

Daniel F. Caruso
Chairman

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

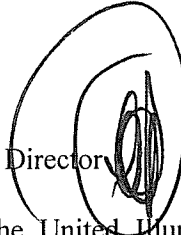
Internet: ct.gov/esc

October 20, 2006

TO: Parties and Intervenors

FROM S. Derek Phelps, Executive Director

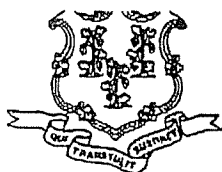
RE: **DOCKET NO. 317** – The United Illuminating Company application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance, and operation of a proposed 115-kV/13.8-kV electric substation and associated facilities located at 3-7 Wildflower Lane, Trumbull, Connecticut.



Comments have been received from the Department of Environmental Protection, dated October 20, 2006. A copy of the document is attached for your review.

SDP/MP/laf

c: Council Members



STATE OF CONNECTICUT
DEPARTMENT OF ENVIRONMENTAL PROTECTION



October 20, 2006

Daniel Caruso, Chairman
Connecticut Siting Council
10 Franklin Square
New Britain, Connecticut 06051

RE: 115kV/13.8kV Electric Substation
United Illuminating Company
Trumbull, Connecticut
Docket No. 317

RECEIVED
OCT 20 2006
CONNECTICUT
SITING COUNCIL

Dear Chairman Caruso:

Staff of this department have reviewed the above-referenced application for a Certificate of Environmental Compatibility and Public Need and have visited the proposed site and most of the fifteen alternate sites contained in the application. Based on these efforts, the following comments are offered to the Council for your use in this docket.

United Illuminating proposes to construct a bulk 115kV/13.8kV substation in southeastern Trumbull. The facility would have a fence line dimension of 200' by 200' and thus occupy just under one acre.

The DEP field review for this application included all sites except the two Connecticut Department of Transportation owned sites (Sites # 2 and 9) and sites 4A and 5 which required access via a private road which bore multiple signs informing that this was private property and that trespass was not allowed. Sites 2, 5 and 9 appear to have been dropped from consideration at the preliminary screening phase as no specific substation locations upon the parcels are noted in the application, while Site 4A is not included among those mentioned as potentially feasible alternatives.

Site 1 – Wildflower Lane

The applicant's proposed site would be accessed via two driveways to be constructed off Wildflower Lane, a short cul-de-sac with one residence on it. An existing gated access drive extends to the site from Nichols Avenue immediately west of Route 8. Site 1 is level, largely cleared, and currently used for utility purposes. Most of the substation footprint has herbaceous or small shrub cover with principal species being milkweed, goldenrod, inkberry, scrub oak, tree-of-heaven, sumac, pin cherry, poison ivy, and autumn olive. Portions of the site are wooded,

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mostly toward Wildflower Lane. Most of the poles shown in figure 9 of Exhibit F have been removed; only a couple remain. The site is well drained. There are no wetlands or watercourses.

Obstructed views of two homes on Stella Drive can be had from the southern corner of the site, through intervening forest. The homes seen are those at 46 and 52 Stella Drive. The home at 1500 Huntington Turnpike can also be seen from the western edge of the site near the Trumbull Junction lattice structure. Noise from Route 8 dominates the background noise level.

The surrounding streets of Stella Drive, Wildflower Lane, Huntington Turnpike and Nichols Avenue were surveyed to assess the potential for visual impacts to those areas. On Stella Drive, south of Site 1, the two closest homes are those at 45 and 52, at the northern end of that street. These homes are lower in elevation than Site 1 and will benefit from ample deciduous screening, at least in the summer months. The homes at 40 and 46 Stella Drive sit up on a 15' bank above the street and are the highest of the homes there. Though slightly farther from Site 1 than the homes at 45 and 52, they may see more of the taller elements of the substation, such as the tap structures, through or above the upper portions of the intervening woods. View 1.7 of Exhibit A is from the front yard of 46 Stella Drive and shows obscured views of some of the taller substation structures during winter months.

The lone home on Wildflower Lane (#6), which is currently for sale, would experience a significant loss of existing forest cover across the street. Proper landscaping plantings could obscure much or most of the actual substation view, especially over time, but the existing view will be significantly altered. As much as possible, existing trees should be preserved on this side of the substation to provide additional screening.

Along Huntington Turnpike, the home at 1500 is visible from Site 1 and thus it will have a view of some elements of the substation as well as experiencing the change in view due simply to the removal of the trees at the border of the site. The home at 1514 Huntington Turnpike, which shares a common driveway with #1500, is better screened but it may, along with neighbors at 1526 Huntington, experience seasonal views of taller elements of the substation. The house at 1536 Huntington Turnpike is set further back from the road and thus closer to Site 1 but it benefits from more tall intervening screening and probably will not see the substation. Homes north of this point will not see the substation, nor will homes on the west side of Huntington Turnpike.

Several homes along the south side of Nichols Avenue may have some view of the substation, but the home at 2911 would be the only house significantly impacted. This house is the closest Nichols Avenue home to the proposed site and also sits atop a small rocky knoll so that it looks down to Site 1. Though there is substantial intervening deciduous screening between this home and Site 1, the elevation of this home likely will afford some views of the taller substation components above the screening or through thinner upper layers of the trees. Moving westward, the homes at 2921 and 2931 Nichols Avenue sit much lower than #2911. There may be some marginal seasonal visibility of the substation for some portions of the property at 2931 Nichols Avenue. Screening for #2921 is better placed and should block any views. No homes farther west would see the substation. Across Nichols Avenue, #2924 sits on a hill above the road but will have any substation views blocked by the home at 2911 and the knoll it sits on. The other home across from the Site 1 area is #2932 which sits very far back from the road and would not see any elements of the substation.

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Sites 2 and 3

Site 2, a ConnDOT maintenance garage, was not visited on the October 17 field review as its access gate was locked by the time of the late afternoon DEP visit. Site 3 at City Line Florist is incorrectly listed as at 2878 Nichols Avenue on page 39 and in volume 2, Exhibit 4.3 of Exhibit D. Site 3 is actually at 2978 Nichols Avenue. The owners were unaware of any interest in using their land for this facility and knew of no specific location on their property which had been chosen for it. As the appendix also does not indicate a specific substation location on Site 3, this option is assumed to be no longer under active consideration and was not evaluated.

Sites 4A, 4B, and 5

Site 4A, along with Site 5, could not be accessed due to the 'no trespassing' posting of the private access road on the Bill property. Site 4B is cited in the application as the most favorable alternate to Site 1. This site is located behind the homes at 9 and 15 Rocky Ridge Drive. Site 4B is wooded with black birch, red oak, tulip poplar, and sugar maple, and has numerous boulders across it. Several homes on Rocky Ridge Drive are seen from the site. Though this site is large enough to accommodate a substation, it would be difficult to access, requiring either access through a residential yard or via a circuitous road from the vacant lot between the homes at 19 and 21 Rocky Ridge Drive and then looping around behind three intervening homes. Opportunities to move the substation farther from the homes to provide more screening are limited by the location of wetlands and the 115kV transmission line. In addition to the two residences mentioned above, several other homes on Rocky Ridge Drive would likely see the substation at this site, including some homes on the opposite side of the street since they sit higher in elevation and would look down on the site.

Site 5, like Sites 2 and 3, apparently was not carried to the point of selecting a specific location for the substation. Abundant wetlands on this property would have rendered it difficult to use.

Sites 6A, 6B, 6C, and 6D

Sites 6A and 6B are accessed off Quail Drive. Site 6A is mostly flat, generally not rocky, is ample in size, and is adjacent to the transmission line. This site is wooded with black birch as the predominant species, with sugar maple, red oak and beech also present. Two 36" white oaks are found on the southern edge of the site. At a minimum, a substation at Site 6A would be visible from the last three homes on Quail Drive and the last two homes on Leffert Road to the north. Access from Quail Drive to Site 6A would be short and direct.

Site 6B is located south of the 115kV line at structure #836 and is somewhat farther off the end of Quail Drive. Site 6B may be the most well screened of all the sites in the application within the designated search area. (Site 11 is outside the search area.) One home at the end of Oakridge Drive is seen from Site 6B. The site has rock outcrops and larger boulders. It is gently sloping to level. Birch, beech, and red oak comprise the forest cover. Though the application (p.48) gives the route of a distribution line connection from Sites 6A and 6B as Quail Drive to Leffert Road to Unity Road, it would actually extend from Quail Drive to Foster Avenue to Leffert Road to Unity Road.

The location of Site 6D, which is discussed on pages 52 and 53 of the application, is not given in the application. This site had been suggested for consideration by the Town and by

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the Wildflower Coalition. Because of the location of a public notice sign at the end of Leffert Road which references the Town/Wildflower recommended site, and because this sign was not immediately adjacent to Sites 6A or 6B, Site 6D was assumed to be near the end of Leffert Road, off its southeastern corner and roughly behind the sign. This may not be the correct location but it was the best available guess. The assumed Site 6D is a beech-dominated forest parcel sloping down to a watercourse and associated wetland with a home directly across said watercourse. The siting of a substation at this location would be a tight fit. Factors that would argue against the use of this site are the wetland and watercourse, proximal homes at the end of Leffert Road, Quail Drive and across the watercourse, the boulders and ledge on the site, and the slope of the site as compared to the flatter land at Sites 6A and 6B.

Site 6C off Rocky Ridge Drive is listed in the application (p. 52) as the third choice of the applicant. Site 6C is behind the home at 19 Rocky Ridge Drive. It is a moderately sloped, rocky, well wooded site in close proximity to the home at #19. Though probably mentioned as preferable to 6A and 6B because it (and Site 4B) are closer to the desired location at Site 1 and assumedly to the center of the load to be served by the substation, Site 6C (and Site 4B) are inferior to 6A and especially to 6B in terms of slope, available screening, and ease of access. If Site 6C were to be considered for use, running the distribution connection ductline west to Quail Drive would avoid the wetland impacts of running it across Site 4. This route would be longer but more straightforward.

Site 6B would appear to be the most promising of these four sites from a purely land use compatibility perspective, though there may be operational reasons connected to the center of demand load why sites to the east at 6C and 4B are favored by the applicant as the best alternatives to Site 1.

Sites 7A and 7B

Sites 7A and 7B lie on and atop a steep slope above White Plains Road and behind Unity Congregational Church. Site 7B, the smaller, more northerly and more steeply sloped of the two sites, appears to have been dropped from active consideration as no specific substation site within it is indicated in Exhibit D.

Most of Site 7A is steeply sloped toward White Plains Road. Scattered rock outcrops appear on the site. Forest cover is birch, oak, and beech. There is some flatter land at the eastern end of Site 7A at the top of the steep slope and extending toward Quail Drive. If the 200' by 200' substation was butted up against the transmission line as shown in Exhibit D, it would fit within this relatively flatter area which broadens out as one approaches the transmission line ROW. Though possible to accommodate the facility on this flatter ground, it would not leave space for buffering the substation, as the facility would need to crowd either the yards off Quail Drive or the top of the slope. The latter would leave the substation visible from locations below including Unity Park, while the former would open it up to view from Quail Drive. Access to Site 7B would also be difficult to provide off either Quail Drive or Caroline Street due to nearby homes and the steep slopes.

Site 8 – Unity Park

Site 8 in Unity Park appears to have been included in the site list only for purposes of thoroughness. This well maintained and apparently well used park would not be a suitable choice for the siting of the proposed facility. Virtually all of the park is taken up with a tight

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arrangement of well kept athletic fields. The application indicated no specific location for the substation, which can be interpreted to mean this site was not actively considered. A check of DEP records shows that this park is not one of the two Trumbull parks which have received grants from the federal Land and Water Conservation Fund, which grants would have prohibited the use of the park for non-recreational purposes.

Site 10 – Armenian Church

(As mentioned previously, ConnDOT-owned Site 9 was not visited during the DEP field review.) Site 10 is on the grounds of the Armenian Church of the Holy Ascension. The pastor of the church indicated that the site offered by the church is next to and behind the parish house. This site includes a small, flat grassed area adjacent to the parking lot and some wooded area extending up a hillside toward the yards of the homes on Stella Drive. Construction of the 200' by 200' substation on this site would be a very tight fit. It would involve some clearing and much excavation. The facility would be directly adjacent to some yards on Stella Drive with no opportunity for any visual buffering. Site 10 also suffers in that it is well off the 115kV line. Due to the lack of a more specific site plan for this property in the application, it appears it is not under active consideration.

Site 11 - Quarry Road

This site is at the end of Quarry Road, which serves a number of industrial land uses. Site 11 is adjacent to the transmission line, level, and in mostly herbaceous cover. Access to the site is easily accomplished from Quarry Road. The site has been used for the dumping of asphalt, street sweepings, pallets, and miscellaneous debris. The surroundings are compatible with the proposed facility, with no residences or other sensitive receptors located near the site, with the exception of Unity Park, which lies immediately across the Pequonnock River to the east. Site 11 is outside of the designated search area defined by the applicant, but not by much. The Pequonnock River lies below a steep slope on the eastern edge of the otherwise level site. Operational issues aside, Site 11 would be an appropriate location for the substation. There may, however, be soil contamination on this site due to legal and illegal dumping activities or to the industrial use of the proximal area.

Regulatory and Related Issues

The only DEP permit this facility would require is a NPDES Discharge Permit for Stormwater Associated with Construction Activities over one acre in size. Though a 200' by 200' substation footprint equates to 0.92 acres, it is likely that the total disturbed area would exceed one acre. The discussion on page 5-2 of Exhibit D accurately reflects the municipal role that is exercised in cases where the area of disturbance is between one and five acres. Therefore, in this case, the Town of Trumbull would review the stormwater management plans for this construction activity.

The application mentions that the use of either Sites 2 or 3 would involve stream diversions. Depending on the watershed area upstream from the point of diversion (if in excess of 100 acres), a diversion permit from DEP would be necessary. However, neither Sites 2 or 3 appear to be under active consideration.

Inland wetland or watercourse impacts which might be involved in the access to and ductline from Sites 4B or 6C would be regulated directly by the Siting Council.

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There would be no discharge from the substation necessitating any permits from either the DEP Air or Water Bureaus.

A check of the DEP Natural Diversity Data Base confirms that it contains no listed species at the proposed or alternate sites.

Conclusion

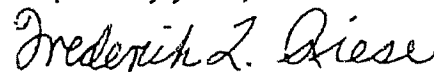
The applicant has done a thorough, if not exhaustive, analysis of alternative sites. For reasons that include ownership, cost, ease of construction and access, and operational advantages, the applicant has selected Site 1 as its preferred site. The application cites Sites 4B and 6C as its respective second and third choices, which appears to reflect a desire or need for a site as close as possible to the preferred location. Without being able to comment on the operational considerations involved, Sites 6B and 11 appear to be better alternate sites than 4B or 6C due to greater separation and/or screening from the closest residences, easier access, and flatter topography. Site 11 is outside of the designated site search area.

Visual impacts to surrounding residences would be the dominant impact of the construction of the proposed substation. The use of any of the sites other than Site 11 will cause some visual impact to residential areas. For Site 1, the two homes at 2911 Nichols Avenue and 6 Wildflower Lane would experience significant visual impacts, while several other homes would experience much lesser degrees of impact. Landscaping can mitigate some of the visual impact to the latter home, while the location of the 2911 Nichols Avenue house above the substation limits the mitigation opportunities for that property.

The use of either Site 4B or 6C would present equivalent or greater visual impacts to homes on Rocky Ridge Drive as compared to the impact of the substation at Site 1 on its surroundings. Site 6B offers the most well screened location among the sites within the search area and allows for reasonably direct access. The other sites listed in the application do not appear to offer any benefits which would merit their consideration.

Thank you for the opportunity to review this application and to submit these comments to the Council. Should you, other Council members or Council staff have any questions, please feel free to call me at (860) 424-4110.

Respectfully yours,



Frederick L. Riese
Senior Environmental Analyst

cc: Commissioner Gina McCarthy
Robert Kaliszewski

LIST OF PARTIES AND INTERVENORS
SERVICE LIST

Status Granted	Status Holder (name, address & phone number)	Representative (name, address & phone number)
Applicant	The United Illuminating Company 157 Church Street P.O. Box 154 New Haven, CT 06506	<p>Richard J. Reed Vice President – Electric System The United Illuminating Company 801 Bridgeport Avenue Shelton, CT 06484 P: 203-926-4500 F: 203-926-4457 Rich.Reed@uinet.com</p> <p>Eugene Kallaur Program Manager Transmission & Substation Projects The United Illuminating Company 801 Bridgeport Avenue Shelton, CT 06484 P: 203-926-4605 F: 203-926-4664 Gene.Kallaur@uinet.com</p> <p>Kathleen Shanley Director of Environmental Safety & Real Estate The United Illuminating Company 801 Bridgeport Avenue Shelton, CT 06484 P: 203-926-4695 F: 203-926-4696 Kathleen.Shanley@uinet.com</p> <p>Linda L. Randell, Esq. Bruce L. McDermott, Esq. Wiggin and Dana LLP One Century Tower New Haven, CT 06508-1832 P: 203-498-4400 F: 203-782-2889 Lrandell@wiggin.com bmcdermott@wiggin.com</p>
Party (Approved on 8/31/06)	The Wildflower Coalition Petitioners	<p>Julie D. Kohler, Esq. Cohen and Wolf, P.C. 1115 Broad Street Bridgeport, CT 06604 P: 203-368-0211</p>

LIST OF PARTIES AND INTERVENORS
SERVICE LIST

Status Granted	Status Holder (name, address & phone number)	Representative (name, address & phone number)
Party (Approved on 10/10/06)	The Town of Trumbull	Daniel F. Schopick, Esq. Town Attorney 4270 Main Street Bridgeport, CT 06606 P: 203-371-5830 F: 203-371-6290
Intervenor (If Approved on 10/24/06)	<i>The Connecticut Light and Power Company</i>	Anthony M. Fitzgerald, Esq. Carmody & Torrance LLP 195 Church Street, 18 th Floor P.O. Box 1950 New Haven, CT 06509-1950 P: (203) 777-5501 F: (203) 784-3199 afitzgerald@carmodylaw.com Robert E. Carberry Manager – Transmission Siting and Permitting Northeast Utilities Service Company P.O. Box 270 Hartford, CT 06141-0270 P: (860) 665-6885 Kathleen A. Shea Associate Counsel Northeast Utilities Services Company P.O. Box 270 Hartford, CT 06141-0270 P: (860) 665-3395 F: (860) 665-5504
Intervenor (If Approved on 10/24/06)	<i>Mark Waggner</i> 65 Oakridge Road Trumbull, CT 06611 P: (203) 365-0573 Mark_waggner@conair.com	

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LIST OF PARTIES AND INTERVENORS
SERVICE LIST

Status Granted	Status Holder (name, address & phone number)	Representative (name, address & phone number)
<i>Intervenor (If Approved on 10/24/06)</i>	<i>Chad Ciocci 72 Shawnee Road Trumbull, CT 06611 P: (203) 581-1230 F: (203) 268-4916 Cciocci@aol.com</i>	