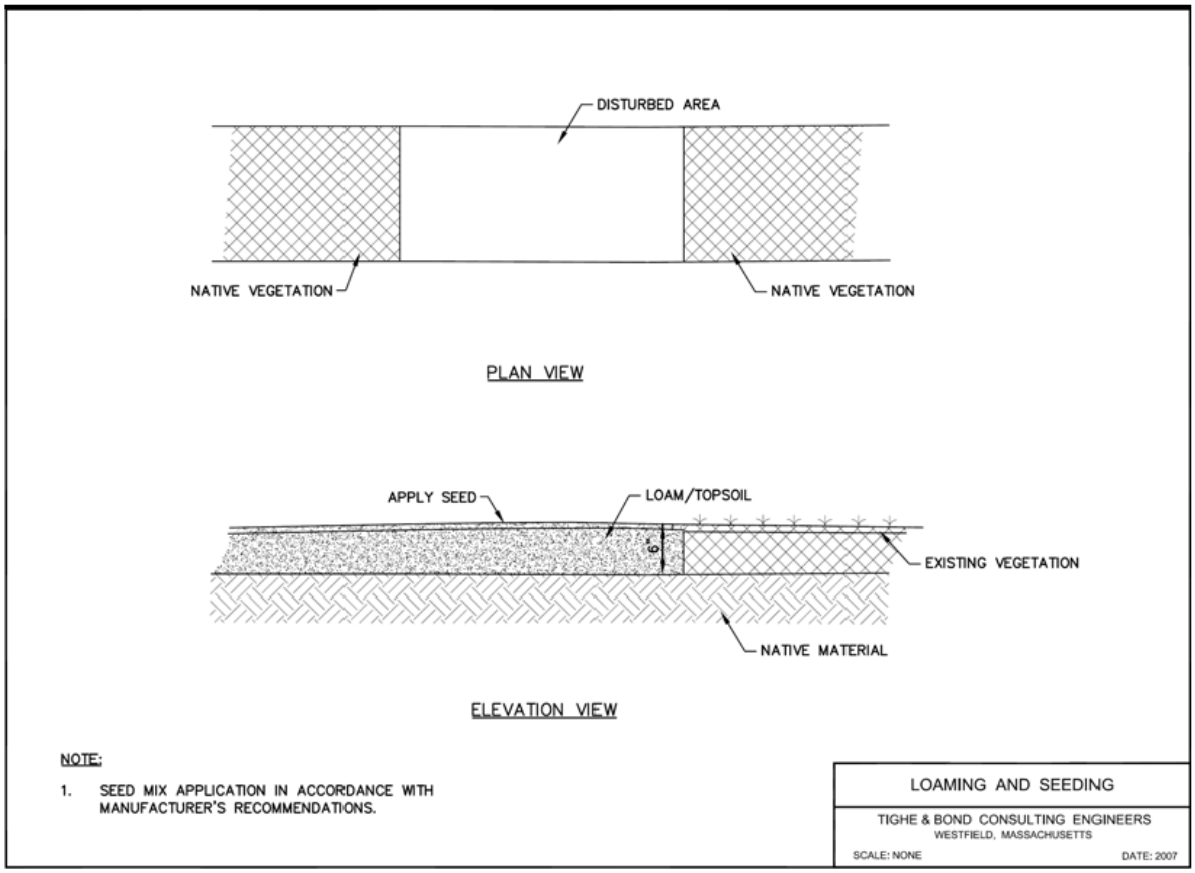
Maintenance:

- Inspect on regular basis until vegetation has established.
- If washout or erosion occurs, repair surface, re-seed, re-mulch and install new netting.
- Follow permit requirements regarding use of wetland seed mix in wetlands where required.

Additional Comments:

Cool Season Grasses	Warm Season Grasses
• Best growth in the cool weather of fall and spring, set seed in June and July. • Seed April 1-May 31 and Aug 1-Sept 10.	• Growth begins in the spring, accelerates in the summer, and plants set seed in the fall. • Seed April 1-May 15, dormant seeding Nov 1-Dec 15.

Loaming and seeding of recently disturbed right of way.



1.11 Mulching with Hay/Straw/Woodchips

Applications: Erosion control, soil stabilization, site restoration

Limitations:

- May be site specific limitations (e.g. permit or State requirements).
- Applies to upland areas only.
- Thick mulch may prevent seed germinations.
- Mulch on steep slopes must be secured with netting to prevent it from being washed away.

Overview:

Mulching consists of an application of a protective blanket of straw or other plant residue, gravel, or synthetic material to the soil surface to provide short term soil protection. It enhances plant establishment by conserving moisture and moderating soil temperatures, and anchors seed and topsoil in place. Mulch also reduces stormwater runoff velocity.

Application rates and technique depend on material used. Select mulch material based on soil type, site conditions and season. Straw/hay provides the densest cover if applied at the appropriate rate (at least ½ inch) and should be mechanically or chemically secured to the soil surface. Woodchip application can be less expensive if on-site materials are used.

Installation:

- Use in areas which have been temporarily or permanently seeded.
- Use mulch netting on slopes greater than 3% or in concentrated flows.
- Mulch prior to winter (ideally in mid-summer).

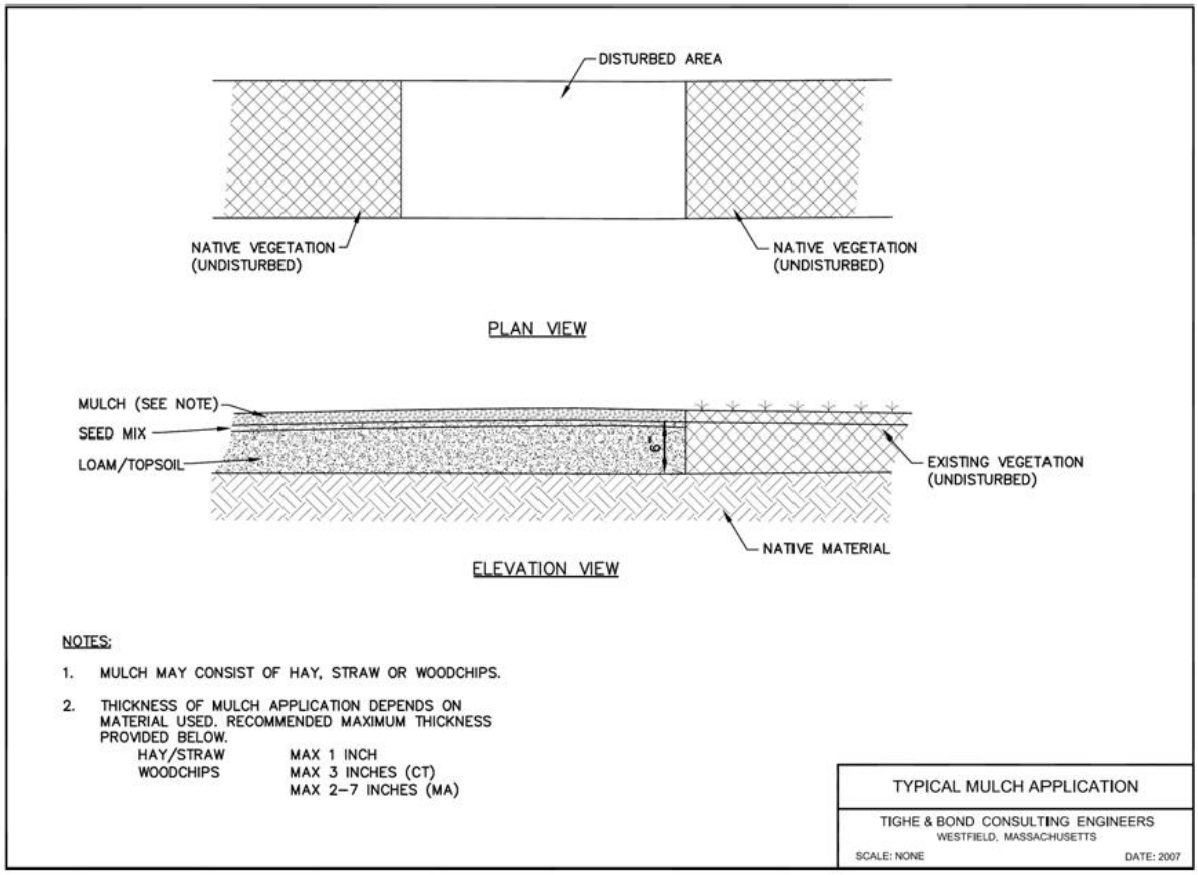
Maintenance:

- Inspect on regular basis until vegetation has established.
- If washout or erosion occurs, repair surface, re-seed, re-mulch, and install new netting.

Additional Comments:

Type	Description/Use
Straw/Hay	• Straw or hay applied to surface at 2-4 tons per acre • Mechanically or chemically secured to soil surface • Provides the densest cover to protect soil and seeds
Wood Fiber/Hydraulic Mulch	• Chopped up fibers applied to the soil surface with a hydroseeder • Tackifier when necessary can be applied with fiber, seeds and fertilizer in one step. This is best when done with fast growing seeds
Compost	• Compost acts as a soil amendment but is more expensive than most mulches • Its efficiency is comparable to wood fiber
Wood Chips	• Use of wood chips as a mulch saves money if on-site materials are used • Effective when applied at high levels (6 tons per acre) and on up to 35% slopes

Typical view of light mulching atop unstable, seeded soils.



1.12 Coir Log Use for Bank Stabilization

Applications: Bank stabilization, wetlands and watercourse restoration

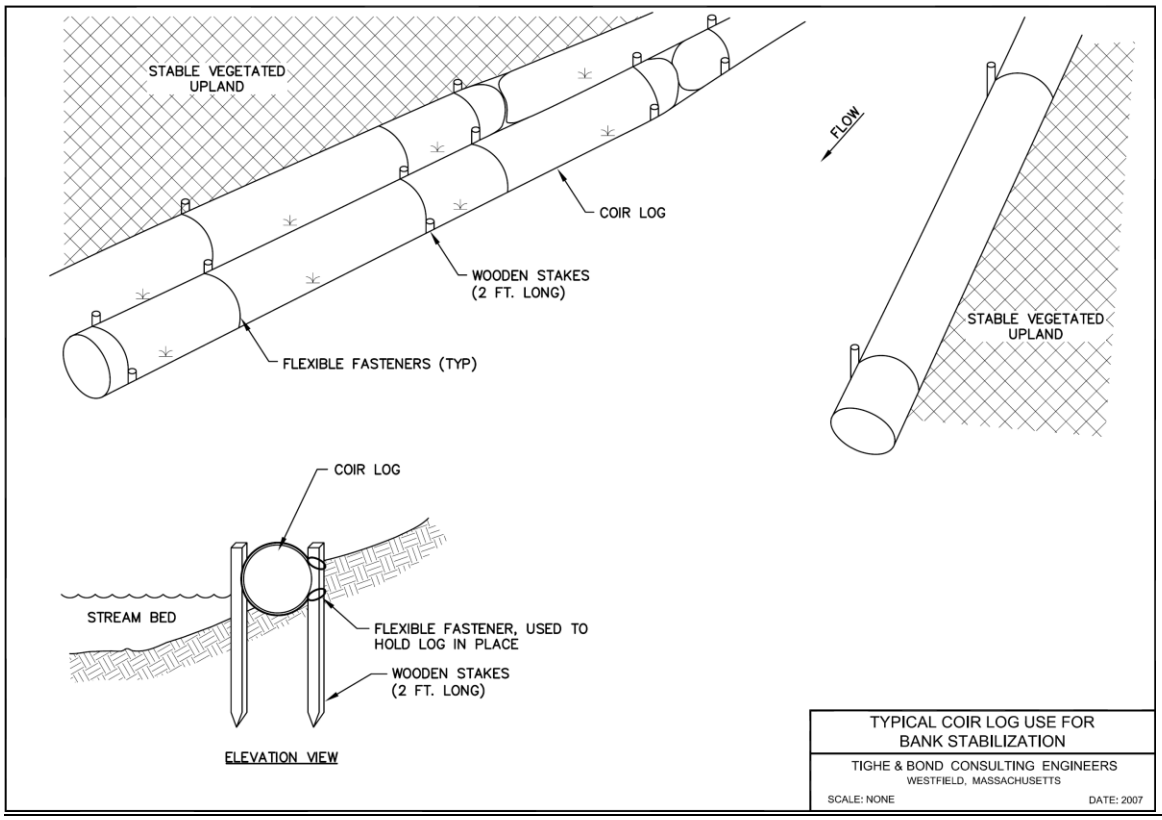
Limitations:

- Moderately expensive.

Overview:

- Refer to permit requirements (if applicable) and manufacturer's specifications.
- Install along banks between upland and watercourse using wooden stakes (2 foot long) and flexible fasteners (to hold log in place).

Coir logs used to restore a stream bed and banks.



1.13 Level Spreader

Applications: Erosion and sedimentation control

Limitations:

- Downgradient area must be adequately vegetated and have minimum width of 100 feet before surface water
- No vehicle traffic over level spreader

Overview:

Level spreaders, also called grade stabilization structures, are excavated depressions constructed at zero percent grade across a slope. They convert concentrated flow into sheet flow and discharges to stable areas without causing erosion.

Level spreaders are not applicable at all locations. Some general site requirements include:

- Drainage area of 5 acres or less
- Undisturbed soil (not fill)
- A level lip that can be installed without filling
- Area directly below is stabilized by existing vegetation
- At least 100 feet of vegetated area between the spreader and surface waters
- Slope of the area below the spreader lip is uniform and a 10% grade or less
- Water won't become concentrated below the spreader and can be released in sheet flow down a stabilized slope without causing erosion
- There will be no construction traffic over the spreader

Installation:

- Set the channel grade to be no steeper than 1% for the last 20 feet entering the level spreader.
- Install level spreader using the suggested dimensions: length—5 to 50 feet, width—at least 6 feet, and depth—approximately 6 inches (measured from the lip) and uniform.
- Stabilize the level spreader with an appropriate grass seed mixture and mulch, if necessary. Protect the level lip with an erosion stop and jute netting/excelsior matting. The downgradient area should have stable, complete, erosion resistant vegetative cover.

Maintenance:

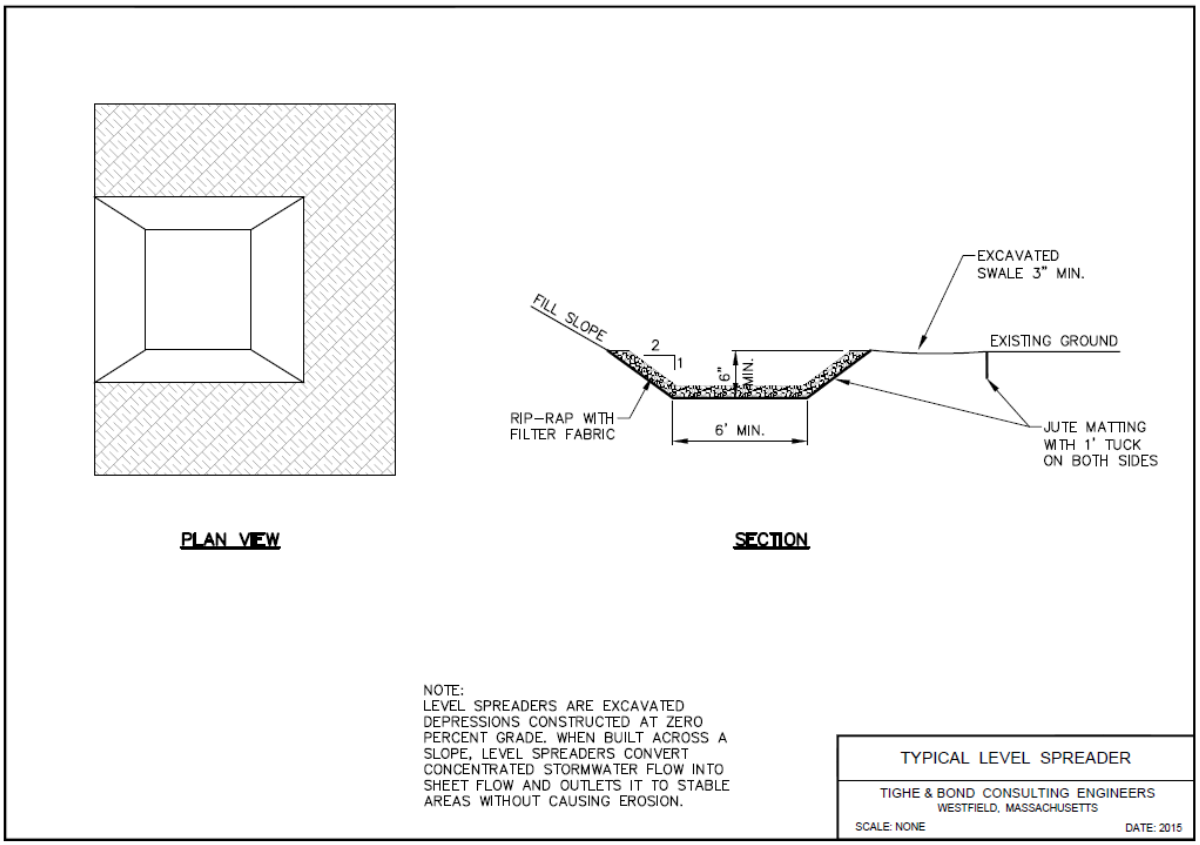
- Inspect after every rain event and remove accumulated sediment. Repair erosion damage and re-seed as necessary.

- Mow vegetation occasionally to control weeds and the encroachment of woody vegetation.

Additional Comments:

If channels form and erosion is evident in level spreader, the level spreader is not uniformly flat. Repair the low spots in the level spreader.

If erosion is occurring downgradient of the level spreader, the level spreader is not long enough or not wide enough. Alternatively, the vegetation is not stable. Re-seed the area.



1.14 Check Dams

Applications: Stormwater management, erosion control

Limitations:

- Need to be adequately sized based on expected rain events.

Overview:

Check dams are porous physical barriers placed across a drainageway to reduce the velocity of concentrated stormwater flows and erosion. Check dams also temporarily pond stormwater runoff to allow sediment in the water column to settle out. Permanent or long-term check dams are typically constructed of rip rap or other stone material. Short-term check dams can be constructed of rip rap. Rip rap check dams are preferred over hay bales.

Installation:

- Place stone by hand or machine, making side slopes no steeper than 1:1 and with a maximum height of 3 feet at the center of the check dam. A geotextile may be used under the stone to provide a stable foundation and/or to facilitate removal of the stone.
- The minimum height of the check dam shall be the flow depth of the drainageway, but shall not exceed 3 feet at the center.
- Install the check dam so that it spans the full width of the drainageway, plus 18 inches on each side. Leave the center of the check dam approximately 6 inches lower than the height of the outer edges.
- The maximum spacing between check dams should be such that the toe of the upstream check dam is at the same elevation as the top of the center of the downstream check dam.

Maintenance:

- For permanent stone check dams, inspect and maintain the check dam in accordance with the standards and specifications provided in the design for the site.
- For temporary check dams, inspect at least once per week and within 24 hours of the end of a precipitation event of 0.5 inches or more to determine maintenance needs.
- Maintenance may include, but are not limited to, the replacement of stone, repair of erosion around or under the structure, and/or the removal and proper disposal of accumulated sediment.

Problem	Solution/Explanation
Stone displaced from face of dam	Stone size too small and/or face too steep
Erosion downstream from dam	Install stone lined apron
Erosion of abutments during high flow	Rock abutment height too low
Sediment loss through dam	Inadequate layer of stone on inside face or stone too coarse to restrict flow through dam

Stone check dams at construction site.

Stone check dam at construction site.

1.15 Temporary and Permanent Diversions

Applications: Stormwater management, erosion control

Limitations:

- Need to be adequately sized based on expected rain events and the contributing drainage area.

Overview:

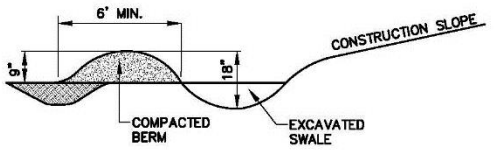
Temporary and permanent diversions are ridges or channels constructed across steep slopes that convey the runoff to a stable outlet at a non-erosive velocity. Use permanent diversions on slopes with high runoff velocities to break up concentrated flow. They can be installed as temporary diversion and completed as permanent when the site is stabilized or can be installed in the final form initially.

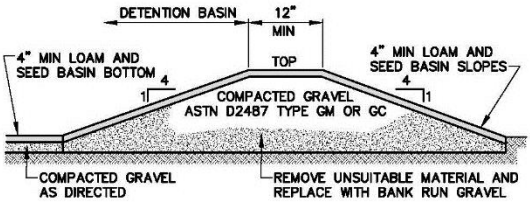
Installation:

- Remove woody vegetation and fill and compact the ditches and gullies that must be crossed before construction.
- Remove vegetation around the proposed location of the base of the diversion ridge to form a strong bond between the ground and fill material.
- Stabilize the outlet of the diversion channel using sediment traps, natural or constructed vegetated outlets, or level spreaders.
- Stabilize the diversion channel with riprap, vegetation, paving, or stone.
- Install a filter strip of close growing grass above the channel to prevent sediment accumulation.
- Seed and mulch diversions that are intended for use for more than 30 days.
- After the area has been permanently stabilized, remove the ridge and channel to blend with the natural ground level.

Maintenance:

- Inspect bi-weekly and repair any erosion problems.
- Remove accumulated sediment and debris.





DETENTION BERM

NOTE:
FILL FOR BERMS SHALL BE A COMBINATION OF GRAVEL, SAND AND SILT TO ENSURE WATER TIGHTNESS AND STABILITY.

SLOPE %	DISTANCE APART
< 5	125
5–10	100
10–20	75
30–35	50
> 35	25

TYPICAL TEMPORARY AND PERMANENT DIVERSIONS

TIGHE & BOND CONSULTING ENGINEERS
WESTFIELD, MASSACHUSETTS
SCALE: NONE DATE: 2015

1.16 Temporary and Permanent Trench Breakers (Trench Plugs)

Applications: Keeping work areas dry, long-term stabilization of soil (prevents sinkholes)

Limitations:

- Water that accumulates behind the trench breaker requires pumping to a filtering device, preferable in a well-vegetated, upland area.

Overview:

Trench breakers (trench plugs) are temporary or permanent measures used to slow the movement of groundwater and surface runoff within a trench. They are often used when runoff draining to downgradient work areas causes problems within the trench. Trench breakers may be placed adjacent to waterways and wetlands to prevent water from seeping into work areas or disrupting the hydrology of the resource areas. They can be used on slopes throughout all types of land uses (including agricultural and residential). Trench breakers should be installed upslope of each permanent slope breaker or waterbar.

Temporary Trench Breakers (Trench Plugs)

Temporary trench plugs may consist of hard or soft plugs. Hard plugs leave small portions of the ditch unexcavated at certain intervals. Soft plugs involve placing compacted subsoil or sandbags into the ditch following excavation.

Installation:

- Install temporary trench plugs at the same intervals as temporary slope breakers or water bars (see table).

Maintenance:

- Inspect trench breakers regularly for signs of any instability, and repair any erosion problems.

- If water accumulates behind the trench breaker, pump to a filtering device, preferably in a well-vegetated, upland area.

Permanent Trench Breakers

Permanent trench breakers are left in the trench and backfilled to slow the movement of subsurface water along the trench. This helps prevent undermining the stability of the right of way that may lead to sinkholes or erosion.

Installation:

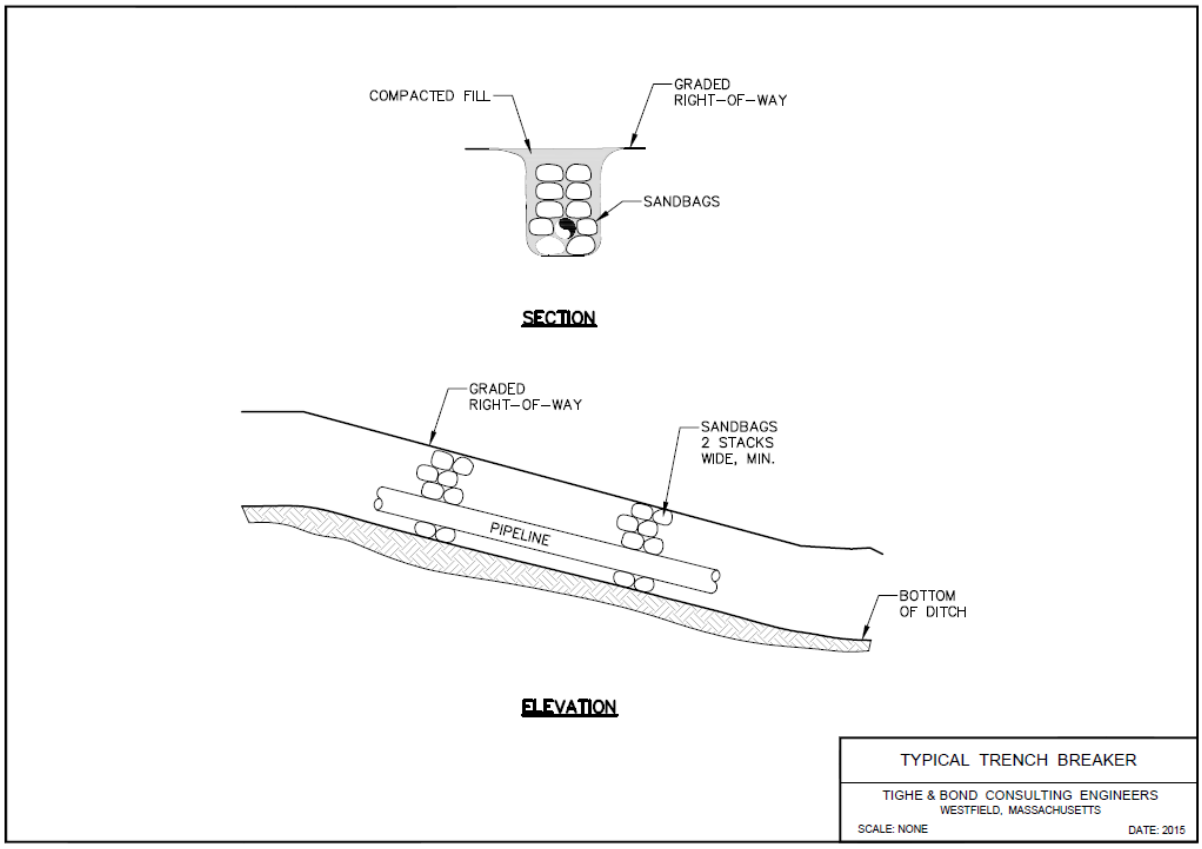
- Trench breakers can be composed of sandbags or polyurethane foam. Do not use topsoil to construct trench breakers.
- Build the trench breaker under and around the pipeline at intervals specified by the local soil conservation service or as shown in the table below.
- Install temporary trench plugs at the same intervals as temporary slope breakers or water bars (see table).
- When using sandbags, construct the trench breakers to be a minimum of two bags wide.
- Backfill the top of the trench breakers along with the rest of the trench. Grade the entire area to the original contours and stabilize.

Maintenance:

- Inspect trench breakers for stability and effectiveness before the trench is backfilled.
- During future inspections of the completed right of way, observe the ditch line for any unusual settling or erosion.
- Inspect wetlands and waterways for any change to their original hydrology.

Additional Comments:

Recommended Spacing	
Land Slope	**Spacing (ft)**
5-15%	300
>15-30%	200
>30%	100


COMPACTED FILL
GRADED
RIGHT–OF–WAY
SANDBAGS
SECTION
GRADED
RIGHT–OF–WAY
SANDBAGS
2 STACKS
WIDE, MIN.
PIPELINE
BOTTOM
OF DITCH
ELEVATION
TYPICAL TRENCH BREAKER
TIGHE & BOND CONSULTING ENGINEERS
WESTFIELD, MASSACHUSETTS
SCALE: NONE
DATE: 2015

Appendix A

Section II

Section 2
Water Control

Several methods exist for temporarily diverting and dewatering surface water from work areas. No untreated groundwater shall be discharged to wetlands or water bodies. A variety of methods may be employed to prevent sedimentation due to dewatering. These methods, which are primarily appropriate during construction of capital projects, are described below.

2.1 Dewatering Activities

Applications: Dewatering

Limitations:

- Overland flow limited to sites with appropriate upland area.
- Frac tanks have limited capacity and are expensive.
- Pumps require oversight at all times.
- Filter bags clog and require replacement.

Overview:

Dewatering activities may be necessary to expose the ditch line and provide drier workspace when high groundwater or saturated soil is present. This condition often occurs in wetlands or near streambanks during excavation activities for installing or replacing utility poles or natural gas pipelines. *Under no circumstances should trench water or other forms of turbid water be directly discharged onto exposed soil or into any wetland or waterbody.*

2.1.1 Overland Flow

Applications: Dewatering

Limitations:

- Space constraints and adjacent wetlands or watercourses may prevent use of this dewatering method.

Overview:

Overland Flow may be used if a discharge location is available where there is no potential for discharged water to flow overland into wetlands or waterbodies. Discharge water overland without any filtering to well-drained, vegetated upland areas and allow to naturally infiltrate into soils.

2.1.2 Frac Tank

Applications: Dewatering, managing contaminated groundwater

Limitations:

- Expensive
- May be site specific limitations (e.g. extremely unlevel ground)
- May require proper disposal at a regulated facility (in cases of contaminated groundwater)

Overview:

Frac Tanks are pre-fabricated and self-contained units that contain a series of baffles that allow fine materials to settle out of the water column. Use frac tanks when the work requires dewatering in an area with very silt laden water and/or contaminated groundwater.

Frac tank on-site for dewatering activities.

2.1.3 Filter Bags and Hay Bale Containment Area

Applications: Dewatering

Limitations:

- Pumps require oversight at all times.
- Filter bags clog and require replacement.

Overview:

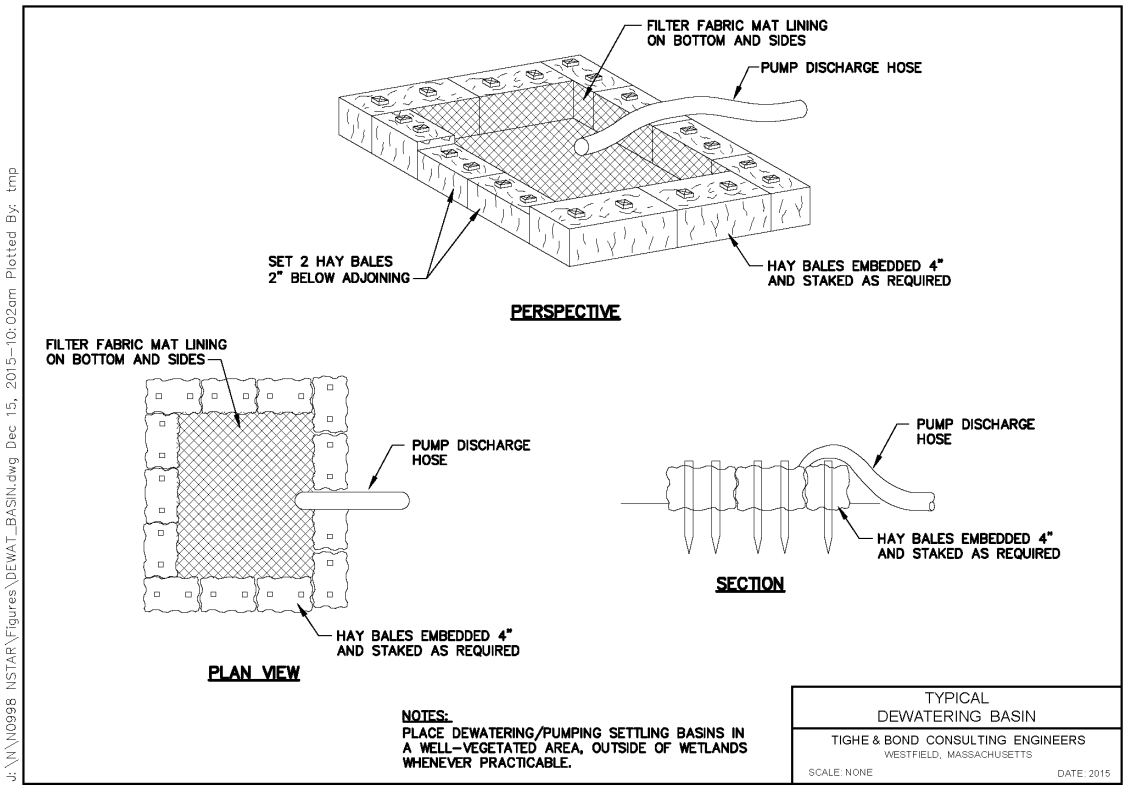
Use filter bags with hay bale containment area for dewatering when there is the potential for discharged water to flow overland into wetlands or waterbodies. Locate dewatering sites in well-vegetated areas within the right of way or approved work areas. Locate discharges outside of wetlands and over 100 feet from a streambank or waterbody, if practicable.

Installation:

- Place pump in a containment structure (i.e., child-sized plastic pool) to avoid fuel leakage to the wetlands or waterways.
- Properly place the discharge hose into a pre-manufactured, geotextile filter bag per the manufacturer's instructions.
- Place the filter bag in a well-vegetated area outside of a wetland area and over 100 feet from a waterbody, if practicable.
- Elevate the intake hose off the trench bottom and create a sump with clean rock in order to avoid pumping additional sediment.
- Build a hay bale corral for the filter bag if the water must be discharged within 100 feet of a wetland, waterbody, or other sensitive area.
- Stake a double vertical line of hay bales in an "L" or "U" shape on the downgradient sides of the bag to further filter the discharge water.

Maintenance:

- Man the pump at all times.
- Refuel pump within a plastic containment structure and/or over 100 feet from the wetland or waterbody.
- Routinely check the filter bag during pumping activities to ensure that it is not reaching its holding capacity.
- If the bag appears to be nearing its limits, stop dewatering until more water has filtered out and the bag can be replaced.
- Properly dispose of used filter bags and trapped sediment.


FILTER FABRIC MAT LINING
ON BOTTOM AND SIDES
PUMP DISCHARGE HOSE
SET 2 HAY BALES
2" BELOW ADJOINING
HAY BALES EMBEDDED 4"
AND STAKED AS REQUIRED
PERSPECTIVE
FILTER FABRIC MAT LINING
ON BOTTOM AND SIDES
PUMP DISCHARGE
HOSE
HAY BALES EMBEDDED 4"
AND STAKED AS REQUIRED
PLAN VIEW
PUMP DISCHARGE
HOSE
HAY BALES EMBEDDED 4"
AND STAKED AS REQUIRED
SECTION
NOTES:
PLACE DEWATERING/PUMPING SETTLING BASINS IN
A WELL-VEGETATED AREA, OUTSIDE OF WETLANDS
WHENEVER PRACTICABLE.
TYPICAL
DEWATERING BASIN
TIGHE & BOND CONSULTING ENGINEERS
WESTFIELD, MASSACHUSETTS
SCALE: NONE
DATE: 2015
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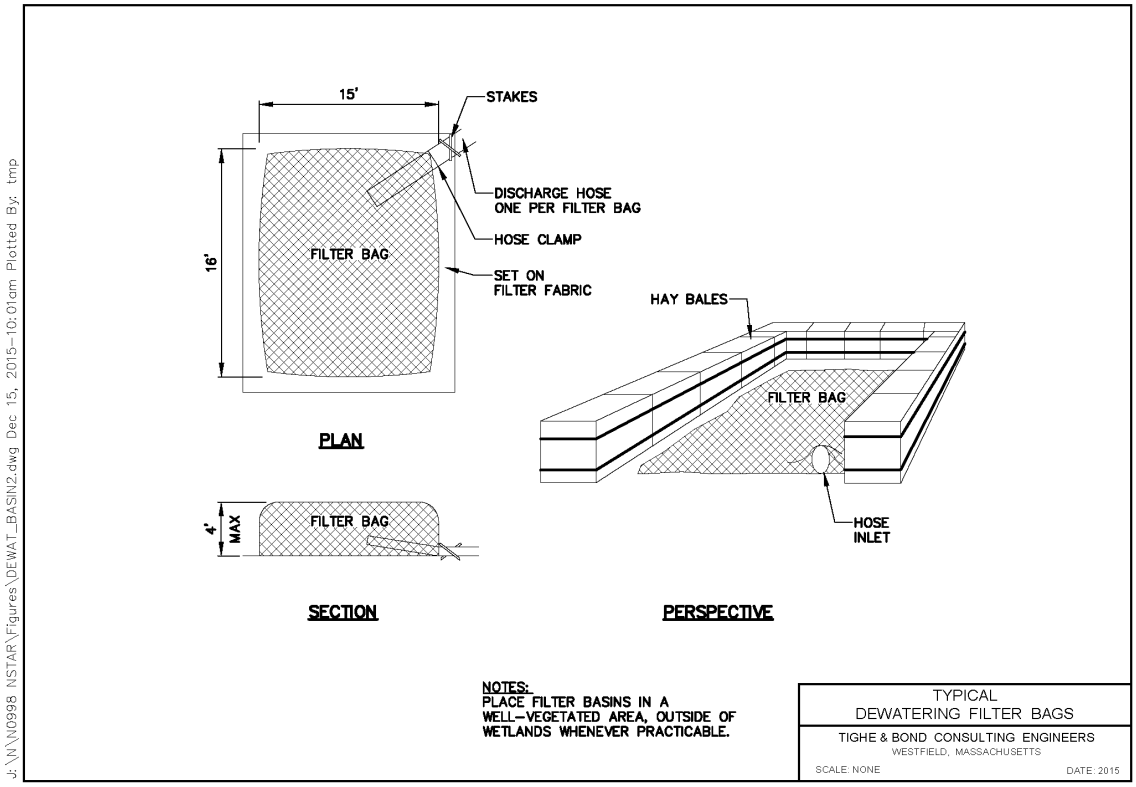
15'
STAKES
DISCHARGE HOSE
ONE PER FILTER BAG
HOSE CLAMP
16'
FILTER BAG
SET ON
FILTER FABRIC
PLAN
HAY BALES
FILTER BAG
HOSE
INLET
4'
MAX
FILTER BAG
SECTION
PERSPECTIVE
NOTES:
PLACE FILTER BASINS IN A
WELL-VEGETATED AREA, OUTSIDE OF
WETLANDS WHENEVER PRACTICABLE.
TYPICAL
DEWATERING FILTER BAGS
TIGHE & BOND CONSULTING ENGINEERS
WESTFIELD, MASSACHUSETTS
SCALE: NONE
DATE: 2015
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2.1.4 Discharge Hose Filter Socks

Applications: Dewatering

Limitations:

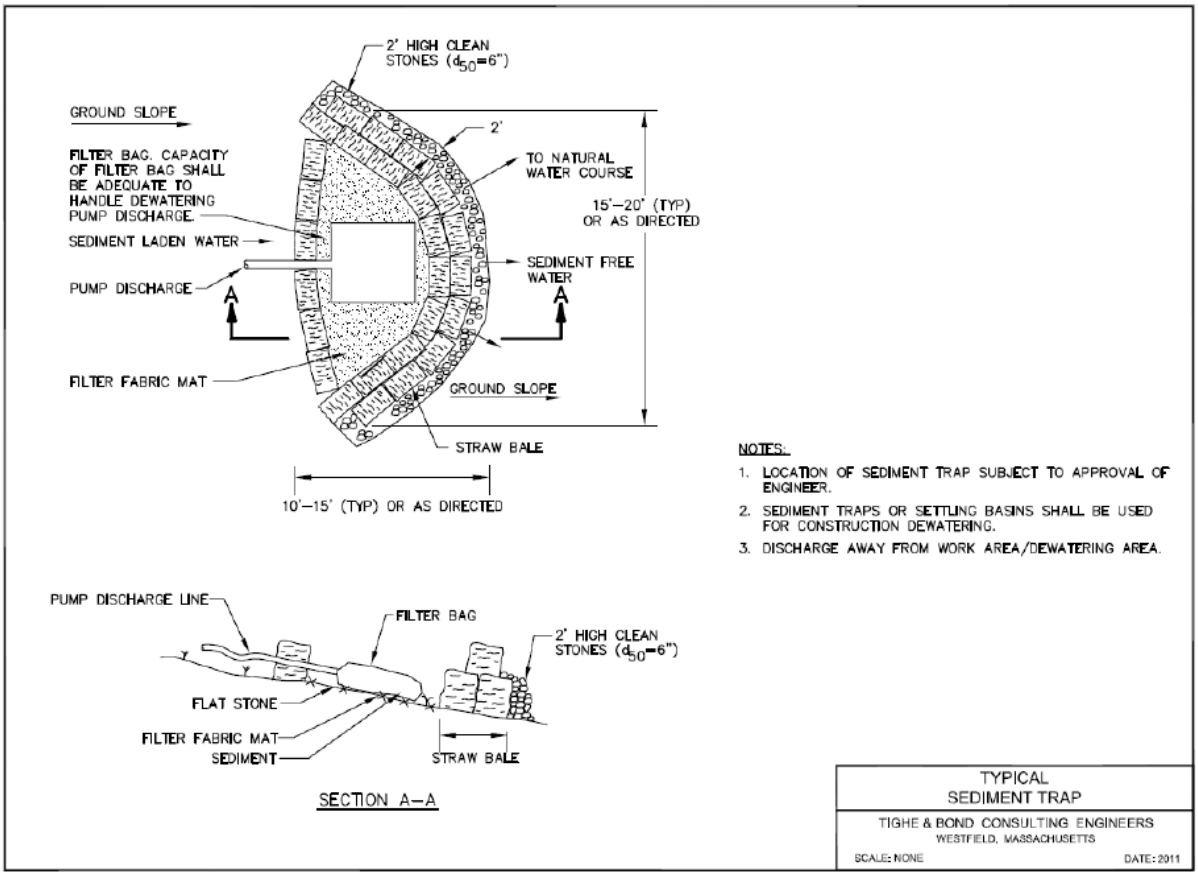
- Ineffective for very silty water

Overview:

Use discharge hose filter socks at sites where there is insufficient space to construct sediment basins or enough suitable uplands for overland flow and infiltration. Filter "socks" or bags may be affixed to the end for the discharge hose of the pump and used for dewatering. It is important that enough socks be on hand at the site to accommodate the anticipated need, as they fill fast with more turbid water. Additional measures such as hay or straw bales can be installed around the filter device for added protection.

Dewatering to filter "sock" surrounded by hay bales.

Riprap underlain by geotextile fabric



2.2 Coffer Dam and Stream Bypass Pumping

Applications: Dewatering/water diversion, turbidity control

Limitations:

- Pipes need to be adequately sized to accommodate heavy rain events.
- Coffer dams require careful maintenance at all times.

Overview:

A coffer dam is a temporary structure used during instream work to enclose a work area by diverting stream flow using pumps (or gravity) while containing sediment and turbidity. Coffer dams make an impoundment upstream of a work area and then use pumps to remove the water from inside the dammed (isolated) area to beyond the work area. They are used in areas with high flows where siltation barriers are not effective. Coffer dams can consist of sandbags, concrete structures, or pre-manufactured products and should be used on a site-by-site basis according to engineering specifications and/or manufacturer's instructions.

Dewatering measures may be necessary if groundwater is encountered within an excavation (e.g., during installation or repair of a buried cable, footings, foundations or structure replacement) or other area if the presence of water is incompatible with construction. In rare cases, surface water diversions will be necessary in order to create dry working conditions for subsurface work in water bodies.

Installation:

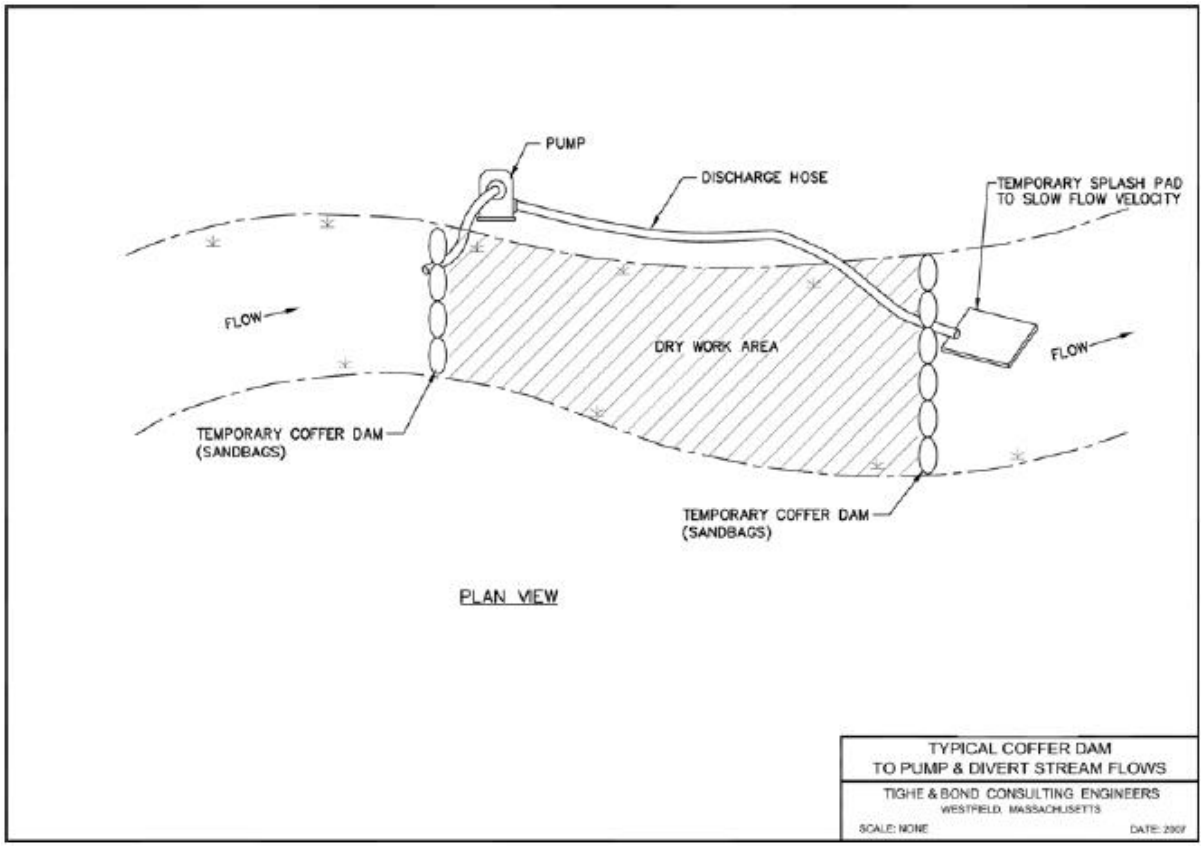
- All cofferdam installations should be designed and approved by engineering staff following geotechnical and hydrological studies. If using a pre-fabricated product, follow manufacturer's instructions and engineer's guidance.
- Place hay bales or silt fence along the streambanks approaching the edges of the workspace.
- Coffer dams should be a semicircle or U-shaped and lined with a geotextile. Use clean durable rockfill or large pre-cast concrete blocks for construction.
- Locate the geotextile outside of the dam for the upstream half and inside for the downstream half to prevent displacement of the geotextile. Place the geotextile with a short flap (1 foot) at the base of the dam, weighted down with clean rockfill.
- Dewatering of the isolated work area may or may not be necessary or even possible. If dewatering is necessary, install an impermeable liner or clay plug.
- After the sediment in suspension has settled out, remove the cofferdam carefully so that sediment disturbance is minimized.
- Do not install in channels where dams would hinder the passage of boats or fish.

Maintenance:

- Cofferdams require careful maintenance at all times.
- Observe the stream flow for any turbidity as a result of the construction activities.

Additional Comments:

Where use of pumps is impractical, coffer dams and temporary pipes can be used to divert flows via gravity and dry out a work area. The instream constriction caused by the cofferdam should be small in order to avoid generating unacceptable scour velocities in the remaining channel section.



2.3 Coffer Dam and Stream Bypass via Gravity

Applications: Dewatering/water diversion, turbidity control

Limitations:

- Pipes need to be adequately sized to accommodate heavy rain events.
- Coffer dams require careful maintenance at all times.

Overview:

A coffer dam is a temporary structure used during instream work to enclose a work area by diverting stream flow via gravity (or using pumps) while containing sediment and turbidity. Coffer dams make an impoundment upstream of a work area and then use a piping and gravity to remove the water from inside the dammed (isolated) area to beyond the work area. They are used in areas with high flows where siltation barriers are not effective. Coffer dams can consist of sandbags, concrete structures, or pre-manufactured products and should be used on a site-by-site basis according to engineering specifications and/or manufacturer's instructions.

Dewatering measures may be necessary if groundwater is encountered within an excavation (e.g., during installation or repair of a buried cable, footings, foundations or structure replacement) or other area if the presence of water is incompatible with construction. In rare cases, surface water diversions will be necessary in order to create dry working conditions for subsurface work in water bodies.

Installation:

- All cofferdam installations should be designed and approved by engineering staff following geotechnical and hydrological studies. If using a pre-fabricated product, follow manufacturer's instructions and engineer's guidance.
- Place hay bales or silt fence along the streambanks approaching the edges of the workspace.
- Coffer dams should be a semicircle or U-shaped and lined with a geotextile. Use clean durable rockfill or large pre-cast concrete blocks for construction.
- Locate the geotextile outside of the dam for the upstream half and inside for the downstream half to prevent displacement of the geotextile. Place the geotextile with a short flap (1 foot) at the base of the dam, weighted down with clean rockfill.
- Dewatering of the isolated work area may or may not be necessary or even possible. If dewatering is necessary, install an impermeable liner or clay plug.
- After the sediment in suspension has settled out, remove the cofferdam carefully so that sediment disturbance is minimized.
- Do not install in channels where dams would hinder the passage of boats or fish.

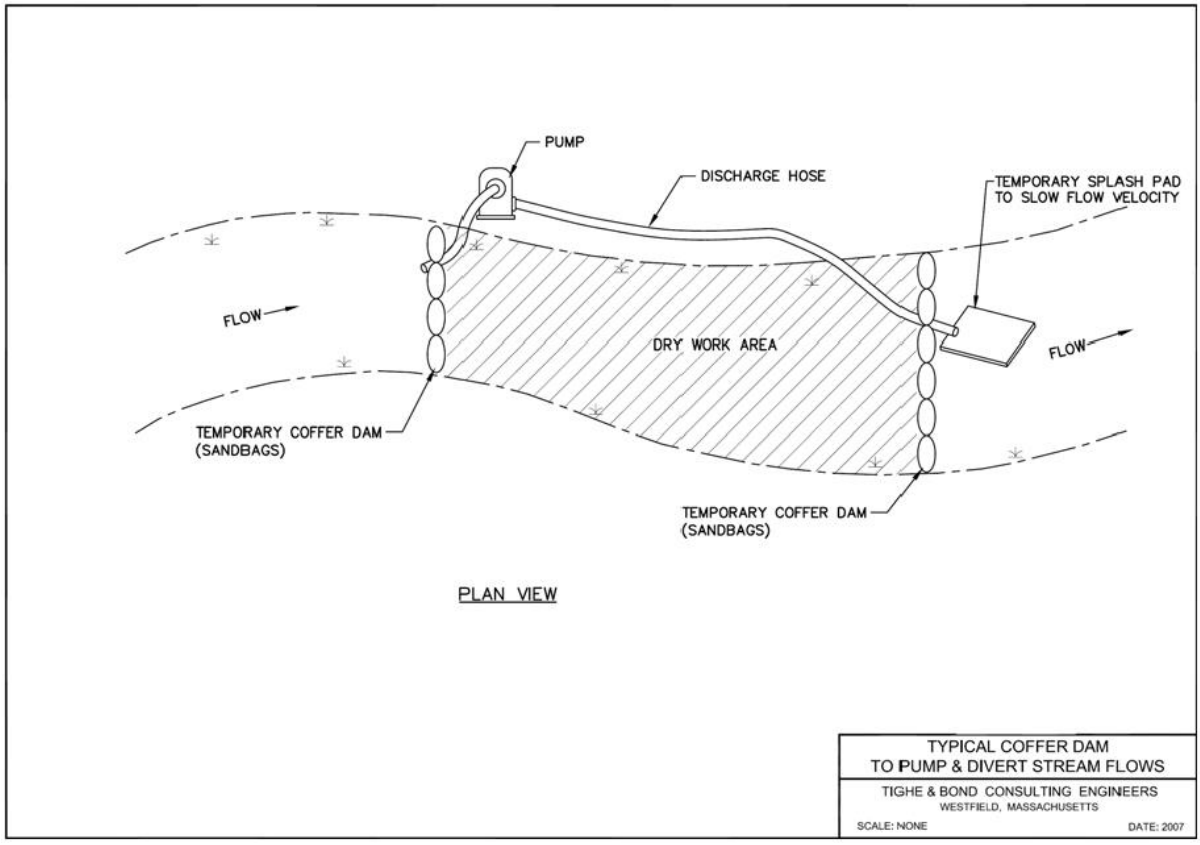
Maintenance:

- Cofferdams require careful maintenance at all times.
- Observe the stream flow for any turbidity as a result of the construction activities.

Additional Comments:

Where gravity flows cannot be circumvented through a coffer dam and temporary flexible pipe via gravity, use a pump, discharge hose and downstream temporary splash pad to slow flow velocity can be used. The instream constriction caused by the cofferdam should be small in order to avoid generating unacceptable scour velocities in the remaining channel section.

Sand bag coffer dam and streamflow gravity bypass.


PUMP
DISCHARGE HOSE
TEMPORARY SPLASH PAD
TO SLOW FLOW VELOCITY
FLOW
DRY WORK AREA
FLOW
TEMPORARY COFFER DAM
(SANDBAGS)
TEMPORARY COFFER DAM
(SANDBAGS)
PLAN VIEW
TYPICAL COFFER DAM
TO PUMP & DIVERT STREAM FLOWS
TIGHE & BOND CONSULTING ENGINEERS
WESTFIELD, MASSACHUSETTS
SCALE: NONE
DATE: 2007

2.4 Silt Barriers

Applications: Turbidity control

Limitations:

- Must be rated to withstand anticipated flow velocity and quantity.

Overview:

Staked and floating silt barriers are temporary flexible barriers used within a waterbody to separate or deflect natural flow around a work area. Barriers are placed around the sediment source to contain the sediment-laden water, allowing suspended soil particle to settle out of suspension and stay in the immediate area. The staked barrier consists of geotextile fabric attached to support posts and a wire support fence and a chain sewn into a sleeve along the bottom edge to allow the barrier to conform to the channel.

The floating silt barriers are often called silt or turbidity curtains, and can be purchased from manufacturers or can be made on site. Construction generally includes a skirt (geotextile fabric) that forms the barrier, flotation segments such as styrofoam sealed in a seam along the top of the fabric, a ballast chain sealed into a sleeve along the bottom edge of the fabric, a loadline built into the barrier above or below the floatation segments, and piles or posts tied back to underwater or on shore anchor points.

Staked Silt Barriers

- For installations which only isolate a part of the stream, barriers can be used in higher flows (shallow streams with currents less than 0.5 ft/s).
- Do not use in streams/river with strong currents, strong waves, ice, floating debris, or boats and do not place barriers completely across stream channels unless they are minor or intermittent streams with negligible flow.

Installation:

- Place the staked barrier and wire support fence at least 1 foot above the waterline. Do not install in a waterbody deeper than 4 feet.
- Place support stakes 10 feet apart and drive them 2 feet into the channel bottom.
- Fasten the wire mesh securely against the fabric with heavy duty wire staples at least 1” long. If possible, use a continuous roll of fabric and fasten securely to the posts with heavy duty staples with a maximum spacing of 2”.
- Where possible, prefabricate a staked barrier on shore. Carefully roll it up lengthwise and move it into place.
- Secure the bottom edge of fabric to the channel bottom by placing a heavy chain into a sewn sleeve along the fabric edge, or by placing clean rockfill over the edge.

Floating Silt Barriers

- Use only in negligible or low flow conditions. Can be used for instream areas between 2.6 feet and 6 feet deep and with waves potentially up to 10 feet.

- Do not use to stop, divert, or filter a significant volume of water.

Installation:

- Purchasing a pre-manufactured silt curtain such as Siltmaster® will save time constructing the barrier. Follow manufacturer's advice for the area.

- Enclose the smallest area as practicable. Locate the barrier far enough away from construction equipment to avoid damage.

- Launch the furled barrier from a ramp, pier or shore. Set the shore anchor points and tie off one end of the barrier to the stream anchor point and the downstream end to a boat. Bring to the downstream point to be anchored.

- Anchor the barrier in the desired formation and make sure the skirt is not twisted around the flotation.

- Cut the furling ties and let the ballast sink to its maximum depth.

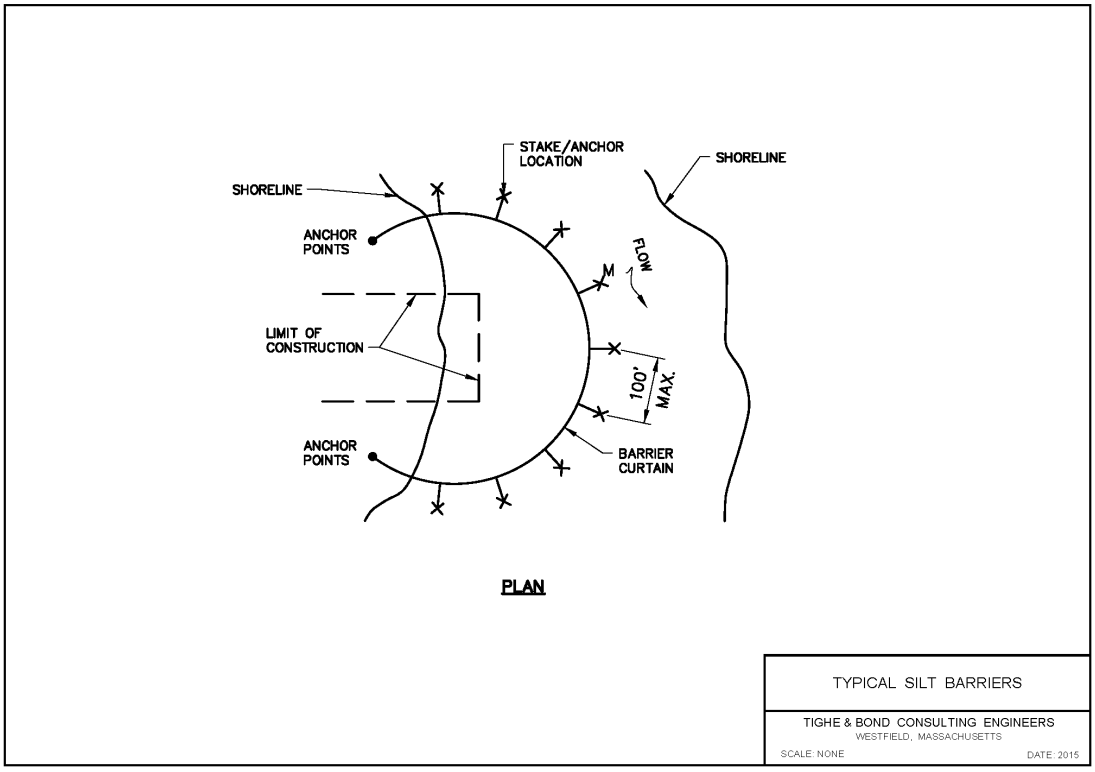
- Slant the barrier at an angle, not perpendicular to the flow. If the barrier will be exposed to reversing currents, anchor it on both sides.

Maintenance for both:

- Inspect daily for any rips or tears or turbidity in the stream flow. Repair immediately with overlapping pieces of geotextile fabric.

- Remove accumulated sediment from the base of the barrier. If necessary, dewater turbid water to an onshore filter bag before removing the barrier.

- Remove the barrier carefully when the work is completed and after suspended sediments have time to settle out.


STAKE/ANCHOR LOCATION
SHORELINE
SHORELINE
ANCHOR POINTS
FLOW
LIMIT OF CONSTRUCTION
100' MAX.
ANCHOR POINTS
BARRIER CURTAIN
PLAN
TYPICAL SILT BARRIERS
TIGHE & BOND CONSULTING ENGINEERS
WESTFIELD, MASSACHUSETTS
SCALE: NONE
DATE: 2015

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Tighe&Bond

APPENDIX B

Appendix B

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Appendix B

B.1 Applicable Laws/Regulations

In Connecticut, there are no fewer than eight potentially pertinent regulatory programs associated with activities proposed in environmentally sensitive areas. The following list of laws and regulations are most likely to apply to electrical utility projects in the State.

- Connecticut Inland Wetlands and Watercourses Act (C.G.S. §§ 22a-36 through 22a-45a)
- Municipal inland wetland and zoning regulations
- Connecticut General Permit for Water Resource Construction Activities (C.G.S. §§ 22a-6, 22a-45a and 22a-378a)
- Connecticut Environmental Policy Act (C.G.S. §§ 22a-1a through 22a-1h)
- Connecticut Coastal Management Act (C.G.S. §§ 22a-359 through 22a-363; 22a-28 through 22a-35; 22a-90 through 22a-112; 33 U.S.C. § 1314)
- Connecticut Water Diversion Policy Act (C.G.S. §§ 22a-365 through 22a-379)
- Connecticut Endangered Species Act (C.G.S. §§ 26-303 through 26-315)
- Section 10 of the Rivers and Harbors Act of 1899 (C.G.S. §§ 22a-426; 33 U.S.C. § 403)
- Section 401 of the Clean Water Act (33 U.S.C. § 1251)
- Section 404 of the Clean Water Act (33 U.S.C. § 1344)

B.2 Geographic Areas Subject to Jurisdiction

The following areas are subject to regulatory jurisdiction by at least one of the regulatory programs discussed in this section: It is important to note that more than one jurisdictional resource type may be present at any given location.

- Inland wetlands, watercourses (rivers, streams, lakes, ponds), and floodplains
- Areas subject to municipal wetlands bylaws or ordinances. (These vary by town.)
- Coastal Resource Areas (beaches, dunes, bluffs, escarpments, coastal hazard areas, coastal waters, nearshore waters, offshore waters, estuarine embayments, developed shorefront, intertidal flats, islands, rocky shorefronts, shellfish concentration areas, shorelands, and tidal wetlands)
- Navigable waters
- Essential Fish Habitat (EFH)
- Rare species habitat as mapped by the Connecticut Natural Diversity Database

B.3 Applicable Regulatory Agencies

Activities subject to jurisdiction under the above-referenced programs will generally be subject to review by one or more regulatory agencies (refer to list below). Most stream and wetland crossings will require notification or consultation with municipal Inland Wetland and Watercourses Agencies, and may require permitting with the U.S. Army Corps of Engineers (Corps) and Connecticut Department of Energy & Environmental Protection (CT DEEP) under Sections 404 and 401 of the Clean Water Act. Coordination with CT DEEP may also be required for projects located within areas mapped by the Connecticut Natural Diversity Database. For work within tidal, coastal or navigable waters or in tidal wetlands, permitting will be required with the Connecticut Department of Energy & Environmental Protection (CT DEEP) Office of Long Island Sound Program (OLISP).

- Municipal Conservation Commissions
- Connecticut Department of Energy & Environmental Protection (CT DEEP) Bureau of Water Management, Inland Water Resources Division
- CT DEEP Wildlife Division
- CT DEEP Office of Environmental Review
- CT DEEP Office of Long Island Sound Programs (OLISP)
- United States Army Corps of Engineers (Corps) New England District

The State of Connecticut and the Federal Government define wetlands differently. According to the Inland Wetlands and Watercourses Act, inland wetlands are defined as "land, including submerged land, not regulated pursuant to Sections 22a-28 through 22a-35 of the Connecticut General Statutes, as amended, which consists of any of the soil types designated as poorly drained, very poorly drained, alluvial, and floodplain by the National Cooperative Soil Survey, as it may be amended from time to time by the United States Department of Agriculture Natural Resource Conservation Service. Such areas may include filled, graded, or excavated sites which possess an aquic (saturated) soil moisture regime as defined by the National Cooperative Soil Survey." State wetland identification is based solely on the presence of these soil types.

"Watercourses" means rivers, streams, brooks, waterways, lakes, ponds, marshes, swamps, bogs and all other bodies of water, natural or artificial, vernal or intermittent, public or private, which are contained within, flow through or border upon this state or any portion thereof. Intermittent watercourses shall be delineated by a defined permanent channel and bank and the occurrence of two or more of the following characteristics: (A) Evidence of scour or deposits of recent alluvium or detritus, (B) the presence of standing or flowing water for a duration longer than a particular storm incident, and (C) the presence of hydrophytic vegetation.

The Federal Government defines wetlands as "Those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions." Federal wetland identification is based on a three parameter approach, where a prevalence of hydrophytic vegetation, hydric soils, and wetland hydrology is used to make a wetland determination.

B.4 Maintenance, Repair, or Emergency Projects

Most regulatory programs contain provisions that allow normal maintenance of existing structures and/or response to emergency situations that require immediate attention.

Prior to commencement of new construction, all jurisdictional wetland areas within the work corridor should be delineated by a qualified wetland and soil scientist. The specialist shall delineate areas in accordance with the General Statutes of Connecticut (revised January 1, 2007) as set forth at Title 22a Chapter 440 "Inland Wetlands and Watercourses Act", the U.S. Army Corps of Engineers 1987 Wetland Delineation Manual, and any local inland wetland regulations, ordinances or bylaws that may exist. Refer to each set of regulations regarding applicable wetland definitions. Wetland areas shall be clearly demarcated using appropriate flagging tape or similar means. It is important to note that certain jurisdictional wetland areas in Connecticut can actually occur in uplands, such as floodplains. In addition, Upland Review Areas generally apply to work activities and vary in each community. This makes consultation with a wetland specialist particularly important.

B.4.1 Maintain, Repair and/or Replace

Exemptions or considerations for maintenance, repair, and/or replacement of existing electrical utility structures exist in some environmental regulations, but not all. The exemptions are limited to work related to existing and lawfully located structures where no change in the original structure or footprint is proposed. It is not for the selected contractor of a particular project to make a determination as to whether an activity is exempt. This determination will be made prior to work by the Eversource project manager, in consultation with Eversource environmental staff.

These exemptions/considerations are afforded at:

- CT Inland Wetlands & Watercourses Act (RCSA § 22a-39-4)
- CT General Permit (Section 3)
- CT Coastal Management Act (RCSA § 22a-363b)
- CT GP [33 CFR 323.4(a)(2)]
- CT Water Diversion Policy Act (RCSA § 22a-377(b)1)

B.4.2 Emergency Projects

Emergency provisions are generally afforded to activities that need to abate conditions that pose a threat to public health or safety. These provisions generally do not allow work beyond what is necessary to abate the emergency condition, and will generally require an after-the-fact permit. It is not for the selected contractor of a particular project to make a determination as to whether an activity is an emergency. This determination will be made prior to work by the Eversource project manager, in consultation with Eversource environmental staff.

It is important to note that invocation of an emergency provision does not release the project proponent from reporting requirements.

Emergency provisions are afforded at:

- CEPA (RCSA § 22a-1a-3)
- CT Coastal Management Act (RCSA § 22a-29)
- CT GP [33 CFR Part 323.4(a)(2)]

B.5 Municipal Permitting

Work within wetlands, watercourses and designated Upland Review Areas typically requires notification to municipal staff, (Department of Public Works and/or the Inland Wetland and Watercourse Agency staff). In October 1996 the Connecticut Department of Public Utility Control opened a docket (Docket Number 95-08-34) to conduct a generic investigation on the allocation of siting jurisdiction over utility plant facilities. This included an investigation as to whether local authorities (including local Inland Wetlands and Watercourses Agencies) have jurisdiction over public utility projects.

The investigation resulted in several orders which provide guidance on how public utility companies should coordinate with municipalities on the construction of new facilities, upgrades, significant maintenance activities, and routine maintenance activities.

- For the construction of new facilities, alterations to existing facilities (including upgrades) or significant maintenance involving substantial disturbance of soil, water or vegetation which would regularly fall under the review requirements of certain local authorities (ie. Planning and Zoning Authority; Inland Wetlands Commission; Public Works Department; Historic District Commission), the utility shall at least notify and consult with such local authority, or its designated agent or staff, toward the development of mutually agreeable schedules and procedures for the proposed activity.
- For routine maintenance activities or alterations to existing facilities (including upgrades) involving minor disturbance of soil, water or vegetation which would regularly fall under the review and approval requirements of certain local authorities, the utility shall make local authorities or their designated agent or staff aware of such ongoing activities.

B.6 CT Department of Energy & Environmental Protection

If the project requires formal permitting with the Corps (Category 2 or Individual Permit), copies of the application should be forwarded to CT DEEP for review under Section 401 of the Clean Water Act. The CT DEEP requires that a GP Addendum form be completed and submitted along with the Corps application. If the project qualifies as Category 1 under the Corps GP, the project also is granted authorization (Water Quality Certification, WQC) with no formal application under Section 401 of the Clean Water Act, provided the project meets the additional WQC general conditions. The general conditions commonly applicable to utility projects include:

- Prohibiting dumping of any quantity of oil, chemicals, or other deleterious material on the ground;

- Immediately informing the CT DEEP Oil and Chemical Spill Response Division at (860) 424-3338 (24 hours) of any adverse impact or hazard to the environment including any discharge or spillage of oil or chemical liquids or solids;

- Separating staging areas at the site from the regulated areas by silt fences or stray/hay bales at all times;

- Prohibiting storage of any fuel and refueling of equipment within 25 feet from any wetland or watercourse;

- Following the document "Connecticut Guidelines for Soil and Erosion Control," inspecting employed controls at least once per week, after each rainfall, and at least daily during prolonged rainfall, and correcting any deficiencies within 48 hours of being found.

- Prohibiting the storage of any materials at the site which are buoyant, hazardous, flammable, explosive, soluble, expansive, radioactive, or which could in the event of a flood be injurious to human, animal or plant life, below the elevation of the 500 year flood. Any other material or equipment stored at the site below this elevation must be firmly anchored, restrained or enclosed to prevent flotation. The quantity of fuel for equipment at the site stored below such elevation shall not exceed the quantity of fuel that is expected to be used by such equipment in one day.

- Immediately informing DEEP at (860) 424-3019 and the Corps at (617) 647-8674 of the occurrence of pollution or other environmental damage in violation of the WQC, and within 48 hours support a written report including information specified in the general conditions.

If the project falls within areas mapped by the Connecticut Natural Diversity Database, or is less than 0.50 miles upstream or downstream of a mapped area, a data request and possible coordination will be required with the Natural Diversity Database.

If a project is located within tidal, coastal or navigable waters of the state or in tidal wetlands, permitting may be required with the CT DEEP OLISP. For the routine maintenance of previously permitted structures or structures that were in place prior to June 24, 1939, no permitting is required. For significant maintenance of previously permitted structures or structures that were in place prior to June 24, 1939, a Certificate of Permission is required. For new projects a Structures, Dredging and Fill Permit and/or a Tidal Wetlands Permit may be required. The CT DEEP OLISP should be consulted prior to preparing permits to conduct a pre-application meeting and determine the appropriate permitting route.

B.7 U.S. Army Corps of Engineers

Work within wetlands and waters of the United States is subject to jurisdiction under Section 404 of the Clean Water Act, which is administered by the Corps. Work within navigable waters is also administered by the Corps under Section 10 of the Rivers and Harbors Act of 1899. The Corps has issued a General Permit (GP) which establishes categories for projects based on their nature of impacts. The current permit was issued on July 15, 2011, and expires on July 15, 2016. The permit will be reissued by July 15, 2016 for another five years. Applications are not required for Category 1 projects, but

submittal of a Category 1 Form before the work occurs and submittal of a Compliance Certification Form within one month after the work is completed is required. The Category 1 Form and Compliance Certification Form entails self-certification by applicants that their project complies with the terms and conditions of Category 1 of the GP. Category 2 projects require the submittal of an application to the Corps, followed by a screening of the application by the Corps, the U.S. Fish and Wildlife Service, U.S. Environmental Protection Agency, National Marine Fisheries Service and CT DEEP, and consultation with the Connecticut Commission on Culture and Tourism and Tribal Historic Preservation Officers. Category 2 projects may not proceed until written approval from the Corps is received. Written approval is generally provided within 45 days of the multi-agency screening. After written approval is received, a Work-Start Notification Form must be submitted before the work occurs, and a Compliance Certification Form must be submitted within one month after the work is completed.

For work proposed within a FEMA floodway or floodplain, the Corps recommends that the applicant apply for and receive a Flood Management Certification (if required), prior to applying to the Corps. Additionally, applications for Category 2 inland projects that propose fill in Corps jurisdiction must include an Invasive Species Control Plan (ISCP), unless otherwise directed by the Corps.

An Individual Permit requires a formal permit application to be submitted to the Corps. The application is reviewed in detail by both state and federal agencies, and a Public Notice is released for public comment. Projects which trigger an Individual Permit generally result in significant impacts to wetlands and/or watercourses.

Stream and wetland crossings are only subject to jurisdiction under the Corps if there is **a discharge of dredge or fill material into wetlands or waters of the United States**. Equipment access through a stream or wetland with no structural BMP is not regulated by the Corps if there is no discharge of dredge or fill material (note that equipment rutting as a result of not using an appropriate BMP can be considered a "discharge of dredge material"). Similarly, the use of a timber or rail car bridge that extends from bank to bank with no stream impacts is not regulated by the Corps. Additionally, the use of timber mats and stone is considered "fill material" by the Corps, and must be calculated to determine overall impacts. Temporary mats are not counted towards the 1 acre threshold under Category 2 if they are adequately cleaned after previous use, removed immediately after completion of construction and disposed of at an upland site.

Maintenance, including emergency reconstruction of currently serviceable structures, is exempt from Corps jurisdiction and does not require formal permitting. Maintenance does not include any modification that changes the character, scope, or size of the original fill design. Emergency reconstruction must occur within a reasonable period of time after damage occurs to qualify for this exemption.

Stream and wetland crossings that involve the discharge of dredge and fill material may be conducted under Category 1 if the work complies with the general conditions and Category 1 criteria of the GP. The following are Category 1 criteria that are commonly applicable to stream and wetland crossings in utility rights of way. See Section 1.8 for additional criteria for culvert crossings:

- The work results in less than 5,000 square feet of impacts to wetlands or waters of the United States. Replacement of utility line projects with impacts solely

within wetlands greater than 5,000 square feet may be eligible for Category 1 Authorization after consultation with the Corps about the specific project;

- Temporary fill, with the exceptions of swamp and timber mats, discharged to wetlands shall be placed on geotextile fabric laid on the pre-construction wetland grade. Unconfined temporary fill discharged into flowing water (rivers and streams) shall consist only of clean stone. All temporary fill shall be removed as soon as it is no longer needed, and disposed of at an appropriate upland site.
- Any unconfined in-stream work, including construction, installation or removal of sheet pile cofferdam structures, is conducted during the low-flow period between July 1 and September 30. However, installation of cofferdams, other than sheet pile cofferdams, is not restricted to the low-flow period;
- No work will occur in the main stem or tributary streams of the Connecticut River watershed that are being managed for Atlantic salmon (*Salmo salar*). (Work of this nature requires screening for potential impacts to designated Essential Fish Habitat.);
- The work does not result in direct or secondary impacts to Special Wetlands, Threatened, Endangered or Special Concern Species, or Significant Natural Communities identified by the Connecticut Natural Diversity Database. Work within 750 feet of vernal pools shall be minimized;
- The project does not require a Corps permit with associated construction activities within 100 feet of Special Wetlands;
- The project does not result in fill placed within a FEMA established floodway, unless the applicant has a State of Connecticut Flood Management Certification pursuant to Section 25-68d of the Connecticut General Statutes;
- The project does not result in fill placed within a FEMA established floodplain that would adversely affect the hydraulic characteristics of the floodplain;
- The project does not entail stormwater detention or retention in inland waters or wetlands;
- The project is not located in a segment of a National Wild and Scenic River System (includes rivers officially designated by Congress as active study status rivers for possible inclusion) or within 0.25 miles upstream or downstream of the main stem or tributaries to such a system;
- The project has no potential for an effect on a historic property which is listed or eligible for listing in the National Register of Historic Places;
- The project does not impinge upon the value of any National Wildlife Refuge, National Forest, or any other area administered by the U.S. Fish and Wildlife Service, U.S. Forest Service or National Park Service;
- Section 106 needs to be taken into account for all work that requires federal permitting – including Category 1;
- The project does not use slip lining, plastic pipes, or High Density Polyethylene Pipes (HDPP).
- Appropriate BMPs are employed in regards to heavy equipment in wetlands (General Condition 16) and sedimentation and erosion controls (General Condition 20).

- Disturbed inland wetland areas are restored in accordance with General Condition 18.

Stream and wetland crossings that involve the discharge of dredge and fill material may be conducted under Category 2 if the work complies with the general conditions and Category 2 criteria of the GP. The following are Category 2 criteria that are commonly applicable to stream and wetland crossings in utility right of ways. See Section 1.8 for additional criteria for culvert crossings:

- The work results in less than one acre of impacts to wetlands or waters of the United States;
- The project does not result in fill placed within a FEMA established floodplain that would adversely affect the hydraulic characteristics of the floodplain;
- The project does not entail stormwater detention or retention in inland waters or wetlands.
- Temporary fill, with the exceptions of swamp and timber mats, discharged to wetlands shall be placed on geotextile fabric laid on the pre-construction wetland grade. Unconfined temporary fill discharged into flowing water (rivers and streams) shall consist only of clean stone. All temporary fill shall be removed as soon as it is no longer needed, and disposed of at an appropriate upland site.
- Appropriate BMPs are employed in regards to heavy equipment in wetlands (General Condition 16) and sedimentation and erosion controls (General Condition 20).
- Disturbed inland wetland areas are restored in accordance with General Condition 18.

Stream and wetland crossings that cannot meet Category 1 or Category 2 criteria may require review under an Individual Permit. The Corps should be consulted before assuming an Individual Permit will be required, as exceptions can be made under certain circumstances.

B.8 Culvert Installation

New culvert installation or existing culvert replacements will require notification or consultation with municipal staffers which might include the Department of Public Works and/or the inland wetlands officer, and may require permitting with the Corps under Section 404 of the Clean Water Act or Section 10 of the Rivers and Harbors Act of 1899, and the CT DEEP under Section 401 of the Clean Water Act. Coordination with CT DEEP may also be required for projects located within areas mapped by the Connecticut Natural Diversity Database. For work within tidal, coastal or navigable waters or in tidal wetlands, permitting will be required with the CT DEEP Office of Long Island Sound Program (OLISP).

B.8.1 Municipal Permitting

See Section 1.5 for general local permitting guidance.

- For the installation of new culverts and the replacement of culverts that involve substantial disturbance of soil, water or vegetation which would regularly fall under the review and approval requirements of certain local authorities (ie.

Planning and Zoning Authority; Inland Wetlands Commission; Public Works Department; Historic District Commission), the utility shall at least notify and consult with such local authority, or its designated agent or staff, toward the development of mutually agreeable schedules and procedures for the proposed activity.

- For the replacement of culverts involving only minor disturbance of soil, water or vegetation which would regularly fall under the review and approval requirements of certain local authorities, the utility shall make local authorities or their designated agent or staff aware of such ongoing activities.

B.8.2 CT Department of Energy & Environmental Protection

If the project requires formal permitting with the Corps, copies of the application should be forwarded to CT DEEP for review under Section 401 of the Clean Water Act. The CT DEEP requires that a PGP Addendum form be completed and submitted along with the Corps application.

If a culvert project falls within areas mapped by the Connecticut Natural Diversity Database, or falls within 0.50 miles upstream or downstream of a mapped area, a data request and possible coordination will be required with the Natural Diversity Database.

If a culvert project is located within tidal, coastal or navigable waters of the state or in tidal wetlands, permitting will be required with the CT DEEP OLISP. For new projects a Structures, Dredging and Fill Permit and/or a Tidal Wetlands Permit will be required. For replacement structures which were previously permitted, or which were in place prior to June 24, 1939, a Certificate of Permission may only be required, which entails a shorter permitting process.

B.8.3 U.S. Army Corps of Engineers

See Section 1.7 for general Corps permitting requirements. Open bottom arches, bridge spans or embedded culverts are preferred over traditional culverts and are required for Category 1 projects. However, where site constraints make these approaches impractical, the Corps should be consulted.

New bridge or open-bottom structure crossings may be conducted under Category 1 or Category 2 if the following criteria are met in addition to meeting any applicable general criteria listed in section 1.7 of this manual:

- The work spans at least 1.2 times the watercourse bank full width;
- The structure has an openness ratio equal to or greater than 0.25 meters;
- The structure allows for continuous flow of the 50-year frequency storm flows.

New culvert installations may be conducted under Category 1 if the work complies with the general conditions and Category 1 criteria of the GP. The following are Category 1 criteria that are commonly applicable to new culvert installations in utility right of ways:

- Work is conducted in accordance with the design requirements listed in Section 3.1.3 of the Best Management Practices Manual;
- Plastic and High Density Polyethylene Pipes (HDPE) are not used;

- The work results in less than 5,000 square feet of impacts to wetlands or waters of the United States;
- Any unconfined in-stream work, including construction, installation or removal of sheet pile cofferdam structures, is conducted during the low-flow period between July 1 and September 30, except in instances where a specific written exception has been issued by the Connecticut Department of Energy & Environmental Protection. However, installation of cofferdams, other than sheet pile cofferdams, is not restricted to the low-flow period;
- No open trench excavation is conducted within flowing waters. Work within flowing waters can be avoided by using temporary flume pipes, culverts, cofferdams, etc. to isolate work areas and maintain normal flows;
- The tributary watershed to the culvert does not exceed 1.0 square mile (640 acres);
- The culvert gradient (slope) is not steeper than the streambed gradient immediately upstream or downstream of the culvert;
- For a single box or pipe arch culvert crossing, the inverts are set not less than 12 inches below the streambed elevation;
- For a multiple box or pipe arch culvert crossing, the inverts of one of the boxes or pipe arch culverts are set not less than 12 inches below the elevation of the streambed;
- For a pipe culvert crossing, the inverts are set such that not less than 25% of the pipe diameter or 12 inches, whichever is less, is set below the streambed elevation;
- The culvert is backfilled with natural substrate material matching upstream and downstream streambed substrate;
- The structure does not otherwise impede the passage of fish and other aquatic organisms;
- The structure allows for continuous flow of the 50-year frequency storm flows;
- The work does not result in direct or secondary impacts to Special Wetlands, Threatened, Endangered or Special Concern Species, or Significant Natural Communities identified by the Connecticut Natural Diversity Database. Work within 750 feet of vernal pools shall be minimized;
- The project does not require a Corps permit with associated construction activities within 100 feet of Special Wetlands;
- The project does not result in fill placed within a FEMA established floodway, unless the applicant has a State of Connecticut Flood Management Certification pursuant to section 25-68d of the Connecticut General Statutes;
- The project does not result in fill placed within a FEMA established floodplain that would adversely affect the hydraulic characteristics of the floodplain;
- The project does not entail stormwater detention or retention in inland waters or wetlands;
- The project is not located in a segment of a National Wild and Scenic River System (includes rivers officially designated by Congress as active study status

rivers for possible inclusion) or within 0.25 miles upstream or downstream of the main stem or tributaries to such a system;

- The project has no potential for an effect on a historic property which is listed or eligible for listing in the National Register of Historic Places;
- The project does not impinge upon the value of any National Wildlife Refuge, National Forest, or any other area administered by the U.S. Fish and Wildlife Service, U.S. Forest Service or National Park Service.
- Appropriate BMPs are employed in regards to sedimentation and erosion controls (General Condition 20).

New culvert installations may be conducted under Category 2 if the work complies with the general conditions and Category 2 criteria of the GP. The following are Category 2 criteria that are commonly applicable to new culvert installations in utility right of ways:

- Work is conducted in accordance with the design requirements listed in Section 3.1.3 of the Best Management Practices Manual;
- The work results in less than one acre of impacts to wetlands or waters of the United States;
- The project does not result in fill placed within a FEMA established floodplain that would adversely affect the hydraulic characteristics of the floodplain;
- There is no practicable alternative location for the crossing that would have less environmental impacts;
- The use of a bridge or open-bottom structure is determined to be not practicable;
- For a single box or pipe arch culvert crossing, the inverts are set not less than 12 inches below the streambed elevation;
- For a multiple box or pipe arch culvert crossing, the inverts of one of the boxes or pipe arch culverts are set not less than 12 inches below the elevation of the streambed;
- For a pipe culvert crossing, the inverts are set such that not less than the pipe diameter or 12 inches, whichever is less, is set below the streambed elevation;
- The culvert is backfilled with natural substrate material matching upstream and downstream streambed substrate;
- The culvert has an openness ratio equal to or greater than 0.25 meters;
- The structure does not result in a change in the normal water surface elevation of the upstream waters or wetlands;
- The structure allows for continuous flow of the 50-year frequency storm flows;
- Appropriate BMPs are employed in regards to sedimentation and erosion controls (General Condition 20).

New culvert installations that cannot meet Category 1 or Category 2 criteria may require review under an Individual Permit. The Corps should be consulted before assuming an Individual Permit will be required, as exceptions can be made under certain circumstances.

In-kind replacement of culverts using the same materials is exempt from Section 404 of the Clean Water Act, and does not require permitting with the Corps. The Corps, however, should be consulted before assuming an activity is exempt from their jurisdiction. Consult with Siting and Permitting.

Bridge or open-bottom structure replacements may be conducted under Category 1 if the conditions for a new bridge or open-bottom structure replacement have been met. In addition, bridge or open-bottom structure replacements should not result in a change in the normal surface elevation of the upstream waters or wetland, and the replacement structure should have a riparian bank on one or both sides for wildlife passage. Culvert replacements may be conducted under Category 1 if the conditions for new culvert installation are met.

Bridge or open-bottom structure replacements may be conducted under Category 2 if the conditions for a new bridge or open-bottom structure replacement have been met. Culvert replacements may be conducted under Category 2 if the following conditions are met:

- The work results in 5,000 square feet to less than one acre of impacts to wetlands or waters of the United States;
- The use of a bridge or open-bottom structure is determined to be not practicable;
- For a single box or pipe arch culvert crossing, the inverts are set not less than 12 inches below the streambed elevation;
- For a multiple box or pipe arch culvert crossing, the inverts of one of the boxes or pipe arch culverts are set not less than 12 inches below the elevation of the streambed;
- For a pipe culvert crossing, the inverts are set such that not less than the pipe diameter or 12 inches, whichever is less, is set below the streambed elevation;
- The culvert is backfilled with natural substrate material matching upstream and downstream streambed substrate;
- The culvert has an openness ratio equal to or greater than 0.25 meters;
- The structure does not result in a change in the normal water surface elevation of the upstream waters or wetlands;
- The structure allows for continuous flow of the 50-year frequency storm flows.
- Appropriate BMPs are employed in regards to sedimentation and erosion controls (General Condition 20).

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APPENDIX C

Appendix C

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Appendix C

C.1 Applicable Laws/Regulations

In Massachusetts, there are no fewer than seven potentially pertinent regulatory programs associated with activities proposed in environmentally sensitive areas. The following list of laws and regulations are most likely to apply to electrical utility projects in the Commonwealth.

- Massachusetts Wetlands Protection Act (M.G.L. 131 § 40) (MA WPA)
- Municipal wetland bylaws (varies by town)
- Massachusetts Endangered Species Act (M.G.L. 131A) (MESA)
- "Chapter 91" Public Waterfront Act (M.G.L. c. 91 §§ 1 through 63)
- Massachusetts Environmental Policy Act (M.G.L. c. 30 §§ 61 through 62H) (MEPA)
- Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. § 403)
- Section 401 of the Clean Water Act (33 U.S.C. § 1251)
- Section 404 of the Clean Water Act (33 U.S.C. § 1344)
- Massachusetts Watershed Protection Act (M.G.L. 92A §1/2) (MA WsPA)

C.2 Geographic Areas Subject to Jurisdiction

The following areas are subject to regulatory jurisdiction by at least one of the regulatory programs discussed in this section: It is important to note that more than one jurisdictional resource type may be present at any given location. Further, while coastal wetland resource areas are jurisdictional under the Massachusetts Wetlands Protection Act (MAWPA), Eversource's territory does not extend into these areas at the present time. Therefore, these areas are not discussed in detail below.

- Massachusetts Wetlands Protection Act Resource Areas:
    - (Inland). Bordering Vegetated Wetland; Bank; Land Under Water Bodies and Waterways; Land Subject to Flooding; 200-foot Riverfront Area and associated 100-foot Buffer Zones.
- Areas subject to municipal wetlands bylaws or ordinances. (These vary by town.)
- Estimated and/or Priority Habitat of State-listed Rare Species
- Outstanding Resource Waters (ORWs = certified vernal pools and public surface drinking waters)
- Essential Fish Habitat (EFH)
- Cold Water Fisheries Resources (CFRs)
- Areas of Critical Environmental Concern (ACECs)
- Great Ponds
- Navigable waterways

- Quabbin Reservoir, Ware River and Wachusett Reservoir watersheds

C.2.1 Endangered Species

The Massachusetts Natural Heritage and Endangered Species Program (NHESP) maintains the current list of rare and endangered species and species of special concern in Massachusetts. Publically available data only allows for identification of Priority Habitats for the listed species, not specific species information. Priority Habitat location information is available on the NHESP website.

Species specific information is provided for planned linear maintenance activities which are submitted to NHESP in WMECO's annual O&M Plan. Projects/ activities which are not covered in the O&M Plan must file an independent request for information.

Applicable regulations and agency are listed below:

- Massachusetts Endangered Species Act: 321 CMR 10.00 – Division of Fish and Wildlife – NHESP

C.2.2 Vernal Pools

NHESP maintains a database of certified and potential vernal pools in Massachusetts. These data are available on the NHESP website and MassGIS. Certified vernal pools are considered Outstanding Resource Waters. The Corps' GP modified July 28, 2011 includes provisions for protection of certified vernal pools and potential vernal pools, including the vernal pool depression, the vernal pool envelope (area within 100 feet of the vernal pool depression's edge), and the critical terrestrial habitat (area within 100-750 feet of the vernal pool depression's edge). Temporary impacts associated with timber (construction) mats in previously disturbed areas of existing utility projects rights-of-way are exempt from GP requirements regarding work in the vernal pool envelope or critical terrestrial habitat, provided that a Vegetation Management Plan exists that avoids, minimizes and mitigates impacts to aquatic resources. Applicable regulations and agencies for certified vernal pools are listed below:

- Wetlands Protection Act: 310 CMR 10.00 – MassDEP and local Conservation Commissions

- 401 Water Quality Certification for Discharge of Dredged or Fill Material, Dredging, and Dredged Material Disposal in Waters of the U.S. within the Commonwealth: 314 CMR 9.00 – MassDEP

- Department of the Army General Permit Commonwealth of Massachusetts - Corps

C.2.3 Essential Fish Habitat and Wild & Scenic River Designation

Essential Fish Habitat is a habitat essential for spawning, breeding, feeding, or growth to maturity of federally managed species. This website provides more information: www.greateratlantic.fisheries.noaa.gov/habitat. Consultation with the Corps is recommended to confirm the location of Essential Fish Habitat with respect to a proposed project.

Currently portions of the Westfield River and its tributaries, the Farmington River, West Branch, portions of the Sudbury, Assabet, and Concord Rivers, and the Taunton River are designated as National Wild and Scenic Rivers (www.rivers.gov/wildriverslist.html) in

Massachusetts. The Lower Farmington and Salmon Brook and Nashua Rivers are under study to determine consideration for National Wild and Scenic designation (www.rivers.gov/study.html). The Corps reviews projects for impacts to both Essential Fish Habitat and National Wild & Scenic Rivers.

- Department of the Army General Permit Commonwealth of Massachusetts – Corps

C.2.4 Cold Water Fisheries Resources

The Massachusetts Division of Fisheries and Wildlife maintains a list of waters that are known to have cold water fisheries resources (CFRs). This list is useful in highlighting environmental sensitive areas which could be avoided during project planning. The MassDEP reviews projects for potential impacts to CFRs.

- 401 Water Quality Certification for Discharge of Dredged or Fill Material, Dredging, and Dredged Material Disposal in Waters of the U.S. within the Commonwealth: 314 CMR 9.00 – MassDEP

C.2.5 Outstanding Resource Waters

Outstanding Resource Waters include Certified Vernal Pools (CVPs), surface drinking water supplies and tributaries to surface drinking water supplies. CVPs are determined by NHESP and locations are available through MassGIS. Locations of surface water supplies and other Outstanding Resource Waters are also available through MassGIS. The applicable regulations and agency are listed below:

- 401 Water Quality Certification for Discharge of Dredged or Fill Material, Dredging, and Dredged Material Disposal in Waters of the U.S. within the Commonwealth: 314 CMR 9.00 – MassDEP

C.2.6 Historic and Cultural Resources

The Massachusetts Historic Commission (MHC) is the State Historic Preservation Office (SHPO) and is responsible for protecting the state's historic and cultural resources. In addition, four Native American tribes have interests in Massachusetts, and the Board of Underwater Archaeological Resources (BUAR) protects underwater resources in Massachusetts' lakes, ponds, rivers and coastal waters. Historic and cultural concerns are typically associated with maintenance activities that may require excavation (i.e. new poles, new roads, guy wire installations, etc.).

C.3 Applicable Regulatory Agencies

Activities subject to jurisdiction under the above-referenced programs will generally be subject to review by one or more regulatory agencies (refer to list below). New stream and wetland crossings not related to maintenance will require permitting with municipal Conservation Commissions, and may require permitting with the U.S. Army Corps of Engineers (Corps) and Massachusetts Department of Environmental Protection (MassDEP) under Sections 404 and 401 of the Clean Water Act. Any non-maintenance work within Land Under Water will require permitting with the MassDEP Wetland and Waterways Division. Coordination with the NHESP may also be required for projects located within areas mapped as priority and/or estimated habitat for state-listed rare species. For work within navigable waters, consultation may be required with the Massachusetts Office of Coastal Zone Management (MA CZM).

- Municipal Conservation Commissions
- Massachusetts Department of Environmental Protection (MassDEP) Wetlands and Waterways Program
- Massachusetts Division of Fish and Wildlife: Natural Heritage and Endangered Species Program (NHESP)
- Massachusetts Executive Office of Environmental Affairs (EOEA)
- United States Army Corps of Engineers (Corps) New England District
- Massachusetts Office of Coastal Zone Management (MA CZM)
- Massachusetts Division of Conservation and Recreation (MA DCR)

C.4 Maintenance, Repair, or Emergency Projects

Most regulatory programs contain provisions that allow normal maintenance of existing structures and/or response to emergency situations that require immediate attention.

C.4.1 Maintain, Repair and/or Replace

Exemptions or considerations for maintenance, repair, and/or replacement of existing electrical utility structures exist in some environmental regulations, but not all. The exemptions are limited to work related to existing and lawfully located structures where no change in the original structure or footprint is proposed. It is not for the selected contractor of a particular project to make a determination as to whether an activity is exempt. This determination will be made prior to work by the Eversource project manager, in consultation with Eversource environmental staff.

These exemptions/considerations are afforded at:

- MAWPA (M.G.L Chapter 131, § 40, paragraph 1)
- MAWPA regulations for Riverfront Area (310 CMR 10.58(6))
- MEPA regulations (301 CMR 11.01(2)(b)(3))
- 33 CFR Part 323.4(a)(2)
- MA 401 WQC (314 CMR 9.03(1))
- MESA (M.G.L. Chapter 131A, § 3; 321 CMR 10.14(5-7) and (12)
- MAWPA (350 CMR 11.05(11) and (12))
- National Pollutant Discharge Elimination System (NPDES), Construction General Permit (as modified effective February 16, 2012)

However, certain operations and maintenance activities which impact Waters of the United States are subject to Sections 401 and 404 of the Clean Water Act, per Sections 1.6 and 1.7 below.

C.4.2 Emergency Projects

Emergency provisions are generally afforded to activities that need to abate conditions that pose a threat to public health or safety. These provisions generally do not allow work beyond what is necessary to abate the emergency condition, and will generally require an after-the-fact permit. It is not for the selected contractor of a particular

project to make a determination as to whether an activity is an emergency. This determination will be made prior to work by the Eversource project manager, in consultation with Eversource environmental staff.

It is important to note that invocation of an emergency provision does not release the project proponent from reporting requirements.

Emergency provisions are afforded at:

- MAWPA regulations (310 CMR 10.06)
- MEPA (301 CMR 11.00)
- MA 401 WQC (314 CMR 9.12)
- Chapter 91 (310 CMR 9.20)
- MESA (321 CMR 10.15)

C.5 Municipal Permitting

Work within wetlands, watercourses and Buffer Zones typically requires permitting with municipal Conservation Commissions. Work that entails "maintaining, repairing or replacing, but not substantially changing or enlarging, an existing and lawfully located structure or facility used in the service of the public and used to provide electric service" is exempt under the Massachusetts Wetlands Protection Act (MA WPA) per MGL Chapter 131 Section 40. However, individual municipalities may establish their own wetlands bylaws under Home Rule authority which could require permitting for operation and maintenance activities. The table below lists communities which have a wetland bylaw in which Eversource Energy operates and maintains infrastructure. Appropriate municipal permitting or notification should be completed in these towns as required prior to conducting operation and maintenance activities.

TABLE C-1
Eversource Energy Communities with Municipal Wetland Bylaws[1]

Community	Date of Bylaw	Utility Maintenance Exemption	Notification Required
Acton	7/8/2003	Yes	No
Amherst	9/27/2006	Yes	Yes
Ashland	5/6/2009	Yes	Yes
Auburn	5/1/2012	Yes	Yes
Bedford	1987/rev. 1995	Yes	Yes
Belchertown	5/3/2006	Yes	No
Bellingham	As of 12/2015	No	Yes
Bolton	5/7/2012	Yes	No
Brookline	12/2009 (regs)	Yes	Yes
Burlington	5/20/2013	Yes	Yes
Canton	4/29/1989	Yes	Yes
Carlisle	2009	Yes	No
Carver	As of 12/2015	Yes	Yes
Chicopee	4/3/2002	Yes	No
Chilmark	10/12/1993	No	Yes
Dedham	11/182013	Yes	Yes
Deerfield	11/6/1989	Yes	Yes
Dover	5/2/1994	Yes	Yes
East Longmeadow	10/1992	Yes	Yes
Framingham	4/26/2005	Yes	Yes
Grafton	5/11/1987	Yes	Yes
Greenfield	11/23/2001	Yes	No
Hadley	5/1/2008	No	Yes
Holden	2011	Yes	Yes
Hopkinton	5/2/1995	Yes	Yes
Hampden	8/5/1992	Yes	Yes
Holyoke	11/2005	Yes	Yes
Kingston	2004	No	Yes
Leicester	11/2015	Yes	Yes
Lexington	5/3/1982	No	Yes
Lincoln	3/24/2007	No	Yes
Longmeadow	10/2000	Yes	No
Ludlow	5/1/2002	Yes	No
Maynard	12/3/2005	Yes	Yes
Medway	7/2014	Yes	Yes
Milford	5/2010	Yes	No
Millis	5/13/1191	Yes	No
Millville	5/13/2013	Yes	Yes

Community	Date of Bylaw	Utility Maintenance Exemption	Notification Required
Natick	4/27/2000	Yes	No
Needham	9/1/1988	Yes	Yes
Norfolk	11/9/2010	Yes	Yes
Northampton	8/17/1989	Yes	Yes
Northborough	5/21/1990	Yes	Yes
Northbridge	5/6/2008	Yes	Yes
Pelham	5/2/1987	Yes	Yes
Pembroke	4/22/2008	Yes	No
Plympton	5/16/2012	Yes	Yes
Richmond	5/2015	Yes	Yes
Rochester	As of 12/2015	Yes	Yes
Sharon	As of 12/2015	Yes	No
Sherborn	2013	Yes	No
Shutesbury	5/2/1987	Yes	Yes
Southborough	4/10/1995	Yes	Yes
South Hadley	12/27/2005	No	Yes
Southwick	6/6/1989	Yes	Yes
Springfield	5/5/1993	Yes	Yes
Stoneham	4/2013	Yes	Yes
Stow	5/21/2003	No	Yes
Sunderland	4/27/1990	Yes	Yes
Sutton	5/11/2015	Yes	Yes
Truro	9/30/2010	No	Yes
Upton	2009	Yes	Yes
Walpole	2002	Yes	Yes
Wayland	5/1/2002	Yes	No
Wendell	3/10/1988	Yes	Yes
West Tisbury	6/3/2004	Yes	Yes
Westborough	10/20/2008	Yes	Yes
Westfield	5/20/2003	Yes	Yes
Westwood	1989	Yes	Yes
Wilbraham	5/27/1997	Yes	Yes
Worcester	7/1/2007	Partial	Yes

[1]According to Massachusetts Association of Conservation Commissions website as of December, 2015 and Town/City websites.
[2]Refer to municipal bylaws prior to conducting work in the community.

C.6 MA Department of Environmental Protection

Review and approval under the Commonwealth's Water Quality Certification Regulations is required for "*discharge of dredged or fill materials, dredging, and dredged material disposal activities in waters of the United States within the Commonwealth which require federal licenses or permits and which are subject to state water quality certification*

under 33 U.S.C. 1251, et seq. The federal agency issuing a permit initially determines the scope of geographic and activity jurisdiction" (314 CMR 9.01(2)). An individual Water Quality Certification is required from the Massachusetts Department of Environmental Protection (MassDEP) for any activity identified at 314 CMR 9.04. In accordance with 314 9.04 (4) activities which are exempt from MGL Chapter 131 Section 40 but are subject to 33 U.S.C. 1251, *et seq*., and will result in any discharge of dredge or fill material to bordering vegetated wetlands or land under water require an individual 401 Water Quality Certification. Temporary fill placed within an Outstanding Resource Water shall require the filing of an Individual WQC and a Variance Request when required pursuant to 314 CMR 9.06(3). Activities which are exempt from Section 404 of the Clean Water Act and any other federal permit or license do not require 401 authorization.

Work within certain Outstanding Resource Waters, such as certified vernal pools, are prohibited unless a variance is obtained under 314 CMR 9.08. However, under 314 CMR 9.06(3)(c), maintenance, repair, replacement and reconstruction but not substantial enlargement of existing and lawfully located structures or facilities including roads and utilities are allowed to occur within ORWs when authorized by a Water Quality Certification.

C.7 U.S. Army Corps of Engineers

Work within wetlands and waters of the United States is subject to jurisdiction under Section 404 of the Clean Water Act, which is administered by the Corps. Work within navigable waters is also administered by the Corps under Section 10 of the Rivers and Harbors Act of 1899. The Corps has issued a General Permits (GPs) for Massachusetts which establishes categories for projects based on their nature of impacts. The General Permits were issued on February 4, 2015, and expire on February 4, 2020. Certain minor activities are eligible for Self-Verification, which requires submittal of a Self-Verification Notification Form (SVNF) before the work occurs. Activities eligible for Self-Verification are authorized under the general permit and may proceed without written verification from the Corps as long as the SVNF has been submitted and the activity meets the terms and conditions of the applicable GPs. Activities requiring Pre-Construction Notification (PCN) require the submittal of an application to the Corps, followed by a screening of the application by the Corps, the U.S. Fish and Wildlife Service, U.S. Environmental Protection Agency, National Marine Fisheries Service, MassDEP, and consultation with the Massachusetts Historical Commission, Tribal Historic Preservation Officers and the Massachusetts Board of Underwater Archaeological Resources (BUAR). PCN projects may not proceed until written verification from the Corps is received. An Individual Permit requires a formal permit application to be submitted to the Corps. The application is reviewed in detail by both state and federal agencies, and a Public Notice is released for public comment. Projects which trigger an Individual Permit generally result in significant impacts to wetlands and/or watercourses.

Corps permitting does not apply to activities that fall under the maintenance exemption set forth at 33 CFR 323.4(a)(2) – Discharges Not Requiring Permits:

"Maintenance, including emergency reconstruction of recently damaged parts, of currently serviceable structures such as dikes, dams, levees, groins, riprap, breakwaters, causeways, bridge abutments or approaches, and transportation structures. Maintenance does not include any modification that changes the character,

scope, or size of the original fill design. Emergency reconstruction must occur within a reasonable period of time after damage occurs in order to qualify for this exemption."

Maintenance projects that occurred prior to the Corps jurisdiction over fill activities, or that were properly permitted, can proceed under the maintenance exemption noted above, provided that the same temporary fill areas are used. However, it is recommended that a formal determination be requested from the Corps to confirm these activities are exempt. The repair, rehabilitation or replacement of a previously authorized, currently serviceable structure or fill (with some minor deviations in the structure's configuration or filled area) are regulated under GP1 and subject to Self-Verification or Pre-Construction Notification.

Also, operation and maintenance related activities that do not meet the above exemption may qualify for Self-Verification. In that case, it is recommended that a copy of the SVNF be submitted to MassDEP.

The Massachusetts General Permits are listed below. GPs specifically applicable to utility projects are bolded and italicized:

GP1. Repair, Replacement and Maintenance of Authorized Structures and Fills
GP2. Moorings
GP3. Pile-Supported Structures, Floats and Lifts
GP4. Aids to Navigation, and Temporary Recreational Structures
GP5. Dredging, Disposal of Dredged Material, Beach Nourishment, and Rock Removal and Relocation
GP6. Discharges of Dredged or Fill Material Incidental to the Construction of Bridges
GP7. Bank and Shoreline Stabilization
GP8. Residential, Commercial and Institutional Developments, and Recreational Facilities
GP9. Utility Line Activities
GP10. Linear Transportation Projects Including Stream Crossings
GP11. Mining Activities
GP12. Boat Ramps and Marine Railways
GP13. Land and Water-Based Renewable Energy Generation Facilities and Hydropower Projects
GP14. Temporary Construction, Access, and Dewatering
GP15. Reshaping Existing Drainage Ditches, New Ditches, and Mosquito Management
GP16. Response Operations for Oil and Hazardous Substances
GP17. Cleanup of Hazardous and Toxic Waste
GP18. Scientific Measurement Devices
GP19. Survey Activities
GP20. Agricultural Activities
GP21. Fish and Wildlife Harvesting and Attraction Devices and Activities
GP22. Habitat Restoration, Establishment and Enhancement Activities
GP23. Previously Authorized Activities

In general the following cumulative thresholds apply for determining the level of Corps permitting required:

Table C-2
Corps Permits Limits

Resources	SV Limits (SV Eligible)	PCN Limits (PCN Eligible)	IP Limits (IP Required)
Non-tidal waters of the US	0 to 5,000 sf	5,000 sf to 1 acre	>1 acre
Tidal waters of the US	Not eligible	All discharges ≤1/2 acre	>1/2 acre
SAS in tidal waters of the US excluding vegetated shallows	Not eligible	All discharges ≤1,000 sf	>1,000 sf
SAS in tidal waters of the US consisting of vegetated shallows only	Not eligible	All discharges ≤100 sf (compensatory mitigation is required	>100 sf

*Special Aquatic Sites (SAS) consist of wetlands, mud flats, vegetated shallows, sanctuaries and refuges, coral reefs, and riffle and pool complexes. These are defined at 40 CFR 230 Subpart E.

Stream and wetland crossings are only subject to jurisdiction under the Corps if there is **a discharge of dredge or fill material into wetlands or waters of the United States**. Equipment access through a stream or wetland with no structural BMP is not regulated by the Corps if there is no discharge of dredge or fill material (note that equipment rutting as a result of not using an appropriate BMP can be considered a "discharge of dredge material"). Similarly, the use of a timber or rail car bridge that extends from bank to bank with no stream impacts is not regulated by the Corps. The use of timber mats, stone, and log corduroy is considered "fill material" by the Corps MA GPs, and must be calculated to determine overall impacts.

Maintenance, including emergency reconstruction of currently serviceable structures, is exempt from Corps jurisdiction and does not require formal permitting. Maintenance does not include any modification that changes the character, scope, or size of the original fill design. Emergency reconstruction must occur within a reasonable period of time after damage occurs to qualify for this exemption.

New culvert installation or existing culvert replacements may require permitting with local Conservation Commissions under the MA WPA, and may also require permitting with the Corps under Section 404 of the Clean Water Act or Section 10 of the Rivers and Harbors Act of 1899, and the MassDEP under Section 401 of the Clean Water Act.

Stream and wetland crossings (including culvert installations) that involve the discharge of dredge and fill material may be conducted under Self-Verification if the following criteria are met.

- The use of construction mats of any area can be used to conduct activities that were previously authorized, authorized under Self-Verification, or not subject to regulation. Other temporary or permanent fill and associated secondary impacts must meet the SV limits.
- Authorized construction mats must be removed immediately upon work completion, and the wetlands must be restored per the General Conditions.
- The project has no potential for an effect on a historic property within the permit area or any known historic property that may occur outside the permit area.

- Any in-water work is limited to Time of Year windows appropriate for the spawning, breeding and migration of present species specified by the Massachusetts Division of Marine Fisheries. The TOY restriction for any inland stream not specified by MA DMF is October 1 to June 30. Activities within water proposed during these TOY restrictions are ineligible for Self-Verification authorization.
- The work does not result in direct or secondary impacts to Special Aquatic Sites.
- No work occurs in navigable waters of the U.S.
- Span streams or size culverts or pipe arches such that they are wider than bankfull width (BFW). Spans are strongly preferred as they avoid or minimize disruption to the streambed, and avoid entire streambed reconstruction and maintenance inside the culvert or pipe arch, which may be difficult in smaller structures. Footings and abutments for spans and scour protection should be landward of 1.2 times BFW. The width of culverts and arches at bankfull elevation should be ≥1.2 times BFW.
- Embed culverts or pipe arches below the grade of the streambed. This is not required when ledge/bedrock prevents embedment, in which case spans are required. The following depths are recommended to prevent streambed washout, and ensure compliance and long-term success:
    - ≥ 2 feet for box culverts and pipe arches, or
    - ≥ 2 feet and at least 25% for round pipe culverts.
- Match the culvert gradient (slope) with the stream channel profile.
- Construct crossings with a natural bottom substrate within the structure matching the characteristics of the substrate in the natural stream channel and the banks (mobility, slope, stability, confinement, grain and rock size) at the time of construction and over time as the structure has had the opportunity to pass substantial high flow events.
- Construct crossings with appropriate bed forms and streambed characteristics so that water depths and velocities are comparable to those found in the natural channel at a variety of flows at the time of construction and over time. In order to provide appropriate water depths and velocities at a variety of flows and especially low flows, it is usually necessary to reconstruct the streambed (sometimes including a low flow channel), or replicate or preserve the natural channel within the structure. Otherwise, the width of the structure needed to accommodate higher flows will create conditions that are too shallow at low flows. Flows could go subsurface within the structure if only large material is used without smaller material filling the voids.
- Openness, which is the is the cross-sectional area of a structure opening divided by its crossing length when measured in consistent units, is > 0.82 feet (0.25 meters).
- Banks on each side of the stream inside the crossing matching the horizontal profile of the existing stream and banks outside the crossing are recommended. To prevent failure, all constructed banks should have a height to width ratio of no greater than 1:1.5 (vertical:horizontal) unless the stream is naturally incised. Tie these banks into the up and downstream banks and configure them to be stable during expected high flows.

- The project is not located within a vernal pool depression, or vernal pool envelope, and does not individually or cumulatively impact greater than 25% of the vernal pool critical terrestrial habitat. It is feasible for some temporary impacts associated with the use of construction mats in previously disturbed right-of-ways to occur within the vernal pool envelope or critical terrestrial habitat if a Vegetation Management Plan demonstrates avoidance, minimization and mitigation impacts to aquatic resources.
- Culvert extensions do not qualify for Self-Verification.
- Culvert projects using slip lining do not qualify for Self-Verification, either as new work or maintenance activities.
- No open trench excavation in flowing waters. No work in riffles and pools.
- The project does not entail stream relocation.
- Work is not conducted within riffles or pools.
- Normal flows within the stream boundary's confines must be maintained, i.e., temporary flume pipes, culverts, cofferdams, etc.
- Water diversions (i.e., bypass pumping or water withdrawals) may be used immediately up and downstream of the work footprint.
- The project is (a) not located in the designated main stem of, or within 0.25 miles up or downstream of the designated main stem of, or in tributaries within 0.25 miles of the designated main stem of a National Wild and Scenic River System; (b) not in "bordering or contiguous wetlands" that are adjacent to the designated main stem of a National Wild and Scenic River; or (c) does not have the potential to alter flows within a river within the National Wild and Scenic River System.
- The project is not located within areas containing USFWS or National Marine Fisheries Service (NMFS)-listed species or critical habitat. The project is not "likely to adversely affect" listed species or habitat per the federal Endangered Species Act (ESA) or result in a "take" of any federally-listed threatened or endangered species of fish or wildlife.
- The project does not impinge upon the value of any National Wildlife Refuge, National Forest, National Marine Sanctuary, or any other area administered by the U.S. Fish and Wildlife Service, U.S. Forest Service or National Park Service.
- The project is not located on Corps properties and Corps-controlled easements.
- The project does not propose temporary or permanent modification or use of a federal project beyond minor modifications required for normal operation and maintenance.
- The project minimizes use of heavy construction equipment, and, where required, either has low ground pressure (typically less than 3 psi) or it must be placed on construction mats.
- Construction mats must be placed in the wetland from the upland or from equipment positioned on swamp mats if working within a wetland.
- Temporary fill must be stabilized. Unconfined, authorized temporary fill must consist of clean material that minimizes impacts to water quality. Temporary fill

placed during the growing season must be removed before the beginning of the next growing season. If temporary fill is placed during the non-growing season, it may remain throughout the following growing season but must be removed before the beginning of the next growing season.

- Appropriate erosion, sedimentation and turbidity controls are used and maintained during construction.

- Appropriate measures must be taken to minimize flooding to the maximum extent practicable.

Wetland and stream crossings may be authorized under Pre-Construction Notification if the following criteria are met:

- The work results in less than one acre of impacts to inland, non-tidal, wetlands or waters of the United States.

Stream and wetland crossings that cannot meet Self-Verification or Pre-Construction Notification criteria may require review under an Individual Permit. The Corps should be consulted before assuming an Individual Permit will be required, as exceptions can be made under certain circumstances.

C.8 Temporary Stream Crossings

C.8.1 U.S. Army Corps of Engineers

See Section C.7 for general Corps permitting requirements for stream crossings. To qualify for Self-Verification, temporary stream crossings (typically culverts) that are not spans must be designed in accordance with below.

1) Installed outside of the TOY restrictions and must be removed before the beginning of the TOY restriction of that same season. Temporary crossings that must remain into the TOY restriction will require Pre-Construction Notification review.

2) Impacts to the streambed or banks require restoration to their original condition (see "Stream Simulation: An Ecological Approach to Providing Passage for Aquatic Organisms at Road-Stream Crossings," for stream simulation restoration methods). Use geotextile fabric or other appropriate bedding for stream beds and approaches where practicable to ensure restoration to the original grade. The requirements in GCs 17, 18 and 19 are particularly relevant.

3) Avoid excavating the stream or embedding crossings.

4) For Culverts:

    a. The water height should be no higher than the top of the culvert's inlet and the culvert is large enough to pass debris.

    b. Install energy dissipating devices downstream if necessary to prevent scour.

c. The TOY restrictions in GC 18 and the restrictions in GC 17(f) are particularly relevant.

5) Removed upon the completion of work. Impacts to the streambed or banks requires restoration to their original condition using stream simulation methods.

In-kind repair, replacement and maintenance of currently serviceable, authorized fills are eligible for Self-Verification. However, the conditions of the original authorization apply, and minor deviations in fill design are allowed. In-kind repair and maintenance of culverts that includes an expansion or change in use requires Pre-Construction Notification. Replacement of non-serviceable fills, including an expansion or change in use, also requires Pre-Construction Notification. In-kind replacement using the same materials is exempt from Section 404 of the Clean Water Act, and does not require permitting with the Corps. The Corps, however, should be consulted before assuming an activity is exempt from their jurisdiction.

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APPENDIX D

Horizontal directional drilling (HDD) for subsurface utility installations is considered to be the most effective and least environmentally damaging technique when compared to traditional mechanical dredging and trenching. This method ensures the placement of the pipeline at the target burial depth with no wetland or water body disturbance. HDD installation is the preferred method for crossing sensitive resources–the alternative is open cut trenching.

The HDD procedure uses bentonite slurry, a fine clay material as a drilling lubricant. Directional drilling has the small potential to release bentonite slurry into the surface environment through frac-outs. This term describes the situation caused when the drilling head and its accompanying inert clay lubricant slurry, hits a subterranean fractured substrate. When the pressurized lubricant slurry reaches the fracture it can follow the fracture up or otherwise force itself to the surface or into the water if drilling is occurring under a waterbody. If a "frac-out" occurs under these water features, the potential exists for the inert clay (a non-toxic bentonite-based substance) to be released into the water column. In large quantities, the release of drilling mud into a waterbody could affect fisheries or other aquatic organisms by settling and temporarily inundating the habitats used by these species. Properly monitoring the slurry pressures and amounts significantly decreases risk of significant quantities of drilling fluid being released into the environment.

Frac-out is most likely to occur near the bore entry and exit points where the drill head is shallow. Should a frac-out occur during HDD operations, the following measures will be taken.

- Temporarily suspend forward drilling progress.
- Monitor frac-out for 4 hours to determine if the drilling mud congeals. (Bentonite will usually harden, effectively sealing the frac-out location.)
- If drilling mud congeals, take no other action that would potentially suspend sediments in the water column.
- If drilling mud does not congeal, erect appropriate isolation/containment measures (i.e. turbidity curtains and/or underwater boom and curtain).
- If the fracture becomes excessively large, a spill response team would be called in to contain and clean up excess drilling mud in the water. Phone numbers of spill response teams in the area will be on site.
- Following containment, evaluate the current drilling profile (i.e. drill pressures, pump volume rates, drilling mud consistency) to identify means to prevent further frac-out events.
- If the fracture is mitigated and controlled, forward progress of the drilling may resume.

ATTACHMENT F

CONNECTICUT DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION (CT DEEP) GENERAL PERMIT FOR THE DISCHARGE OF STORMWATER AND DEWATERING WASTEWATERS ASSOCIATED WITH CONSTRUCTION ACTIVITIES, 2013

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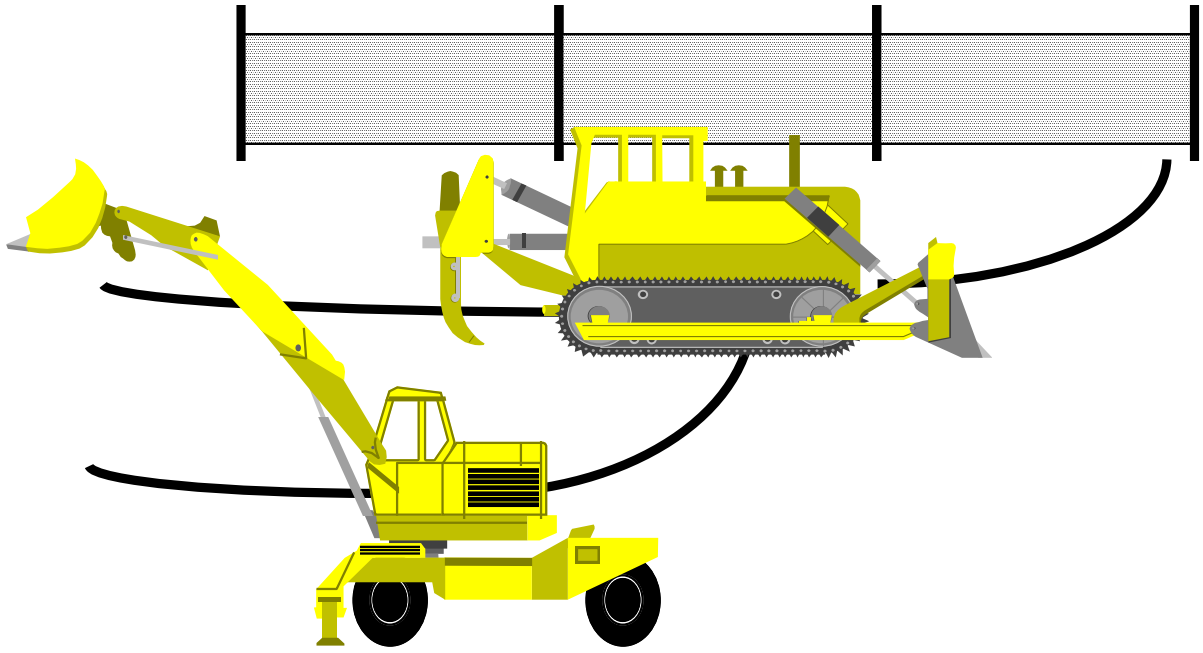
Connecticut Department of
ENERGY &
ENVIRONMENTAL
PROTECTION

79 Elm Street • Hartford, CT 06106-5127 www.ct.gov/deep Affirmative Action/Equal Opportunity Employer

General Permit for the Discharge of Stormwater and Dewatering Wastewaters from Construction Activities



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General Permit for Discharge of Stormwater and Dewatering Wastewaters from Construction Activities

Table of Contents

General Permit for the Discharge of Stormwater and Dewatering Wastewaters from Construction Activities

Section 1. Authority

This general permit is issued under the authority of section 22a-430b of the Connecticut General Statutes.

Section 2. Definitions

The definitions of terms used in this general permit shall be the same as the definitions contained in section 22a-423 of the Connecticut General Statutes and section 22a-430-3(a) of the Regulations of Connecticut State Agencies. As used in this general permit, the following definitions shall apply:

"*x-year, 24-hour rainfall event*" means the maximum 24-hour precipitation event with a probable recurrence interval of once in the given number of years (i.e. x=2, 25 or 100), as defined by the National Weather Service in Technical Paper Number 40, "Rainfall Frequency Atlas of the United States," May 1961, and subsequent amendments, or equivalent regional or state rainfall probability information developed therefrom.

"*Annual sediment load*" means the total amount of sediment carried by stormwater runoff on an annualized basis.

"*Aquifer protection area*" means aquifer protection area as defined in section 22a-354h of the Connecticut General Statutes.

"*Best engineering practices*" means the design of engineered control measures to control pollution to the maximum extent achievable using measures that are technologically available and economically practicable.

"*CFR*" means the Code of Federal Regulations.

"*Coastal area*" means coastal area as defined in section 22a-93(3) of the Connecticut General Statutes.

"*Coastal waters*" means coastal waters as defined in section 22a-93(5) of the Connecticut General Statutes.

"*Commissioner*" means commissioner as defined in section 22a-2(b) of the Connecticut General Statutes.

"*Construction activity*" means any activity associated with construction at a site including, but not limited to, clearing and grubbing, grading, excavation, and dewatering.

"*Department*" means the Department of Energy & Environmental Protection.

"*Developer*" means a person who or municipality which is responsible, either solely or partially through contract, for the design and construction of a project site.

"*Dewatering wastewater*" means wastewater associated with the construction activity generated from the lowering of the groundwater table, the pumping of accumulated stormwater or uncontaminated groundwater from an excavation, the pumping of surface water from a cofferdam, or pumping of other surface water that has been diverted into a construction site.

"*District*" means a soil and water conservation district established pursuant to section 22a-315 of the Connecticut General Statutes. Appendix E lists the Districts, their geographic delineations, and contact information.

"*Disturbance*" means the execution of any of the construction activity(ies) defined in this general permit.

"*Effective Impervious Cover*" is the total area of a site with a Rational Method runoff coefficient of 0.7 or greater (or other equivalent methodology) from which stormwater discharges directly to a surface water or to a storm sewer system.

"*Engineered stormwater management system*" means any control measure and related appurtenances which requires engineering analysis and/or design by a professional engineer.

"*Erosion*" means the detachment and movement of soil or rock fragments by water, wind, ice and gravity.

"*Fresh-tidal wetland*" means a tidal wetland with an average salinity level of less than 0.5 parts per thousand.

"*Grab sample*" means an individual sample collected in less than fifteen minutes.

"*Groundwater*" means those waters of the state that naturally exist or flow below the surface of the ground.

"*Guidelines*" means the 2002 Connecticut Guidelines for Soil Erosion and Sediment Control, as amended, established pursuant to section 22a-328 of the Connecticut General Statutes.

"*High Quality Waters*" means those waters defined as high quality waters in the Connecticut Water Quality Standards published by the Department, as may be amended.

"*Impaired water(s)*" means those surface waters of the state designated by the commissioner as impaired pursuant to Section 303(d) of the Clean Water Act and as identified in the most recent State of Connecticut Integrated Water Quality Report.

"*In Responsible charge*" means professional experience for which the Commissioner determines that a professional's primary duties consistently involve a high level of responsibility and decision making in the planning and designing of engineered stormwater management systems or in the planning and designing of soil erosion and sediment controls for residential and commercial construction projects. The Commissioner shall consider the following in determining whether a professional's experience qualifies as responsible charge experience:

(i) the level of independent decision-making exercised;

(ii) the number of individuals and the disciplines of the other professionals that the professional supervised or coordinated;

(iii) the extent to which a professional's responsibilities consistently involved the review of work performed by other professionals involved the planning and designing of engineered stormwater management systems or the planning and designing of soil erosion and sediment controls for residential and commercial construction projects;

(iv) the extent to which a professional's responsibilities consistently involved the planning and designing of engineered stormwater management systems or the planning and designing of soil erosion and sediment controls for residential and commercial construction projects and whether such responsibilities were an integral and substantial component of the professional's position;

(v) the nature of a professional's employer's primary business interests and the relation of those interests to planning and designing of engineered stormwater management systems or to planning and designing of soil erosion and sediment controls for residential and commercial construction projects;

(vi) the extent to which a professional has engaged in the evaluation and selection of scientific or technical methodologies for planning and designing of engineered stormwater management systems or for planning and designing of soil erosion and sediment controls for residential and commercial construction projects;

(vii) the extent to which a professional drew technical conclusions, made recommendations, and issued opinions based on the results of planning and designing of engineered stormwater management systems or of planning and designing of soil erosion and sediment controls for residential and commercial construction projects; or

(viii) any other factor that the Commissioner deems relevant.

"*Individual permit*" means a permit issued to a specific permittee under section 22a-430 of the Connecticut General Statutes.

"*Inland wetland*" means wetlands as defined in section 22a-38 of the Connecticut General Statutes.

"*Landscape Architect*" means a person with a currently effective license issued in accordance with chapter 396 of the Connecticut General Statutes.

"*Linear Project*" includes the construction of roads, railways, bridges, bikeways, conduits, substructures, pipelines, sewer lines, towers, poles, cables, wires, connectors, switching, regulating and transforming equipment and associated ancillary facilities in a long, narrow area.

"*Locally approvable project*" means a construction activity for which the registration is not for a municipal, state or federal project and is required to obtain municipal approval for the project.

"*Locally exempt project*" means a construction activity for which the registration is for a project authorized under municipal, state or federal authority and may not be required to obtain municipal approval for the project.

"*Low Impact Development*" or "*LID*" means a site design strategy that maintains, mimics or replicates pre-development hydrology through the use of numerous site design principles and small-scale treatment practices distributed throughout a site to manage runoff volume and water quality at the source.

"*Minimize*", for purposes of implementing the control measures in Section 5(*b*)(2) of this general permit, means to reduce and/or eliminate to the extent achievable using control measures that are technologically available and economically practicable and achievable in light of best industry practice.

"*Municipal separate storm sewer system*" or "*MS4*" means conveyances for stormwater (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels or storm drains) owned or operated by any municipality and discharging to surface waters of the state.

"*Municipality*" means a city, town or borough of the state as defined in section 22a-423 of the Connecticut General Statutes.

"*Nephelometric Turbidity Unit*" or "*NTU*" means a unit measure of turbidity from a calibrated nephelometer.

"*Normal Working Hours*", for the purposes of monitoring under Section 5(*c*) of this general permit, are considered to be, at a minimum, Monday through Friday, between the hours of 8:00 am and 6:00 pm, unless additional working hours are specified by the permittee.

"*Permittee*" means any person who or municipality which initiates, creates or maintains a discharge in accordance with Section 3 of this general permit.

"*Person*" means person as defined in section 22a-423 of the Connecticut General Statutes.

"*Phase*" means a portion of a project possessing a distinct and complete set of activities that have a specific functional goal wherein the work to be completed in the phase is not dependent upon the execution of work in a later phase in order to make it functional.

"*Point Source*" means any discernible, confined and discrete stormwater conveyance (including but not limited to, any pipe, ditch, channel, tunnel, conduit, discrete fissure, container, rolling stock, concentrated animal feeding operation, landfill leachate collection system, vessel or other floating craft) from which pollutants are or may be discharged.

"*Professional Engineer*" or *"P.E.*" means a person with a currently effective license issued in accordance with chapter 391 of the Connecticut General Statutes.

"*Qualified Inspector*" means an individual possessing either (1) a professional license or certification by a professional organization recognized by the commissioner related to agronomy, civil engineering, landscape architecture, soil science, and two years of demonstrable and focused experience in erosion and sediment control plan reading, installation, inspection and/or report writing for residential and commercial construction projects in accordance with the Guidelines; or (2) five years of demonstrable and focused experience in erosion and sediment control plan reading, installation, inspection and/or report writing for residential and commercial construction projects in accordance with the Guidelines; or (3) certification by the Connecticut Department of Transportation (DOT).

"*Qualified professional engineer*" means a professional engineer who has, for a minimum of eight years, engaged in the planning and designing of engineered stormwater management systems for residential and commercial construction projects in accordance with the Guidelines and the Stormwater Quality Manual including, but not limited to, a minimum of four years in responsible charge of the planning and designing of engineered stormwater management systems for such projects.

"*Qualified soil erosion and sediment control professional*" means a landscape architect or a professional engineer who: (1) has for a minimum of eight years engaged in the planning and designing of soil erosion and sediment controls for residential and commercial construction projects in accordance with the Guidelines including, but not limited to, a minimum of four years in responsible charge of the planning and designing of soil erosion and sediment controls for such projects; or (2) is currently certified as a professional in erosion and sediment control as designated by EnviroCert International, Incorporated (or other certifying organization acceptable to the commissioner) and has for a minimum of six years experience engaged in the planning and designing of soil erosion and sediment controls for residential and commercial construction projects in accordance with the Guidelines including, but not limited to, a minimum of four years in responsible charge in the planning and designing of soil erosion and sediment controls for such projects.

"*Registrant*" means a person or municipality that files a registration.

"*Registration*" means a registration form filed with the commissioner pursuant to Section 4 of this general permit.

"*Regulated Municipal Separate Storm Sewer System*" or "*Regulated MS4*" means the separate storm sewer system of the City of Stamford or any municipally-owned or -operated separate storm sewer system (as defined above) authorized by the most recently issued General Permit for the Discharge of Stormwater from Small Municipal Separate Storm Sewer Systems (MS4 general permit) including all those located partially

or entirely within an Urbanized Area and those additional municipally-owned or municipally-operated Small MS4s located outside an Urbanized Area as may be designated by the commissioner.

"*Retain*" means to hold runoff on-site to promote vegetative uptake and groundwater recharge through the use of runoff reduction or LID practices or other measures. In addition, it means there shall be no subsequent point source release to surface waters from a storm event defined in this general permit or as approved by the commissioner.

"*Runoff reduction practices*" means those post-construction stormwater management practices used to reduce post-development runoff volume delivered to the receiving water, as defined by retaining the volume of runoff from a storm up to the first half inch or one inch of rainfall in accordance with Sections 5(b)(2)(C)(i)(a) or (b), respectively. Runoff reduction is quantified as the total annual post-development runoff volume reduced through canopy interception, soil amendments, evaporation, rainfall harvesting, engineered infiltration, extended filtration or evapo-transpiration.

"*Sediment*" means solid material, either mineral or organic, that is in suspension, is transported, or has been moved from its site of origin by erosion.

"*Site*" means geographically contiguous land on which a construction activity takes place or on which a construction activity for which authorization is sought under this general permit is proposed to take place. Non-contiguous land or water owned by the same person shall be deemed the same site if such land is part of a linear project (as defined in this section) or is otherwise connected by a right-of-way, which such person controls.

"*Soil*" means any unconsolidated mineral and organic material of any origin.

"*Stabilize"* means the use of measures as outlined in the 2002 Connecticut Guidelines for Soil Erosion and Sediment Control, as amended, or as approved by the commissioner, to prevent the visible movement of soil particles and development of rills.

"*Structural measure*" means a measure constructed for the temporary storage and/or treatment of stormwater runoff.

"*Standard Industrial Classification Code*" or "*SIC Code*" means those codes provided in the Standard Industrial Classification Manual, Executive Office of the President, Office of Management and Budget 1987.

"S*tandard of care*", as used in Section 3(b), means to endeavor to perform in a manner consistent with that degree of care and skill ordinarily exercised by members of the same profession currently practicing under similar circumstances.

"*Stormwater*" means waters consisting of rainfall runoff, including snow or ice melt during a rain event.

"*Stormwater Quality Manual*" means the 2004 Connecticut Stormwater Quality Manual published by the Connecticut Department of Energy & Environmental Protection, as amended.

"*Surface water*" means that portion of waters, as the term "waters" is defined in section 22a-423 of the Connecticut General Statutes, located above the ground surface.

"*Tidal wetland*" means a wetland as that term is defined in section 22a-29(2) of the Connecticut General Statutes.

"*Total disturbance*" means the total area on a site where soil will be exposed or susceptible to erosion during the course of all phases of a project.

"*Total Maximum Daily Load*" or "*TMDL*" means the maximum capacity of a surface water to assimilate a pollutant as established by the commissioner, including pollutants contributed by point and non-point sources and a margin of safety.

"*Upland soils*" means soils which are not designated as poorly drained, very poorly drained, alluvial, or flood plain by the National Cooperative Soils Survey, as may be amended, of the Natural Resources Conservation Service of the United States Department of Agriculture and/or the inland wetlands agency of the municipality in which the project will take place.

"*Water company*" means water company as defined in section 25-32a of the Connecticut General Statutes.

"*Water Quality Standards or Classifications*" means those water quality standards or classifications contained in the Connecticut Water Quality Standards published by the Department, as may be amended.

"*Water Quality Volume*" or "*WQV*" means the volume of runoff generated by one inch of rainfall on a site as defined in the 2004 Connecticut Stormwater Quality Manual, as amended.

Section 3. Authorization Under This General Permit

(a) Eligible Activities

This general permit authorizes the discharge of stormwater and dewatering wastewaters to surface waters from construction activities on a site, as defined in this general permit, with a total disturbance of one or more acres of land area on a site, *regardless of project phasing*.

In the case of a larger plan of development (such as a subdivision), the estimate of total acres of site disturbance shall include, but is not limited to, road and utility construction, individual lot construction (e.g. house, driveway, septic system, etc.), and all other construction associated with the overall plan, regardless of the individual parties responsible for construction of these various elements.

(b) Requirements for Authorization

This general permit authorizes the construction activity listed in the "Eligible Activities" section (Section 3(*a*)) of this general permit provided:

(1) Coastal Management Act

Such construction activity must be consistent with all applicable goals and policies in section 22a-92 of the Connecticut General Statutes, and must not cause adverse impacts to coastal resources as defined in section 22a-93(15) of the Connecticut General Statutes. Please refer to the Appendix D for additional guidance.

(2) Endangered and Threatened Species

Such activity must not threaten the continued existence of any species listed pursuant to section 26-306 of the Connecticut General Statutes as endangered or threatened and must not result in the destruction or adverse modification of habitat designated as essential to such species. See Appendix A.

(3) Aquifer Protection Areas

Such construction activity, if it is located within an aquifer protection area as mapped under section 22a-354b of the General Statutes, must comply with regulations adopted pursuant to section 22a-354i of the General Statutes. Please refer to the Appendix C for additional guidance.

For any construction activity regulated pursuant to sections 8(c) and 9(b) of the Aquifer Protection Regulations (section 22a-354i(1)-(10) of the Regulations of Connecticut State Agencies), the Stormwater Pollution Control Plan (Plan) must assure that stormwater run-off generated from the regulated construction activity (i) is managed in a manner so as to prevent pollution of groundwater, and (ii) complies with all the requirements of this general permit.

(4) Mining Operations Exception

The stormwater discharge resulting from an activity classified as Standard Industrial Classification 10 through 14 (the mining industry) is not authorized by this general permit and is regulated under the most recently issued General Permit for the Discharge of Stormwater Associated with Industrial Activity.

(5) Discharge to POTW

The stormwater is *not* discharged to a Publicly Owned Treatment Works (POTW).

(6) Discharge to Groundwater

The stormwater is *not* discharged entirely to groundwater, meaning a stormwater discharge to a surface water will not occur up to a 100-year, 24-hour rainfall event.

(7) Such construction activity must be consistent with the Wild and Scenic Rivers Act (16 U.S.C. 1271-1287) for those river components and tributaries which have been designated as Wild and Scenic by the United States Congress. Further, such construction activities must not have a direct and adverse effect on the values for which such river designation was established. Please refer to Appendix H for additional guidance.

(8) Certification Requirements for Registrants and other Individuals

As part of the registration for this general permit, the registrant and any other individual or individuals responsible for preparing the registration submits to the commissioner a written certification which, at a minimum, complies with the following requirements:

(A) The registrant and any other individual or individuals responsible for preparing the registration and signing the certification has completely and thoroughly reviewed, at a minimum, this general permit and the following regarding the activities to be authorized under such general permit:

(i) all registration information provided in accordance with Section 4(*c*)(2) of such general permit;

(ii) the project site, based on a site inspection;

(iii) the Stormwater Pollution Control Plan; and

(iv) any plans and specifications and any Department approvals regarding such Stormwater Pollution Control Plan;

(B) The registrant and any other individual or individuals responsible for preparing the registration and signing the certification pursuant to this general permit has, based on the review described in section 3(*b*)(8)(A) of this general permit, made an affirmative determination to:

(i) comply with the terms and conditions of this general permit;

(ii) maintain compliance with all plans and documents prepared pursuant to this general permit including, but not limited to, the Stormwater Pollution Control Plan;

(iii) properly implement and maintain the elements of the Stormwater Pollution Control Plan; and

(iv) properly operate and maintain all stormwater management systems in compliance with the terms and conditions of this general permit to protect the waters of the state from pollution;

(C) Such registrant and any other individual or individuals responsible for preparing the registration certifies to the following statement: "I hereby certify that I am making this certification in connection with a registration under such general permit, submitted to the commissioner by [INSERT NAME OF REGISTRANT] for an activity located at [INSERT ADDRESS OF PROJECT OR ACTIVITY] and that all terms and conditions of the general permit are being met for all discharges which have been initiated and such activity is eligible for authorization under such permit. I further certify that a system is in place to ensure that all terms and conditions of this general permit will continue to be met for all discharges authorized by this general permit at the site. I certify that the registration filed pursuant to this general permit is on complete and accurate forms as prescribed by the commissioner without alteration of their text. I certify that I have personally examined and am familiar with the information that provides the basis for this certification, including but not limited to all information described in Section 3(*b*)(8)(A) of such general permit, and I certify, based on reasonable investigation, including my inquiry of those individuals responsible for obtaining such information, that the information upon which this certification is based is true, accurate and complete to the best of my knowledge and belief. I certify that I have made an affirmative determination in accordance with Section 3(*b*)(8)(B) of this general permit. I understand that the registration filed in connection with such general permit is submitted in accordance with and shall comply with the requirements of Section 22a-430b of Connecticut General Statutes. I also understand that knowingly making any false statement made in the submitted information and in this certification may be punishable as a criminal offense, including the possibility of fine and imprisonment, under section 53a-157b of the Connecticut General Statutes and any other applicable law."

(9) The registrant has submitted to the commissioner a written certification by a professional engineer or, where appropriate, a landscape architect licensed in the State of Connecticut for the preparation, planning and design of the Stormwater Pollution Control Plan and stormwater management systems:

(A) The professional engineer or landscape architect shall certify to the following statement:

"I hereby certify that I am a [professional engineer][landscape architect] licensed in the State of Connecticut. I am making this certification in connection with a registration under such general permit, submitted to the commissioner by [INSERT NAME OF REGISTRANT] for an activity located at [INSERT ADDRESS OF PROJECT OR ACTIVITY]. I certify that I have thoroughly and completely reviewed the Stormwater

Pollution Control Plan for the project or activity covered by this certification. I further certify, based on such review and on the standard of care for such projects, that the Stormwater Pollution Control Plan has been prepared in accordance with the Connecticut Guidelines for Soil Erosion and Sediment Control, as amended, the Stormwater Quality Manual, as amended, and the conditions of the general permit, and that the controls required for such Plan are appropriate for the site. I further certify, based on reasonable investigation, including my inquiry of those individuals responsible for obtaining such information, that the information upon which this certification is based is true, accurate and complete to the best of my knowledge and belief. I also understand that knowingly making any false statement in this certification may subject me to sanction by the Department and/or be punishable as a criminal offense, including the possibility of fine and imprisonment, under section 53a-157b of the Connecticut General Statutes and any other applicable law."

(B) Nothing in this section shall be construed to authorize a professional engineer or a landscape architect to engage in any profession or occupation requiring a license under any other provision of the general statutes without such license.

(10) Plan Review and Certification by a District for Locally Approvable Projects

For those Plans not reviewed in accordance with Section 3(*b*)(11), below, the registrant has submitted to the commissioner a written certification by the appropriate regional District for the review of the Stormwater Pollution Control Plan pursuant to Appendix F, which, at a minimum, complies with the following requirements:

(A) the Plan Review Certification must be signed by the District. Information on the District review process is outlined in the Memorandum of Agreement provided in Appendix F. In cases where the District is unable to complete review of the Plan within the time limits specified in the Memorandum of Agreement in Appendix F, a notice to that effect signed by the District may be submitted in lieu of the certification.

(B) the Stormwater Pollution Control Plan has been prepared in accordance with the requirements of Section 5(*b*) of the general permit.

(C) Nothing in this subsection shall be construed to authorize District personnel to engage in any profession or occupation requiring a license under any other provision of the general statutes without such license.

(11) Plan Review and Certification by a Qualified Soil Erosion and Sediment Control Professional and Qualified Professional Engineer for Locally Approvable Projects

For those Plans not reviewed in accordance with Section 3(*b*)(10), above, the registrant has submitted to the commissioner a written certification by a qualified professional engineer or a qualified soil erosion and sediment control professional in accordance with the following requirements:

(A) for projects disturbing more than one acre and less than fifteen (15) acres, such qualified soil erosion and sediment control professional or qualified professional engineer:

(i) is not an employee, as defined by the Internal Revenue Service in the Internal Revenue Code of 1986, of the registrant; and

(ii) has no ownership interest of any kind in the project for which the registration is being submitted.

(B) for projects disturbing fifteen (15) acres or more, such qualified soil erosion and sediment control professional or qualified professional engineer:

(i) is not an employee, as defined by the Internal Revenue Service in the Internal Revenue Code of 1986, of the registrant;

(ii) did not engage in any activities associated with the preparation, planning, designing or engineering of such plan for soil erosion and sediment control or plan for stormwater management systems on behalf of such registrant;

(iii) is not under the same employ as any person who engaged in any activities associated with the preparation, planning, designing or engineering of such plans and specifications for soil erosion and sediment control or plans and specifications for stormwater management systems on behalf of such registrant; and

(iv) has no ownership interest of any kind in the project for which the registration is being submitted.

(C) The qualified professional engineer or qualified soil erosion and sediment control professional signing the certification has, at a minimum, completely and thoroughly reviewed this general permit and the following regarding the discharges to be authorized under such general permit:

(i) all registration information provided in accordance with Section 4(*c*)(2) of such general permit;

(ii) the site, based on a site inspection;

(iii) the Stormwater Pollution Control Plan;

(iv) the Guidelines;

(v) the Stormwater Quality Manual, if applicable; and

(vi) all non-engineered and engineered stormwater management systems, including any plans and specifications and any Department approvals regarding such stormwater management systems.

(D) Affirmative Determination

(i) The qualified soil erosion and sediment control professional signing the certification must have made an affirmative determination, based on the review described in section 3(*b*)(11)(C) of this general permit that:

(a) the Stormwater Pollution Control Plan prepared and certified pursuant to the registration is adequate to assure that the project or activity authorized under this general permit, if implemented in accordance with the Stormwater Pollution Control Plan, will comply with the terms and conditions of such general permit; and

(b) all non-engineered stormwater management systems:

(*1*) have been designed to control pollution to the maximum extent achievable using measures that are technologically available and economically

practicable and that conform to those in the Guidelines and the Stormwater Quality Manual;

(*2*) will function properly as designed;

(*3*) are adequate to ensure compliance with the terms and conditions of this general permit; and

(*4*) will protect the waters of the state from pollution.

(ii) The qualified professional engineer signing the certification must have made an affirmative determination, based on the review described in section 3(*b*)(11)(C) of this general permit that:

(a) the Stormwater Pollution Control Plan prepared and certified pursuant to the registration is adequate to assure that the activity authorized under this general permit, if implemented in accordance with the Stormwater Pollution Control Plan, will comply with the terms and conditions of such general permit; and

(b) all non-engineered and engineered stormwater management systems:

(*1*) have been designed to control pollution to the maximum extent achievable using measures that are technologically available and economically practicable and that conform to those in the Guidelines and the Stormwater Quality Manual;

(*2*) will function properly as designed;

(*3*) are adequate to ensure compliance with the terms and conditions of this general permit; and

(*4*) will protect the waters of the state from pollution.

(E) The qualified professional engineer or qualified soil erosion and sediment control professional shall, provided it is true and accurate, certify to the following statement:

"I hereby certify that I am a qualified professional engineer or qualified soil erosion and sediment control professional, or both, as defined in the General Permit for Discharge of Stormwater and Dewatering Wastewaters from Construction Activities and as further specified in sections 3(*b*)(11)(A) and (B) of such general permit. I am making this certification in connection with a registration under such general permit, submitted to the commissioner by [INSERT NAME OF REGISTRANT] for an activity located at [INSERT ADDRESS OF PROJECT OR ACTIVITY]. I have personally examined and am familiar with the information that provides the basis for this certification, including but not limited to all information described in Section 3(*b*)(11)(C) of such general permit, and I certify, based on reasonable investigation, including my inquiry of those individuals responsible for obtaining such information, that the information upon which this certification is based is true, accurate and complete to the best of my knowledge and belief. I further certify that I have made the affirmative determination in accordance with Sections 3(*b*)(11)(D)(i) and (ii) of this general permit. I understand that this certification is part of a registration submitted in accordance with Section 22a-430b of Connecticut General Statutes and is subject to the requirements and responsibilities for a qualified professional in such statute. I also understand that knowingly making any false statement in this certification may be

punishable as a criminal offense, including the possibility of fine and imprisonment, under section 53a-157b of the Connecticut General Statutes and any other applicable law."

(F) Nothing in this subsection shall be construed to authorize a qualified soil erosion and sediment control professional or a qualified professional engineer to engage in any profession or occupation requiring a license under any other provision of the general statutes without such license.

(12) New Discharges to Impaired Waters

New stormwater discharges directly to an impaired water, as indicated in the State's Integrated Water Quality Report, must be in accordance with the following conditions:

(A) Stormwater discharges that go directly to impaired waters seeking authorization under this general permit shall comply with the requirements of this subsection (B) below if the indicated cause or potential cause of the impairment is one of the following:

- Site Clearance (Land Development or Redevelopment)
- Post-Development Erosion and Sedimentation
- Source Unknown (if cause of impairment is Sedimentation/Siltation)

(B) Such stormwater discharge is authorized if the permittee complies with the requirements of Section 5(*b*)(3) of this permit and receives a written affirmative determination from the commissioner that the discharge meets the requirements of that section. In such case, the permittee must keep a copy of the written determination onsite with the Plan. If the permittee does not receive such affirmative determination, the construction activity is not authorized by this general permit and must obtain an individual permit.

(c) Registration

Pursuant to the "Registration Requirements" section (Section 4) of this general permit, a completed registration with respect to the construction activity shall be filed with the commissioner as follows:

(1) Locally Approvable Projects

The registration must:

(A) Be electronically submitted, along with all required elements in subsections (B), (C) and (D), below, at least sixty (60) days prior to the planned commencement of the construction activity.

(B) Include the Registration Form (available at www.ct.gov/deep/stormwater).

(C) Include any additional forms and information regarding compliance and/or consistency with the Coastal Management Act, Impaired Waters (including TMDL requirements), Endangered and Threatened Species, and Aquifer Protection Areas that may be required pursuant to the "Requirements of Authorization" section (Section 3(*b*)).

(D) Include a Plan Review Certification in accordance with the "Plan Review Certification" (Section 5(*b*)(8)).

Locally Approvable projects may also choose to make their Plan electronically available in accordance with Section 4(*c*)(2)(N) of this general permit. The 60 day period cited in subsection

(A), above, will not begin until all required elements have been submitted. Failure to include any of these required submissions shall be grounds to reject the registration.

(2) Locally Exempt Projects

The registration must:

(A) Be electronically submitted, along with all required elements in subsections (B), (C) and (D), below, at least:

(i) sixty (60) days prior to the planned commencement of the construction activity if the site has a total disturbed area of between one (1) and twenty (20) acres; ***or***

(ii) ninety (90) days prior to the planned commencement of construction activity if the site:

(a) has a total disturbed area greater than twenty (20) acres;

(b) discharges to a tidal wetland (that is not a fresh-tidal wetland) within 500 feet of the discharge point; ***or***

(c) is subject to the impaired waters provisions of Section 3(*b*)(12).

(B) Include the Registration Form (available at www.ct.gov/deep/stormwater).

(C) Include any additional forms and information regarding compliance and/or consistency with the Coastal Management Act, Impaired Waters (including TMDL requirements), Endangered and Threatened Species, and Aquifer Protection that may be required pursuant to the "Requirements of Authorization" section (Section 3(*b*)).

(D) Include an electronic copy of the Stormwater Pollution Control Plan (Plan) (or a web address where the electronic Plan can be downloaded) for the commissioner's review. The electronic Plan shall be in Adobe™ PDF format or similar publicly available format in common use. **DO NOT INCLUDE** in this electronic copy any pages or other material that do not pertain to stormwater management or erosion and sedimentation control (such as electrical and lighting plans, boundary or lot surveys, building plans, non-stormwater related detail sheets, etc.).

The 60 or 90 day periods cited in subsections (A), above, will not begin until all required elements have been submitted. Failure to include any of these required submissions shall be grounds to reject the registration.

(3) Re-Registration of Existing Projects

For sites previously registered under any previous version of the General Permit for the Discharge of Stormwater and Dewatering Wastewaters from Construction Activities and for which no Notice of Termination has been submitted pursuant to the "Termination Requirements" section (Section 6), a Re-Registration Form (available at www.ct.gov/deep/stormwater) pursuant to Section 4(*c*)(3) shall be submitted on or before February 1, 2014. The re-registration fee is payable (or waived) in accordance with Section 4(c)(1)(A)(iii). Resubmission of the permittee's Plan is not required unless specifically requested by the commissioner.

(d) Small Construction

For construction projects with a total disturbance of between one and five acres, the permittee shall adhere to the erosion and sediment control land use regulations of the municipality in which the construction activity is conducted, as well as the Guidelines and the Stormwater Quality Manual.

No registration or Plan review and certification shall be required for such construction activity provided a land-use commission of the municipality (i.e. planning/zoning, wetland, conservation, etc) reviews and issues a written approval of the proposed erosion and sediment control measures, pursuant to the requirements of section 22a-329 of the Connecticut General Statutes. In the absence of such municipal commission approval, the permittee shall register with the DEEP under the requirements for a Locally Exempt Project and comply with all applicable conditions of this general permit.

(e) Geographic Area

This general permit applies throughout the State of Connecticut.

(f) Effective Date and Expiration Date of this General Permit

The registration provisions of Section 3(*c*) and 4 of this General Permit, including any applicable definitions or provisions referred to in those sections insofar as they facilitate submission of a registration, shall be effective September 1, 2013. All remaining provisions of this General Permit shall be effective on October 1, 2013. The provisions of this General Permit shall expire on September 30, 2018.

(g) Effective Date of Authorization

A construction activity is authorized by this general permit at such time as specified in subsections (1) and (2), below.

(1) Authorization Timelines

The activity is authorized based on the following timelines unless superseded by subsection (2), below:

(A) for locally approvable projects, sixty (60) days after the submission of the registration form required by Section 4(*c*), or

(B) for locally exempt projects under 20 acres, sixty (60) days after the submission of the registration form required by Section 4(*c*), or

(C) for locally exempt projects over 20 acres, ninety (90) days after the submission of the registration form required by Section 4(*c*).

(2) Alternate Authorization Timelines

If one of the following conditions for authorization applies, that condition shall supersede those of subsection (1), above:

(A) for sites for which the registration and Plan availability and review provisions of Section 4(e) are completed prior to the authorization periods in subsection (1), above, the commissioner may authorize the activity upon such completion, or

(B) for sites subject to the conditions of Section 3(b)(2), 3(*b*)(12) and/or Section 5(*a*)(2), the activity is authorized on the date of the commissioner's affirmative determination and/or approval, or

(C) for sites authorized by any previous version of this general permit and for which no Notice of Termination has been submitted pursuant to the "Termination Requirements" section (Section 6), the activity is authorized effective October 1, 2013. Authorization under this general permit shall cease if a re-registration form is not submitted on or before February 1. 2014.

(h) Revocation of an Individual Permit

If a construction activity is eligible for authorization under this general permit and such activity is presently authorized by an individual permit, the existing individual permit may be revoked by the commissioner upon a written request by the permittee. If the commissioner revokes such individual permit in writing, such revocation shall take effect on the effective date of authorization of such activity under this general permit.

(i) Issuance of an Individual Permit

If the commissioner issues an individual permit under section 22a-430 of the Connecticut General Statutes, authorizing a construction activity authorized by this general permit, this general permit shall cease to authorize that activity beginning on the date such individual permit is issued.

Section 4. Registration Requirements

(a) Who Must File a Registration

With the exception noted in the "Small Construction" section (Section 3(*d*)) of this general permit, any person or municipality which initiates, creates, originates or maintains a discharge described in the "Eligible Activities" section (Section 3(*a*)) of this general permit shall file with the commissioner a registration form that meets the requirements of the "Contents of Registration" section (Section 4(*c*)) of this general permit (or a re-registration form) and the applicable fee within the timeframes and in the amounts specified in Sections 3(*c*) and 4(*c*)(1)(A), respectively. Any such person or municipality filing a registration remains responsible for maintaining compliance with this general permit.

(b) Scope of Registration

Each registration shall be limited to the discharge at or from one site; no registration shall cover discharges at or from more than one site.

(c) Contents of Registration

(1) Fees

(A) Registration Fee

A registration, if required, shall not be deemed complete unless the registration fee has been paid in full.

(i) Locally Approvable Projects

A registration fee of $625.00 shall be submitted to the Department with the registration form.

(ii) Locally Exempt Projects

A registration fee shall be submitted with a registration form as follows:

(a) For sites with total disturbance of between one (1) and twenty (20) acres, the fee shall be $3,000.

(b) For sites with total disturbance equal to or greater than twenty (20) acres and less than fifty (50) acres, the fee shall be $4,000.

(c) For sites with total disturbance equal to or greater than fifty (50) acres, the fee shall be $5,000.

The fees for municipalities shall be half of those indicated in subsections (a), (b) and (c) above pursuant to section 22a-6(b) of the Connecticut General Statutes. State and Federal agencies shall pay the full fees specified in this subsection.

(iii) Re-registration

(a) For sites that registered under the previous version of the General Permit for the Discharge of Stormwater and Dewatering Wastewaters from Construction Activities prior to September 1, 2012 and for which no Notice of Termination has been submitted pursuant to the "Termination Requirements" section (Section 6), the re-registration fee shall be $625 payable with submission of the re-registration form within one hundred twenty (120) days from the effective date of this general permit. If a Notice of Termination is submitted prior to that time, no registration or fee are required.

(b) For sites that registered under the previous version of the General Permit for the Discharge of Stormwater and Dewatering Wastewaters from Construction Activities on or after September 1, 2012 and for which no Notice of Termination has been submitted pursuant to the "Termination Requirements" section (Section 6), the re-registration fee is waived.

(B) The registration fee shall be paid electronically or by check or money order payable to the Department of Energy & Environmental Protection.

(C) The registration fee is non-refundable.

(2) Registration Form

A registration shall be filed electronically on forms prescribed and provided by the commissioner (available at: www.ct.gov/deep/stormwater) and shall include, but not be limited to, the following:

(A) Legal name, address, and telephone number of the registrant. If the registrant is a person (as defined in Section 2 of this permit) transacting business in Connecticut and is registered with the Connecticut Secretary of the State, provide the exact name as registered with the Connecticut Secretary of the State.

(B) Legal name, address and telephone number of the owner of the property on which the construction activity will take place.

(C) Legal name, address and telephone number of the primary contact for departmental correspondence and inquiries, if different from the registrant.

(D) Legal name, address and telephone number of the developer of the property on which the construction activity is to take place.

(E) Legal name, address and daytime and off-hours telephone numbers of the general contractor(s) or other representative(s), if different from the developer.

(F) Legal name, address and telephone number of any consultant(s), engineer(s) or landscape architect(s) retained by the permittee to prepare the registration and Stormwater Pollution Control Plan.

(G) Location address or description of the site for which the registration is filed.

(H) The estimated duration of the construction activity.

(I) Indication of the normal working hours of the site.

(J) A brief description of the construction activity, including, but not limited to:

(i) Total number of acres to be disturbed, regardless of phasing.

(ii) Assurance that construction is in accordance with the Guidelines and local erosion and sediment control ordinances, where applicable.

(iii) For sites in the Coastal Boundary, documentation that the DEEP Office of Long Island Sound Programs or local governing authority has issued a coastal site plan approval or a determination that the project is exempt from coastal site plan review (see Appendix D) in accordance with section 22a-92 and 22a-93(15) of the Connecticut General Statutes.

(iv) Documentation that the construction activity will not threaten the continued existence of any species listed pursuant to section 26-306 of the Connecticut General Statutes as endangered or threatened and will not result in the destruction or adverse modification of habitat designated as essential to such species (see Appendix A).

(v) For sites discharging to certain impaired waters, as specified in Section 3(*b*)(12), documentation that the construction activity meets the requirements of that section and Section 5(*b*)(3) for authorization under this general permit.

(vi) Assurance that the construction activity is not located within an aquifer protection area (see Appendix C) as mapped under section 22a-354b of the Connecticut General Statutes or, if it is located within an aquifer protection area, that the construction activity will comply with regulations adopted pursuant to section 22a-354i of the Connecticut General Statutes.

(vii) For a proposed locally approvable project, a plan review certification from the appropriate District, qualified soil erosion and sediment control professional, and/or qualified professional engineer in accordance with Section 5(*b*)(10) or (11) or a notice from the District that they were unable to complete the Plan review within the time limits specified in the Memorandum of Agreement in Appendix F.

(K) A brief description of the stormwater discharge, including:

(i) The name of the municipal separate storm sewer system or immediate surface water body or wetland to which the stormwater runoff will discharge;

(ii) Verification of whether or not the site discharges to a tidal wetland (that is not a fresh-tidal wetland) within 500 feet of the discharge point, to a high quality water or to an impaired water with or without a TMDL;

(iii) The name of the watershed or nearest waterbody to which the site discharges.

(iv) Location of the stormwater discharge(s) including latitude and longitude.

(L) The total effective impervious cover for the site before and after the proposed construction activity.

(M) Documentation that the proposed construction activity has been reviewed for consistency with state Historic Preservation statutes, regulations, and policies including identification of any potential impacts on property listed or eligible for listing on the Connecticut Register of Historic Places. A review conducted for an Army Corps of Engineers Section 404 wetland permit would meet this qualification. Refer to Appendix G for guidance on conducting the required review.

(N) Registrants for locally approvable projects may, if they choose, attach an electronic copy of their Plan to their registration or provide a web address where their Plan may be downloaded. If an electronic plan is not provided, the registrant is still subject to the requirements for submission of a Plan to the commissioner or a member of the public pursuant to the "Plan Availability" section (Section 4(e)(2)). An electronic Plan shall be in Adobe™ PDF format or similar publicly available format in common use. **DO NOT INCLUDE** in the Plan any pages or other material that do not pertain to stormwater management or erosion and sedimentation control (such as electrical and lighting plans, boundary or lot surveys, building plans, non-stormwater related detail sheets, etc.).

(O) Registrants for all locally exempt projects must submit an electronic copy of their Plan or a web address where the electronic Plan can be downloaded. The electronic Plan shall be in Adobe™ PDF format or similar publicly available format in common use. **DO NOT INCLUDE** in this Plan any pages or other material that do not pertain to stormwater management or erosion and sedimentation control (such as electrical and lighting plans, boundary or lot surveys, building plans, non-stormwater related detail sheets, etc.).

(P) The certification of the registrant and of the individual or individuals responsible for actually preparing the registration, in accordance with Section 3(*b*)(8).

(Q) For all registrations, a design certification must be signed by a professional engineer in accordance with Section 3(*b*)(9).:

(R) For registrations for locally approvable projects a review certification must be signed by either: (i) a District in accordance with Section 3(*b*)(10), or (ii) a qualified soil erosion and sediment control professional and/or qualified professional engineer in accordance with either Section 3(*b*)(11).

If the registrant is not capable of submitting electronically, a paper form may be submitted in accordance with Section 4(*d*).

(3) Re-Registration Form

For sites previously registered under any previous version of the General Permit for the Discharge of Stormwater and Dewatering Wastewaters from Construction Activities and for which no Notice of Termination has been submitted pursuant to the "Termination Requirements" section (Section 6), a re-registration shall be filed electronically pursuant to Sections 3(*c*)(3) and 3(*g*) on forms prescribed and provided by the commissioner (available at: www.ct.gov/deep/stormwater) and shall include, but not be limited to, the following:

(A) Legal name, address, and telephone number of the registrant. If the registrant is a person (as defined in Section 2 of this permit) transacting business in Connecticut and is registered with the Connecticut Secretary of the State, provide the exact name as registered with the Connecticut Secretary of the State.

(B) The previously issued permit number (beginning with GSN).

(C) Legal name, address and telephone number of the owner of the property on which the construction activity will take place.

(D) Legal name, address and telephone number of the primary contact for departmental correspondence and inquiries, if different from the registrant.

(E) Legal name, address and telephone number of the developer of the property on which the subject construction activity is to take place.

(F) Legal name, address and daytime and off-hours telephone numbers of the general contractor(s) or other representative(s), if different from the developer.

(G) Legal name, address and telephone number of any consultant(s) or engineer(s) retained by the permittee to prepare the registration and Stormwater Pollution Control Plan.

(H) Location address or description of the site for which the re-registration is filed.

(I) Indication of the normal working hours of the site.

(J) The estimated duration of the construction activity.

(K) The signature of the registrant and of the individual or individuals responsible for actually preparing the re-registration, each of who shall certify in writing as follows:

"I hereby certify that I am making this certification in connection with a registration under the General Permit for the Discharge of Stormwater and Dewatering Wastewaters from Construction Activities, submitted to the commissioner by [INSERT NAME OF REGISTRANT] for an activity located at [INSERT ADDRESS OF PROJECT OR ACTIVITY] and that all terms and conditions of the general permit are being met for all discharges which have been initiated and such activity is eligible for authorization under such permit. I further certify that all designs and plans for such activity meet the current terms and conditions of the general permit in accordance with Section 5(b)(5)(C) of such general permit and that a system is in place to ensure that all terms and conditions of this general permit will continue to be met for all discharges authorized by this general permit at the site. I certify that the registration filed pursuant to this general permit is on complete and accurate forms as prescribed by the commissioner without alteration of their text. I certify that I have personally examined and am familiar with the information that provides the basis for this certification, including but not limited to all information described in Section

3(*b*)(8)(A) of such general permit, and I certify, based on reasonable investigation, including my inquiry of those individuals responsible for obtaining such information, that the information upon which this certification is based is true, accurate and complete to the best of my knowledge and belief. I also understand that knowingly making any false statement made in the submitted information and in this certification may be punishable as a criminal offense, including the possibility of fine and imprisonment, under section 53a-157b of the Connecticut General Statutes and any other applicable law."

If the registrant is not capable of submitting electronically, a paper form may be submitted in accordance with Section 4(*d*).

(d) Where to File a Registration

A registration (available at: www.ct.gov/deep/stormwater) shall be filed electronically with the commissioner in accordance with Section 3(*c*)(2) or (3). If the registrant does not have the capability to submit electronically, a paper registration may be filed at the following address:

CENTRAL PERMIT PROCESSING UNIT
DEPARTMENT OF ENERGY & ENVIRONMENTAL PROTECTION
79 ELM STREET
HARTFORD, CT 06106-5127

(e) Availability of Registration and Plan

By the fifteenth (15th) day of each month, the commissioner shall post on the DEEP website a list of registrations submitted in the previous month.

(1) Registration Availability

On or before fifteen (15) days from the date of posting by the commissioner, members of the public may review and comment on a registration. Any electronically available Plans will be posted with the corresponding registration.

(2) Plan Availability

(A) Electronic Plan Availability

For an electronically available Plan, on or before fifteen (15) days from the date of posting by the commissioner, members of the public may review and comment on a registrant's Plan.

(B) Non-Electronic Plan Availability

For any Plan that is not electronically available, on or before fifteen (15) days from the date of a registration posting by the commissioner, members of the public may submit a written request to the commissioner to obtain a copy of a registrant's Plan. The commissioner shall inform the registrant of the request and the name of the requesting party. If the commissioner does not already have access to a copy of the requested Plan, the registrant shall submit a copy of their Plan to the commissioner within seven (7) days of their receipt of such request. On or before fifteen (15) days from the date the commissioner makes a Plan available to the requesting party, they may submit written comments on the Plan to the commissioner.

(f) Additional Information

The commissioner may require a permittee to submit additional information that the commissioner reasonably deems necessary to evaluate the consistency of the subject construction activity with the requirements for authorization under this general permit.

(g) Additional Notification

For discharges authorized by this general permit to a regulated municipal separate storm sewer system, a copy of the registration and all attachments thereto shall also be submitted to the owner and operator of that system.

For discharges authorized by this general permit to a DOT separate storm sewer system, a copy of the registration and all attachments thereto shall also be submitted to the DOT upon request.

For discharges within a public drinking water supply watershed or aquifer area, a copy of the registration and the Plan described in subsection 5(*b*) of this general permit shall be submitted to the water company.

For discharges to river components and tributaries which have been designated as Wild and Scenic under the Wild and Scenic Rivers Act, a copy of the registration and the Plan described in 5(*b*) of this general permit shall be submitted to the applicable Wild and Scenic Coordinating Committee. Please refer to Appendix H for additional guidance

In addition, a copy of this registration and the Plan shall be available upon request to the local inland wetlands agency established pursuant to section 22a-42 of the Connecticut General Statutes, or its duly authorized agent.

(h) Action by Commissioner

(1) The commissioner may reject without prejudice a registration if it does not satisfy the requirements of the "Contents of Registration" section (subsection 4(*c*)) of this general permit. Any registration refiled after such a rejection shall be accompanied by the fee specified in the "Fees" subsection (subsection 4(*c*)(1)) of this general permit.

(2) The commissioner may disapprove a registration if is inconsistent with the requirements for authorization under the "Requirements for Registration" section (Section 3(*b*)) of this general permit, or for any other reason provided by law.

(3) Disapproval of a registration under this subsection shall constitute notice to the registrant that the subject construction activity must be authorized under an individual permit.

(4) Rejection or disapproval of a registration shall be in writing.

(i) Transition to New General Permit

On or after August 1, 2013, up until and including August 31, 2013, a person filing a new registration for a site may file such registration: (a) under the General Permit for the Discharge of Stormwater and Dewatering Wastewaters from Construction Activities that expires on September 30, 2013; or (b) this general permit. A person filing a new registration for a site shall <u>not</u> register under both the General Permit for the Discharge of Stormwater and Dewatering Wastewaters from Construction Activities that expires on September 30, 2013 and this general permit. After August 31, 2013, a person filing a new registration for a site shall only register under this general permit and shall be authorized pursuant to Section 3(*g*) of this general permit.

(Note: Any person who, on or after August 1, 2013, up until and including August 31, 2013, files a new registration for a site under the General Permit for the Discharge of Stormwater and Dewatering Wastewaters from Construction Activities that expires on September 30, 2013 shall, after October 1, 2013, re-register such site pursuant to Section 3(*c*)(3) and Section 4(*c*)(3) of this general permit.)

A person re-registering a site pursuant to Section 3(*c*)(3) and Section 4(*c*)(3) of this general permit may submit the required re-registration information anytime on or after August 1, 2013.

(j) Latest Date to Submit a Registration Under this General Permit

No person shall submit a registration under this general permit after June 30, 2018.

Section 5. Conditions of this General Permit

The permittee shall meet all requirements of this general permit at all times. In addition, a permittee shall be responsible for conducting authorized construction activities in accordance with the following conditions:

(a) Conditions Applicable to Certain Discharges

(1) Structures and Dredging in Coastal and Tidal Areas

Any person who or municipality that discharges stormwater into coastal tidal waters for which a permit is required under section 22a-361 of the Connecticut General Statutes (structures and dredging) or section 22a-32 of the Connecticut General Statutes (Tidal Wetlands Act), shall obtain such permit(s) from the commissioner. A tidal wetland permit is required for the placement of any sediment upon a tidal wetland, whether it is deposited directly or indirectly.

(2) Discharges to Tidal Wetlands

Any site which has a post-construction stormwater discharge to a tidal wetland (that is not a fresh-tidal wetland) where such discharge is within 500 feet of the tidal wetland, shall discharge such stormwater through a system designed to retain and infiltrate the volume of stormwater runoff generated by 1 inch of rainfall on the site. If there are site constraints that would prevent retention of this volume on-site (e.g., brownfields, capped landfills, bedrock, elevated groundwater, etc.), documentation must be submitted, for the commissioner's review and written approval, which explains the site limitations and offers an alternative retention volume. In such cases, the portion of 1 inch that cannot be retained must be provided with additional stormwater treatment so as to protect water quality. Any such treatment shall be designed, installed and maintained in accordance with the Stormwater Quality Manual.

For sites unable to comply with this section, the commissioner, at the commissioner's sole discretion, may require the submission of an individual permit in lieu of authorization under this general permit.

(3) Toxicity to Aquatic and Marine Life

The discharge shall not cause pollution due to acute or chronic toxicity to aquatic and marine life, impair the biological integrity of aquatic or marine ecosystems, or result in an unacceptable risk to human health.

(4) Water Quality Standards

The stormwater discharge shall not cause or contribute to an exceedance of the applicable Water Quality Standards in the receiving water.

(5) High Quality Waters

Any new or increased stormwater discharge to high quality waters shall be discharged in accordance with the Connecticut Anti-Degradation Implementation Policy in the Water Quality Standards.

(b) Stormwater Pollution Control Plan

All registrants shall develop and maintain on-site a Stormwater Pollution Control Plan (Plan) for the construction activity authorized by this general permit. Once the construction activity begins, the permittee shall perform all actions required by such Plan and shall maintain compliance with the Plan thereafter. The Plan shall be designed to minimize (as defined in Section 2): (1) pollution caused by soil erosion and sedimentation during and after construction; and (2) stormwater pollution caused by use of the site after construction is completed.

(1) Development and Contents of Plan

(A) The Plan shall consist of site plan drawings and a narrative. The Plan shall be prepared in accordance with sound engineering practices, and shall be consistent with the Guidelines and the 2004 Connecticut Stormwater Quality Manual (available at http://www.ct.gov/deep/stormwater). The Plan shall also be consistent with any remedial action plan, closure plan or other plan required by any other DEEP permit.

(B) The Plan shall include, at a minimum, the following items:

(i) Site Plan

Site drawings indicating drainage patterns and approximate slopes anticipated after major grading activities, areas of soil disturbance, the location of major structural and non-structural controls (as specified in subsection 5(*b*)(2), below), the location of areas where stabilization practices are expected to occur, areas which will be vegetated following construction, monitored outfalls, surface waters, impaired waters (identifying those with and without a TMDL), high quality waters, inland wetlands, tidal wetlands, fresh-tidal wetlands, and locations where stormwater will be discharged to a surface water (both during and post-construction);

(ii) Site Description

(a) A narrative description of the nature of the construction activity;

(b) An estimate of the total area of the site and the total area of the site that is expected to be disturbed by construction activities;

(c) An estimate of the average runoff coefficient of the site after construction activities are completed;

(d) The name of the immediate receiving water(s) and the ultimate receiving water(s) of the discharges authorized by this general permit; and

(e) Extent of wetland acreage on the site.

(iii) Construction Sequencing

The Plan shall clearly identify the expected sequence of major construction activities on the site and corresponding erosion and sediment controls and shall include an estimated timetable for all construction activities, which shall be revised as necessary to keep the Plan current. Wherever possible, the site shall be phased to avoid the disturbance of over five acres at one time (or a lesser area of disturbance as required in the "Impaired Waters" section (Section 5(*b*)(3)). The Plan shall clearly show the limits of disturbance for the entire construction activity and for each phase.

(iv) Control Measures

The Plan shall include a description, in narrative and on the site plan drawings, of appropriate control measures that will be performed at the site to minimize the discharge of pollutants to waters of the state. Control measures shall be implemented in accordance with Section 5(*b*)(2) below. In addition, the following information shall be provided:

(a) Calculations supporting the design of sediment and floatables removal controls pursuant to Section 5(*b*)(2)(C)(ii)(b).

(b) Calculations supporting the design of velocity dissipation controls pursuant to Section 5(*b*)(2)(C)(ii)(c).

(v) Runoff Reduction and Low Impact Development (LID) Information

Where runoff reduction practices and/or LID measures are utilized, the following information shall be included in the site plan and narrative:

(a) The location of the site's streams, floodplains, all wetlands, riparian buffers, slopes 3:1 and steeper, and vegetation identified for preservation and non-disturbance during construction such as forested areas, hay fields, and old fields;

(b) Natural drainage patterns, swales, and other drainage ways, that are not streams, floodplains, or wetland areas;

(c) The location of all areas with soils suitable for infiltration[1] and areas of the site best suited for infiltration for the siting of runoff reduction practices and LID design measures;

(d) The location of all areas unsuitable or least suitable for infiltration for the siting of areas of development/building;

(e) The location of all post-construction stormwater management measures, runoff reduction practices and LID design measures developed pursuant to subsection 5(*b*)(2)(C)(i) below;

(f) Identification of areas inappropriate for the infiltration of stormwater runoff from land uses with a significant potential for groundwater pollution;

1 Infiltration rates must be measured by a field permeability test. The measured field design infiltration rate is equal to one-half the field-measured infiltration rate.

(g) A narrative describing the nature, purpose, implementation and long-term maintenance of the post-construction measures, runoff reduction practices and LID design measures;

(h) Calculations, for measures developed pursuant to Section 5(*b*)(2)(C)(i), illustrating the retention of the water quality volume or half the water quality volume for the site, as applicable, including a discussion of the impact of any runoff reduction and/or LID practices on these calculations.

(i) A narrative describing any site constraints that prevent retention of the appropriate volume specified in Section 5(*b*)(2)(C)(i) including: an explanation of the site limitations; a description of the runoff reduction practices implemented; an explanation of why the amount retained constitutes the maximum extent achievable; an alternative retention volume; and a description of the measures used to provide additional stormwater treatment for sediment, floatables and nutrients above the alternate volume up to the water quality volume.

(j) Calculations showing the proposed effective impervious cover for the site and, where necessary or appropriate for measures developed for linear projects pursuant to Section 5(*b*)(2)(C)(i), each outfall drainage area.

(vi) Inspections

The Plan shall include a narrative of all inspection personnel conducting the routine inspections, their responsibilities and procedures pursuant to subsection 5(*b*)(4)(B) below. The Plan shall also include documentation of the qualifications of the inspector(s) and the findings, actions and results of all inspections conducted at the site.

(vii) Monitoring

The Plan shall provide a narrative of the stormwater monitoring procedures pursuant to Section 5(*c*). This narrative shall include documentation of the monitoring frequency, personnel conducting monitoring, identification of monitored outfalls, methodology for monitoring, provisions for monitoring a linear project (if applicable), the site's normal working hours, the method for measuring turbidity and a copy of all monitoring records.

(viii) Contractors

(a) The Plan shall clearly identify each contractor and subcontractor that will perform construction activities on the site that have the potential to cause pollution of the waters of the State. The Plan shall include a copy of the certification statement in the "Contractor Certification Statement" section, below, signed by each such contractor and subcontractor.

(b) Contractor Certification Statement

The Plan shall include the following certification signed by each contractor and subcontractor identified in the Plan as described above:

"I certify under penalty of the law that I have read and understand the terms and conditions of the General Permit for the Discharge of Stormwater and Dewatering Wastewaters from Construction Activities. I understand that as a contractor or

subcontractor at the site, I am authorized by this general permit, and must comply with the terms and conditions of this general permit, including, but not limited to, the requirements of the Stormwater Pollution Control Plan prepared for the site."

The certification shall include the name and title of the person providing the signature; the name, address and telephone number of the contracting firm; the address (or other identifying description) of the site; and the date the certification is made.

(c) Subdivisions

Where individual lots in a subdivision or other common plan of development are conveyed or otherwise the responsibility of another person or municipality, those individual lot contractors shall be required to comply with the provisions of this general permit and the Stormwater Pollution Control Plan, and shall sign the certification statement in the "Contractor Certification Statement" section, above, regardless of lot size or disturbed area. In such cases, the permittee shall provide a copy of the Plan to each individual lot contractor, obtain signed certifications from such contractors and retain all signed certifications in the Plan.

(ix) Impaired Waters

For construction activities that discharge to impaired waters, as specified in "New Discharges to Impaired Waters" (Section 3(*b*)(12)), the Plan shall include a description of the provisions for controlling the construction and post-construction stormwater discharges to these waters pursuant to subsection 5(*b*)(3) below.

(2) Stormwater Control Measures

Control Measures are required Best Management Practices (BMPs) that the permittee must implement to minimize the discharge of pollutants from the permitted activity. The term "minimize" means reduce and/or eliminate to the extent achievable using control measures that are technologically available and economically practicable and achievable in light of best industry practice.

Control Measures shall be designed in accordance with the Guidelines, the Stormwater Quality Manual or the DOT Qualified Products List (http://www.ct.gov/dot/lib/dot/documents/dresearch/conndot_qpl.pdf). Use of controls to comply with the "Erosion and Sediment Controls" section (subsection (A) below) of this general permit that are not included in those resources must be approved by the commissioner or the commissioner's designated agent. The narrative and drawings of controls shall address the following minimum components:

(A) Erosion and Sediment Controls

(i) Soil Stabilization and Protection

The Plan shall include a narrative and drawings of interim and permanent soil stabilization practices for managing disturbed areas and soil stockpiles, including a schedule for implementing the practices. The Permittee shall ensure that existing vegetation is preserved to the maximum extent practicable and that disturbed portions of the site are minimized and stabilized.

Where construction activities have permanently ceased or when final grades are reached in any portion of the site, stabilization and protection practices as specified in Chapter 5 of the Guidelines or as approved by the commissioner or his/ her designated agent shall be implemented within seven days. Areas that will remain disturbed but inactive for at least thirty days shall receive temporary seeding or soil protection within seven days in accordance with the Guidelines.

Areas that will remain disturbed beyond the seeding season as identified in the Guidelines, shall receive long-term, non-vegetative stabilization and protection sufficient to protect the site through the winter. In all cases, stabilization and protection measures shall be implemented as soon as possible in accordance with the Guidelines or as approved by the commissioner or his/ her designated agent.

A reverse slope bench is required for any slope steeper than 3:1 (horizontal: vertical) that exceeds 15 feet vertically, except when engineered slope stabilization structures or measures are included or a detailed soil mechanics analysis has been conducted to verify stability. Engineered analyses and measures must be designed by a CT licensed Professional Engineer with experience in geotechnical engineering or soil mechanics.

(ii) Structural Measures

The Plan shall include a narrative and drawings of structural measures to divert flows away from exposed soils, store flows or otherwise limit runoff and minimize the discharge of pollutants from the site. Unless otherwise specifically approved in writing by the commissioner or his/ her designated agent, or if otherwise authorized by another state or federal permit, structural measures shall be installed on upland soils.

For points of discharge from disturbed sites with a total contributing drainage area of between two to five acres, a temporary sediment trap must be installed in accordance with the Guidelines. For points of discharge from disturbed sites with a total contributing drainage area greater than five acres, a temporary basin must be designed and installed in accordance with the Guidelines. Such trap(s) or basin(s) must be maintained until final stabilization of the contributing area as defined in "Notice of Termination" (Section 6(a)).

The requirement for sediment traps or basins shall not apply to flows from off-site areas and flows from the site that are either undisturbed or have undergone final stabilization where such flows are diverted around the temporary sediment trap or basin. Any exceptions must be approved in writing by the commissioner or his/ her designated agent.

(iii) Maintenance

The Plan shall include a narrative of the procedures to maintain in good and effective operating conditions all erosion and sediment control measures, including vegetation, and all other protective measures identified in the site plan. Maintenance of all erosion and sediment controls shall be performed in accordance with the Guidelines, or more frequently as necessary, to protect the waters of the state from pollution.

(B) Dewatering Wastewaters

Dewatering wastewaters shall be managed in accordance with the Guidelines. Dewatering wastewaters discharged to surface waters shall be discharged in a manner that minimizes the discoloration of the receiving waters. The Plan shall include a narrative and drawings of the

operational and structural measures that will be used to ensure that all dewatering wastewaters will not cause scouring or erosion or contain suspended solids in amounts that could reasonably be expected to cause pollution of surface waters of the State. Unless otherwise specifically approved in writing by the commissioner or his/ her designated agent, or if otherwise authorized by another state or federal permit, dewatering measures shall be installed on upland soils.

No discharge of dewatering wastewater(s) shall contain or cause a visible oil sheen, floating solids, or foaming in the receiving water.

(C) Post-Construction Stormwater Management

The Plan shall include a narrative and drawings of measures that will be installed during the construction process to minimize the discharge of pollutants in stormwater discharges that will occur after construction operations have been completed. Post-construction stormwater management measures shall be designed and implemented in accordance with the Stormwater Quality Manual, the DOT Qualified Products List or as approved by the commissioner or his/ her designated agent in writing. Unless otherwise specifically provided by the commissioner in writing, or authorized by another state or federal permit, structural measures shall be placed on upland soils. The Plan shall include provisions to address the long-term maintenance of any post-construction stormwater management measure installed.

(i) Post-Construction Performance Standards

The permittee shall utilize runoff reduction practices (as defined in Section 2) to meet runoff volume requirements based on the conditions below. For sites unable to comply with these conditions, the commissioner, at the commissioner's sole discretion, may require the submission of an individual permit in lieu of authorization under this general permit.

(a) Redevelopment

For sites that are currently developed with an effective impervious cover of forty percent or more and for which the permittee is proposing redevelopment, the permittee shall design the site in such a manner as to retain on-site half the water quality volume (as defined in Section 2) for the site and provide additional stormwater treatment without retention for discharges up to the full water quality volume for sediment, floatables and nutrients to the maximum extent achievable using control measures that are technologically available and economically practicable and achievable in light of best industry practice. In cases where the permittee is not able to retain half the water quality volume, the permittee shall design the redevelopment to retain runoff volume to the maximum extent achievable using control measures that are technologically available and economically practicable and achievable in light of best industry practice. In such cases, additional stormwater treatment up to the full water quality volume is still required. Any such treatment shall be designed, installed and maintained in accordance with the Stormwater Quality Manual. If retention of the half the water quality volume is not achieved, the permittee shall submit a report to the commissioner describing: the measures taken to maximize runoff reduction practices on the site; the reasons why those practices constitute the maximum extent achievable; the alternative retention volume; and a description of the measures used to provide additional stormwater treatment above the alternate volume up to the water quality volume. In the case of linear redevelopment projects (e.g. roadway reconstruction or widening) for the developed portion of

the right of way: (1) for projects that may be unable to comply with the full retention standard, the alternate retention and treatment provisions may also be applied as specified above, or (2) for projects that will not increase the effective impervious cover within a given watershed, the permittee shall implement the additional stormwater treatment measures referenced above, but will not be required to retain half of the water quality volume.

(b) Other Development

The following performance standard applies to all sites that are currently undeveloped or are currently developed with less than forty percent effective impervious cover. For these sites, the permittee shall design the site to retain the water quality volume for the site. If there are site constraints that would prevent retention of this volume on-site (e.g., brownfields, capped landfills, bedrock, elevated groundwater, etc.), documentation must be submitted, for the commissioner's review and written approval, which: explains the site limitations; provides a description of the runoff reduction practices implemented; provides an explanation of why this constitutes the maximum extent achievable; offers an alternative retention volume; and provides a description of the measures used to provide additional stormwater treatment for sediment, floatables and nutrients above the alternate volume up to the water quality volume. Any such treatment shall be designed, installed and maintained in accordance with the Stormwater Quality Manual. In the case of linear projects that do not involve impervious surfaces (e.g. electrical transmission rights-of-way or natural gas pipelines), retention of the water quality volume is not required as long as the post-development runoff characteristics do not differ significantly from pre-development conditions.

(ii) Post-Construction Control Measures

(a) Runoff Reduction and Low Impact Development ("LID") Practices

The site design shall incorporate runoff reduction practices, low impact development ("LID") practices or other measures to meet the performance standards in subsection (i) above, promote groundwater recharge and minimize post-construction impacts to water quality. Please refer to Appendix B for additional guidance information.

(b) Suspended Solids and Floatables Removal

The permittee shall install post-construction stormwater management measures designed to minimize the discharge of suspended solids and floatables (e.g. oil and grease, other floatable liquids, floatable solids, trash, etc.) from stormwater. A goal of 80 percent removal of the annual sediment load from the stormwater discharge shall be used in designing and installing stormwater management measures. The Plan shall provide calculations supporting the capability of such measures in achieving this goal and any third-party verification, as applicable, of the sediment removal efficiencies of such measures. This goal is not intended to limit local approval authorities from requiring a higher standard pursuant to local requirements.

(c) Velocity Dissipation

Velocity dissipation devices shall be placed at discharge locations and along the length of any outfall channel as necessary to provide a non-erosive velocity flow to the receiving watercourse so that the natural physical and biological characteristics and functions are maintained and protected.

(D) Other Controls

The following additional controls shall be implemented:

(i) Waste Disposal: Best management practices shall be implemented to minimize the discharge of litter, debris, building materials, hardened concrete waste, or similar materials to waters of the State. A narrative of these practices shall be provided in the Plan.

(ii) Washout Areas

Washout of applicators, containers, vehicles and equipment for concrete, paint and other materials shall be conducted in a designated washout area. There shall be no surface discharge of washout wastewaters from this area. Such washout shall be conducted: (1) outside of any buffers and at least 50 feet from any stream, wetland or other sensitive resource; or (2) in an entirely self-contained washout system. The permittee shall clearly flag off and designate areas to be used for washing and conduct such activities only in these areas. The permittee shall direct all washwater into a container or pit designed such that no overflows can occur during rainfall or after snowmelt.

In addition, dumping of liquid wastes in storm sewers is prohibited. The permittee shall remove and dispose of hardened concrete waste consistent with practices developed for the "Waste Disposal" section (subparagraph 5(*b*)(2)(D)(i), above). At least once per week, the permittee must inspect any containers or pits used for washout to ensure structural integrity, adequate holding capacity, and to check for leaks or overflows. If there are signs of leaks, holes or overflows in the containers or pits that could lead to a discharge, the permittee shall repair them prior to further use. For concrete washout areas, the permittee shall remove hardened concrete waste whenever the hardened concrete has accumulated to a height of ½ of the container or pit or as necessary to avoid overflows. A narrative of maintenance procedures and a record of maintenance and inspections shall be included in the Plan.

(iii) Off-site vehicle tracking of sediments and the generation of dust shall be minimized. Wet dust suppression shall be used, in accordance with section 22a-174-18(b) of the Connecticut General Statutes, for any construction activity that causes airborne particulates. The volume of water sprayed for controlling dust shall be minimized so as to prevent the runoff of water. No discharge of dust control water shall contain or cause a visible oil sheen, floating solids, visible discoloration, or foaming in the receiving stream.

(iv) All post-construction stormwater structures shall be cleaned of construction sediment and any remaining silt fence shall be removed upon stabilization of the site.

(v) All chemical and petroleum product containers stored on the site (excluding those contained within vehicles and equipment) shall be provided with impermeable containment which will hold at least 110% of the volume of the largest container, or

10% of the total volume of all containers in the area, whichever is larger, without overflow from the containment area. All chemicals and their containers shall be stored under a roofed area except for those chemicals stored in containers of 100 gallon capacity or more, in which case a roof is not required. Double-walled tanks satisfy this requirement.

(3) Additional Control Measures for Impaired Waters

For construction activities that discharge directly to impaired waters, as specified in "New Discharges to Impaired Waters" (Section 3(*b*)(12)), the Plan shall include the following provisions:

(A) In lieu of the provisions of "Construction Sequencing" (Section 5(*b*)(1)(B)(iii)), no more than 3 acres may be disturbed at any one time. For those areas for which construction activity will be temporarily suspended for a period of greater than 14 days, temporary stabilization measures shall be implemented within 3 days of such suspension of activity. For all areas, permanent stabilization shall be implemented within 30 days of disturbance; ***or***

(B) The Plan shall document that measures are in place to ensure that there will be no discharge to the impaired water from rain events up to a 2-year, 24-hour rain event while construction activity is occurring; ***or***

(C) For discharges to impaired waters with an established TMDL:

(i) the Plan shall document that there is sufficient remaining Waste Load Allocation (WLA) in the TMDL to allow the discharge, ***and***

(ii) measures shall be implemented to ensure the WLA will not be exceeded, ***and***

(iii) stormwater discharges shall be monitored, if applicable, for any indicator pollutant identified in the TMDL for every rain event that produces a discharge to ensure compliance with the WLA. Such monitoring shall be in addition to the requirements specified in Section 5(*c*), ***or***

(iv) the specific requirements for stormwater discharges specified in the TMDL are met.

Construction activities discharging to impaired waters that do not comply with this subsection are not authorized by this general permit.

(4) Inspections

All construction activities submitting a registration for this general permit shall be inspected initially for Plan implementation and then weekly for routine inspections.

(A) Plan Implementation Inspections

Within the first 30 days following commencement of the construction activity on the site, the permittee shall contact: (1) the appropriate District; or (2) a qualified soil erosion and sediment control professional or a qualified professional engineer to inspect the site. The site shall be inspected at least once and no more than three times during the first 90 days to confirm compliance with the general permit and proper initial implementation of all controls measures designated in the Plan for the site for the initial phase of construction. For sites not inspected by District personnel, the following conditions shall apply:

(i) for projects disturbing more than one acre and less than fifteen (15) acres, the inspector shall be someone who:

(a) is not an employee, as defined by the Internal Revenue Service in the Internal Revenue Code of 1986, of the registrant, and

(b) has no ownership interest of any kind in the project for which the registration is being submitted.

(ii) for projects disturbing fifteen (15) acres or more, the inspector shall be someone who:

(a) is not an employee, as defined by the Internal Revenue Service in the Internal Revenue Code of 1986, of the registrant, and

(b) has not engaged in any activities associated with the preparation, planning, designing or engineering of such plan for soil erosion and sediment control or plan for engineered stormwater management systems on behalf of such registrant, and

(c) is not under the same employ as any person who engaged in any activities associated with the preparation, planning, designing or engineering of such plans and specifications for soil erosion and sediment control or plans and specifications for engineered stormwater management systems on behalf of such registrant, and

(d) has no ownership interest of any kind in the project for which the registration is being submitted.

The permittee may use, if they wish, the same person(s) that provided the Plan Review Certification pursuant to Section 5(*b*)(11).

(B) Routine Inspections

The permittee shall routinely inspect the site for compliance with the general permit and the Plan for the site until a Notice of Termination has been submitted. Inspection procedures for these routine inspections shall be addressed and implemented in the following manner:

(i) The permittee shall maintain a rain gauge on-site to document rainfall amounts. At least once a week and within 24 hours of the end of a storm that generates a discharge, a qualified inspector (provided by the permittee), as defined in the "Definitions" section (Section 2) of this general permit, shall inspect, at a minimum, the following: disturbed areas of the construction activity that have not been finally stabilized; all erosion and sedimentation control measures; all structural control measures; soil stockpile areas; washout areas and locations where vehicles enter or exit the site. These areas shall be inspected for evidence of, or the potential for, pollutants entering the drainage system and impacts to the receiving waters. Locations where vehicles enter or exit the site shall also be inspected for evidence of off-site sediment tracking. For storms that end on a weekend, holiday or other time after which normal working hours will not commence within 24 hours, an inspection is required within 24 hours only for storms that equal or exceed 0.5 inches. For storms of less than 0.5 inches, an inspection shall occur immediately upon the start of the subsequent normal working hours. Where sites have been temporarily or finally stabilized, such inspection shall be conducted at least once every month for three months.

(ii) The qualified inspector(s) shall evaluate the effectiveness of erosion and sediment controls, structural controls, stabilization practices, and any other controls implemented

to prevent pollution and determine if it is necessary to install, maintain, or repair such controls and/or practices to improve the quality of stormwater discharge(s).

(iii) A report shall be prepared and retained as part of the Plan. This report shall summarize: the scope of the inspection; name(s) and qualifications of personnel making the inspection; the date(s) of the inspection; weather conditions including precipitation information; major observations relating to erosion and sediment controls and the implementation of the Plan; a description of the stormwater discharge(s) from the site; and any water quality monitoring performed during the inspection. The report shall be signed by the permittee or his/her authorized representative in accordance with the "Certification of Documents" section (subsection 5(*i*)) of this general permit.

The report shall include a statement that, in the judgment of the qualified inspector(s) conducting the site inspection, the site is either in compliance or out of compliance with the terms and conditions of the Plan and permit. If the site inspection indicates that the site is out of compliance, the inspection report shall include a summary of the remedial actions required to bring the site back into compliance. Non-engineered corrective actions (as identified in the Guidelines) shall be implemented on site within 24 hours and incorporated into a revised Plan within three (3) calendar days of the date of inspection unless another schedule is specified in the Guidelines. Engineered corrective actions (as identified in the Guidelines) shall be implemented on site within seven (7) days and incorporated into a revised Plan within ten (10) days of the date of inspection, unless another schedule is specified in the Guidelines or is approved by the commissioner. During the period in which any corrective actions are being developed and have not yet been fully implemented, interim measures shall be implemented to minimize the potential for the discharge of pollutants from the site.

(iv) Inspectors from the DEEP and the appropriate District may inspect the site for compliance with this general permit at any time construction activities are ongoing and upon completion of construction activities to verify the final stabilization of the site and/or the installation of post-construction stormwater management measures pursuant to Section 6(*a*).

(v) Additional inspections, reports and documentation may also be required to comply with the "Monitoring Requirements" section (Section 5(*c*)).

(5) Keeping Plans Current

The Permittee is responsible for keeping their Plan in compliance with this general permit at all times. This may involve any or all of the following:

(A) The permittee shall amend the Plan if the actions required by the Plan fail to prevent pollution or fail to otherwise comply with any other provision of this general permit. The Plan shall also be amended whenever there is a change in contractors or subcontractors at the site, or a change in design, construction, operation, or maintenance at the site which has the potential for the discharge of pollutants to the waters of the state and which has not otherwise been addressed in the Plan.

(B) The commissioner may notify the permittee at any time that the Plan and/or the site do not meet one or more of the minimum requirements of this general permit. Within 7 days of such notice, or such other time as the commissioner may allow, the permittee shall make the required changes to the Plan and perform all actions required by such revised Plan. Within 15 days of such notice, or such other time as the commissioner may allow, the permittee shall submit to the commissioner a written certification that the requested changes have been

made and implemented and such other information as the commissioner requires, in accordance with the 'Duty to Provide Information" and "Certification of Documents" sections (subsections 5(*h*) and 5(*i*)) of this general permit.

(C) For any stormwater discharges authorized under any previous version of this general permit, the existing Plan shall be updated by February 1, 2014, as applicable, in accordance with the "Development and Contents of the Plan" (subsection 5(*b*)(1)), "Stormwater Control Measures" (subsection 5(*b*)(2)), "Routine Inspections" (subsection 5(*b*)(4)(B)), and "Monitoring" (subsection 5(*c*)) sections of this general permit, except for the post-construction measures in subsection 5(*b*)(2)(C)(i)(a) & (b) and 5(*b*)(2)(C)(ii)(a). The permittee shall maintain compliance with such Plan thereafter. For previously authorized sites discharging to impaired waters or other sensitive areas, the commissioner may require additional control measures or provide authorization under an individual permit pursuant to Sections 4(*h*) and 3(*i*).

(6) Failure to Prepare, Maintain or Amend Plan

In no event shall failure to complete, maintain or update a Plan, in accordance with the "Development of Contents of the Plan" and "Keeping Plans Current" sections (subsections 5(*b*)(1) and 5(*b*)(5)) of this general permit, relieve a permittee of responsibility to implement any actions required to protect the waters of the state and to comply with all conditions of the permit.

(7) Plan Signature

The Plan shall be signed and certified as follows:

(A) The Plan shall be signed by the permittee in accordance with the "Certification of Documents" section (subsection 5(*i*)) of this general permit.

(B) The Plan shall include certification by all contractors and subcontractors in accordance with the "Contractors" section (subsection 5(*b*)(1)(B)(viii)) of this general permit.

(C) The Plan shall include a copy of the certification by a professional engineer or landscape architect made in accordance with Section 3(*b*)(9) of this general permit.

(8) Plan Review Certification

For a locally approvable project pursuant to Section 3(*c*) of this general permit, a copy of the Plan review certification made in accordance with either Section 3(*b*)(10) or (11) shall be maintained with the Plan. Note that construction activities reviewed and certified pursuant to those sections are still subject to the local erosion and sediment control and stormwater management regulations of the municipality in which the activity is conducted.

(9) Plan Submittal

The Plan shall be submitted to the commissioner and other certain parties under the following conditions:

(A) All Locally Exempt Projects with greater than one acre of soil disturbance shall submit an electronic copy of the Plan and a completed Registration Form to the commissioner.

(B) For all other projects, the permittee shall provide a copy of the Plan, and a completed Registration Form for this general permit to the following persons immediately upon request:

(i) The commissioner at his or her request or at the request of a member of the public during the registration and Plan availability period pursuant to Section 4(*e*);

(ii) The municipal planning commission, zoning commission and/or inland wetlands agency, or its respective enforcement officer or designated agent;

(iii) In the case of a stormwater discharge through a municipal separate storm sewer system, the municipal operator of the system;

(iv) In the case of a stormwater discharge located within a public drinking water supply watershed or aquifer area, the water company responsible for that water supply.

DO NOT SUBMIT any pages or other material that do not pertain to stormwater management or erosion and sedimentation control (such as electrical and lighting plans, boundary or lot surveys, building plans, non-stormwater related detail sheets, etc.).

(c) Monitoring Requirements

The primary requirements for monitoring turbidity are summarized in the table below:

Table 1

Area of Soil Disturbance	*Monitoring Required?*	*Monitoring Frequency*	*Sample Method*
Sites which disturb 1 acre or more, but less than 5 acres	Only IF a Registration is required	Monthly IF a Registration is required	Procedure consistent with 40 CFR Part 136
Sites which disturb 5 acres or more	Yes	Monthly	Procedure consistent with 40 CFR Part 136

(1) Turbidity Monitoring Requirements

(A) Monitoring Frequency

(i) Sampling shall be conducted in accordance with Table 1, above, at least once every month, when there is a discharge of stormwater from the site while construction activity is ongoing, until final stabilization of the drainage area associated with each outfall is achieved.

(ii) The permittee is only required to take samples during normal working hours as defined in Section 2. The site's normal working hours must be identified in the Plan pursuant to Section 5(*b*)(1)(B)(vii). If sampling is discontinued due to the end of normal working hours, the permittee shall resume sampling the following morning or the morning of the next working day following a weekend or holiday, as long as the discharge continues.

(iii) Sampling may be temporarily suspended any time conditions exist that may reasonably pose a threat to the safety of the person taking the sample. Such conditions may include high winds, lightning, impinging wave or tidal activity, intense rainfall or other

hazardous condition. Once the unsafe condition is no longer present, sampling shall resume.

(iv) If there is no stormwater discharge during a month, sampling is not required.

(B) Sample Collection

(i) All samples shall be collected from discharges resulting from a storm event that occurs at least 24 hours after any previous storm event generating a stormwater discharge. Any sample containing snow or ice melt must be identified on the Stormwater Monitoring Report form. Sampling of snow or ice melt in the absence of a storm event is not a valid sample.

(ii) Samples shall be grab samples taken *at least* three separate times during a storm event and shall be *representative* of the flow and characteristics of the discharge(s). Samples may be taken manually or by an in-situ turbidity probe or other automatic sampling device equipped to take individual turbidity readings (i.e. not composite). The first sample shall be taken within the first hour of stormwater discharge from the site. In cases where samples are collected manually and the discharge begins outside of normal working hours, the first sample shall be taken at the start of normal working hours.

(C) Sampling Locations

(i) Sampling is required of all point source discharges of stormwater from disturbed areas except as may be modified for linear projects under subparagraph (ii) below. Where there are two or more discharge points that discharge substantially identical runoff, based on similarities of the exposed soils, slope, and type of stormwater controls used, a sample may be taken from just one of the discharge points. In such case, the permittee shall report that the results also apply to the substantially identical discharge point(s). No more than 5 substantially identical outfalls may be identified for one representative discharge. If such project is planned to continue for more than one year, the permittee shall rotate twice per year the location where samples are taken so that a different discharge point is sampled every six months. The Plan must identify each outfall authorized by this permit and describe the rationale for any substantially identical outfall determinations.

(ii) Linear Projects

For a linear project, as defined in Section 2, the protocols of subparagraph (i), above, shall apply except that up to 10 substantially identical outfalls may be identified for one representative discharge.

(iii) All sampling point(s) shall be identified in the Plan and be clearly marked in the field with a flag, stake, or other visible marker.

(D) Sampling and analysis shall be prescribed by 40 CFR Part 136.

(E) Turbidity Values

The stormwater discharge turbidity value for each sampling point shall be determined by taking the average of the turbidity values of all samples taken at that sampling point during a given storm.

(2) Stormwater Monitoring Reports

(A) Within thirty (30) days following the end of each month, permittees shall enter the stormwater sampling result(s) on the Stormwater Monitoring Report (SMR) form (available at www.ct.gov/deep/stormwater) and submit it in accordance with the NetDMR provisions in subsection F, below, or, if the permittee has opted out of NetDMR, to the following address:

Bureau of Materials Management and Compliance Assurance
Water Permitting and Enforcement Division (Attn: DMR Processing)
Connecticut Department of Energy and Environmental Protection
79 Elm Street
Hartford, CT 06106-5127

(B) If there was no discharge during any given monitoring period, the permittee shall submit the form as required with the words "no discharge" entered in place of the monitoring results.

(C) If the permittee monitors any discharge more frequently than required by this general permit, the results of this monitoring shall be included in additional SMRs for the month in which the samples were collected.

(D) If sampling protocols are modified due to the limitations of normal working hours or unsafe conditions in accordance with Section 5(c)(1)(A)(ii) or (iii) above, a description of and reason for the modifications shall be included with the SMR.

(E) If the permittee samples a discharge that is representative of two or more substantially identical discharge points, the permittee shall include the names or locations of the other discharge points.

(F) NetDMR Reporting Requirements

(i) Prior to one-hundred and eighty (180) days after the issuance of this permit, the Permittee may either submit monitoring data and other reports to the Department in hard copy form or electronically using NetDMR, a web-based tool that allows Permittees to electronically submit stormwater monitoring reports through a secure internet connection. Unless otherwise approved in writing by the commissioner, no later than one-hundred and eighty (180) days after the issuance of this permit the Permittee shall begin reporting electronically using NetDMR. Specific requirements regarding subscription to NetDMR and submittal of data and reports in hard copy form and for submittal using NetDMR are described below:

(a) Submittal of NetDMR Subscriber Agreement

On or before fifteen (15) days after the issuance of this permit, the Permittee and/or the person authorized to sign the Permittee's discharge monitoring reports ("Signatory Authority") as described in RCSA Section 22a-430-3(b)(2) shall contact the Department at deep.netdmr@ct.gov and initiate the NetDMR subscription process for electronic submission of Stormwater Monitoring Report information. Information on NetDMR is available on the Department's website at www.ct.gov/deep/netdmr. On or before ninety (90) days after issuance of this permit the Permittee shall submit a signed and notarized copy of the *Connecticut DEEP NetDMR Subscriber Agreement* to the Department.

(b) Submittal of Reports Using NetDMR

Unless otherwise approved by the commissioner, on or before one-hundred and eighty (180) days after issuance of this permit, the Permittee and/or the Signatory Authority shall electronically submit SMRs required under this permit to the Department using NetDMR in satisfaction of the SMR submission requirements of Sections 5(*c*)(2)(A) of this permit.

SMRs shall be submitted electronically to the Department no later than the 30th day of the month following the completed reporting period. Any additional monitoring conducted in accordance with 40 CFR 136 shall be submitted to the Department as an electronic attachment to the SMR in NetDMR. Once a Permittee begins submitting reports using NetDMR, it will no longer be required to submit hard copies of SMRs to the Department. NetDMR is accessed from: http://www.epa.gov/netdmr.

(c) Submittal of NetDMR Opt-Out Requests

If the Permittee is able to demonstrate a reasonable basis, such as technical or administrative infeasibility, that precludes the use of NetDMR for electronically submitting SMRs, the commissioner may approve the submission of SMRs in hard copy form ("opt-out request"). Opt-out requests must be submitted in writing to the Department for written approval on or before fifteen (15) days prior to the date a Permittee would be required under this permit to begin filing SMRs using NetDMR. This demonstration shall be valid for twelve (12) months from the date of the Department's approval and shall thereupon expire. At such time, SMRs shall be submitted electronically to the Department using NetDMR unless the Permittee submits a renewed opt-out request and such request is approved by the Department.

All opt-out requests and requests for the NetDMR subscriber form should be sent to the following address or by email at deep.netdmr@ct.gov:

Attn: NetDMR Coordinator
Connecticut Department of Energy and Environmental Protection
79 Elm Street
Hartford, CT 06106-5127

(d) Reporting and Record Keeping Requirements

(1) For a period of at least five years from the date that construction is complete, the permittee shall retain copies of the Plan and all reports required by this general permit, and records of all data used to complete the registration for this general permit, unless the commissioner specifies another time period in writing. Inspection records must be retained as part of the Plan for a period of five (5) years after the date of inspection.

(2) The permittee shall retain an updated copy of the Plan required by this general permit at the construction site from the date construction is initiated at the site until the date construction at the site is completed.

(e) Regulations of Connecticut State Agencies Incorporated into this General Permit

The permittee shall comply with sections 22a-430-3 and 22a-430-4 of the Regulations of Connecticut State Agencies which are hereby incorporated into this general permit, as if fully set forth herein.

(f) Reliance on Registration

In evaluating the registrant's registration, the commissioner has relied on information provided by the registrant. If such information proves to be false or incomplete, any authorization reliant on such information may be suspended or revoked in accordance with law, and the commissioner may take any other legal action provided by law.

(g) Duty to Correct and Report Violations

Upon learning of a violation of a condition of this general permit, unless otherwise specified in this general permit, a permittee shall immediately take all reasonable action to determine the cause of such violation, correct and mitigate the results of such violation, prevent further such violation, and report in writing such violation and such corrective action to the commissioner within five (5) days of the permittee's learning of such violation. Such information shall be filed in accordance with the "Certification of Documents" section (Section 5(*i*)) of this general permit.

(h) Duty to Provide Information

If the commissioner requests any information pertinent to the construction activity or to compliance with this general permit or with the permittee's authorization under this general permit, the permittee shall provide such information within fifteen (15) days of such request or other time period as may be specified in writing by the commissioner. Such information shall be filed in accordance with the "Certification of Documents" section (Section 5(*i*)) of this general permit.

(i) Certification of Documents

Unless otherwise specified in this general permit, any document, including but not limited to any notice, information or report, which is submitted to the commissioner under this general permit shall be signed by the permittee, or a duly authorized representative of the permittee, and by the individual or individuals responsible for actually preparing such document, each of whom shall certify in writing as follows:

"I have personally examined and am familiar with the information submitted in this document and all attachments thereto, and I certify that, based on reasonable investigation, including my inquiry of those individuals responsible for obtaining the information, the submitted information is true, accurate and complete to the best of my knowledge and belief. I understand that a false statement made in this document or its attachments may be punishable as a criminal offense, in accordance with section 22a-6 of the Connecticut General Statutes, pursuant to section 53a-157b of the Connecticut General Statutes, and in accordance with any other applicable statute."

(j) Date of Filing

For purposes of this general permit, the date of filing with the commissioner of any document is the date such document is received by the commissioner. The word "day" as used in this general permit means the calendar day; if any date specified in the general permit falls on a Saturday, Sunday, or legal holiday, such deadline shall be the next business day thereafter.

(k) False Statements

Any false statement in any information submitted pursuant to this general permit may be punishable as a criminal offense, in accordance with section 22a-6 of the Connecticut General Statutes, pursuant to section 53a-157b of the Connecticut General Statutes.

(l) Correction of Inaccuracies

Within fifteen (15) days after the date a permittee becomes aware of a change in any information in any material submitted pursuant to this general permit, or becomes aware that any such information is inaccurate or misleading or that any relevant information has been omitted, such permittee shall correct the inaccurate or misleading information or supply the omitted information in writing to the commissioner. Such information shall be filed in accordance with the certification requirements prescribed in Section 5(*i*) of this general permit.

(m) Transfer of Authorization

Any authorization issued by the commissioner under this general permit is transferable only in accordance with the provisions of section 22a-6o of the General Statutes. Any person or municipality proposing to transfer any such authorization shall submit a license transfer form to the commissioner. The transferee is not authorized to conduct any activities under this general permit until the transfer is approved by the commissioner (typically 30 days). The transferee may adopt by reference the Plan developed by the transferor. The transferee shall amend the Plan as required by the "Keeping Plans Current" Section 5(b)(5) of this general permit).

(n) Reopener

At such time as the USEPA may institute a new rule for post-construction stormwater management or modify the requirements for their National Pollutant Discharge Elimination System (NPDES) General Permit for Discharges from Construction Activities (CGP) to institute a numeric Effluent Limitation Guideline (ELG) for turbidity in stormwater discharges from construction activities, the commissioner may reopen this general permit pursuant to the Section 40 Part 122.62(a) of the Code of Federal Regulations for implementation of these elements.

(o) Other Applicable Law

Nothing in this general permit shall relieve the permittee of the obligation to comply with any other applicable federal, state and local law, including but not limited to the obligation to obtain any other authorizations required by such law.

(p) Other Rights

This general permit is subject to and does not derogate any present or future rights or powers of the State of Connecticut and conveys no rights in real or personal property nor any exclusive privileges, and is subject to all public and private rights and to any federal, state, and local laws pertinent to the property or construction activity affected by such general permit. In conducting any construction activity authorized hereunder, the permittee may not cause pollution, impairment, or destruction of the air, water, or other natural resources of this state. The issuance of this general permit shall not create any presumption that this general permit should or will be renewed.

Section 6. Termination Requirements

(a) Notice of Termination

At the completion of a construction project registered pursuant to the "Registration Requirements" section (Section 4) of this general permit, a Notice of Termination must be filed with the commissioner. A project shall be considered complete after all post-construction measures are installed, cleaned and functioning and the site has been stabilized for at least three months following the cessation of construction activities. A site is considered stabilized when there is no active erosion or sedimentation present and no disturbed areas remain exposed **for all phases**.

(1) Post-Construction Inspection

For locally approvable projects, once all post-construction stormwater measures have been installed in accordance with the Post-Construction Stormwater Management section (subsection 5(*b*)(2)(C)) and cleaned of any construction sediment or debris, the registrant shall contact the appropriate Conservation District or a qualified soil erosion and sediment control professional and/or a qualified professional engineer, as appropriate, who will inspect the site to confirm compliance with these post-construction stormwater measures. This person(s) shall not be an employee, as defined by the Internal Revenue Service in the Internal Revenue Code of 1986, of the permittee and shall have no ownership interest of any kind in the project for which the site's registration was submitted.

(2) Final Stabilization Inspection

For all projects, once the site has been stabilized for at least three months, the registrant shall have the site inspected by a qualified inspector to confirm final stabilization. The registrant shall indicate compliance with this requirement on the Notice of Termination form.

(b) Termination Form

A termination notice shall be filed on forms prescribed and provided by the commissioner and shall include the following:

(1) The permit number as provided to the permittee on the permit certificate.

(2) The name of the registrant as reported on the general permit registration form (DEEP-PED-REG-015).

(3) The address of the completed construction site.

(4) The dates when:

(A) All storm drainage structures were cleaned of construction debris pursuant to the "Other Controls" section (subsection 5(*b*)(2)(D)) of this general permit; and

(B) The post-construction inspection was conducted pursuant to subsection 6(*a*)(1), above; and

(C) The date of completion of construction; and

(D) The date of the final stabilization inspection pursuant to subsection 6(*a*)(2), above.

(5) A description of the post-construction activities at the site.

(6) Signatures of:

(A) The permittee; and

(B) The person certifying the post-construction inspection pursuant to subsection 6(*a*)(1), above.

(c) Where to File a Termination Form

A termination form shall be filed with the commissioner at the following address:

CENTRAL PERMITS PROCESSING UNIT
BUREAU OF MATERIALS MANAGEMENT & COMPLIANCE ASSURANCE
DEPARTMENT OF ENERGY & ENVIRONMENTAL PROTECTION
79 ELM STREET
HARTFORD, CT 06106-5127

Section 7. Commissioner's Powers

(a) Abatement of Violations

The commissioner may take any action provided by law to abate a violation of this general permit, including but not limited to penalties of up to $25,000 per violation per day under Chapter 446k of the Connecticut General Statutes, for such violation. The commissioner may, by summary proceedings or otherwise and for any reason provided by law, including violation of this general permit, revoke a permittee's authorization hereunder in accordance with sections 22a-3a-2 through 22a-3a-6, inclusive, of the Regulations of Connecticut State Agencies. Nothing herein shall be construed to affect any remedy available to the commissioner by law.

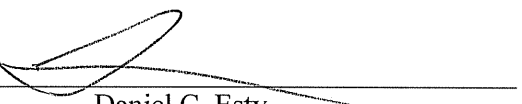
(b) General Permit Revocation, Suspension, or Modification

The commissioner may, for any reason provided by law, by summary proceedings or otherwise, revoke or suspend this general permit or modify to establish any appropriate conditions, schedules of compliance, or other provisions which may be necessary to protect human health or the environment.

(c) Filing of an Individual Permit Application

If the commissioner notifies a permittee in writing that such permittee must obtain an individual permit if he wishes to continue lawfully conducting the construction activity, the permittee shall file an application for an individual permit within thirty (30) days of receiving the commissioner's notice. While such application is pending before the commissioner, the permittee shall continue to comply with the terms and conditions of this general permit. Nothing herein shall affect the commissioner's power to revoke a permittee's authorization under this general permit at any time.

Issued: August 21, 2013



Daniel C. Esty
Commissioner

General Permit for the Discharge of Stormwater and Dewatering Wastewaters from Construction Activities

APPENDIX A

Endangered and Threatened Species

In order to be eligible for coverage under the General Permit for the Discharge of Stormwater and Dewatering Wastewaters from Construction Activities ("GP" or "the GP"), under section 3(*b*)(2) of the GP, a registrant must ensure that the construction activity, which includes, but is not limited to, excavation, site development or other ground disturbance activities, and stormwater flow, discharges and control measures ("construction activity"), does not threaten the continued existence of any state or federal species listed as endangered or threatened ("listed species") or result in the destruction or adverse modification of any habitat associated with such species.

In order to prevent significant, unforeseen delays in the processing of a registration under the GP, registrants should assess compliance with section 3(*b*)(2) early in the planning stages of a project. The Department of Energy and Environmental Protection ("the Department") strongly recommends that this assessment *be initiated up to one year, or more,* prior to the projected construction initiation date, and even before the purchase of the site of the construction activity. At a minimum, registrants must assess compliance with section 3(*b*)(2) prior to submission of the Registration Form for the GP.

This Appendix describes the ways that a registrant can comply with section 3(*b*)(2) of the GP. In connection with the filing of a registration a registrant can perform a self-assessment described in Section 1, seek a limited one-year determination or a safe harbor determination from the Department's Wildlife Division under Sections 2 or 3, respectively, or stipulate in writing to the presence of listed species or any habitat associated with such species and develop a mitigation plan pursuant to Section 5 of this Appendix. While some means of compliance are more limited than others, the options set out in this Appendix are not mutually exclusive and all options remain available to a registrant. For example, a registrant may perform a self-assessment under Section 1 and seek a safe harbor determination under Section 3 of this Appendix. Provided the requirements of this Appendix are met, the choice of how to proceed is the registrant's.

Section 1. Self Assessment through Natural Diversity Database Map Review and Screening

Before submission of a registration for coverage under this GP, a registrant must review the current versions of the Department's Natural Diversity Data Base ("NDDB") maps. Except as provided for in Sections 2, 3 or 5 of this Appendix, such review must occur no more than six months before such submission. Such review provides a method for screening whether the Department is already aware of listed species that may be present on the site of the construction activity. These maps can be viewed at the following locations:

1. Online at the following links:

   CT DEEP Natural Diversity Data Base Maps
   CTECO Webpage (in the interactive Simple Map Viewer)

2. At the DEEP Public File Room at 79 Elm Street in Hartford.

Screening

The site of the construction activity must be compared to the shaded areas depicted on the NDDB map to determine if the site is entirely, partially, or within ¼ mile of a shaded area. If the site is entirely, partially or within a ¼ mile of a shaded area for a listed species a registrant can only achieve compliance with section 3(*b*)(2) of the GP by obtaining a limited one-year determination under Section 2, a safe harbor determination under Section 3, or an approved mitigation plan under Section 5 of this Appendix from the Department's Wildlife Division.

If the site of the construction activity is not entirely, partially or within ¼ mile of a shaded area, then the Department is not aware of any listed species at the site of the construction activity. Based upon this screening, and provided the registrant has no reasonably available verifiable, scientific or other credible information that the construction activity could reasonably be expected to violate section 3(b)(2) of the GP, when completing the Registration Form for this GP a registrant may check the box that indicates that the construction activity will not impact federal or state listed species.

A registrant using only self-assessment under this section may utilize the results of any such self assessment for up to, but no more than, six months from the date of such assessment. Note, however, that the NDDB maps are not the result of comprehensive state-wide field investigations, but rather serve as a screening tool. Using such maps as a screening tool does not provide a registrant with an assurance that listed species or their associated habitat may not be encountered at the site of the construction activity. Notwithstanding the NDDB screening results, if a listed species is encountered at the site of the construction activity, the registrant shall promptly contact the Department and may need to take additional action to ensure that the registrant does not violate section 3(b)(2) of the GP.

Section 2. Obtaining a Limited One-Year Determination

A registrant may seek a written determination from the Department's Wildlife Division, good for one-year, that the proposed construction activity complies with section 3(b)(2) of the GP. To obtain this limited one-year determination, a registrant must, in addition to conducting the NDDB map review in Section 1 of this Appendix, provide the Department's Wildlife Division with (1) any reasonably available verifiable, scientific or other credible information about whether the construction activity could reasonably be expected to result in a violation of section 3(b)(2) of the GP, and (2) limited information about the site of the proposed construction activity, but less information than would be necessary for a safe harbor determination under Section 3 of this Appendix. The limited information necessary for a one-year determination is on the current "Request for Natural Diversity Database (NDDB) State Listed Species Review" form on the Department's website. The form and instructions for seeking such a limited one-year determination are available at www.ct.gov/DEEP/nddbrequest.

Provided the registrant's information is accurate and the Department's Wildlife Division determines that the construction activity will not violate section 3(b)(2) of the GP, the registrant shall receive a limited one-year determination from the Department. Any such determination may indicate that the construction activity will not impact listed species or their associated habitat, or it may include specific conditions to be implemented to avoid or significantly minimize any impacts that may be encountered at the site of the construction activity. For purposes of submitting a registration for the GP, any such limited one-year determination can be relied upon by the person receiving such determination for one-year from the date of such determination. Like, however, the NDDB screening procedure in Section 1 of this Appendix, a limited one-year determination does not provide a registrant with an assurance that listed species or their associated habitat may not be encountered at the site of the construction activity. If a listed species is encountered, the registrant shall promptly contact the Department

and may need to take additional action to ensure that the construction activity does not violate section 3(b)(2) of the GP.

If a registrant receives a limited one-year determination from the Department, the registrant should check the limited one-year determination box on the GP registration form and include the Department's one-year limited determination letter if requested on the GP Registration form. Checking the limited one-year determination box on the registration form and failing to provide the determination letter from the Department's Wildlife Division, if requested on the GP Registration form, will delay and may prevent processing of a registration.

If based upon the information provided by a registrant seeking a limited one-year determination the Department's Wildlife Division determines that the construction activity could impact listed species or their associated habitat, or that the Department needs additional information to make a limited one-year determination, the registrant may still achieve compliance with section 3(b)(2) of the GP through providing additional information pursuant to Section 4 or developing a mitigation plan pursuant to Section 5 of this Appendix.

A registrant may request one or more one-year extensions to a limited one-year determination under this section. If the Department's Wildlife Division has prescribed a form for requesting an extension, any such request shall be made using the prescribed form. There is a presumption that requests for a one-year extension of a limited one-year determination shall be granted. However, this presumption can be rebutted if the Department determines that a change in any of the following has occurred since an initial limited one-year determination or any extension was granted: the construction activity affecting or potentially affecting listed species or their associated habitat; the NDDB maps for the site of the construction activity; the limited information upon which a limited one-year determination or any extension was granted; or other information indicative of a change in circumstance affecting listed species or their associated habitat. Any one-year extension granted under this paragraph shall run from the date the Department's Wildlife Division issues its determination to grant an extension and shall be treated as a limited one-year determination as provided for in this section. Any letter granting a one-year extension shall be included with a registration along with the original limited one-year determination as provided for in this section.

Section 3. Obtaining a Safe Harbor Determination

A registrant may seek a written determination from the Department's Wildlife Division, good for three years, with the potential to be extended for an additional year, that proposed construction activity complies with section 3(b)(2) of the GP. Any such determination shall constitute a "safe harbor" for purposes of section 3(b)(2) of the GP.

To obtain a safe harbor determination, a registrant must, in addition to conducting the NDDB review in section 1 of this Appendix, provide the Department's Wildlife Division with any reasonably available verifiable, scientific or other credible information about whether the construction activity could reasonably be expected to result in a violation of section 3(b)(2) of the GP and specific information about the site of the construction activity. The specific information necessary for a safe harbor determination is listed in Attachment A to this Appendix. This information must be sufficient to allow the Wildlife Division to adequately assess the site for potential risks to listed species and their associated habitat. While the Department recognizes certain information is necessary to make a safe harbor determination, it also recognizes that a registrant may need to obtain a safe harbor determination early in its project's approval process in order to make prudent business decisions about purchasing a site or proceeding to final project designs. The form and instructions for seeking a safe harbor determination are available at www.ct.gov/DEEP/nddbrequest.

Provided the registrant's information is accurate and the Department's Wildlife Division determines that the construction activity will not violate section 3(b)(2) of the GP, the registrant shall receive a safe harbor determination from the Department. A safe harbor determination may indicate that the construction activity will not impact listed species or their associated habitat, or it may include specific conditions to be implemented to avoid or significantly minimize any impacts that may be encountered at the site of the construction activity. The Department shall honor the safe harbor determination for three years from the date it is issued, meaning that unlike the NDDB review in Section 1 or the limited one-year determination in Section 2 of this Appendix, if the Department makes a safe harbor determination and a registrant remains in compliance with any conditions in any such determination, irrespective of what may be found at the site of the construction activity, a registrant shall be considered in compliance with section 3(b)(2) of the GP. However, a safe harbor determination shall not be effective if a construction activity may threaten the continued existence of any federally listed species or its critical habitat under federal law. If a federally listed species or its critical habitat is encountered on the site of the construction activity, the registrant shall promptly contact the Department and may need to take additional action to ensure that the construction activity does not violate federal law or section 3(b)(2) of the GP.

If a registrant receives a safe harbor determination from the Department, the registrant should check the safe harbor determination box on the GP registration form and include the Department's safe harbor determination if requested on the GP Registration form. Checking the safe harbor box on the registration form and failing to provide the safe harbor determination letter from the Department's Wildlife Division, if requested on the GP Registration form, will delay and may prevent processing of a registration.

If based upon the information provided by a registrant seeking a safe harbor determination the Department's Wildlife Division determines that the construction activity could impact listed species or their associated habitat, or that the Department needs additional information to make a safe harbor determination, the registrant may still achieve compliance with section 3(b)(2) of the GP through providing additional information pursuant to Section 4 or developing a mitigation plan pursuant to Section 5 of this Appendix.

If a registrant receives a safe harbor determination from the Department's Wildlife Division, anytime during the third year of such safe harbor, a registrant may request a one-year extension of that safe harbor. If the Department's Wildlife Division has prescribed a form for requesting an extension, any such request shall be made using the prescribed form. There is a presumption that a request for a one-year extension of a safe harbor shall be granted. However, this presumption can be rebutted if the Department determines that a change in any of the following has occurred since the safe harbor was granted: the construction activity affecting or potentially affecting listed species or their associated habitat; the NDDB maps for the site of the construction activity; the information upon which the safe harbor was granted; or other information indicative of a change in circumstance affecting listed species or their associated habitat. A registrant may seek only one extension, for one-year, to a safe harbor determination. Any one-year extension granted under this paragraph shall run from the date of the Department's Wildlife Division issues its determination to grant an extension and shall be honored by the Department in the same manner as a safe harbor determination noted above. Any letter granting a one-year extension shall be included with a registration along with the original limited safe harbor determination as provided for in this section.

Section 4. Providing Additional Information

For the Department's Wildlife Division to make a limited one-year determination under Section 2 or a safe harbor determination under section 3 of this Appendix, limited additional information may be required to determine if the construction activity would impact listed species or their associated habitat. If the species in question is a state listed endangered or threatened species under section 26-306 of the general statutes, a registrant shall, in consultation with the Department's Wildlife Division, provide the limited additional

information requested by the Department's Wildlife Division. Such information may include, but is not limited to, a survey of specific listed species in question. If the species in question is a federally listed threatened or endangered species, in addition to the Department's Wildlife Division, a registrant shall also consult with the U.S. Fish and Wildlife Service and shall provide any additional information requested by that agency. A registrant that initially sought or obtained a limited one-year determination may, after providing the additional information required under this section request a safe harbor determination under Section 3 of this Appendix.

At any time, as an alternative to proceeding under Section 2, 3 or 4 of this Appendix, a registrant may stipulate, in writing, to the presence of one or more listed species or their associated habitat. A registrant choosing this alternative shall proceed to develop a mitigation plan under Section 5 of this Appendix.

If based upon any additional information provided to the Department's Wildlife Division, and as applicable, the U.S. Fish & Wildlife Service, the Department's Wildlife division determines that construction activity will be in compliance with section 3(b)(2) of the GP, a registrant shall receive a limited one-year determination under Section 2 or a safe harbor determination under Section 3 of this Appendix, as applicable.

If the Department's Wildlife Division determines that additional information is necessary to determine if the construction activity has the potential to impact listed species or their associated habitat, and a registrant chooses to not provide such information, a registrant shall proceed with the self assessment through an NDDB review under Section 1 of this Appendix, or stipulate to the existence of a listed species or associated habitat and develop a mitigation plan under Section 5 or such registrant shall not be eligible to register under the GP.

Section 5. Developing a Mitigation Plan

The Department's Wildlife Division may determine that the construction activity has the potential to adversely impact listed species or their associated habitat. However, it may be possible to modify the construction activity or undertake certain on-site measures to avoid or significantly minimize such impacts. If the species or associated habitat in question is a state listed endangered or threatened species under section 26-306 of the general statutes, a registrant shall consult with the Department's Wildlife Division to determine if an acceptable mitigation plan can be developed so impacts can be avoided or minimized such that a registrant remains in compliance with section 3(b)(2). If the species in question is a federally listed threatened or endangered species, any such consultation shall also include the U.S. Fish and Wildlife Service.

If a registrant in consultation with the Department's Wildlife Division, and as applicable, the U.S. Fish & Wildlife Service, develops a mitigation plan that is approved by the Department's Wildlife Division, or as applicable, the U.S. Fish & Wildlife Service, the registrant shall receive a limited one-year determination under Section 2 or a safe harbor determination under Section 3 of this Appendix. In this situation, in addition to checking the one-year determination box or the safe harbor determination box, as applicable, on the registration form, the registrant shall also check the box on the registration form indicating that it has an approved mitigation plan and provide a status update on the registration form as to whether it has completed or is still in the process of implementing the approved mitigation plan.

If an approved mitigation plan has not been fully implemented by the time a registration is submitted, completing all remaining tasks in the plan shall become an enforceable condition of any registration issued to the registrant.

If the Department determines that the construction activity has the potential to adversely impact listed species or their associated habitat and the registrant and the Department, and as applicable, the U.S. Fish & Wildlife Service, are not able to agree on an acceptable mitigation plan that is approved by the Department, and as applicable, the U.S. Fish & Wildlife Service, any such registrant shall not be eligible to register under the GP.

APPENDIX A
ATTACHMENT A

Specific Information Needed to Apply for a Safe Harbor Determination

A Safe Harbor Determination will be made upon the submission of a detailed report that fully addresses the matters noted below. For the Department's Wildlife Division to make a safe harbor determination, the report should synthesize and analyze this information, not simply compile information. Those providing synthesis and analysis need appropriate qualifications and experience. A request for a safe harbor determination shall include:

1) Habitat Information, including GIS mapping overlays, identifying:

- wetlands, including wetland cover types;
- plant community types;
- topography;
- soils;
- bedrock geology;
- floodplains, if any;
- land use history; and
- water quality classifications/criteria.

2) Photographs - The report should also include photographs of the site, including all reasonably available aerial or satellite photographs and an analysis of such photographs.

3) Inspection - The report should include a visual inspection(s) of the site, preferably when the ground is visible. This inspection can also be helpful in confirming or further evaluating the items noted above.

4) Biological Surveys - The report should include all biological surveys of the site where construction activity will take place that are reasonably available to a registrant. A registrant shall notify the Department's Wildlife Division of biological studies of the site where construction activity will take place that a registrant is aware of but are not reasonably available to the registrant.

5) Based on items #1 through 4 above, the report shall include a Natural Resources Inventory of the site of the construction activity. This inventory should also include a review of reasonably available scientific literature and any recommendations for minimizing adverse impacts from the proposed construction activity on listed species or their associated habitat.

6) In addition, to the extent the following is available at the time a safe harbor determination is requested, a request for a safe harbor determination shall include and assess:

- Information on Site Disturbance Estimates/Site Alteration information

- Vehicular Use

- Construction Activity Phasing Schedules, if any; and

- Alternation of Drainage Patterns

General Permit for the Discharge of Stormwater and Dewatering Wastewaters from Construction Activities

APPENDIX B

Connecticut Department of Energy & Environmental Protection
Inland Water Resources Division Fact Sheet
Considering Low Impact Development Principles in Site Design

In order to reduce the impact of development and address stormwater quality issues, the Department strongly encourages the use of Low Impact Development (LID) measures. LID is a site design strategy intended to maintain or replicate predevelopment hydrology through the use of small-scale controls, integrated throughout the site, to manage stormwater runoff as close to its source as possible. Infiltration of stormwater through LID helps to remove sediments, nutrients, heavy metals, and other types of pollutants from runoff.

Key Strategies for LID

Key strategies for effective LID include: infiltrating, filtering, and storing as much stormwater as feasible, managing stormwater close to where the rain/snow falls, managing stormwater at multiple locations throughout the landscape, conserving and restoring natural vegetation and soils, preserving open space and minimizing land disturbance, designing the site to minimize impervious surfaces, and providing for maintenance and education. Water quality and quantity benefits are maximized when multiple techniques are grouped together. In areas of compacted and/or possibly contaminated soils, soil suitability should be further investigated prior to selecting optimum treatment and/or remediation measures. Where soil conditions permit, the DEEP encourages the utilization of one, or a combination of, the following measures:

- the use of pervious pavement or grid pavers (which are very compatible for parking lot and fire lane applications), or impervious pavement without curbs or with notched curbs to direct runoff to properly designed and installed infiltration areas;
- the use of vegetated swales, tree box filters, and/or infiltration islands to infiltrate and treat stormwater runoff (from building roofs, roads, and parking lots);
- the minimization of access road widths and parking lot areas to the maximum extent possible to reduce the area of impervious surface;
- the use of dry wells to manage runoff from building roofs;
- incorporation of proper physical barriers or operational procedures for special activity areas where pollutants could potentially be released (e.g. loading docks, maintenance and service areas, dumpsters, etc.);
- the installation of rainwater harvesting systems to capture stormwater from building roofs for the purpose of reuse for irrigation (i.e. - rain barrels for residential use and cisterns for larger developments);
- the use of residential rain gardens to manage runoff from roofs and driveways;
- the use of vegetated roofs (green roofs) to detain, absorb, and reduce the volume of roof runoff; and
- providing for pollution prevention measures to reduce the introduction of pollutants to the environment.

The 2004 Stormwater Quality Manual LID Appendix and the 2002 Erosion and Sediment Control Guidelines LID Appendix both provide guidance on implementing LID measures. A guide to LID resources can also be found in the DEEP Low Impact Development Resources Factsheet (PDF).

LID in Urban Areas

If the proposed site is located in a highly urbanized area, it is likely underlain by urban land complex soils. The Natural Resources Conservation Service (NRCS) Soil Web Survey (http://websoilsurvey.nrcs.usda.gov/app/HomePage.htm) provides information on soil textures, parent materials, slopes, height of seasonal high water table, depth to restrictive layer, and permeability. In highly developed areas, infiltration may be limited due to the high percentage of impervious cover. However, infiltration practices may be suitable at urban sites depending on:

- Potential contamination of soils in historically industrialized areas. The siting of areas for infiltration must consider any existing soil or groundwater contamination.

- Site specific soil conditions. NRCS mapping consists of a minimum 3 acres map unit and soils may vary substantially within each mapping unit. Test pits should be dug in areas
- planned for infiltration practices to verify soil suitability and/or limitations.

- Investigation of areas of compacted soils and the utilization of proper construction staging. Planning should insure that areas to be used for infiltration are not compacted during the construction process by vehicles or machinery.

Even if infiltration is limited at a site, it is still possible to implement LID practices. Specifically, potential exists for the installation of green roofs on buildings and/or the use of cisterns to capture and reuse rainwater.

LID in Areas with a High Seasonal Water Table or Hardpan Layer

- The impact of stormwater runoff to any streams and/or wetlands near the site should be considered. Water quality treatment is influenced by hydraulic conductivity and time of travel. If stormwater infiltration is limited by an impermeable layer close to the surface, the water may run laterally through the ground and discharge to the stream or wetlands, providing limited water quality treatment. However, a longer time of travel may provide sufficient treatment. Proper soil testing for infiltration potential will increase the likelihood of successful BMP design.

- In areas with a high seasonal water table, bioretention areas/rain gardens should be planted with water tolerant/wetland plants. The presence of a high seasonal water table suggests that water may drain slowly or not at all during certain parts of the year. Planting native wetland vegetation will help to ensure plant survival and increase the effectiveness of bioretention practices. Information on native plantings that are both drought tolerant and tolerant of wet conditions can be found in The UConn Cooperative Extension System's guide to building a rain garden at http://nemo.uconn.edu/publications/rain_garden_broch.pdf. Native plant lists for Connecticut can also be found at http://www.fhwa.dot.gov/environment/rdsduse/ct.htm.

LID Guidance for Federal Projects

- LID techniques have been utilized by Department of Defense (DoD) agencies during the last several years. The effectiveness of these projects in managing runoff as well as reducing construction and maintenance costs has created significant interest in LID. The DoD has created a Unified Facilities Criteria document, Low Impact Development that provides guidelines for integrating LID planning and design into a facility's regulatory and resource protection programs. It is available on-line at: http://www.wbdg.org/ccb/DOD/UFC/ufc_3_210_10.pdf.

- Section 438 of the Energy Independence and Security Act (EISA) of 2007 requires federal agencies to reduce stormwater runoff from federal development projects to protect water resources. In December 2009, the EPA developed a technical guidance document on implementing the stormwater runoff requirements for federal projects under Section 438 of EISA. The document contains guidance on how compliance with Section 438 can be achieved, measured and evaluated and can be found at: http://www.epa.gov/owow/NPS/lid/section438/pdf/final_sec438_eisa.pdf.

For more information contact the CT DEEP Watershed Management/Low Impact Development Program:

Name	Area	Telephone
MaryAnn Nusom Haverstock	Program Oversight/ Low Impact Development	(860) 424-3347
Chris Malik	Watershed Manager	(860) 424-3959
Susan Peterson	Watershed Manager	(860) 424-3854
Eric Thomas	Watershed Manager	(860) 424-3548

List of Runoff Reduction/LID Practices

Re-Forestation
Disconnection of Rooftop Runoff
Disconnection of Non-Rooftop Runoff
Sheetflow to Conservation Areas
Green Roof
Permeable Pavement
Rainwater Harvesting
Submerged Gravel Wetlands
Micro-Infiltration
Rain Gardens
Bioretention
Landscape Infiltration
Grass Swales
Bio-swales
Wet Swales
Stormwater Ponds
Stormwater Wetlands
Stormwater Filtering Systems
Stormwater Infiltration

General Permit for the Discharge of Stormwater and Dewatering Wastewaters from Construction Activities

APPENDIX C

AQUIFER PROTECTION AREAS AND OTHER GROUNDWATER DRINKING SUPPLY AREAS GUIDANCE INFORMATION

The Pollution Control Plan ("the Plan") should consider measures to reduce or mitigate potential impacts to both ground water (aquifers) and surface waters, taking into consideration both quantity and quality of the runoff. The emphasis should be to minimize, to the extent possible, changes between pre-development and post-development runoff rates and volumes.

The basic stormwater principals for Aquifer Protection Areas (and other groundwater drinking supply areas) are to prevent inadvertent pollution discharges/releases to the ground, while encouraging recharge of stormwater where it does not endanger groundwater quality. Measures include:

- prevent illicit discharges to storm water, including fuel/chemical pollution releases to the ground;
- minimize impervious coverage and disconnect large impervious areas with natural or landscape areas;
- direct paved surface runoff to aboveground type land treatment structures – sheet flow, surface swales, depressed grass islands, detention/retention and infiltration basins, and wet basins. These provide an opportunity for volatilization of volatile organic compounds to the extent possible before the stormwater can infiltrate into the ground;
- provide necessary impervious pavement in high potential pollutant release areas. These "storm water hot spots" include certain land use types or storage and loading areas, fueling areas, intensive parking areas and roadways (see table below);
- only use subsurface recharge structures such as dry wells, galleries, or leaching trenches, to directly infiltrate clean runoff such as rooftops, or other clean surfaces. These structures do not adequately allow for attenuation of salts, solvents, fuels or other soluble compounds in groundwater that may be contained in runoff; and
- restrict pavement deicing chemicals, or use an environmentally suitable substitute such as sand only, or alternative de-icing agents such as calcium chloride or calcium magnesium.

Infiltration of stormwater should be **restricted** under the following site conditions:

- ***Land Uses or Activities with Potential for Higher Pollutant Loads:*** Infiltration of stormwater from these land uses or activities (refer to Table 7-5 below), also referred to as stormwater "hotspots," can contaminate public and private groundwater supplies. Infiltration of stormwater from these land uses or activities may be allowed by the review authority with appropriate pretreatment. Pretreatment could consist of one or a combination of the primary or secondary treatment practices described in the Stormwater Quality Manual provided that the treatment practice is designed to remove the stormwater contaminants of concern.

- ***Subsurface Contamination:*** Infiltration of stormwater in areas with soil or groundwater contamination such as brownfield sites and urban redevelopment areas can mobilize contaminants.

- ***Groundwater Supply and Wellhead Areas:*** Infiltration of stormwater can potentially contaminate groundwater drinking water supplies in immediate public drinking water wellhead areas.

Land Uses or Activities with Potential for Higher Pollutant Loads
Table 7-5 of the 2004 Stormwater Quality Manual

Land Use/Activities	
• Industrial facilities subject to the DEEP Industrial Stormwater General Permit or the U.S. EPA National Pollution Discharge Elimination System (NPDES) Stormwater Permit Program • Vehicle salvage yards and recycling facilities • Vehicle fueling facilities (gas stations and other facilities with on-site vehicle fueling) • Vehicle service, maintenance, and equipment cleaning facilities • Fleet storage areas (cars, buses, trucks, public works) • Commercial parking lots with high intensity use (shopping malls, fast food restaurants, convenience stores, supermarkets, etc.) • Public works storage areas	• Road salt storage facilities (if exposed to rainfall) • Commercial nurseries • Flat metal rooftops of industrial facilities • Facilities with outdoor storage and loading/unloading of hazardous substances or materials, regardless of the primary land use of the facility or development • Facilities subject to chemical inventory reporting under Section 312 of the Superfund Amendments and Reauthorization Act of 1986 (SARA), if materials or containers are exposed to rainfall • Marinas (service and maintenance) • Other land uses and activities as designated by the review authority

For further information regarding the design of stormwater collection systems in Aquifer Protection Areas, contact the Aquifer Protection Area Program at (860) 424-3020 or visit www.ct.gov/deep/aquiferprotection.

General Permit for the Discharge of Stormwater and Dewatering Wastewaters from Construction Activities

APPENDIX D

Coastal Management Act Determination Form

For sites within the Coastal Boundary, please attach this form and written approval from the local governing authority (or verification of exemption) to the Registration Form for the Discharge of Stormwater and Dewatering Wastewaters From Construction Activities.

SITE INFORMATION

Future Permittee _____

Mailing Address _____

Business Phone _____ ext.: _____ Fax: _____

Contact Person _____ Title: _____

Site Name _____

Site Address/ Location _____

Site Latitude and Longitude _____

Receiving Water (name, basin) _____

Project Description _____

_____

STATEMENT OF REVIEW:

The above referenced project is consistent with the goals and policies in section 22a-92 of the Connecticut General Statutes and will not cause adverse impacts to coastal resources as defined in section 22a-93(15) of the Connecticut General Statutes.

Date of Coastal Site Plan Approval: _____

☐ Copy of written approval attached, or

☐ Verification of exemption attached

APPENDIX E
(Exhibit 3 of District/DEEP Memorandum of Agreement)

Conservation Districts of Connecticut
Regional Delineations and Contact Information

Northwest Conservation District
1185 New Litchfield Street
Torrington, CT 06790
Ph: 860-626-7222
Fax: 860-626-7222
Email: ncd@conservect.org

Eastern Connecticut Conservation District
238 West Town Street
Norwich, CT 06360-2111
Ph**:** 860-887-4163 x 400 Fax**:** 860-887-4082
Email: kate.johnson.eccd@comcast.net

Connecticut River Coastal Conservation District, Inc.
deKoven House Community Center
27 Washington Street
Middletown, CT 06457
Ph: 860-346-3282 Fax: 860-346-3284
Email: ctrivercoastal@conservect.org

Southwest Conservation District
51 Mill Pond Road
Hamden, CT 06514
Ph: 203-287-8179 Fax: 203-288-5077
Email: swcd43@sbcglobal.net

North Central Conservation District
24 Hyde Avenue
Vernon, CT 06066
Ph: 860-875-3881 Fax: 860-870-8973
Email: tollandc@snet.net

NORTHWEST	SOUTHWEST	NORTH CENTRAL	CT RIVER COASTAL	EASTERN
Barkhamsted	Ansonia	Avon	Berlin	Andover
Bethel	Beacon Falls	Bloomfield	Chester	Ashford
Bethlehem	Bethany	Bolton	Clinton	Bozrah
Bridgewater	Branford	Bristol	Colchester	Brooklyn
Brookfield	Bridgeport	Burlington	Cromwell	Canterbury
Canaan	Cheshire	Canton	Deep River	Chaplin
Colebrook	Darien	Coventry	Durham	Columbia
Cornwall	Derby	East Granby	East Haddam	Eastford
Danbury	East Haven	East Hartford	East Hampton	East Lyme
Goshen	Easton	East Windsor	Essex	Franklin
Hartland	Fairfield	Ellington	Haddam	Griswold
Harwinton	Greenwich	Enfield	Hebron	Groton
Kent	Guilford	Farmington	Killingworth	Hampton
Litchfield	Hamden	Glastonbury	Lyme	Killingly
Morris	Meriden	Granby	Madison	Lebanon
New Fairfield	Middlebury	Hartford	Marlborough	Ledyard
New Hartford	Milford	Manchester	Middlefield	Lisbon
New Milford	Monroe	Plainville	Middletown	Mansfield
Newtown	Naugatuck	Simsbury	Newington	Montville
Norfolk	New Canaan	Somers	New Britain	New
North Canaan	New Haven	South Windsor	Old Lyme	London
Plymouth	North Branford	Stafford	Old Saybrook	North
Roxbury	North Haven	Suffield	Portland	Stonington
Salisbury	Norwalk	Tolland	Rocky Hill	Norwich
Sharon	Orange	Vernon	Salem	Plainfield
Sherman	Oxford	West Hartford	Westbrook	Pomfret
Southbury	Prospect	Wethersfield		Preston
Thomaston	Redding	Willington		Putnam
Torrington	Ridgefield	Windsor		Scotland
Warren	Seymour	Windsor Locks		Sprague
Washington	Shelton			Sterling
Watertown	Southington			Stonington
Winchester	Stamford			Thompson
Woodbury	Stratford			Union
	Trumbull			Voluntown
	Wallingford			Waterford
	Waterbury			Windham
	West Haven			Woodstock
	Weston			
	Westport			
	Wilton			
	Wolcott			
	Woodbridge			

APPENDIX F

Memorandum of Agreement
Between
The Connecticut Department of Energy & Environmental Protection
and the
Conservation Districts of Connecticut

WHEREAS, the Commissioner of the Department of Energy and Environmental Protection ("Department" or "DEEP ") is authorized by section 22a-6(2)(3) and (4) of the Connecticut General Statutes ("CGS") to enter into this Agreement; and

WHEREAS, the five Conservation Districts of Connecticut (collectively, the "Districts"), are not-for-profit corporations duly authorized, organized and existing under the laws of the State of Connecticut and are authorized by section 22a-315 of the CGS and section 22a-315-14 of the Regulations of Connecticut State Agencies to enter into this Agreement; and

WHEREAS, section 22a-430b of the Connecticut General Statutes requires the Department to regulate stormwater discharges from construction activities under the General Permit for the Discharge of Stormwater and Dewatering Wastewaters Associated with Construction Activities ("the Construction General Permit" or "CGP"), which has been or shall be issued on October 1, 2013. The Construction General Permit requires the implementation of erosion and sedimentation controls to control the discharge of sediment from construction and post-construction discharges; and

WHEREAS, Construction General Permits require the preparation and implementation of a Stormwater Pollution Control Plan ("Plan" or "SWPCP") to prevent erosion and the discharge of sediment to the waters of the state; and

WHEREAS, pursuant to section 22a-315 of the CGS, soil and water conservation districts and boards were established to advise the Commissioner on matters of soil and water conservation and erosion and sedimentation control and to assist the Commissioner in implementing programs related to soil and water conservation and erosion and sediment control; and

WHEREAS, pursuant to section 22a-315 of the CGS, the soil and water conservation districts and boards may receive funds from private sources for services provided to promote soil and water conservation and to assist the Commissioner in the implementation of related programs; and

WHEREAS, section 22a-326 of the CGS declares the policy of the state "to strengthen and extend its erosion and sediment control activities and programs and to establish and implement, through the Council on Soil and Water Conservation, soil and water conservation districts, the municipalities and the Commissioner of Energy and Environmental Protection, a state-wide coordinated erosion and sediment control program which shall reduce the danger from storm water runoff, minimize nonpoint sediment pollution from land being developed and conserve and protect the land, water, air and other environmental resources of the state;" and

WHEREAS, the Districts have understanding and experience in reviewing erosion and sediment control plans because of their longstanding participation in the municipal approval process, as required by section 22a-329 of the CGS; and

WHEREAS, DEEP and the Districts are jointly dedicated to protecting the waters of the state by controlling the discharge of sediment and the pollution resulting from stormwater runoff.

NOW, THEREFORE, in consideration of the mutual covenants and conditions hereinafter stated, the Parties agree as follows:

I. RESPONSIBILITIES OF THE CONSERVATION DISTRICTS.

For locally approvable projects, as defined in the Construction General Permit, with five (5) or more acres of soil disturbance, the appropriate District (as specified in Appendix E of the Construction General Permit, appended hereto as Exhibit 3) shall review Stormwater Pollution Control Plans submitted to the District in accordance with Section 3(*b*)(10) of the CGP, shall determine whether each such SWPCP is consistent with the requirements of the CGP, and shall advise the Commissioner in writing of its determination regarding the SWPCP's consistency.

A. Components of the SWPCP Review by the Districts

1. Requirements for Conducting a Review:

(a) SWPCP review shall be conducted by a District representative having one or more of the following minimum qualifications: (i) a bachelor's degree in hydrology, engineering (agricultural, civil, environmental, or chemical), landscape architecture, geology, soil science, environmental science, natural resources management, or a related field and two years of professional and field experience, or (ii) the EnviroCert International, Inc. designation as a Certified Professional in Erosion and Sediment Control, or a Certified Professional in Storm Water Quality.

(b) All SWPCP reviews undertaken by a District shall be conducted in accordance with the guidelines and procedures established by DEEP in consultation with the Districts, as further described below, and shall include at least one inspection, and no more than 3 inspections, of the project site.

(c) The District shall begin a SWPCP review upon the receipt of the all of following: the developer's request for review, two copies of the proposed SWPCP, the payment of required fee in the amount specified in Exhibit 1 and the written permission of the developer to enter onto and inspect the project site. Once the District is in receipt of all the documents and the fee as delineated above, the developer's SWPCP shall be considered submitted to the District.

2. Determinations of Consistency by the District after Review of the SWPCP and Subsequent Procedures

(a) If the District determines the developer's SWPCP is:

(i) Consistent with the requirements of the Construction General Permit, the District shall issue an affirmative determination notice to both the developer or such developer's designee and to DEEP in order to advise them of the adequacy of the SWPCP. The District shall also provide a copy of the SWPCP to DEEP if requested by the Commissioner.

(ii) Not consistent with the requirements of the Construction General Permit, the District shall provide a written notice of such inconsistency to the developer or such developer's designee; such notice shall include a list of the SWPCP's deficiencies and any appropriate explanatory comments.

(b) If the developer's SWPCP is found to be inconsistent with the CGP, the developer may revise the SWPCP (the "Revised SWPCP") to address any deficiencies noted by the District and resubmit its Revised SWPCP to the District for review.

(c) If the District receives a Revised SWPCP in accordance with subsection (b) above, the District shall perform a review of the Revised SWPCP. If the Revised SWPCP is deemed:

(i) Consistent with the requirements of the Construction General Permit, the District shall (1) issue an affirmative determination notice to both the project developer or such project developer's designee and to DEEP to advise them of the adequacy of the SWPCP and (2) provide a copy of the SWPCP to the DEEP if requested by the Commissioner; or

(ii) Not consistent with the requirements of the CGP after this review, the District shall provide a written notice of such inconsistency to the developer or such developer's designee. This notice shall include a list of all remaining SWPCP deficiencies and any explanatory comments as appropriate.

(d) In the event the District determines after review of the Revised SWPCP in accordance with subsection (c), above, that the Revised SWPCP remains inconsistent with the requirements of the Construction General Permit, and the developer resubmits its Revised SWPCP *within 180 calendar days* of the District's original determination of inconsistency, the resubmitted Revised SWPCP shall be considered a Resubmission. As such, the resubmitted Revised SWPCP shall be reviewed by the District in accordance with the timeframes set forth in Section I.B., and other applicable sections of this document, and the fee shall be in accordance with Section II, below, and the Resubmission Fee in Exhibit 1.

(e) In the event the District determines after review of the Revised SWPCP in accordance with subsection (c), above, that the Revised SWPCP remains inconsistent with the requirements of the Construction General Permit, and the developer resubmits its Revised SWPCP *more than 180 calendar days after* the District's original determination of inconsistency, the resubmitted Revised SWPCP shall be considered a new submission. The newly submitted Revised SWPCP shall be reviewed by the District in accordance with the timeframes set forth in Section I.B., and other applicable sections of this document, and the fee shall be in accordance with Section II, below, and the SWPCP Review Fee in Exhibit 1.

(f) Revisions to a SWPCP subsequent to the District's prior approval of developer's SWPCP

(i) In the event the developer revises a SWPCP after the District has determined that the developer's SWPCP, prior to this revision, was consistent with the requirements of the Construction General Permit, and the developer submits the revised SWPCP to the District for review *within 180 calendar days* of the District's original determination of consistency, the SWPCP shall be considered a Post-Approval Resubmission. As a Post-Approval Resubmission, the SWPCP shall be reviewed by the District in accordance with the timeframes set forth in Section I.B., and other applicable sections of this document, and the fee shall be in accordance with Section II, below, and the Post-Approval Resubmission Fee in Exhibit 1.

(ii) In the event the developer revises a SWPCP after the District has determined that the developer's SWPCP, prior to this revision, was consistent with the requirements of the Construction General Permit, and the developer submits the revised SWPCP to the District for review *more than 180 calendar days after* the District's original determination of consistency, the SWPCP shall be considered a new submission. The newly submitted SWPCP shall be reviewed by the District in accordance with the timeframes set forth in Section I.B., and other applicable sections of this document, and the fee shall be in accordance with Section II, below, and the SWPCP Review Fee in Exhibit 1.

B. Plan Review Timeframes

1. The District shall review a new submission of a SWPCP submitted by a developer or such developer's designee and provide review comments within thirty (30) calendar days of the date of a complete submission as specified in Section I.A.1.(c).

2. If the District identifies deficiencies in the SWPCP, the District shall allow the developer or such developer's designee the opportunity to revise their SWPCP and resubmit it to the District within fifteen (15) calendar days after the date of mailing or delivery of the District's written comments to the developer or such developer's designee.

3. The District shall review any SWPCP revised in accordance with subsection I.B.2., above, and provide a written determination of the SWPCP's consistency or inconsistency within fifteen (15) calendar days after the submission of the revised SWPCP.

4. At the request of the District or the developer and with the agreement of both the District and the developer, the deadlines stated in subsections 1. – 3., above, may be extended. However, any such extensions shall be limited to no more than double the original amount of time allowed above for the relevant action.

5. Express review of a SWPCP may be requested by a developer. However, the Districts shall have complete discretion to accept or decline such request for an express review based on the District's circumstances, including, but not limited to: their existing workload, vacation schedules and staffing. If a District grants an express review, the timeframe shall be reduced to no more than one third of the timeframes noted in subsection 1. – 3., above, and the fee shall be in accordance with the Express Reviews fee in Exhibit 1.

6. In the event a District does not complete the review of the SWPCP within sixty (60) days (or within the time allowed under any authorized extension pursuant to subsection B.4, above, but in no circumstance later than 120 days) of the date the SWPCP was initially submitted to the District, and provided such delay is not the result of the developer's or such developer's designee's failure to address SWPCP deficiencies as noted in subsection B.2, above, the District shall:

(a) not later than three (3) days after the District's deadline, notify the DEEP that the developer shall be initiating the registration process for the Construction General Permit in accordance with section I.B of this Agreement, for completion of the SWPCP review, and;

(b) provide to the DEEP, upon request, the District's complete file, including supporting documentation the developer's SWPCP consistency determination, including, but not limited to, the SWPCP, any other documentation submitted to the District by or on behalf of a developer, and any analysis already performed by the District; and

(c) not later than seven (7) days after the District's deadline, in accordance with section I.B of this Agreement, for completion of the SWPCP review, transfer to the DEEP, up to a maximum of $4,500, the fees that were originally submitted by the developer.

C. Inspections of the Project Site

1. Prior to the commencement of project construction and during the course of the SWPCP review process, the District shall conduct at least one inspection of the project site.

2. Once the construction of the project has begun, a District shall make at least one, but not more than three, inspection(s) of the project site to verify that the developer's SWPCP is being

implemented as approved by the District. A District shall report the results of the inspection(s) to the developer or such developer's designee and to DEEP in a manner prescribed by the Commissioner.

3. Upon notification from the developer or developer's designee, in accordance with Section 6(a)(1) of the CGP, that construction of the stormwater collection and management system is complete, the District shall conduct one inspection of the project site to verify that the post-construction stormwater management measures were completed in accordance with the approved SWPCP. The District shall report the results of this inspection to DEEP in a manner prescribed by the Commissioner.

D. Audits

The District agrees that all records pertaining to this Agreement shall be maintained for a period of not less than five (5) years. Such records shall be made available to the DEEP and to the state auditors upon request. For the purposes of this Agreement, "Records" are all working papers and such information and materials as may have been accumulated by the District in performing the Agreement, including, but not limited to, documents, data, analysis, plans, books, computations, drawings, specifications, notes, reports, records, estimates, summaries and correspondence, kept or stored in any form.

II. FEE SCHEDULE.

A. A District may assess fees for the services it renders in conjunction with its SWPCP reviews. Such fees shall be paid as follows:

1. All fees, except those described in subsection II.A.2, below, shall be submitted by the developer to the District with the developer's request for review. These fees are non refundable.

2. The fee for Post-Approval Resubmission, as designated in Exhibit 1, shall be submitted by the developer to the District upon completion of the District's review, prior to release of the determination notice, and is non refundable.

B. The Fee Schedule shall be reviewed annually by the Parties. The Fee Schedule may be adjusted as warranted, without a formal amendment to this Agreement, by mutual agreement between the Districts and the Commissioner.

III. RESPONSIBILITIES OF DEEP.

A. In accordance with the Construction General Permit requirements for SWPCP reviews by a third party, DEEP shall conduct outreach to inform the development community that a District may review SWPCPs for consistency with the requirements of the Construction General Permit. DEEP shall also inform the development community that a registration form for authorization under the Construction General Permit may only be submitted to DEEP if: the District, or other third party in accordance with Section 3(b)(11) of the CGP, determines that the SWPCP is consistent with the requirements of the CGP, or in the event the time schedule is exceeded for a District review as described in section I.B.6, above.

B. In order to institute standard SWPCP review guidelines and procedures, DEEP shall coordinate with the Districts to prepare a SWPCP checklist. The standard review guidelines and procedures established shall be consistent with the requirements of the Construction General Permit, the 2002 CT Guidelines for Soil Erosion and Sedimentation Control, and the 2004 Stormwater Quality Manual. The Commissioner shall have final approval of the review guidelines and procedures.

C. DEEP shall provide initial training regarding SWPCP requirements for District staff involved in SWPCP reviews. The frequency of subsequent training shall be determined by the Commissioner.

D. DEEP shall retain final decision making authority regarding the determination that a SWPCP is or is not consistent with the requirements of the Construction General Permit and shall oversee the permitting process for Construction General Permit coverage.

E. Once a SWPCP has been approved, DEEP shall oversee any subsequent compliance and/or enforcement matters related to a developer's adherence to the requirements of the Construction General Permit.

F. DEEP shall have the discretion to review any of the Districts' records pertaining to any aspect this Agreement.

IV. POINTS OF CONTACT.

The following shall be points of contact for this Agreement unless otherwise agreed to by all Parties, notwithstanding section VI. All notices, demands, requests, consents, approvals or other communications required or permitted to be given or which are given with respect to this Agreement (for the purpose of this section collectively called "Notices") shall be deemed to have been effected at such time as the notice is placed in the U.S. mail, first class and postage prepaid, return receipt requested, or, placed with a recognized, overnight express delivery service that provides for a return receipt. All such Notices shall be in writing and shall be addressed as follows:

A. DEEP
Director
Water Permitting & Enforcement Division
Bureau of Material Management & Compliance Assurance
Department of Energy & Environmental Protection
79 Elm St.
Hartford, CT 06106
Phone: 860-424-3018
Fax: 860-424-4074

B. Conservation District
Board Chairperson
Address & Phone of appropriate District:

Northwest Conservation District
1185 New Litchfield Street
Torrington, CT 06790
Ph: 860-626-7222
Fax: 860-626-7222
Email: ncd@conservect.org

Eastern Connecticut Conservation District
238 West Town Street
Norwich, CT 06360-2111
Ph**:** 860-887-4163 x 400 Fax**:** 860-887-4082
Email: kate.johnson.eccd@comcast.net

Connecticut River Coastal Conservation District, Inc.
deKoven House Community Center
27 Washington Street
Middletown, CT 06457
Ph: 860-346-3282 Fax 860-346-3284
Email: ctrivercoastal@conservect.org

Southwest Conservation District
51 Mill Pond Road
Hamden, CT 06514
Ph: 203-287-8179 Fax: 203-288-5077
Email: swcd43@sbcglobal.net

North Central Conservation District
24 Hyde Avenue
Vernon, CT 06066
Ph: 860-875-3881 Fax: 860-870-8973
Email: tollandc@snet.net

V. EXECUTIVE ORDERS AND ANTI-DISCRIMINATION. The Districts shall comply with the additional terms and conditions hereto attached as Exhibit 2.

VI. AMENDMENTS. Either the DEEP or the Districts may recommend revisions to this Agreement as circumstances may warrant; however, any revisions must be upon mutual agreement of DEEP and all five Conservation Districts. Unless otherwise stated in this Agreement, formal written amendment is required for changes to any of the terms and conditions specifically stated in the Agreement, including Exhibit 2 of the Agreement, any prior amendments to the Agreement, and any other Agreement revisions determined material by the Department.

VII. SEVERABILITY. The provisions of this Agreement are severable. If any part of it is found unenforceable, all other provisions shall remain fully valid and enforceable, unless the unenforceable provision is an essential element of the bargain.

VIII. SOVEREIGN IMMUNITY. The Parties acknowledge and agree that nothing in the Agreement shall be construed as a modification, compromise or waiver by the State of any rights or defenses of any immunities provided by federal law or the laws of the State of Connecticut to the State or any of the State's, which they may have had, now have or shall have with respect to all matters arising out of the Agreement. To the extent that this section conflicts with any other section, this section shall govern.

IX. FORUM AND CHOICE OF LAW. The Agreement shall be deemed to have been made in the City of Hartford, State of Connecticut. Both Parties agree that it is fair and reasonable for the validity and construction of the Agreement to be, and it shall be, governed by the laws and court decisions of the State of Connecticut, without giving effect to its principles of conflicts of laws. To the extent that any immunities provided by federal law or the laws of the State of Connecticut do not bar an action against the State or the Districts, and to the extent that these courts are courts of competent jurisdiction, for the purpose of venue, the complaint shall be made returnable to the Judicial District of Hartford only or shall be brought in the United States District Court for the District of Connecticut only, and shall not be transferred to any other court, provided, however, that nothing here constitutes a waiver or compromise of the sovereign immunity of the State of Connecticut. The Districts waive any objection which they may now have or shall have to the laying of venue of any Claims in any forum and further irrevocably submits to such jurisdiction in any suit, action or proceeding.

X. TERMINATION. Notwithstanding any provisions in this Agreement, DEEP, through a duly

authorized employee, may terminate the Agreement whenever the Agency makes a written determination that such Termination is in the best interests of the State. The Agency shall notify the Districts in writing sent by certified mail, return receipt requested, which notice shall specify the effective date of Termination and the extent to which the Districts must complete its Performance under the Agreement prior to such date; or (b) The Districts may terminate the Agreement for good cause. The Districts shall notify DEEP by written notice at least one hundred eighty (180) days prior to the effective date of termination. In order for the Districts to terminate this Agreement, (1) there must be a consensus between all five Conservation Districts that each District shall be terminating this Agreement with the DEEP; (2) such proof of consensus shall be submitted to the DEEP in the form of a letter signed by the duly authorized agent for each District by certified mail, return receipt requested, at least one hundred eighty (180) days prior to the Districts' intention to cancel or terminate. Upon the Termination of this Agreement by either Party, the Districts shall deliver to the Agency copies of all Records no later than thirty (30) days after the Termination of the Agreement, or fifteen (15) days after the Non-terminating Party receives a written request from the Terminating Party for the Records. The Districts shall deliver those Records that exist in electronic, magnetic or other intangible form in a non-proprietary format, such as, but not limited to, PDF, ASCII or .TXT. Upon receipt of a written notice of Termination from the Agency, the Districts shall cease operations as the Agency directs in the notice, and take all actions that are necessary or appropriate, or that the Agency may reasonably direct, for the protection, and preservation of records. Except for any work which the Agency directs the Districts to Perform in the notice prior to the effective date of Termination, and except as otherwise provided in the notice, the Districts shall terminate or conclude all existing subcontracts and purchase orders and shall not enter into any further subcontracts, purchase orders or commitments. Upon Termination of the Agreement, all rights and obligations shall be null and void, so that no Party shall have any further rights or obligations to any other Party, except with respect to the sections which survive Termination. All representations, warranties, agreements and rights of the Parties under the Agreement shall survive such Termination to the extent not otherwise limited in the Agreement and without each one of them having to be specifically mentioned in the Agreement. Termination of the Agreement pursuant to this section shall not be deemed to be a breach of Agreement by the Agency.

XI. DURATION OF AGREEMENT. This Agreement shall be effective on July 1, 2013 or on the date of the last signature below, whichever is later, and shall continue in force unless canceled or terminated by either party in accordance with paragraph X above.

XII. VOID AB INITIO. Notwithstanding paragraphs X and XI, the Agreement shall be void *ab initio* if the Construction General Permit is reissued, revoked or modified to eliminate the need for the Districts to review the SWPCP pursuant to such general permit's terms and conditions or if the Construction General Permit expires and is not reissued.

XIII. INTERPRETATION. The Agreement contains numerous references to statutes and regulations. For purposes of interpretation, conflict resolution and otherwise, the content of those statutes and regulations shall govern over the content of the reference in the Agreement to those statutes and regulations.

XIV. ENTIRETY OF AGREEMENT. This Agreement is the entire agreement between the Parties with respect to its subject matter, and supersedes all prior agreements, proposals, offers, counteroffers and understandings of the Parties, whether written or oral. The Agreement has been entered into after full investigation, neither Party relying upon any statement or representation by the other unless such statement or representation is specifically embodied in the Agreement.

XV. PROTECTION OF STATE CONFIDENTIAL INFORMATION. *(mandatory language required for all PSAs effective 12/1/11)*

A. The Districts or District Parties, at their own expense, have a duty to and shall protect from a

Confidential Information Breach any and all Confidential Information which they come to possess or control, wherever and however stored or maintained, in a commercially reasonable manner in accordance with current industry standards.

B. Each District or District Party shall develop, implement and maintain a comprehensive data-security program for the protection of Confidential Information. The safeguards contained in such program shall be consistent with and comply with the safeguards for protection of Confidential Information, and information of a similar character, as set forth in all applicable federal and state law and written policy of the Department or State concerning the confidentiality of Confidential Information. Such data-security program shall include, but not be limited to, the following:

1. A security policy for employees related to the storage, access and transportation of data containing Confidential Information;

2. Reasonable restrictions on access to records containing Confidential Information, including access to any locked storage where such records are kept;

3. A process for reviewing policies and security measures at least annually;

4. Creating secure access controls to Confidential Information, including but not limited to passwords; and

5. Encrypting of Confidential Information that is stored on laptops, portable devices or being transmitted electronically.

C. The District and District Parties shall notify the Department and the Connecticut Office of the Attorney General as soon as practical, but no later than twenty-four (24) hours, after they become aware of or suspect that any Confidential Information which Parties have come to possess or control has been subject to a Confidential Information Breach. If a Confidential Information Breach has occurred, the District shall, within three (3) business days after the notification, present a credit monitoring and protection plan to the Commissioner of Administrative Services, the Department and the Connecticut Office of the Attorney General, for review and approval. Such credit monitoring or protection plan shall be made available by the District at its own cost and expense to all individuals affected by the Confidential Information Breach. Such credit monitoring or protection plan shall include, but is not limited to, reimbursement for the cost of placing and lifting one (1) security freeze per credit file pursuant to Connecticut General Statutes §36a-701a. Such credit monitoring or protection plans shall be approved by the State in accordance with this Section and shall cover a length of time commensurate with the circumstances of the Confidential Information Breach. The District's costs and expenses for the credit monitoring and protection plan shall not be recoverable from the Department, any State of Connecticut entity or any affected individuals.

D. The District shall incorporate the requirements of this Section in all subAgreements requiring each District Party to safeguard Confidential Information in the same manner as provided for in this Section.

E. Nothing in this Section shall supersede in any manner the District's and/ or the District Parties' obligations pursuant to HIPAA or the provisions of this Agreement concerning the obligations of the District as a Business Associate of the Department.

XVI. AMERICANS WITH DISABILITIES ACT *(Mandatory)*. The Districts shall be and remain in compliance with the Americans with Disabilities Act of 1990 ("Act"), to the extent applicable, during the term of the Agreement. The DEEP may cancel the Agreement if the District and District Parties fail to comply with the Act.

XVII. ADA PUBLICATION STATEMENT. The following statement shall be incorporated into all **publications** prepared under the terms of this Agreement:

"The Department of Energy and Environmental Protection is an affirmative action/equal opportunity employer and service provider. In conformance with the Americans with Disabilities Act, DEEP makes every effort to provide equally effective services for persons with disabilities. Individuals with disabilities who need this information in an alternative format, to allow them to benefit and/or participate in the agency's programs and services, should call DEEP's Human Resources Office at (860) 424-3006, send a fax to (860) 424-3896, or email DEEP.MedRecs@ct.gov. Persons who are hearing impaired should call the State of Connecticut relay number 711."

When advertising any **public meetings** conducted under the terms of this Agreement, the above publications language should be used as well as the following statement:

"Requests for accommodations must be made at least two weeks prior to the program date."

All **videos** produced under the terms of this Agreement must be made available with closed captioning.

XVIII. PUBLICATION OF MATERIALS. The District must obtain written approval from the State of Connecticut prior to distribution or publication of any printed material prepared under the terms of this Agreement. Unless specifically authorized in writing by the State, on a case by case basis, the District shall have no right to use, and shall not use, the name of the State of Connecticut, its officials, agencies, or employees or the seal of the State of Connecticut or its agencies: (1) in any advertising, publicity, promotion; or (2) to express or to imply any endorsement of District's products or services; or (3) to use the name of the State of Connecticut, its officials agencies, or employees or the seal of the State of Connecticut or its agencies in any other manner (whether or not similar to uses prohibited by (1) and (2) above), except only to manufacture and deliver in accordance with this Agreement such items as are hereby contracted for by the State. In no event may the Districts use the State Seal in any way without the express written consent of the Secretary of State.

XIX. CHANGES IN PRINCIPAL PROJECT STAFF. Any changes in the principal project staff must be requested in writing and approved in writing by the Commissioner at the Commissioner's sole discretion. In the event of any unapproved change in principal project staff, the Commissioner may, in the Commissioner's sole discretion, terminate this Agreement.

XX. FURTHER ASSURANCES. The Parties shall provide such information, execute and deliver any instruments and documents and take such other actions as may be necessary or reasonably requested by the other Party which are not inconsistent with the provisions of this Agreement and which do not involve the vesting of rights or assumption of obligations other than those provided for in the Agreement, in order to give full effect to the Agreement and to carry out the intent of the Agreement.

XXI. ASSIGNMENT. The Districts shall not assign any of their rights or obligations under the Agreement, voluntarily or otherwise, in any manner without the prior written consent of the Agency. The Agency may void any purported assignment in violation of this section and declare the District in breach of this Agreement. Any termination by the Agency for a breach is without prejudice to the Agency's or the State's rights or possible Claims.

XXII. EXHIBITS. All exhibits referred to in, and attached to, this Agreement are incorporated in this Agreement by such reference and shall be deemed to be a part of it as if they had been fully set forth in it.

XXIII. FORCE MAJEUR. Events that materially affect the cost of the Goods or Services or the time schedule within which to Perform and are outside the control of the party asserting that such an event has

occurred, including, but not limited to, labor troubles unrelated to District(s), failure of or inadequate permanent power, unavoidable casualties, fire not caused by a District, extraordinary weather conditions, disasters, riots, acts of God, insurrection or war.

XXIV. INDEMNIFICATION. The Districts shall indemnify, defend and hold harmless the State and its officers, representatives, agents, servants, employees, successors and assigns from and against any and all (1) Claims arising, directly or indirectly, in connection with the Agreement, including the acts of commission or omission (collectively, the "Acts") of the District or District Parties; and (2) liabilities, damages, losses, costs and expenses, including but not limited to, attorneys' and other professionals' fees, arising, directly or indirectly, in connection with Claims, Acts or the Agreement. The Districts obligations under this section to indemnify, defend and hold harmless against Claims includes Claims concerning confidentiality of any part of or all of the Districts' Records, any intellectual property rights, other proprietary rights of any person or entity, copyrighted or uncopyrighted compositions, secret processes, patented or unpatented inventions, articles or appliances furnished or used in the Performance. The Districts shall not be responsible for indemnifying or holding the State harmless from any liability arising due to the negligence of the State or any other person or entity acting under the direct control or supervision of the State. The Districts shall reimburse the State for any and all damages to the real or personal property of the State caused by the Acts of the Districts or any District Parties. The State shall give the Districts reasonable notice of any such Claims. The Districts shall carry and maintain at all times during the term of the Agreement, and during the time that any provisions survive the term of the Agreement, sufficient general liability insurance to satisfy its obligations under this Agreement. The Districts shall name the State as an additional insured on the policy and shall provide a copy of the policy to the Agency prior to the effective date of the Agreement. The Districts shall not begin Performance until the delivery of the policy to the Agency. The Agency shall be entitled to recover under the insurance policy even if a body of competent jurisdiction determines that the Agency or the State is contributorily negligent. This section shall survive the Termination of the Agreement and shall not be limited by reason of any insurance coverage.

XXV. DISTRICT PARTIES. A District's members, directors, officers, shareholders, partners, managers, principal officers, representatives, agents, servants, consultants, employees or any one of them or any other person or entity with whom the District is in privity of oral or written contract and the District intends for such other person or entity to Perform under the Agreement in any capacity

XXVI. CAMPAIGN CONTRIBUTION RESTRICTION. For all State contracts as defined in P.A. 07-1 having a value in a calendar year of $50,000 or more or a combination or series of such agreements or contracts having a value of $100,000 or more, the authorized signatory to this Agreement expressly acknowledges receipt of the State Elections Enforcement Commission's notice advising state contractors of state campaign contribution and solicitation prohibitions, and will inform its principals of the contents of the notice. See SEEC Form 11.

Authorizing Signatures

For DEEP: _____ 8/21/13
Commissioner — Date

For Northwest Conservation District: _____ 6/5/13
Signature — Date

Chairman
Title

For Eastern Connecticut Conservation District: _____ 6/12/13
Signature — Date

Chair
Title

For Connecticut River Coastal Conservation District, Inc.: _____ 5/22/13
Signature — Date

Chair
Title

For Southwest Conservation District: _____ 5/13/13
Signature — Date

Vice-Chairperson SWCD
Title

For North Central Conservation District: _____ 5/23/13
Signature — Date

Chairman
Title

EXHIBIT 1

Connecticut Conservation District
Stormwater Pollution Control Plan Review Fee Schedule

Single Family Residential Developments Disturbing 5 or more Acres

Number of Lots	Standard Fee
1	$1,500
2	$1,665
3	$1,830
4	$1,995
5	$2,160
6	$2,325
7	$2,490
8	$2,655
9	$2,820
10	$2,985
11	$3,150
12	$3,315
13	$3,480
14	$3,645
15	$3,810
16	$3,975
17	$4,140
18	$4,305
19	$4,470
20	$4,635
21	$4,800
22	$4,965
23	$5,130
24	$5,295
25	$5,460

Number of Lots	Standard Fee
26	$5,625
27	$5,790
28	$5,955
29	$6,120
30	$6,285
31	$6,450
32	$6,615
33	$6,780
34	$6,945
35	$7,110
36	$7,275
37	$7,440
38	$7,605
39	$7,770
40	$7,935
41	$8,100
42	$8,265
43	$8,430
44	$8,595
45	$8,760
46	$8,925
47	$9,090
48	$9,255
49	$9,420
50	$9,585

Over 50 lots:
$9,585 + $20 x number of lots over 50

SW PCP Review: Standard Fee (as shown above)

Resubmission: Standard Fee minus 50%

Post-Approval Resubmission: $85 per hour, up to a maximum of the Standard Fee minus 50%

Express Reviews: The specified fee for an SW PCP Review, a Resubmission, or a Post-Approval Resubmission; plus 50% of the applicable fee and/or limit

Policies:

1. Payment due upon submission of SW PCP, with the exception of Post-Approval Resubmissions.
2. Payment for Post-Approval Resubmission review is due upon completion of review.
3. Written permission to enter onto and inspect the site: Due upon submission of SW PCP.

EXHIBIT 1

Connecticut Conservation District
Stormwater Pollution Control Plan Review Fee Schedule

Commercial and Multi Family Developments

Number of Disturbed Acres	Standard Fee
5	$2,200
6	$2,365
7	$2,530
8	$2,695
9	$2,860
10	$3,025
11	$3,190
12	$3,355
13	$3,520
14	$3,685
15	$3,850
16	$4,015
17	$4,180
18	$4,345
19	$4,510
20	$4,675
21	$4,840
22	$5,005
23	$5,170
24	$5,335
25	$5,500
26	$5,665
27	$5,830

Number of Disturbed Acres	Standard Fee
28	$5,995
29	$6,160
30	$6,325
31	$6,490
32	$6,655
33	$6,820
34	$6,985
35	$7,150
36	$7,315
37	$7,480
38	$7,645
39	$7,810
40	$7,975
41	$8,140
42	$8,305
43	$8,470
44	$8,635
45	$8,800
46	$8,965
47	$9,130
48	$9,295
49	$9,460
50	$9,625

Over 50 acres:
$9,625 + $25 x number of disturbed acres over 50

SW PCP Review: Standard Fee (as shown above)

Resubmission: Standard Fee minus 50%

Post-Approval Resubmission: $85 per hour, up to a maximum of the Standard Fee minus 50%

Express Reviews: The specified fee for an SW PCP Review, a Resubmission, or a Post-Approval Resubmission; plus 50% of the applicable fee and/or limit

Policies:

1. Payment due upon submission of SW PCP, with the exception of Post-Approval Resubmissions.
2. Payment for Post-Approval Resubmission review is due upon completion of review.
3. Written permission to enter onto and inspect the site: Due upon submission of SW PCP.

EXHIBIT 2

EXECUTIVE ORDERS

The Agreement is subject to the provisions of Executive Order No. Three of Governor Thomas J. Meskill, promulgated June 16, 1971, concerning labor employment practices, Executive Order No. Seventeen of Governor Thomas J. Meskill, promulgated February 15, 1973, concerning the listing of employment openings and Executive Order No. Sixteen of Governor John G. Rowland promulgated August 4, 1999, concerning violence in the workplace, all of which are incorporated into and are made a part of the Contract as if they had been fully set forth in it. At the Districts' request, the Client Agency shall provide a copy of these orders to the Districts. The Agreement may also be subject to Executive Order No. 7C of Governor M. Jodi Rell, promulgated July 13, 2006, concerning contracting reforms and Executive Order No. 14 of Governor M. Jodi Rell, promulgated April 17, 2006, concerning procurement of cleaning products and services, in accordance with their respective terms and conditions.

NONDISCRIMINATION

(a) For purposes of this Section, the following terms are defined as follows:

i. "Commission" means the Commission on Human Rights and Opportunities;
ii. "Contract" and "contract" include any extension or modification of this Agreement or contract;
iii. "Districts" and "districts" include the Districts and any successors or assigns of the Districts or districts;
iv. "Gender identity or expression" means a person's gender-related identity, appearance or behavior, whether or not that gender-related identity, appearance or behavior is different from that traditionally associated with the person's physiology or assigned sex at birth, which gender-related identity can be shown by providing evidence including, but not limited to, medical history, care or treatment of the gender-related identity, consistent and uniform assertion of the gender-related identity or any other evidence that the gender-related identity is sincerely held, part of a person's core identity or not being asserted for an improper purpose.
v. "good faith" means that degree of diligence which a reasonable person would exercise in the performance of legal duties and obligations;
vi. "good faith efforts" shall include, but not be limited to, those reasonable initial efforts necessary to comply with statutory or regulatory requirements and additional or substituted efforts when it is determined that such initial efforts will not be sufficient to comply with such requirements;
vii. "marital status" means being single, married as recognized by the State of Connecticut, widowed, separated or divorced;
viii. "mental disability" means one or more mental disorders, as defined in the most recent edition of the American Psychiatric Association's "Diagnostic and Statistical Manual of Mental Disorders", or a record of or regarding a person as having one or more such disorders;
ix. "minority business enterprise" means any small contractor, District or supplier of materials fifty-one percent or more of the capital stock, if any, or assets of which is owned by a person or persons: (1) who are active in the daily affairs of the enterprise, (2) who have the power to direct the management and policies of the enterprise, and (3) who are members of a minority, as such term is defined in subsection (a) of Connecticut General Statutes § 32-9n; and
x. "public works contract" means any agreement between any individual, firm or corporation and the State or any political subdivision of the State other than a municipality for construction, rehabilitation, conversion, extension, demolition or repair of a public building, highway or other changes or improvements in real property, or which is financed in whole or in part by the State, including, but not limited to, matching expenditures, grants, loans, insurance or guarantees.

For purposes of this Section, the terms "Contract" and "contract" do not include a contract where each District is (1) a political subdivision of the state, including, but not limited to, a municipality, (2) a quasi-public agency, as defined in Conn. Gen. Stat. Section 1-120, (3) any other state, including but not limited to any federally recognized Indian tribal governments, as defined in Conn. Gen. Stat. Section 1-267, (4) the federal government, (5) a foreign government, or (6) an agency of a subdivision, agency, state or government described in the immediately preceding enumerated items (1), (2), (3), (4) or (5).

(b) (1) The Districts agree and warrant that in the performance of the Agreement such Districts will not discriminate or permit discrimination against any person or group of persons on the grounds of race, color, religious creed, age, marital status, national origin, ancestry, sex, gender identity or expression, mental retardation, mental disability or physical disability, including, but not limited to, blindness, unless it is shown by such Districts that such disability prevents performance of the work involved, in any manner prohibited by the laws of the United States or of the State of Connecticut; and the Districts further agree to take affirmative action to insure that applicants with job-related qualifications are employed and that employees are treated when employed without regard to their race, color, religious creed, age, marital status, national origin, ancestry, sex, gender identity or expression, mental retardation, mental disability or physical disability, including, but not limited to, blindness, unless it is shown by the Districts that such disability prevents performance of the work involved; (2) the Districts agree, in all solicitations or advertisements for employees placed by or on behalf of the Districts, to state that it is

an "affirmative action-equal opportunity employer" in accordance with regulations adopted by the Commission; (3) the Districts agree to provide each labor union or representative of workers with which the Districts have a collective bargaining Agreement or other contract or understanding and each vendor with which the Districts have a contract or understanding, a notice to be provided by the Commission, advising the labor union or workers' representative of the Districts' commitments under this section and to post copies of the notice in conspicuous places available to employees and applicants for employment; (4) the Districts agree to comply with each provision of this Section and Connecticut General Statutes §§ 46a-68e and 46a-68f and with each regulation or relevant order issued by said Commission pursuant to Connecticut General Statutes §§ 46a-56, 46a-68e and 46a-68f; and (5) the Districts agree to provide the Commission on Human Rights and Opportunities with such information requested by the Commission, and permit access to pertinent books, records and accounts, concerning the employment practices and procedures of the Districts as relate to the provisions of this Section and Connecticut General Statutes § 46a-56. If the contract is a public works contract, the Districts agree and warrant that they will make good faith efforts to employ minority business enterprises as Districts and suppliers of materials on such public works projects.

(c) Determination of the Districts' good faith efforts shall include, but shall not be limited to, the following factors: The Districts' employment and subcontracting policies, patterns and practices; affirmative advertising, recruitment and training; technical assistance activities and such other reasonable activities or efforts as the Commission may prescribe that are designed to ensure the participation of minority business enterprises in public works projects.

(d) The Districts shall develop and maintain adequate documentation, in a manner prescribed by the Commission, of its good faith efforts.

(e) The Districts shall include the provisions of subsection (b) of this Section in every subcontract or purchase order entered into in order to fulfill any obligation of a contract with the State and such provisions shall be binding on the Districts, vendor or manufacturer unless exempted by regulations or orders of the Commission. The Districts shall take such action with respect to any such subcontract or purchase order as the Commission may direct as a means of enforcing such provisions including sanctions for noncompliance in accordance with Connecticut General Statutes §46a-56; provided if such Districts become involved in, or is threatened with, litigation with the Districts or vendor as a result of such direction by the Commission, the Districts may request the State of Connecticut to enter into any such litigation or negotiation prior thereto to protect the interests of the State and the State may so enter.

(f) The Districts agree to comply with the regulations referred to in this Section as they exist on the date of this Agreement and as they may be adopted or amended from time to time during the term of this Agreement and any amendments thereto.

(g) (1) The Districts agree and warrant that in the performance of the Agreement such Districts will not discriminate or permit discrimination against any person or group of persons on the grounds of sexual orientation, in any manner prohibited by the laws of the United States or the State of Connecticut, and that employees are treated when employed without regard to their sexual orientation; (2) the Districts agree to provide each labor union or representative of workers with which such Districts have a collective bargaining Agreement or other contract or understanding and each vendor with which such Districts have a contract or understanding, a notice to be provided by the Commission on Human Rights and Opportunities advising the labor union or workers' representative of the Districts' commitments under this section, and to post copies of the notice in conspicuous places available to employees and applicants for employment; (3) the Districts agree to comply with each provision of this section and with each regulation or relevant order issued by said Commission pursuant to Connecticut General Statutes § 46a-56; and (4) the Districts agree to provide the Commission on Human Rights and Opportunities with such information requested by the Commission, and permit access to pertinent books, records and accounts, concerning the employment practices and procedures of the Districts which relate to the provisions of this Section and Connecticut General Statutes § 46a-56.

(h) The Districts shall include the provisions of the foregoing paragraph in every subcontract or purchase order entered into in order to fulfill any obligation of a contract with the State and such provisions shall be binding on the Districts, vendor or manufacturer unless exempted by regulations or orders of the Commission. The Districts shall take such action with respect to any such subcontract or purchase order as the Commission may direct as a means of enforcing such provisions including sanctions for noncompliance in accordance with Connecticut General Statutes § 46a-56; provided, if such Districts become involved in, or is threatened with, litigation with the Districts or vendor as a result of such direction by the Commission, the Districts may request the State of Connecticut to enter into any such litigation or negotiation prior thereto to the Connecticut Department of Energy and Environmental Protection (DEEP)."

Note: *Place on official Letterhead. Need to document registered name with CT Secretary of State C.O.N.C.O.R.D.*

CERTIFICATION

I, xxxxxxxxxxxxxxx, Chair of the xxxxxxxxxxxxxxx an entity lawfully organized and existing under the laws of Connecticut, do hereby certify that the following is a true and correct copy of a resolution adopted on the >>>>day of >>>>, 2011, by the governing body of the xxxxxx in accordance with all of its documents of governance and management and the laws of Connecticut and further certify that such resolution has not been modified, rescinded or revoked, and is a present in full force and effect.

RESOLVED: That the xxxxxxxxxxxx hereby adopts as its policy to support the nondiscrimination agreements and warranties required under Conn. Gen. Stat. § 4a-60(a)(1) and § 4a-60a(a)(1), as amended in State of Connecticut Public Act 07-245 and sections 9(a)(1) and 10(a)(1) of Public Act 07-142, as those statutes may be amended from time to time.

IN WITNESS WHEREOF, the undersigned has executed this certificate this >>>day of >>>>>, 2013.

_____

Signature

_____

Date

CONSERVATION DISTRICT PLAN REVIEW CERTIFICATION

Registrations submitted to DEEP for which a Conservation District has performed the Plan review pursuant to Section 3(*b*)(10) of the General Permit for the Discharge of Stormwater and Dewatering Wastewaters from Construction Activities shall include the following certification:

"I hereby certify that I am an employee of the [INSERT NAME OF DISTRICT] Conservation District and that I meet the qualifications to review Stormwater Pollution Control Plans as specified in the Memorandum of Agreement between the Connecticut Department of Energy & Environmental Protection and the Connecticut Conservation Districts. I am making this certification in connection with a registration under the General Permit for the Discharge of Stormwater and Dewatering Wastewaters from Construction Activities, submitted to the commissioner by [INSERT NAME OF REGISTRANT] for an activity located at [INSERT ADDRESS OF PROJECT OR ACTIVITY]. I have personally examined and am familiar with the information that provides the basis for this certification, including but not limited to all information described in such general permit, and I certify, based on reasonable investigation, including my inquiry of those individuals responsible for obtaining such information, that the information upon which this certification is based is true, accurate and complete to the best of my knowledge and belief. I certify, based on my review of the requirements of such general permit and on the standard of care for such projects, that the Plan is in compliance with the requirements of the general permit. I understand that knowingly making any false statement in this certification may be punishable as a criminal offense, including the possibility of fine and imprisonment, under section 53a-157b of the Connecticut General Statutes and any other applicable law."

Registrations submitted to DEEP for which the District review was begun but ***could not be completed*** within the time limits specified in the Memorandum of Agreement shall include the following statement:

"I hereby certify that I am an employee of the [INSERT NAME OF DISTRICT] Conservation District and that I meet the qualifications to review Stormwater Pollution Control Plans as specified in the Memorandum of Agreement between the Connecticut Department of Energy & Environmental Protection and the Connecticut Conservation Districts. I am making this statement in connection with a registration under the General Permit for the Discharge of Stormwater and Dewatering Wastewaters from Construction Activities, submitted to the commissioner by [INSERT NAME OF REGISTRANT] for an activity located at [INSERT ADDRESS OF PROJECT OR ACTIVITY]. I hereby state that the review of the Stormwater Pollution Control Plan (Plan) for such registration was not completed within the time frames specified in the Memorandum of Agreement. Consequently, I cannot certify that the Plan is in compliance with the requirements of the general permit."

General Permit for the Discharge of Stormwater and Dewatering Wastewaters Associated with Construction Activities

APPENDIX G

Historic Preservation Review

Pursuant to Chapter 184a, Section 10-387 of the Connecticut General Statutes, the Department of Energy & Environmental Protection (DEEP) shall review, in consultation with the Connecticut Commission on Culture and Tourism, its policies and practices for consistency with the preservation and study of CT's archaeological and historical sites. Pursuant to this requirement, DEEP has outlined the following process for assessing the potential for and the presence of historic and/or archaeological resources at a proposed development site. DEEP advises a review for the resources identified below ***be initiated up to one year*** prior to registration for this permit *(or prior to property purchase if possible)* and in conjunction with the local project approval process. However, a review conducted for an Army Corps of Engineers Section 404 wetland permit would meet this requirement.

Step 1: Determine if the proposed site is within an area of significance by consulting the following resources:

1. CT Register of Historic Places found at the link below:
   http://www.nationalregisterofhistoricplaces.com/CT/state.html#pickem

2. The municipality of the proposed development site for its designations of local historic districts, including but not limited to, local Historic District and/or Property Statutes.

Step 2: Assess site characteristics to determine the presence of a potential archaeological site, sacred site, and/ or sacred object as described below:

Definitions:

1. "Archaeological site" means a location where there exists material evidence that is not less than fifty years old of the past life and culture of human beings in the state.

2. "Sacred site" or "sacred land" means any space, including an archaeological site, of ritual or traditional significance in the culture and religion of Native Americans that is listed or eligible for listing on the National Register of Historic Places (16 USC 470a, as amended) or the state register of historic places defined in section 10-410, including, but not limited to, marked and unmarked human burials, burial areas and cemeteries, monumental geological or natural features with sacred meaning or a meaning central to a group's oral traditions; sites of ceremonial structures, including sweat lodges; rock art sites, and sites of great historical significance to a tribe native to this state.

3. "Sacred object" means any archaeological artifact or other object associated with a sacred site.

Site Prescreening Criteria:

1. Does the proposed development site include lands within 300 feet of surface water features, such as streams, brooks, lakes, or marshes?
If "yes", proceed to Criterion 2. If the answer to Criterion 1 is "no", then there is a low potential for prehistoric period archaeological resources - Proceed to Criterion 3.

2. Does the area of anticipated construction or ground disturbance include soils classified by the Natural Resource Conservation Service as "Sandy Loam/ Loamy sand" or "Sandy Gravel Loam" not including "Fine Sandy Loam/ Loamy sand" with slopes less than or equal to 15%? (Soil mapping information is available for free from: http://websoilsurvey.nrcs.usda.gov/app/WebSoilSurvey.aspx)

If the answer to Criterion 2 is no, then there is a low potential for prehistoric period archaeological resources - Proceed to Criterion 3. If yes, the project site may contain significant prehistoric period archaeological resources

– *assess all other criteria and proceed to Step 3.*

3. Are there buildings or structures over 150 years in age with the project site?
If no, proceed to Criterion 4. If yes, the project site may contain significant historic period archaeological resources – assess all other criteria and proceed to Step 3.

4. Are there buildings or structures shown within or immediately adjacent to the project site on the 1850's Connecticut County maps?
Historic County maps are here:
Fairfield - http://www.flickr.com/photos/uconnlibrariesmagic/3387034755/
Hartford - http://www.flickr.com/photos/uconnlibrariesmagic/3386955421/
Litchfield - http://www.flickr.com/photos/uconnlibrariesmagic/3387765290/
Middlesex - http://www.flickr.com/photos/uconnlibrariesmagic/3386956185/
New Haven - http://www.flickr.com/photos/uconnlibrariesmagic/3386956345/
New London - http://www.flickr.com/photos/uconnlibrariesmagic/3387766080/
Tolland - http://www.flickr.com/photos/uconnlibrariesmagic/3386957013/
Windham - http://www.flickr.com/photos/uconnlibrariesmagic/3387766950/

To look for buildings and structures click on the appropriate county map link. From the "Actions" drop-down menu choose "View all sizes". On the "Photo/All sizes" page, choose "Original" to view the county map at an enlarged scale.

If no, there is a low potential for significant historic period archaeological resources. If yes, the site may contain significant historic period archaeological resources- assess all other criteria and proceed to Step 3.

Step 3: If you answered yes to Criterion 2, 3, or 4, please contact Daniel Forrest (860-256-2761 or daniel.forrest@ct.gov) or the current environmental review coordinator at the State Historic Preservation Office, Department of Economic and Community Development for additional guidance.

Step 4: Report in the Registration Form for the General Permit for the Discharge of Stormwater and Dewatering Wastewaters Associated with Construction Activities that a review has been conducted and the results of the review (i.e. the proposed site does not have the potential for historic/ archaeological resources, or that such potential exists and is being or has been reviewed by the Connecticut Commission on Culture and Tourism).

Please note that DEEP will refer all proposed sites with a historic/ archaeological resource potential (as identified in Steps 1 & 2 above) to the State Historic Preservation Office at the Department of Economic and Community Development..

Appendix H
Wild & Scenic Rivers Guidance

Overview: Wild and Scenic Rivers Act

The Wild and Scenic Rivers Act (WSRA) charges administration of rivers in the National Wild and Scenic Rivers System (National System) to four federal land management agencies (Bureau of Land Management, National Park Service, U.S. Fish and Wildlife Service, and U.S. Forest Service). However, to protect and enhance river values as directed in the WSRA, it is essential to use the authorities of a number of other federal agencies in administering the water column, river bed/bank, and upland river corridor.

Congress declared a policy to protect selected rivers in the nation through the WSRA. The river-administering agencies are to protect the river's identified values, free-flowing condition, and associated water quality. Specifically, each component is to be "administered in such manner as to protect and enhance the (outstandingly remarkable) values (**ORVs**) which caused it to be included in said system. . . ."

The WSRA also directs other federal agencies to protect river values. It explicitly recognizes the Federal Energy Regulatory Commission, Environmental Protection Agency, Army Corps of Engineers and any other federal department or agency with lands on or adjacent to designated (or congressionally authorized study) rivers or that permit or assist in the construction of water resources projects.

Pertinent Sections of the Wild and Scenic Rivers Act

The full Wild and Scenic Rivers Act can be found at the website: www.rivers.gov
Pertinent Sections related to the mandate to protect river values through coordinated federal actions is found in several sections of the WSRA:

Section 1(b)	Section 7(a)	Section 10(a)
Section 12(a)	Section 12(c)	

Designated Rivers under the Wild and Scenic Rivers Act and Contact Information

The full listing of designated rivers can be found on the website www.rivers.gov
As of the date of this publication, there are two designated rivers in Connecticut, both of which are managed under the Partnership Wild and Scenic Rivers Program, through a Coordinating Committee consisting of representatives from local communities and organizations, state government and the National Park Service. More information about these rivers, their watersheds, approved management plans, the Wild and Scenic Coordinating Committees and specific contact information can be found on the websites.

1. West Branch of the Farmington River: www.farmingtonriver.org
2. Eightmile River: www.eightmileriver.org