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Kathleen M. Shanley
Manager – Transmission Siting
Tel: 860-728-4527

September 1, 2023

Ms. Melanie Bachman, Executive Director
Connecticut Siting Council
Ten Franklin Square
New Britain, CT 06051

Re: PETITION NO. 1576 - The Connecticut Light and Power Company d/b/a Eversource Energy petition for a declaratory ruling, pursuant to Connecticut General Statutes §4-176 and §16-50k, for the proposed Middletown Substation to Oxbow Junction Upgrade Project consisting of the replacement of electric transmission line structures along approximately 5.5 miles of its existing No. 1620 115-kilovolt (kV) electric transmission line right of way between Middletown Substation in Middletown and Oxbow Junction in Haddam, Connecticut, and related electric transmission line and substation improvements. Compliance with Conditions 2 and 3 and Request to modify Condition 6 of the Connecticut Siting Council's Decision.

Dear Ms. Bachman:

Pursuant to Section 16-50j-62(b)(1) of the Regulations of Connecticut State Agencies and in accordance with Conditions 2 and 3 of the Connecticut Siting Council's ruling for the above-referenced Petition, dated September 1, 2023. Eversource is submitting the attached Department of Energy and Environmental Protection ("DEEP") Stormwater Permit and DEEP National Diversity Data Base determination letter.

This letter also serves as Eversource's advance notice to the Council to commence construction, per Condition 6 of the Council's September 1, 2023 letter, but is requesting that Eversource be allowed to amend this Condition in providing a one week notice in order for work to accelerate to meet a reduced outage duration. Civil construction work (improvement and construction of access roads and work pads) would commence on September 8, 2023.

Should you have any questions, please do not hesitate to contact me via e-mail at kathleen.shanley@eversource.com or telephone at (860) 728-4527.

Sincerely,

By: _____

A handwritten signature in blue ink, appearing to read "Kathleen M. Shanley", written over a horizontal line.

Kathleen M. Shanley, Manager Siting



Generated by eNDDDB on:
2/27/2023

Michelle Ford
EVERSOURCE ENERGY SERVICE COMPANY
107 SELDEN ST
BERLIN, CT 06037
michelle.ford@eversource.com

Subject: 1620 Line Copper Retirement and Asset Condition Replacements

Filing # 96253

NDDDB – New Determination Number: 202302002

All areas are in Middletown: Approximately 175 feet northeast of the intersection of the ROW and Bartholomew Road; work areas for the addition of Structures 14036 ADSS and 14037 ADSS are located near Chestnut Junction, immediately south of East Mount Road, and The work pad for maintenance Structure 14037 is located along the same ROW access point as Structures 14036 ADSS and 14037 ADSS and is approximately 650 feet south of East Mount Road.

Middletown & Haddam

Expiration Date: 2/27/2025

Current data maintained by the Natural Diversity Database (NDDDB) and housed in the DEEP ezFile portal indicates that populations of the following State Endangered, Threatened, or Special Concern species (RCA Sec. 26-306) have been documented within the project area or in close proximity to the proposed Energy and Utility Production Facilities and Distribution Infrastructure/Facility modifications, 1620 Line Copper Retirement and Asset Condition Replacements .

- Whip-poor-will (*Caprimulgus vociferus*)
- Spotted turtle (*Clemmys guttata*)
- Eastern box turtle (*Terrapene carolina carolina*)
- Red bat (*Lasiurus borealis*)

In accordance with the project information provided in your request submittal, implementation of the following Best Management Practices will avoid negative impacts to listed species:

Common Name	Whip-poor-will
Scientific Name	<i>Caprimulgus vociferus</i>
Taxa	bird
Status ¹	SC
General Ecology	The whip-poor-will is a bird that nests in forest habitat with an open understory, often adjacent to areas of shrubby or herbaceous habitat. They are ground-nesting birds that breed between April 20- July 30. They consume aerial invertebrates, especially Lepidoptera and Coleoptera.

Best Management Practice	<p>Whip-poor-will will benefit from structurally diverse forests. Whip-poor-will are specifically most often found in areas with 60 square feet of trees per acre of forest. Do not begin to cut, clear, remove trees or shrubs, or disturb forest floor between May 1-July 30 within 200m of nesting locations.</p> <p>To reduce the potential for collision, towers and antennas should meet USFWS guidelines with regard to height, guy wires, lighting, and maintenance:</p> <p>https://www.fws.gov/media/recommended-best-practices-communication-tower-design-siting-construction-op</p>
Common Name	Spotted turtle
Scientific Name	<i>Clemmys guttata</i>
Taxa	reptile
Status¹	SC
General Ecology	<p>Individuals of this species are associated with wetlands and vernal pools. Over the course of a season and lifetime, individuals will travel large distances (up to 1km) over upland forest and fields between multiple wetlands. They overwinter burrowed into the mud in wetlands between Nov 1- March 15. They do not begin to reproduce until 7-10 years old and adults can live at least 30 years. This species is threatened most by any activities that reduce adult survivorship including road kills, commercial and casual collection, increased predation in areas around commercial and residential development, mortality and injury from agricultural equipment or other mechanical equipment.</p>
Best Management Practice	<p>Swamp mats have the potential to entrap wildlife (especially turtles) that may fall into the crevices and gaps, where they may be exposed to predation or dangerous temperatures on a sunny day. Take precautions to block or stop wildlife from trying to cross the mat. Especially in areas where sensitive turtles may occur, inspect swamp mats at the beginning and end of workday to ensure turtles have not become trapped. Additionally clean mats between use locations to avoid invasive species transfer.</p> <p>Land disturbance activities need to consider local habitat features and apply fencing and/or time of year restrictions as appropriate. We recommend you consult with a herpetologist familiar with preferred habitats to assist you with proper techniques to ensure the best protection strategies are employed for your site and the scope of your project.</p> <ul style="list-style-type: none"> • Land disturbance and excavation confined to the upland can be done without risk for impact if work is restricted to the dormant season (November 1- March 15). <p>If land disturbance activity will include significant areas within and around wetlands, you will need to take precautions to avoid impacting hibernating adults. Consult with a qualified herpetologist to assess your work impact zone for the potential to impact overwintering spotted turtle.</p> <ul style="list-style-type: none"> • Do not conduct land disturbance activities that will impact suitable overwintering wetland habitat during the turtle's dormant period (November 1- March 15). <p>To prevent turtle access and entry into your upland work zone between March 16-October 31:</p> <ul style="list-style-type: none"> • Exclusionary practices will be required to prevent any turtle access into construction areas. These measures will need to be installed at the limits of disturbance as shown on the plans, or be specifically designated by a qualified herpetologist. • Exclusionary fencing be at least 20 inches tall and must be secured to and remain in contact with the ground and be regularly maintained (at least bi-weekly and after major weather events) to secure any gaps or openings at ground level that may let animal pass through. • Prior to construction, all turtles occurring within fencing work area will be relocated

	<p>to suitable habitat outside disturbance area. This should be performed by a qualified professional familiar with habitat requirements and behavior of the species.</p> <ul style="list-style-type: none"> • The Contractor must search the work area each morning prior to any work being done. • All construction personnel working within the turtle habitat must be apprised of the species description and the possible presence of a listed species. • Any turtles encountered within the immediate work area shall be carefully moved to an adjacent area outside of the excluded area and fencing should be inspected to identify and remove access point. These animals are protected by law and no turtles should be relocated from the site. • In areas where silt fence is used for exclusion, it shall be removed as soon as the area is stable to allow for reptile and amphibian passage to resume. • Special precautions must be taken to avoid degradation of wetland habitats including any wet meadows and seasonal vernal pools. <p>If land disturbance will occur in potential nesting areas designated by a qualified herpetologist, you will need to take precautions to prevent female turtles from entering work area and setting up nests. This fencing would need to be in place before May 15. Potential nesting areas may include open fields, early successional habitat, sandy open patches nearby wetland features, and sandy roads and roadsides.</p>
Common Name	Eastern box turtle
Scientific Name	<i>Terrapene carolina carolina</i>
Taxa	reptile
Status ¹	SC
General Ecology	<p>In Connecticut, these turtles are found in well-drained forest bottomlands and a matrix of open deciduous forests, early successional habitat, fields, gravel pits, and or powerlines. Turtles are dormant between November 1 and April 1 and hibernate in only a few inches from the surface in forested habitat. The greatest threat to this species is habitat loss, fragmentation, and degradation due to development. This species is very sensitive to adult mortality because of late maturity (10 years old) and long life span (50-100years). Vehicular traffic, heavy equipment used for farming, and ATV use in natural areas are implicated specifically in adult mortality through collisions. Illegal collection by the pet trade and unknowing public for home pets exacerbates mortality rates and removes important individuals from the population. Predation rates are also unnaturally high because of increased predator populations (e.g. skunks, foxes, raccoons, and crows) that surround developed areas.</p>
Best Management Practice	<p>Land disturbance activities need to consider local habitat features and apply fencing and/or time of year restrictions as appropriate. We recommend you consult with a herpetologist familiar with preferred habitats to assist you with proper techniques to ensure the best protection strategies are employed for your site and the scope of your project.</p> <p>To prevent turtle access and entry into your work zone between April 1- November 1:</p> <ul style="list-style-type: none"> • Exclusionary practices will be used to prevent any turtle access into disturbance areas. These measures will need to be installed at the limits of disturbance as shown on the plans, or specifically designated by a herpetologist who can assess the conditions at your site. • Exclusionary fencing be at least 20 in tall and must be secured to and remain in contact with the ground and be regularly maintained (at least bi-weekly and after major weather events) to secure any gaps or openings at ground level that may let animal pass through. • All staging and storage areas, outside of previously paved locations, regardless of

	<p>the duration of time they will be utilized, must be reviewed to remove individuals and exclude them from re-entry.</p> <ul style="list-style-type: none"> • All construction personnel working within the turtle habitat must be apprised of the species description and the possible presence of a listed species. • The Contractor search the work area each morning prior to any work being done. • Any turtles encountered within the immediate work area shall be carefully moved to an adjacent area outside of the excluded area and fencing should be inspected to identify and remove access point. This animal is protected by law and should not be relocated off-site. • In areas where silt fence is used for exclusion, it shall be removed as soon as the area is stable and disturbance is finished to allow for reptile and amphibian passage to resume. <p>If land disturbance will occur in suitable overwintering forested habitat you will need to take precautions to avoid mortality of hibernating adults. If practicable, small projects, under the supervision of a qualified herpetologist, may be able to utilize a combination of exclusionary fencing installed before October 15, combined with and surveys to ensure that no turtles are within the enclosed fencing. Work can then be conducted within the fenced area at any time of year as long as the fencing is maintained. Projects that will impact large blocks of forest or significant overwintering habitat may need to restrict your land disturbance activities in forested habitat to the turtle active season. These projects would need to restrict land disturbance activities to occur only between April 1- October 31.</p> <p>Your project is located in a large block of suitable habitat for this species. Work with biologists to plan your activities so they minimize the impact on this species. Individual turtles will have best chance of survival in blocks of undeveloped habitat >100ha (247 acres). Populations will have the best chance of viability if they consist of 300 individuals in unfragmented habitat totaling at least 500 acres. Densities of >1km of road/km2 with moderate traffic >100 vehicle/lane/day will result in population decline.</p> <ul style="list-style-type: none"> • Landscape Planning: Use partnerships and landscape scale planning to protect important conservation areas for this species • Nesting Area Management: identify and protect nesting areas for this species. Work with biologists to plan your site use and nesting site management.
Common Name	Red bat
Scientific Name	<i>Lasiurus borealis</i>
Taxa	mammal
Status ¹	SC
General Ecology	<p>Red bats are a migratory “tree bat” species that is found throughout Connecticut between April- October in a variety of forested habitats. They roost out in the foliage of deciduous and coniferous trees, camouflaged as dead leaves or cones. Red bats are primarily solitary roosters. They can be found roosting and feeding around forest edges and clearings. Typically, larger diameter trees (12-inch DBH and larger) are more valuable to these bats. Additionally, trees with loose, rough bark such as maples, hickories, and oaks are more desirable than other tree species due to the increased cover that the loose bark provides. Large trees with cavities are also utilized by this species. Forested areas of Connecticut’s coastal towns may also serve as important migratory habitat for red bats. Numbers of bats utilizing these areas can increase dramatically as bats from other northeast locations pass through Connecticut during spring and autumn migration. This species may be at risk from wind development. Silver-haired, hoary, and red bats account for the majority of bat fatalities from wind turbines.</p>
Best Management Practice	<ul style="list-style-type: none"> • Do not remove trees between May 1- July 31 to avoid disturbing breeding bats.

	<p>The following activities will benefit bats:</p> <ul style="list-style-type: none"> • Preserve natural roosting resources (safety permitting) including snags, trees with cavities, cracks or crevices, trees with exfoliating bark (e.g. shagbark hickory), coniferous trees (e.g. tamarack, hemlock, white pine) as well as preserving talus slopes • Identify and protect summer roosts in man-made structures, such as barns • Provide artificial roost structures (i.e., bat houses) and promote their use in the surrounding community • Minimize erosion and maintaining clean and open water resources free of siltation <ul style="list-style-type: none"> • Protect native vegetation which promotes insect availability and diversity • Avoid the use of pesticides that will affect their invertebrate food source • Preserve open, edge of forest habitat corridors to allow bats to freely move among roosting, watering and foraging areas
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¹E = State Endangered, T = State Threatened, SC = State Special Concern, FE = Federally Endangered, FT = Federally Threatened, NA = Not applicable.

Your submission information indicates that your project requires a state permit, license, registration, or authorization, or utilizes state funding or involves state agency action. This NDDDB – New determination may be utilized to fulfill the Endangered and Threatened Species requirements for state-issued permit applications, licenses, registration submissions, and authorizations.

Please be aware of the following limitations and conditions:

Natural Diversity Database information includes all information regarding listed species available to us at the time of the request. This information is a compilation of data collected over the years by the Department of Energy and Environmental Protection’s Natural History Survey and cooperating units of DEEP, land owners, private conservation groups and the scientific community. This information is not necessarily the result of comprehensive or site-specific field investigations. Current research projects and new contributors continue to identify additional populations of species and locations of habitats of concern, as well as enhance existing data. Such new information is incorporated into the Database and accessed through the ezFile portal as it becomes available. New information may result in additional review, and new or modified restrictions or conditions may be necessary to remain in compliance with certain state permits.

- During your work listed species may be encountered on site. A report must be submitted by the observer to the Natural Diversity Database promptly and additional review and restrictions or conditions may be necessary to remain in compliance with certain state permits. Please fill out the [appropriate survey form](#) and follow the instructions for submittal.
- Your project involves the state permit application process or other state involvement, including state funding or state agency actions; please note that consultations with your permit analyst or the agency may result in modifications or additional requirements. In this situation, additional evaluation of the proposal by the DEEP Wildlife Division may be necessary and additional information, including but not limited to species-specific site surveys, may be required.
- If your project involves preparing an Environmental Impact Assessment, this NDDDB consultation and determination should not be substituted for any conducting biological field surveys assessing

on-site habitat and species presence.

- This determination applies only to the project as described in the submission and summarized at the end of this letter. Please re-submit an updated Request for Review if the project's scope of work and/or timeframe changes, including if work has not begun by 2/27/2025.
- If biological surveys have been conducted in accordance with Best Management Practices provided, please forward a copy of the results to the address listed at the end of this letter. Include the Project Name and Determination Number on all correspondence.

The NDDDB – New determination for the 1620 Line Copper Retirement and Asset Condition Replacements at All areas are in Middletown: Approximately 175 feet northeast of the intersection of the ROW and Bartholomew Road; work areas for the addition of Structures 14036 ADSS and 14037 ADSS are located near Chestnut Junction, immediately south of East Mount Road, and The work pad for maintenance Structure 14037 is located along the same ROW access point as Structures 14036 ADSS and 14037 ADSS and is approximately 650 feet south of East Mount Road., Middletown & Haddam, as described in the submitted information and summarized at the end of this document is valid until 2/27/2025. This determination applies only to the project as described in the submission and summarized at the end of this letter. Please re-submit an updated Request for Review if the project's scope of work and/or timeframe changes, including if work has not begun by 2/27/2025.

This letter is computer generated and carries no signature. If however, any clarification is needed, or, if you have further questions, please contact the following:

CT DEEP Bureau of Natural Resources
Wildlife Division
Natural Diversity Database, 6th floor
79 Elm Street,
Hartford, CT 06106-5127
(860) 424-3011
deep.nddbrequest@ct.gov

Please reference the Determination Number provided in this letter when you e-mail or write. Thank you for submitting your project through DEEP's ezFile portal for Natural Diversity Database reviews.

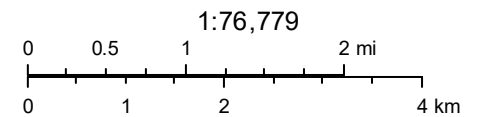
Application Details:

Project involves federal funds or federal permit:	Yes
Project involves state funds, state agency action, or relates to CEPA request:	No
Project requires state permit, license, registration, or authorization:	Yes
DEEP enforcement action related to project:	
Project Type:	Energy and Utility Production Facilities and Distribution Infrastructure
Project Sub-type:	Facility modifications
Project Name:	1620 Line Copper Retirement and Asset Condition Replacements
Project Description:	The Project includes the replacement of 6 structures along the 1620 Line due to asset condition or strain, removal of existing copper shield wire and installation of new optical ground wire ("OPGW"), and installation of new structures. Work areas are shown on the attached Detailed Site Maps.

1620 Line Copper Retirement and Asset Condition Replacements Map



February 24, 2023



Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community



Bureau of Materials Management and Compliance Assurance

Notice of Permit Authorization

August, 16 2023

Sara Fusco
EVERSOURCE ENERGY SERVICE COMPANY
107 SELDEN ST.
BERLIN, CT 06037-1616

Subject: General Permit Registration for the Discharge of Stormwater and Dewatering Wastewaters from Construction Activities
Application NO.: 202304722

Sara Fusco:

The Department of Energy and Environmental Protection, Water Permitting and Enforcement Division of the Bureau of Materials Management and Compliance Assurance, has completed the review of the 1620 Line (located at , Middletown) registration for the **General Permit for the Discharge of Stormwater and Dewatering Wastewaters from Construction Activities, effective 12/31/2020, modified 11/25/2022 (general permit)** . The project is compliant with the requirements of the general permit and the discharge(s) associated with this project is (are) authorized to commence as of the date of this letter. Permit No. GSN003960 has been assigned to authorize the stormwater discharge(s) from this project.

Questions can be emailed to deep.stormwater@ct.gov.