



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

Web Site: portal.ct.gov/csc

VIA ELECTRONIC MAIL

July 19, 2024

Deborah Denfeld
Team Lead – Transmission Siting
Eversource Energy
P.O. Box 270
Hartford, CT 06141
deborah.denfeld@eversource.com

RE: **PETITION NO. 1614** - The Connecticut Light and Power Company d/b/a Eversource Energy Declaratory Ruling, pursuant to Connecticut General Statutes §4-176 and §16-50k, for the Christian Street Junction to Stevenson Substation Rebuild Project consisting of the replacement and reconductoring of electric transmission line structures along approximately 5.5 miles of its existing electric transmission line right-of-way shared by its existing 115-kilovolt (kV) 1580 and 1808 Lines between Christian Street Junction in Oxford and Stevenson Substation in Monroe, Connecticut, and related electric transmission line and substation improvements. **Compliance with Condition Nos. 2, 3, and 8.**

Dear Deborah Denfeld:

The Connecticut Siting Council (Council) is in receipt of your correspondence dated July 19, 2024 regarding compliance with Condition Nos. 2, 3, and 8 of the Declaratory Ruling issued by the Council on July 19, 2024 for the above-referenced facility. The correspondence includes a copy of the Department of Energy and Environmental Protection (DEEP) Stormwater Permit dated May 23, 2024 and the DEEP Natural Diversity Database determination dated February 22, 2024, Federal Aviation Administration determination for the Housatonic River crossing, and notice of commencement of construction in accordance with Condition Nos. 2, 3, and 8, respectively.

Therefore, the Council acknowledges that Condition Nos. 2, 3, and 8 have been satisfied. This acknowledgment applies only to the conditions satisfied by the July 19, 2024 correspondence.

Please be advised that deviations from the standards established by the Council in the Declaratory Ruling are enforceable under the provisions of Connecticut General Statutes §16-50u.

Thank you for your attention and cooperation.

Sincerely,

A handwritten signature in dark ink, appearing to read "Melanie A. Bachman".

Melanie A. Bachman
Executive Director

MAB/MP/dll

c. Service List, dated February 20, 2024



56 Prospect Street
P.O. Box 270
Hartford, CT 06103

Deborah Denfeld

Team Lead – Transmission Siting
Tel: (860) 728-4654

July 19, 2024

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

Re: PETITION NO. 1614 - 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 Christian Street Junction to Stevenson Substation Rebuild Project in the municipalities of Oxford and Monroe. Compliance with Conditions 2, 3 and 8.

Dear Attorney Bachman:

On July 18, 2024, The Siting Council considered and ruled that the above-mentioned Project would not have a substantial adverse effect, and pursuant to Connecticut General Statutes §16-50k, would not require a Certificate of Environmental Compatibility and Public Need with certain Conditions for the Project.

- Pursuant to Condition 2, a copy of the DEEP Stormwater Permit (dated May 23, 2024) and Final DEEP NDDDB determination (dated February 22, 2024) are attached to this letter.
- Pursuant to Condition 3, FAA informed Eversource on July 18, 2024, of its determination that there was no need to mark or light conductor at the Housatonic River crossing near Stevenson Dam.
- Pursuant to Condition 8, this letter serves as Eversource's advance notice to the Siting Council to commence construction activities.

Should you have any questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in cursive script that reads "Deborah Denfeld".

Deborah Denfeld
Team Lead | CT Siting Transmission
deborah.denfeld@eversource.com

Attachments:

DEEP Stormwater Permit
DEEP NDDDB Determination



Bureau of Materials Management and Compliance Assurance

Notice of Permit Authorization

May, 23 2024

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.: 202403990

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 Christian St Jnc to Stevenson Rebuild (located at 423 Quaker Farms Rd, Oxford) 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. GSN004057 has been assigned to authorize the stormwater discharge(s) from this project.

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

February 22, 2024

2/22/2024

Robert Deptula
EVERSOURCE ENERGY SERVICE COMPANY
107 SELDEN ST
BERLIN, CT 06037
eversource.nddb@eversource.com

Subject: Christian Street Junction to Stevenson Rebuild Project
Filing #: 97425
NDDDB - New Determination Number: 202303826

Expiration Date: 2/22/2026

Location Description: Eversource Energy Company, LLC Copper Retirement Program and Vegetation Management Between Christian Street Junction and Stevenson Substation Including New Access Roads in Oxford and Monroe

Dear Bob Deptula,

Instructions for submitting your survey information or other additional reporting requirements can be found below in the “Protection for State-listed Animals” section.

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.

I have reviewed NDDDB maps and files regarding the proposed Eversource Energy Company, LLC, Copper Retirement Program and Vegetation Management Between Christian Street Junction and Stevenson Substation Including New Access Roads in Oxford and Monroe.

According to our information, the State-listed plants and animals listed below have been documented in the vicinity of this project.

State-listed Plants

***Antennaria howellii* ssp. *petaloidea* (Field pussytoes) – State Special Concern (historic)**

State-listed Animals

Bog turtle (*Glyptemys muhlenbergii*) - Federal and State Endangered
Five-lined skink (*Eumeces fasciatus*) - State Threatened
Eastern Box Turtle (*Terrapene c. carolina*) – State Special concern
Northern Leopard Frog (*Rana pipiens*) – State Special Concern

Protection for State Listed Plants

We are in receipt of the report by Stantec entitled “State-listed Plant Survey Report: Eversource Energy 1580/1808/1619 Transmission Line Rebuild Project, Christian Street Junction to Stevenson Substation, Oxford and Monroe, Connecticut”, dated Sept. 29, 2023, presenting the results of the 2023 survey of the NDDB-jurisdictional project areas for *Antennaria howellii* ssp. *petaloidea* (Field pussytoes). We accept the report and the survey’s findings that this State-listed plant does not occur in the project area, and therefore no special plant protection measures are necessary.

Protection for State-listed Animals

Bog turtle (*Glyptemys muhlenbergii*) and Five-lined skink (*Eumeces fasciatus*). We are in receipt of the letter/report from Davison Environmental to Sara Fusco dated Dec. 18, 2023, which presents the results of Davison Environmental’s and Dennis Quinn’s assessment of the suitability of the NDDB-jurisdictional project areas for Bog Turtle and Five-lined skink. We accept Davison Environmental’s and Dennis Quinn’s assessment that no suitable habitat for these species exists in the NDDB-jurisdictional project areas.

Eastern Box Turtle (*Terrapene c. carolina*): Eastern box turtles inhabit old fields and deciduous forests, which can include power lines and logged woodlands. They are often found near small streams and ponds. The adults are completely terrestrial but the young may be semiaquatic and hibernate on land by digging down in the soil from October to April. They have an extremely small home range and can usually be found in the same area year after year. Eastern box turtles 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. Reducing the frequency that motorized vehicles enter box turtle habitat is beneficial in minimizing direct mortality of adults.

Protection for Turtles during Inactive Period (October 1st through March 30th):

- Keep vehicle and heavy equipment on paved or hard surfaces.
- Overall, minimizing ground disturbance along the forest edges will minimize the potential for box turtle mortality during the winter months.
 - Avoid and limit any equipment use within 100 feet of streams and brooks.
- All workers within the turtle habitat must be apprised of the species description and the possible presence of a listed species, and instructed to notify the appropriate authorities to relocate any observed turtle.
- Any confirmed sightings of box, wood or spotted turtles should be reported and documented with the NDDB (nddbrequestdep@ct.gov) on the appropriate special animal form found at (http://www.ct.gov/deep/cwp/view.asp?a=2702&q=323460&depNav_GID=1641)

Northern Leopard Frog

The northern leopard frog is a species of special concern frog that utilize open, grassy habitats either along the floodplain of a large stream or river, in wetlands around the margins of large lakes, or in meadows adjoining tidal wetlands. Leopard frogs are active from late March to mid-October.

Recommended Protection Measures for State Special Concern Northern Leopard Frog:

- Most work should occur during the frog’s active period (between March and October).
- Additional protection strategies that protect and enhance wetland habitat should be implemented in all areas where floodplain and alluvial marsh and wet meadow habitat will be impacted.
- No gravel or hard surface should be placed in any floodplain or alluvial marsh habitat.

- Project personnel should also be notified of the presence of this species and provide information to assist in the identification of leopard frogs.
- During any disturbance, geotextile silt fence is required be installed along the perimeter of the project disturbance limits and will serve as a barrier for the northern leopard frog to access the work area.
- Any sightings of these frogs should be reported to the Natural Diversity Data Base (deep.nddbrequest@ct.gov) using a special animal form along with photographs to ensure proper identification of this species. The link to this form can be found here: https://www.ct.gov/deep/lib/deep/angered_species/general_information/Vertebrateform.pdf
- If work must be conducted during the dormant season (November through February), then the use of temporary matting will help avoid negative impacts to this species. Matting should be removed promptly, once the project is complete.

Bald Eagle (*Haliaeetus leucocephalus*): It is illegal pursuant to section 26-93 of the Connecticut General Statutes to disturb Bald eagles. This law prohibits disturbing the birds while they are roosting, feeding, or nesting. The wildlife division recommends a 660' setback with no public access from a bald eagle nest or critical roosting site. The critical time for nesting eagles is February 1- August 1. The critical time period for winter roosts is December 31- March 1.

Best management practices for Bald Eagle

1. Work activities and staging areas are prohibited within 330 feet (approximately 100 meters) of active nests/roosts that are out of line of sight, or within 660 feet (approximately 200 meters) from nests/roosts that are in the line of sight during periods of eagle use, unless surveys demonstrate that the nest or roost is not being used. Critical nesting time is between February 1st - August 1st.
2. Minimize cutting of large trees. No known bald eagle nest trees, perch trees, or roost trees will be felled or modified.
3. No blasting, pile driving and other intermittent activities that produce loud noises within 1/2 mile of active nests. This recommendation applies to the use of fireworks classified by the Federal Department of Transportation as Class B explosives, which includes the larger fireworks that are intended for licensed public display.
4. Eagles scavenge. Do not leave exposed food, trash or hazardous materials. Promptly remove any incidental carcasses that may appear on work site (roadkill, euthanized or poisoned pest animals)
5. Do not use helicopters for support. Our mapped records indicate your project boundary is within ½ mile, but farther than 660ft of this sensitive resource.

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 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. Any additional review may result in specific restrictions or conditions relating to listed species that may be found at or in the vicinity of the site.
- If your project involves preparing an Environmental Impact Assessment, this NDDB consultation and determination should not be substituted for biological field surveys assessing on-site habitat and species presence.

The NDDB - New determination for the Eversource Energy Company, LLC Copper Retirement Program and Vegetation Management Between Christian Street Junction and Stevenson Substation Including New Access Roads as described in the submitted information and summarized at the end of this document is valid until 2/22/2026. 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 2/22/2026.

Additional reporting requirements indicated above have been requested if State-listed animals are observed. Include the Project Name and Filing # 97245 and Determination Number 202303826 on all correspondence. Please note that, as stated above, survey data indicating the presence of listed species not described in this letter may necessitate additional review and restrictions or conditions.

Forward additional reporting requirements to each of the following two addresses:

1. William.Moorhead@ct.gov
2. deep.nddbrequest@ct.gov

If you have further questions, please contact me at the following:

William Moorhead
CT DEEP Bureau of Natural Resources
Wildlife Division
Natural Diversity Database
79 Elm Street
Hartford, CT 06106-5127
William.Moorhead@ct.gov
ccing deep.nddbrequest@ct.gov

Please reference the Filing # 97425 and Determination Number 202303826 on all correspondence regarding this determination. Thank you for consulting the Natural Diversity Data Base.

Thank you for consulting the Natural Diversity Data Base.

Sincerely,

A handwritten signature in blue ink that reads "William A. Moorhead". The signature is written in a cursive style with a horizontal line underlining the name.

Bill Moorhead
Botanist/Plant Community Ecologist

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:	
Project Sub-type:	Facility Modifications
Project Name:	Christian Street Junction to Stevenson Rebuild Project
Project Description:	Work will occur within an existing ~ 5.3 mile transmission corridor.