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February 21, 2012

VIA ELECTRONIC MAIL AND U.S. MAIL

Linda L. Roberts
Executive Director
Connecticut Siting Council
10 Franklin Square
New Britain, CT 06051

Re: Petition 983 - BNE Energy Inc., Flagg Hill Road, Colebrook, CT

Dear Ms. Roberts:

As you are aware, the Siting Council's Decision and Order with respect to the above-referenced Petition of BNE Energy Inc., ("BNE") requires BNE to formalize and submit to the Council a conservation easement that conforms to the requirements found in Connecticut General Statutes Chapter 822, Easements and Restrictions, within 90 days of the Council's decision letter. As you are also aware, the nature of this conservation easement will be temporary, in that it will only be in place so long as the project is operational. Once the project is decommissioned, the conservation easement will expire.

The temporary nature of this easement has made finding a suitable grantee for the easement difficult. Many private conservation organizations have been unwilling to agree to assume the grantee role if the conservation easement will not go on in perpetuity. Fortunately, however, after much searching, BNE has found a party that is willing to undertake the grantee role for this conservation easement – the Northwestern Connecticut Sportsmen's Association ("NWCSA").

The NWCSA has a long tradition of supporting conservation efforts, dating back to the organization's founding in 1927. The NWCSA's had incorporated the importance of conservation to the organization directly into its by-laws:

The objectives of the Association are: To advance the protection, propagation, and conservation of fish, game, and other wildlife in the State and Nation; to support the enforcement of laws pertaining to fish, game, wildlife, and natural resources; to encourage and promote the enactment of laws and regulations for the conservation and preservation of fish, game, and other natural resources; to prevent the destruction of property and natural resources; to interest, educate, and

train the public in conservation, fishing, hunting, the safe use of firearms, and in the shooting sports; to promote good relations between sportsmen, landowners, and the general public; and to protect the second amendment rights of all citizens.”

NWCSA by-laws, Article II, Objectives, found at: <http://www.nwcsa.org/conservation/>.

The NWCSA owns and maintains a parcel of land in Colebrook, Connecticut consisting of 138 acres, of which 78 acres is mature upland forest, 30 acres is shrub swamp, 10 acres is old field/early successional habitat and 10 acres is facilities and ranges. One reason why the NWCSA was selected by BNE is that it is committed to environmental conservation efforts. Indeed, the long-term goal of the NWCSA is to create a patch work of various forest age classes and habitats on its property through active conservation management. For example, the NWCSA worked towards this goal by creating four acres of additional warm season grass field habitat on its property during the later summer and early fall of 2008.

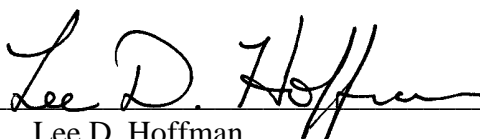
Prior to that project, in 2006, the NWCSA, using a grant from the U. S. Fish & Wildlife Service, embarked on a two year project to create a 7-acre clear cut for the purpose of developing an early successional habitat area on its property. The purpose of this project was to add habitat diversity to the association’s older growth habitat and wetlands areas in order to attract and enhance wildlife, (woodcock, ruffed grouse & song birds, etc) that use this type of habitat. The project was overseen by CT D.E.E.P. biologist Peter Piccone & Coverts Coordinator & Association President, Jason Marshall.

In short, the NWCSA has demonstrated a concern and commitment to environmental conservation and will make a suitable grantee for BNE’s conservation easement. The NWCSA has agreed in principle to undertaking the requirements of a valid conservation easement, however, certain details are being worked out between BNE and the NWCSA. BNE anticipates that it will take approximately three weeks to finalize these details, and therefore requests that the Siting Council allow BNE until March 16, 2012 to submit a finalized conservation easement for the Council’s approval.

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If you have any questions concerning this submittal, then please contact the undersigned at your convenience. Please return a date-stamped copy of this filing in the enclosed envelope. Thank you in advance for your assistance.

Respectfully submitted
BNE ENERGY INC.

By: 
Lee D. Hoffman
Its Attorney

cc: Service List for Petition 983
Melanie A. Bachman (via electronic mail)
Michael A. Perrone (via electronic mail)