

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

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

March 28, 2024

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

Re: Sandy Hook Substation Expansion

Dear Attorney Bachman:

The Connecticut Light and Power Company doing business as Eversource Energy ("Eversource") is requesting a Declaratory Ruling from the Connecticut Siting Council ("Council") that no Certificate of Environmental Compatibility and Public Need is required for the proposed modifications to the Sandy Hook Substation in the Town of Newtown, Connecticut ("Petition").

Prior to submitting this Petition, Eversource representatives briefed Newtown officials about the Project and provided written notice to all abutting property owners of the proposed work and of the filing of this Petition with the Council. A list identifying the notified property owners is provided in the Petition on Attachment A –Sandy Hook Substation Expansion Petition Map Set.

Eversource is submitting this file electronically and will deliver an original and 15 copies of the Petition, along with a check in amount of \$625 for the required filing fee.

Sincerely,

Deborah Nexfeld

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

Enclosure

cc: Honorable Jeff Capeci, First Selectman, Town of Newtown Robert Sibley, Director of Planning and Land Use, Town of Newtown

THE CONNECTICUT LIGHT AND POWER COMPANY

doing business as

EVERSOURCE ENERGY

PETITION TO THE CONNECTICUT SITING COUNCIL FOR A DECLARATORY RULING OF NO SUBSTANTIAL ADVERSE ENVIRONMENTAL EFFECT FOR THE PROPOSED MODIFICATIONS TO THE SANDY HOOK SUBSTATION IN THE TOWN OF NEWTOWN, CONNECTICUT

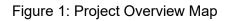
1. Introduction

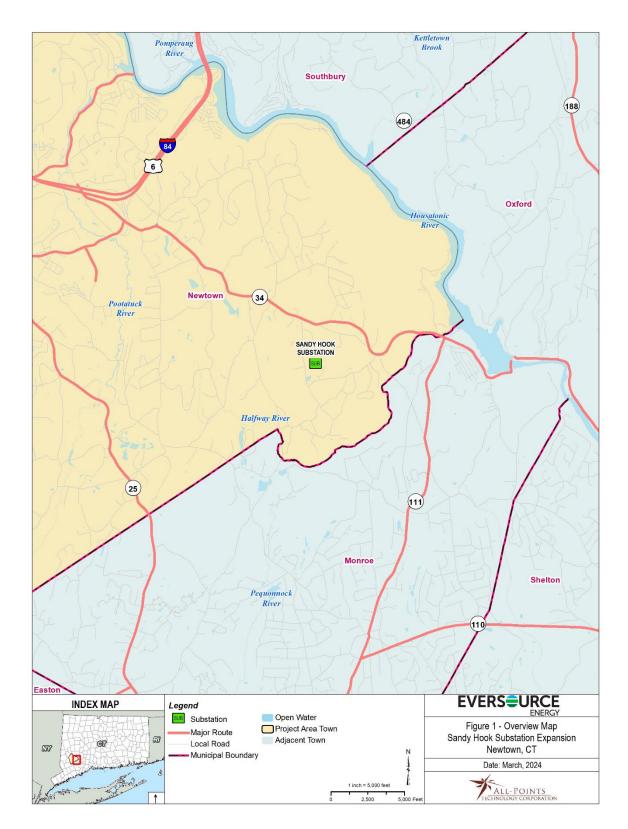
The Connecticut Light and Power Company doing business as Eversource Energy ("Eversource") hereby petitions the Connecticut Siting Council ("Council") for a Declaratory Ruling that no Certificate of Environmental Compatibility and Public Need ("Certificate") is required pursuant to Section 16-50g et seq. of the Connecticut General Statutes for the proposed modifications to the Sandy Hook Substation ("Substation"), located at 13 Farmery Lane, Newtown, Connecticut ("Project") that are described herein. Eversource submits that a Certificate is not required because the proposed modifications would not have a substantial adverse environmental effect.

2. Purpose of the Project

The purpose of the proposed Project is to provide a parking area and a safe working environment for Eversource's maintenance and inspection crews and improve vehicular access to Substation equipment. The proposed Project is to permanently expand the Sandy Hook Substation by shifting out the northern side of the Substation perimeter fence. Figure 1 illustrates the general location of the proposed Project.

2





3. Project Description

The proposed Project consists of permanently expanding the Sandy Hook Substation located on Eversource's approximate 6.1-acre property at 13 Farmery Lane in Newtown. The Substation is a bulk substation with one 115- to 23-kilovolt ("kV") 25 megavolt ampere ("MVA") transformer, two 115-kV transmission lines and three 23-kV distribution circuits¹. Eversource is currently installing additional equipment at the Substation, adding one 115- to 23-kV 62.5 MVA transformer, one 23kV station service transformer, additional circuit switchers and circuit breakers and other associated equipment². These installations are all taking place within the Substation's fenced area. On October 7, 2022, Eversource notified the Council that the Substation needed to be temporarily expanded to locate CONNEX boxes to store construction materials. However, upon further review, Eversource has determined that this temporary expansion needs to be made permanent. The proposed permanent northern expansion of the fenced area would also encompass the existing driveway area to the west by extending the northern fence line to meet the extended western fence line. The expanded fenced area is 125 feet by 40 feet and the surface will be covered in crushed stone. The proposed fence will match the existing fence in material type and heights and include the substation entrance gate as shown on Attachment A: "Sandy Hook Substation Expansion – Petition Map Set."

¹ Sandy Hook Substation was originally approved on September 15, 1993, by the Connecticut Siting Council in Docket No. 153.

² The Substation equipment additions were submitted by Eversource in a June 13, 2022, Notice of Exempt Modification, which was acknowledged by the Council on July 25, 2022 under the Exempt Modification EM-EVER-097-220613e, and are still under construction.

4. Construction Methods

The expanded fence would be constructed and maintained in accordance with established industry practices and in accordance with Eversource's Construction & Maintenance Best Management Practices Manual for Massachusetts and Connecticut, April 2022 ("BMPs"). Construction-related vehicular traffic would utilize the existing Substation access road from Farmery Lane. Project-related traffic is not expected to increase beyond that which is occurring for the current work. Construction activities would include the following:

Access Road

Access to the Substation will utilize the existing access road/driveway from Farmery Lane.

Soil Erosion and Sedimentation ("E&S") Controls

Current E&S controls necessary for the current construction work at the Substation would remain in place and continue to be maintained. Additional E&S controls would be installed if necessary.

Clearing and Grading

No additional clearing and grading will be required for the permanent expansion of the Substation.

Fencing Installation and Surface Preparation

The proposed additional fencing material would be delivered to the Substation using flat-bed trucks, either pre-assembled or to be assembled on-site and installed. After the new fencing is installed and previous fencing is removed, the permanent expansion area of the Substation will be covered with crushed stone.

5. Environmental Effects and Mitigation

The Project would not have a substantial adverse environmental effect or cause a significant adverse change or alteration in the physical or environmental characteristics of the Substation for the reasons stated below:

a) Radio and Television Interference

There would be no change to the existing television or radio interference at the Substation.

b) <u>Noise</u>

Noise levels at all points along property lines would not be impacted by the proposed modifications and would continue to meet state regulations set out in Regulations of Connecticut State Agencies §§ 22a-69-1 <u>et seq</u>.

c) Visual Effects

Eversource does not believe that the Project changes would result in a substantial change to the visual character of the Substation. The Project is surrounded by forest land and is only directly visible from certain locations along Farmery Lane. Eversource proposes to install juniper trees along the sides of the expanded Substation fence line facing Farmery Lane³. The proposed landscaping plan is shown in <u>Attachment B</u>: "Sandy Hook Substation - Planting Plan." Accordingly, the Project would not result in a detrimental change in the Substation's appearance as viewed from nearby residences.

³ The proposed tree plantings are a modification to the landscaping plan approved by the Connecticut Siting Council in Docket No. 153 but are consistent with the original approved plan.

d) Substation Security Measures and Lighting

The Substation will use the existing security measures including security cameras, and security alarm system along with additional manual-operated lights on the switchgear enclosure as described in Eversource's Notice of Exempt Modification in 2022.

e) Environmental Effects and Mitigation

The project would not have a substantial adverse environmental effect for the reasons explained below:

- Eversource's review of the Connecticut Department of Energy and Environmental Protection's ("CT DEEP") Natural Diversity Data Base did not identify any state-listed endangered, threatened, or special concern species in the vicinity of the Substation.
- Due to the need to make the temporary expansion area permanent, a Wetlands and Watercourses Delineation Report and a Potential Vernal Pool Assessment were completed and are included in <u>Attachment C</u>. There are wetlands, a potential vernal pool within the wetlands and two (2) intermittent watercourses located in the northeastern portion of the Substation property; however, they are not within or adjacent to the permanent Substation expansion area.
- The proposed modifications are not located within a 500- or 100-year flood zone.
- A Phase 1A Cultural (archaeological and historical) Resources Assessment completed by Heritage Consultants, LLC determined that there are no previously identified archeological sites or individually listed National or State Register of Historic Places properties within one mile of the proposed Substation expansion.
- No publicly accessible scenic or recreational resources were identified within the Project area.

• Electric and magnetic field levels at the boundary of the Substation property would not change because of the proposed modifications.

6. Construction Activities and Sequence

Eversource would require its contractors to continue to employ best practices for the proper storage, secondary containment, and handling of diesel fuel, motor oil, grease, and other lubricants, to protect water quality within the Project area. Construction would conform to Eversource's BMPs and the requirements of Project-specific plans.

- Project construction would maintain best management practices for erosion and sedimentation ("E&S") control, including those provided in the 2023 Connecticut Guidelines for Soil Erosion and Sediment Control ("Connecticut Guidelines") and Eversource's BMPs.
- This Project does not require a Stormwater Pollution Control Plan because the additional soil disturbances would be less than 1 acre.

7. Construction Schedule and Work Hours

Eversource proposes to install the new fence in Summer 2024 consistent with the regularly scheduled work hours, which occur Monday through Saturday from 7:00 AM to 7:00 PM. The installation of the fence and additional landscaping will take approximately 5 to 7 days.

8. Municipal and Property Owner Outreach

In May 2023, Eversource consulted with the municipal officials in the Town of Newtown to brief them on the proposed Project. Eversource also met with The Town of Newtown's Director of Planning & Land Use/Deputy Director of Emergency Management in January 2024 to review the proposed landscaping along the Substation expanded fence line. Additionally, Eversource has provided representatives of the Town with written notice of the Petition filing.

In 2023, Eversource conducted outreach to property owners abutting the Sandy Hook Substation property. In conjunction with the submission of this Petition, all abutting property owners were notified of the filing and provided information on how to obtain additional information regarding the Project, as well as how to submit comments to the Council. <u>Attachment D</u> includes the Letter to Abutters and the Affidavit of Service of Notice. Eversource representatives will provide advance notification of the start of Substation expansion activities to property owners and will continue to update them throughout construction and restoration.

8. Conclusion

Based on the foregoing, Eversource respectfully submits that the proposed modifications would not result in a substantial adverse effect on the environment or ecology, nor would they damage existing scenic, historical, or recreational values. Accordingly, Eversource requests that the Council issue a declaratory ruling that the proposed modifications would have no substantial adverse environmental effect and, therefore, no Certificate is required.

Communications regarding this Petition for a Declaratory Ruling should be directed to:

Deborah Denfeld Team Lead – Transmission Siting Eversource Energy P.O. Box 270 Hartford, Connecticut 06141 Telephone: (860) 728-4654

Deborah Deefeld

Deborah Denfeld Team Lead – Transmission Siting Deborah.Denfeld@eversource.com

List of Attachments

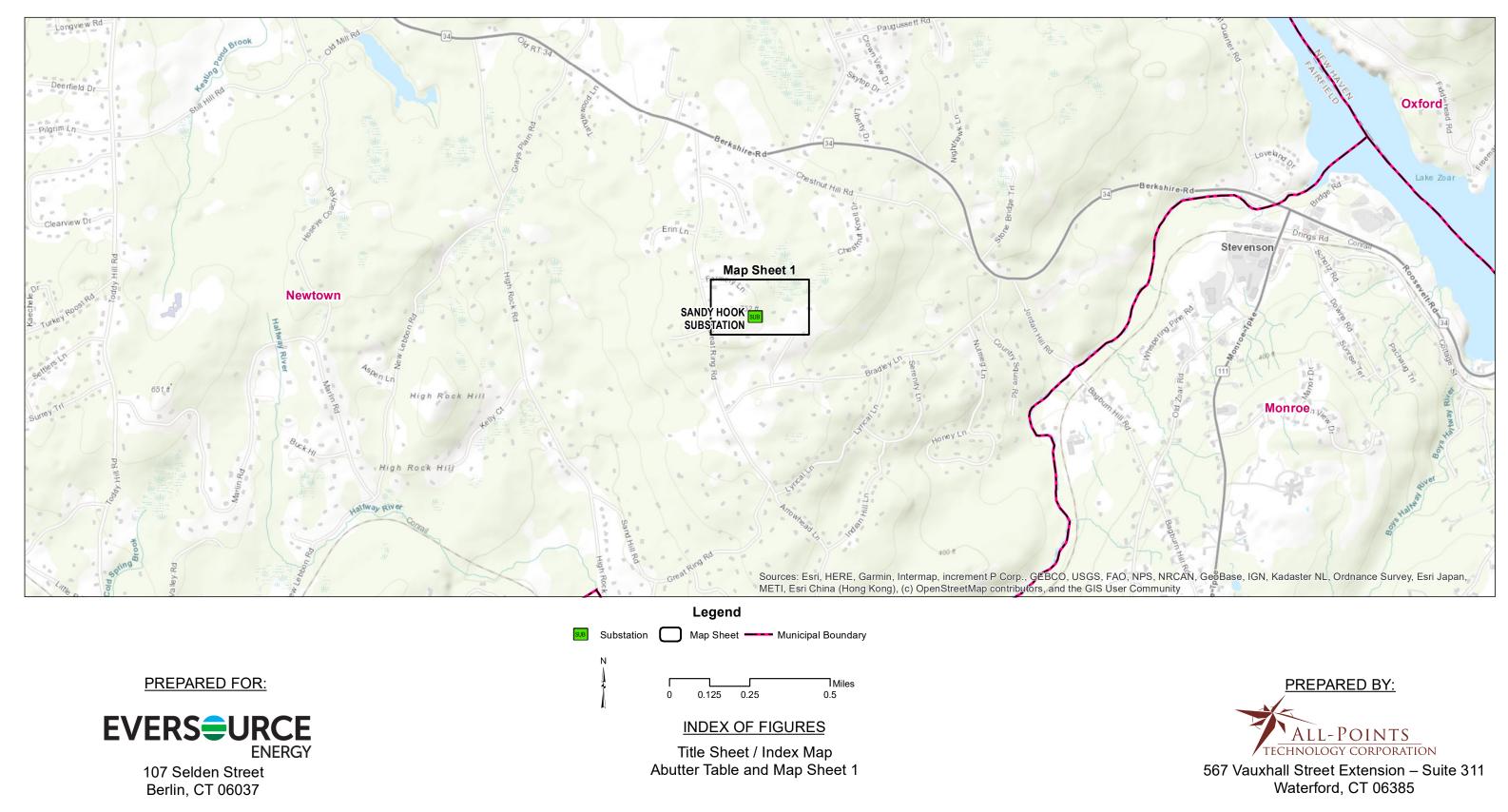
Attachment A: Sandy Hook Substation Expansion – Petition Map Set Attachment B: Sandy Hook Substation Expansion – Planting Plan Attachment C: Wetlands and Watercourses Delineation Report and Potential Vernal Pool Assessment

Attachment D: Letter to the Abutters and Affidavit of Notice of Service

Attachment A: Sandy Hook Substation Expansion – Petition Map Set

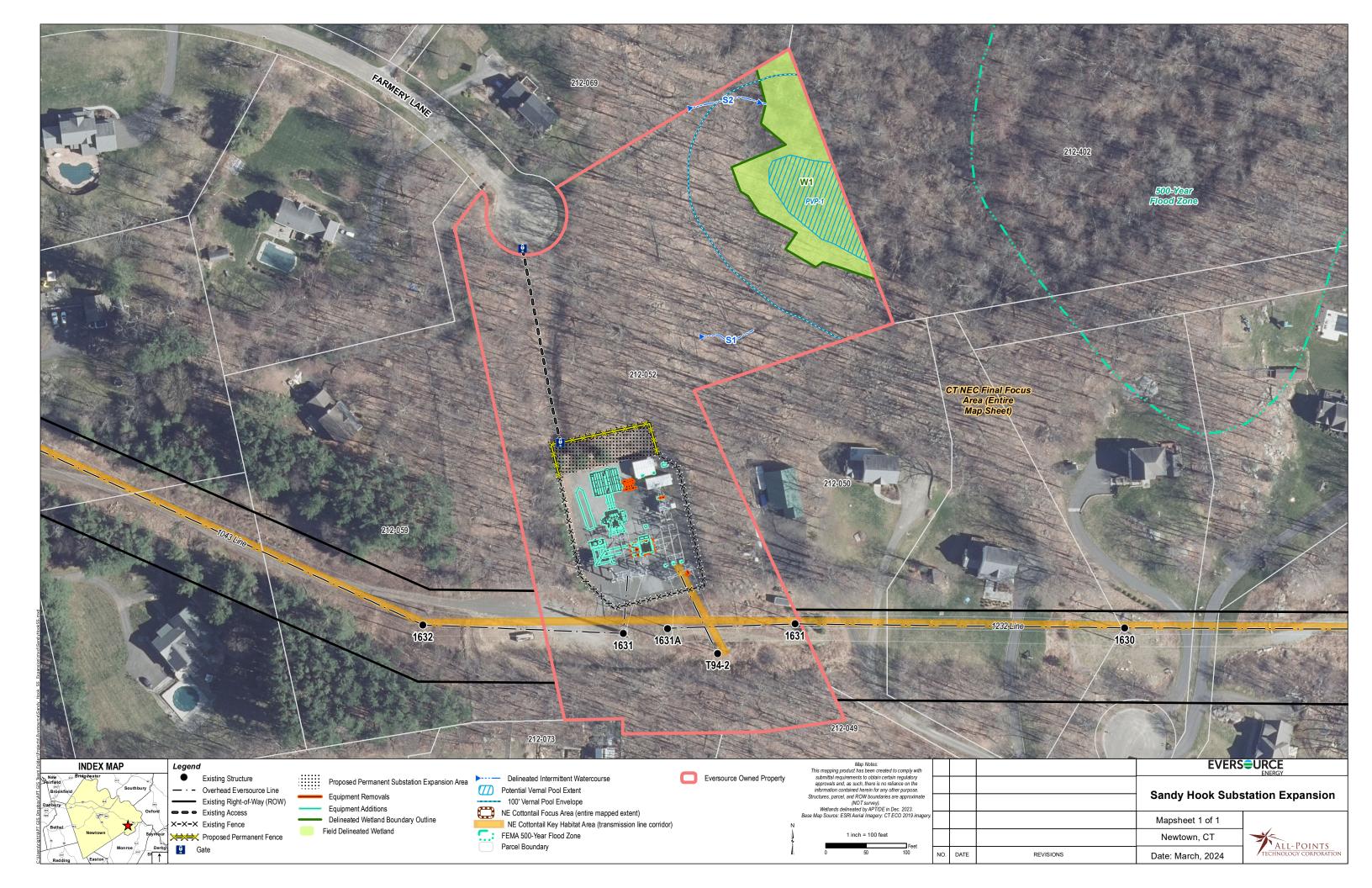
Sandy Hook Substation Expansion

Newtown, CT Petition Map Set Date: March, 25, 2024

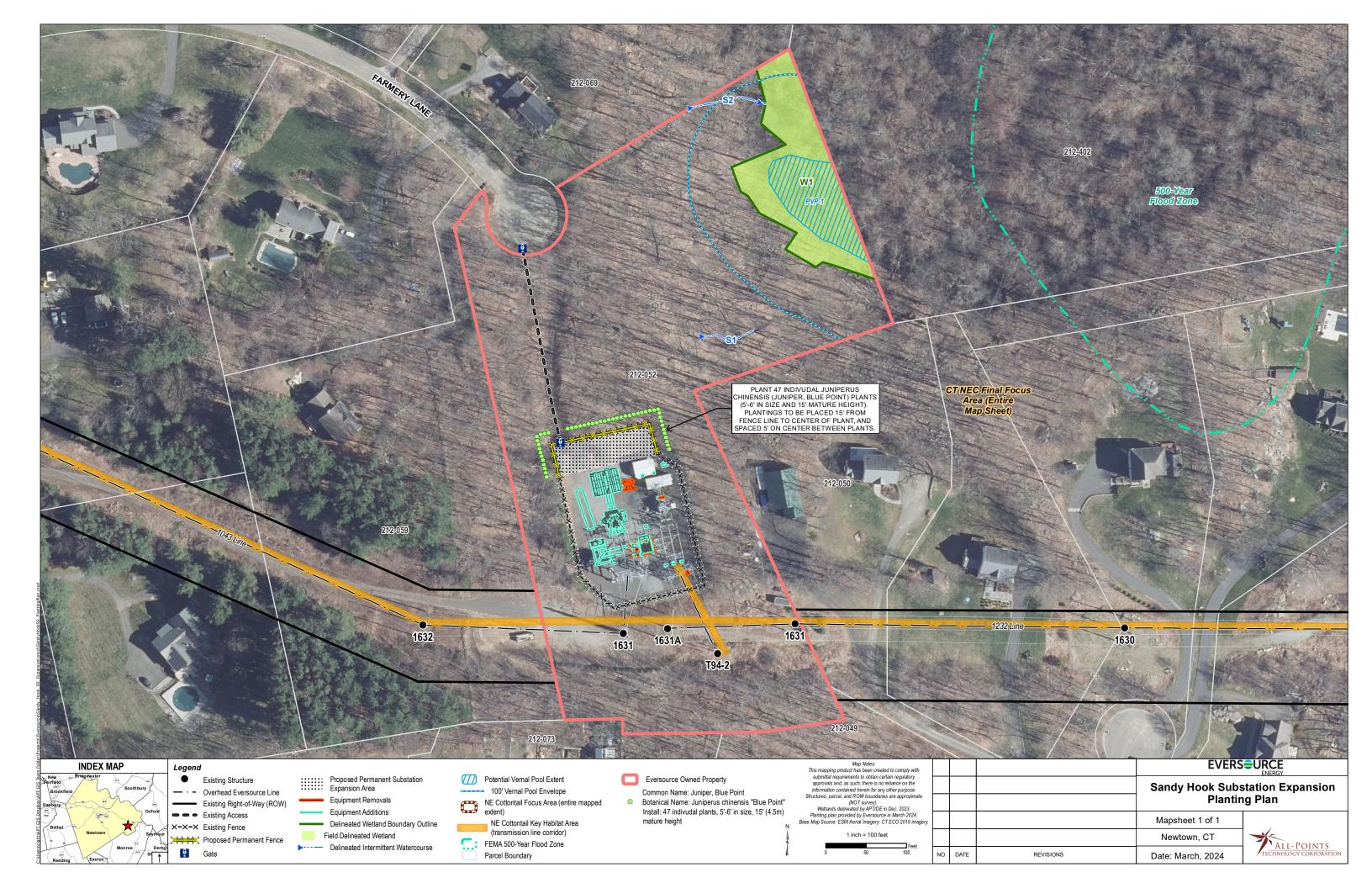


Map Sheet 1 of 1 Sandy Hook Substation Expansion Abutter Table

Line List Number	Parcel Address	<u>City</u>	<u>State</u>	Owner Name
212-049	7 GRACE MOORE ROAD	NEWTOWN	СТ	EVERALD DIXON & ALIZA STYLE
212-050	9 GRACE MOORE ROAD	NEWTOWN	СТ	PERRY & LAURA KOHLEY
212-052	13 FARMERY LANE	NEWTOWN	СТ	THE CONNECTICUT LIGHT & POWER COMPANY
212-059	10 FARMERY LANE	NEWTOWN	СТ	LINDA A OSULLIVAN
212-069	11 FARMERY LANE	NEWTOWN	СТ	DANIEL R & MICHELLE A MCALOON
212-073	39 GREAT RING ROAD	NEWTOWN	СТ	ROBERT D & BARBARA S SIBLEY
212-402	GREAT RING ROAD	NEWTOWN	СТ	TOWN OF NEWTOWN



Attachment B: Sandy Hook Substation Expansion – Planting Plan



Attachment C: Wetlands and Watercourses Delineation Report and Potential Vernal Pool Assessment



Biodiversity Studies • Wetland Delineation & Assessment • Habitat Management • GIS Mapping • Permitting • Forestry

Potential Vernal Pool Assessment and Recommended Protection Measures Sandy Hook Substation Expansion Project

Prepared For: Eversource Energy 56 Prospect Street Hartford, CT 06103 Attn: Jeff Bolton

Project Location: Newtown, Connecticut

Date of Investigation(s): December 4, 2023

The potential vernal pool survey was performed by:

Davison Environmental, LLC

Matthew Davison Professional Soil Scientist Professional Wetland Scientist

Attachments: Potential Vernal Pool Photographs

Introduction

Davison Environmental Certified Professional Wetland and Soil Scientist Matthew Davison conducted an evaluation of potential vernal pool habitat on December 4, 2023, within the Eversource-owned property associated with the Sandy Hook Substation (referred to hereafter as the "Project area"). The Project area is located in the Town of Newtown.

Vernal Pool Definition

Vernal pools are ephemeral waterbodies that provide critical breeding habitat for forest-dwelling amphibians, particularly mole salamanders (*Ambystoma spp.*) and wood frog (*Lithobates sylvaticus*) as well as a variety of aquatic insects.

Many vernal pool definitions have been developed by both regulatory agencies as well as conservation organizations. While these definitions vary slightly, they all include the same common critical characteristics.

In Northeastern U.S., a recognized source utilized by both the Connecticut Department of Energy and Environmental Protection, as well as the U.S. Army Corp of Engineers New England District (ACOE) regarding the classification and protection of vernal pools is a document developed by Calhoun and Klemens (2002), entitled: *Best development practices*: *Conserving pool-breeding amphibians in residential and commercial developments in the northeastern United States* (the "BDP Manual", hereinafter). The BDP Manual provides the following operational definition of vernal pools:

"Vernal pools are seasonal bodies of water that attain maximum depths in the spring or fall, and lack permanent surface water connections with other wetlands or water bodies. Pools fill with snowmelt or runoff in the spring, although some may be fed primarily by groundwater sources. The duration of surface flooding, known as hydroperiod, caries depending upon the pool and the year; vernal pool hydroperiods range along a continuum from less than 30 days to more than one year. Pools are generally small in size (<2 acres), with the extent of vegetation varying widely. They lack established fish populations, usually as a result of periodic drying, and support communities dominated by animals adapted to living in temporary, fishless pools. In the region, they provide essential breeding habitat for one or more wildlife species including Ambystomid salamanders (Ambystoma spp.), called "mole salamanders" because they live in burrows), wood frogs (Rana sylvatica), and fairy shrimp (Eubranchipus spp.)."

The ACOE Connecticut General Permit (effective December 15, 2021) defines vernal pools as follows: Vernal pools are depressional wetland basins that typically go dry in most years and may contain inlets or outlets, typically of intermittent flow. Vernal pools range in both size and depth depending upon landscape position and parent material(s). In most years, Vernal pools support one or more of the following obligate indicator species: wood frog, spotted salamander, blue-spotted salamander, marbled salamander, Jefferson's salamander and fairy shrimp. However, they should preclude sustainable populations of predatory fish.

The physical characteristics of a vernal pool (e.g., landform, hydrology, vegetation) can vary widely, but can generally be classified into two types - "classic" or "cryptic". Classic vernal pools are natural isolated depressions in forested uplands with no hydrologic connection to other wetland systems. They are generally well-defined (i.e., have an abrupt wetland-upland boundary) and are typically concentric or oblong in shape.

Several species of amphibians depend on vernal pools for reproduction and development. These species are referred to as "indicator species" (Calhoun and Klemens, 2002). In Connecticut, indicator species include:

Mole Salamanders

- Blue-spotted salamander (*Ambystoma laterale*)
- Spotted salamander (*Ambystoma maculatum*)
- Jefferson salamander (*Ambystoma jeffersonianum*)
- Marbled salamander (*Ambystoma opacum*)

<u>Frogs</u>

• Wood frog (*Lithobates sylvaticus*)

Invertebrates

• Fairy shrimp (*Branchiopoda anostraca*)

The wood frog and the spotted salamander are the two most common indicator species in Connecticut, occurring statewide. Fairy shrimp also occur statewide but are relatively uncommon.

The marbled salamander is relatively common statewide but is rare or absent from higher elevation areas of the state found within the northwest uplands and highlands as well as the northeast hills ecoregions. Marbled salamander are known to occur in the vicinity of the Project area (Klemens, et. al. 2021).

Less common indicator species include three State-listed species: the blue-spotted salamander (complex and pure diploid) and Jefferson salamander. These species are habitat specialists that have a more limited distribution in the State than other mole salamanders as described in Klemens et. al. 2021. These species do not occur in the vicinity Project area.

In addition to indicator species, vernal pools also support what are referred to as "facultative vernal pool species". These are species that utilize but do not necessarily require vernal pools for reproductive success. Examples of facultative species include spotted turtle (*Clemmys guttata*) and four-toed salamander (*Hemidactylium scutatum*). These species may breed or feed in vernal pools but are also capable of carrying out all phases of their life cycle in other types of wetlands or waterbodies. Evidence of breeding by facultative species alone is not considered indicative of a vernal pool.

Potential Vernal Pool Assessment

Potential vernal pool habitat was identified based primarily on the presence of suitable hydrology consisting of: (1) observed ponded water with a depth and size capable of supporting amphibian breeding; (2) areas not currently flooded but with physical indicators of suitable hydrology including topographic concavity and depressions with water staining on woody vegetation and/or hummocky microtopography interspersed with depressional topography.

Wetland 1 is predominantly characterized by *"seasonally saturated"* hydrology; however, *"seasonally flooded"* hydrology was observed within portions of the wetland interior. Seasonally flooded hydrology is often characterized by shallow surface water from approximately March through June which provides optimal breeding habitat for most indicator species¹.

Therefore, Wetland 1 was determined to provide potential vernal pool habitat. The Project mapping depicts the approximate extent of potential vernal pool habitat that was identified.

¹ The indicator species marbled salamander (*Ambystoma opacum*) breeds in late-summer and fall, with larval development throughout the winter and spring.

Project Impacts to Potential Vernal Pools and Recommended Protection Measures

No work is proposed within the vernal pool depression or the vernal pool envelope (area within 100 ft of a vernal pool). Further, minimal loss of forest habitat is proposed within Critical Terrestrial Habitat (or undeveloped uplands within 750 ft of a vernal pool). Therefore, adverse impacts to this potential resource area are not anticipated. To further minimize the potential for impacts during construction, the Project should install silt fencing around the proposed expansion area prior to the start of construction. This will minimize both the potential for wildlife intrusions during construction and erosion and sedimentation of downgradient resource areas.



Photo 1: Potential vernal pool within Wetland 1



Photo 2: Potential vernal pool within Wetland 1 where it extends easterly off-site



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Photo 1: Potential vernal pool within Wetland 1



Photo 2: Potential vernal pool within Wetland 1 where it extends easterly off-site

Attachment D: Letter to the Abutters and Affidavit of Notice of Service



March 28, 2024

Dear Neighbor,

As you know, we've been working in Newtown, CT to upgrade the Sandy Hook Substation located on Eversource property on Farmery Lane. The work is part of our everyday effort to deliver reliable energy to our customers and communities. We want to be sure to keep you informed of the construction activities taking place in your neighborhood, which has recently included a slight modification.

What You Can Expect

First, we want you to know that this work will not interrupt electric service to your property, and that people working on this project always carry proper identification.

We wanted to share with you that in the coming days we will be submitting a Petition to the Connecticut Siting Council for the Sandy Hook Substation Expansion ("Project"). This petition will include a change of scope to our current project. We are proposing that our recent temporary Substation expansion on the northern entrance (facing Farmery Lane) of our Substation will remain permanent once the project is complete. This permanent expansion will help provide a safe working environment for our maintenance and inspection crews. As part of the expansion, we will be planting additional vegetation along the sides of the expanded Substation fence line facing Farmery Lane. A substantial forested visual barrier will still exist between the expanded substation and the Farmery Lane cul-de-sac, and this change of scope is happening exclusively on Eversource-owned land.

Contact Information

Eversource is committed to being a good neighbor and doing our work with respect for you and your property. For more information, please call our Projects Hotline at 1-800-793-2202 or send an email to <u>ProjectInfo@eversource.com</u> and refer to the above-named Project.

If you would like to send comments regarding Eversource's Petition to the CSC, please send them via email to <u>siting.council@ct.gov</u> or send a letter to the following address: Melanie Bachman, Executive Director, Connecticut Siting Council, Ten Franklin Square, New Britain, CT 06051.

Sincerely,

Wayne Vargas

Wayne Vargas Project Manager for Eversource Energy

AFFIDAVIT OF SERVICE OF NOTICE

STATE OF CONNECTICUT

COUNTY OF HARTFORD

) ss. Hartford

Sec. 16-SOj-40 of the Regulations of Connecticut State Agencies ("RCSA") provides that proof of notice to the affected municipalities, property owners and abutters shall be submitted with a petition for declaratory ruling to the Connecticut Siting Council ("Council"). In accordance with that RCSA section, I hereby certify that I caused notice of proposed construction of The Connecticut Light and Power Company doing business as Eversource Energy to be served by mail or courier upon the following municipal official:

Honorable Jeff Capeci, First Selectman Town of Newtown Newtown Municipal Center 3 Primrose Street Newtown, CT 0647-

I also certify that I caused notice of the proposed modifications to be served by mail or courier upon 5 owners of abutting properties shown on the maps in Attachment A in the Petition.

Susan J. Bellion Project Siting Specialist

On this the 28th day of March 2024, before me, the undersigned representative, personally appeared, Susan J. Bellion, known to me (or satisfactorily proven) to be the person whose name is subscribed to the foregoing instrument and acknowledged that he executed the same for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seal.

Notary Public My Commission expires:

JAMES O. WHITMORE NOTARY PUBLIC - CONNECTICUT MY COMM. EXTRES 35/31/2025 169212