



**STATE OF CONNECTICUT
DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION
OFFICE OF ADJUDICATIONS**

IN THE MATTER OF : **PERMIT NO. 202304621 - SDFTW**
CONNECTICUT LIGHT
AND POWER, d/b/a
EVERSOURCE ENERGY, NORWALK : **JULY 24, 2024**

PROPOSED FINAL DECISION

I. INTRODUCTION

The Connecticut Light and Power Company, d/b/a Eversource Energy (“Applicant”), has filed an application with the Department of Energy and Environmental Protection (“DEEP” or “Department”) seeking a permit to conduct regulated activities in tidal, coastal, or navigable waters and tidal wetlands, associated with the relocation of critical infrastructure. This application was reviewed under the governing statutes and regulations, namely the Structures, Dredging, and Fill Act, Connecticut General Statutes (CGS) §§ 22a-359 through 22a-363, the Tidal Wetlands Act, CGS §§ 22a-28 through 22a-35a, and the applicable policies of the Coastal Management Act, CGS §§ 22a-90 through 22a-111. The Department determined that the application was complete and, following its sufficiency and technical review, that the proposed project complied with the relevant statutes and regulations.

Following the evidentiary hearing, the Applicant and DEEP staff filed the attached Agreed Draft Decision (“ADD”, Attachment I). I have reviewed the entire administrative record in this proceeding, including the documents and testimony in the record as evidence. The ADD has been evaluated in light of the relevant statutes and regulations. I have considered public concerns, comments, and questions made throughout this hearing process, as well as the responses of the Applicant and DEEP staff to the public input.

The Applicant and DEEP met their burden to demonstrate the legal issues of this matter, which are as follows:

1. Whether the Draft Permit complies with the relevant statutory standards, namely the Structures, Dredging, and Fill Act, and relevant implementing statutes and regulations as they relate to the considerations of the subject application.
2. Whether the Draft Permit complies with the relevant statutory standards, namely the Tidal Wetlands Act and relevant implementing statutes and regulations as they relate to the considerations of the subject application.
3. Whether any potential environmental impacts from the proposed project have been sufficiently minimized such that the project is consistent with applicable policies governing the Draft License and the Applicant has satisfied its burden in this matter.



This is demonstrated through the ADD, which is comprehensive and supported by substantial evidence in the record. It demonstrates that the proposed activity, as set forth in the application and conditioned by the Draft Permit, complies with the relevant statutes and regulations. Accordingly, I have adopted the ADD, with supplemental conclusions of law, as my proposed final decision and recommend that the Commissioner finalize and issue the Draft Permit.¹

II. PROCEDURAL HISTORY

The parties in this matter are the Applicant and DEEP staff (“the parties”). In addition to the procedure outlined in the ADD, a Pre-Hearing Conference was convened on May 15, 2024, following receipt of the parties’ pre-hearing exchange. The Hearing Officer conducted a site visit with the parties on May 22, 2024. Members of the public were present during the site visit.

III. CONCLUSIONS OF LAW

This matter concerns the Department’s issuance of a permit to conduct a regulated activity. It was convened and conducted as a contested case pursuant to the parameters of the Connecticut Uniform Administrative Procedure Act, Conn. Gen. Stat. §§ 4-166(8); 4-177, et seq., and with the Department’s Rules of Practice, *see* Regs., Conn. State Agencies §§ 22a-3a-2—22a-3a-6. As this proceeding concerns an application, the burden of proof rests with the Applicant. Regs., Conn. State Agencies § 22a-3a-6(f).

Both parties offered the testimony of expert witnesses. As a general matter, the finder of fact “is not required to believe un rebutted expert testimony, but may believe all, part or none of such un rebutted expert evidence.” *Bancroft v. Commissioner of Motor Vehicles*, 48 Conn. App. 391, 405, 710 A.2d 807 (1998). The expert testimonies were credible, convincing, and uncontradicted in the evidentiary record. Accordingly, I have relied upon the testimony of these expert witnesses in arriving at my decision in this matter. *See id.*; *Bain v. Inland Wetlands Commission*, 78 Conn. App. 808, 817, 829 A.2d 18 (2003); *see also Tanner v. Conservation Commission*, 15 Conn. App. 336, 340-41, 544 A.2d 258 (1988).

The Draft Permit complies with the relevant statutory standards, namely the Structures, Dredging, and Fill Act, and relevant implementing regulations as they relate to the subject application. The draft permit further complies with the relevant statutory standards of the Tidal Wetlands Act, its implementing regulations, and the applicable policies of the Coastal Management Act. As further outlined in the ADD, the overall regulatory framework requires a balancing of interests and requires the Applicant to minimize impacts on coastal resources. The evidence, including documents and testimony, supports approving the application and issuing the proposed Draft Permit. The record supports the factual findings and conclusions that the potential environmental impacts from the proposed project have been sufficiently minimized and are consistent with the applicable policies regarding coastal resources management. No evidence was submitted demonstrating the proposed activity would violate or is reasonably likely to violate the relevant statutory and regulatory scheme.

¹ The ADD contains a typographical error on page one and the relevant clause should read, “and that it is consistent with the applicable policies of the Coastal Management Act.”

IV. PUBLIC COMMENTS

Public comments on a pending draft permit are vital aspects of the hearing process. Throughout the hearing process in this case, public comments were received, and the participation and concerns of the members of the public were thoroughly and thoughtfully considered. After reviewing the public input at the public hearing and in written comments, the parties were asked to address the public's concerns through the evidentiary hearing. Specifically, the parties were asked to address concerns about the Applicant's alternative analysis for this application, possible signage requirements, an environmental impact study, and future development and impact on Veteran's Park dock and the surrounding area. Although the public raised several areas of concern, the public comments received do not demonstrate that the subject application is inconsistent with governing Connecticut law, as addressed more thoroughly in the ADD.

When DEEP reviewed this application, it did so pursuant to its jurisdiction at the site of the area below the coastal jurisdiction line, meaning any activity conducted at or below or waterward of the coastal jurisdiction line is subject to state review and approval. This hearing can only determine whether the draft permit complies with the relevant statutes and regulations. Therefore, as further discussed below, all public comments were reviewed through this legal standard.

First, some members of the public raised the question of an environmental impact study. Ms. Beland testified that, while an environmental impact study was not required as a part of this application, environmental impacts on environmental resources within DEEP's jurisdiction were evaluated as a part of DEEP's review. (Ex. DEEP-19, Test. Beland, June 6, 2024, 43:53).² In this case, it was determined that any impacts have been minimized to the extent feasible. (Id.) Additionally, the public raised questions regarding the Applicant's alternative analysis. For this application, an alternative analysis was required only for the impact on tidal wetlands. While wetlands are on site, they are not anticipated to be impacted because the proposed work will be conducted well below the riverbed. (Ex. DEEP-19, Test. Beland, June 6, 2024, 38-40:03). Therefore, the Applicant considered more alternatives than statutorily required to for this permit (Id). The Applicant considered several options for possible routes and placement of the transmission lines. After working with the City of Norwalk, other state agencies, DEEP, and the public, the Applicant concluded that the proposed plan was the appropriate option. (Exs. DEEP-3, APP-3,8).

Next, public comments expressed concerns that the draft permit did not require signage reflecting the placement of the transmission lines. Both the Applicant and DEEP testified that signage is neither necessary nor standard for this type of project. (Test. Cole, June 6, 2024, 15:37, 21:10, Beland, June 6, 2024, 40:00). Further, DEEP would only have jurisdiction over signage if placed below the Coastal Jurisdiction Line. (Test. Beland, June 6, 2024, 40:56).

² All citations to testimony provided at the evidentiary hearing in this matter refer to the Zoom recording of the hearing, a copy of which remains on file with the Office of Adjudications.



Lastly, the Norwalk Harbor Management Commission (“NHMC”) requested a specific permit condition regarding the future development of Veteran’s Park Dock and the surrounding area.³ After DEEP reviewed the application, DEEP determined the requested condition was not necessary and that the proposed project is consistent with the Norwalk Harbor Management plan. (Ex. DEEP-24). The City of Norwalk owns the Veteran’s Park Dock and provided a public comment supporting the draft permit. NHMC’s request was evaluated in conjunction with the relevant statutory and regulatory requirements for this draft permit. Eversource and the City of Norwalk memorialized monetary and service considerations for future development at Veteran’s Park Dock in a Side Letter Agreement. (Ex. DEEP-14). This Side Letter includes a provision for an Eversource engineer to “review, support, and monitor the installation of any upgrades to the docking facilities” in the potential future enhancement and expansion of existing public boating facilities. (Exs. DEEP-14, 24, APP-9). The project is not anticipated to impact the ability of the City of Norwalk to replace or install new piles at the Norwalk Visitor's dock, given the proximity between the top of the proposed conduit pipe and the depth to which piles are typically driven. (Ex. DEEP-19). All witnesses credibly testified that this draft permit would not impact the area’s future development. (Test. Shanley, June 6, 2024, 29:42; Cole, June 6, 2024, 18:35; Beland, June 6, 2024, 41:45).

It is understood that members of the public have questions and comments regarding this project, and their dedication to the local community is appreciated. This administrative hearing can only evaluate the project through the relevant statutes and regulations and the jurisdiction DEEP holds. Therefore, based on the extensive record and evidence provided by the parties, the draft permit meets the statutory and regulatory requirements, and the parties sufficiently addressed the public concerns raised throughout the hearing process.

V. CONCLUSION AND RECOMMENDATION

If conducted as proposed and in accordance with the terms and conditions of the Draft Permit, this proposed project to be regulated will be consistent with the relevant statutes and regulations raised in this proceeding. I recommend that the Commissioner finalize and issue the requested permit so this project may proceed.

Kathleen W. Reiser, Esq.
Hearing Officer

Dated: July 24, 2024

cc: Service List

³ The NHMC supported the petition for Hearing and submitted public comments. General Statutes 22a-113n does not provide a harbor management commission with the power to make binding recommendations on an individual permit. (*Cohen v. DEEP*, No. HHDLNDCV19612076S, 2021 WL 761794 (Super. Jan 27, 2021).)

In the Matter of

Application No. 202304621-SDFTW

Connecticut Light and Power, Norwalk

July 3, 2024

AGREED DRAFT DECISION

I. Introduction

The Connecticut Light and Power Company d/b/a Eversource Energy (“Eversource” or the “Applicant”) filed an application for a Tidal Wetlands (TW) and a Structures, Dredging and Fill (SDF) permit with the Connecticut Department of Energy and Environmental Protection (“DEEP” or “Department”) on June 8, 2023 and DEEP assigned it application number 202304621-SDFTW (the “Application”). DEEP published a Notice of Tentative Determination (“NTD”) to approve the Application on March 6, 2024 and attached a Draft License to the NTD at the time of its publication (the “Draft License”). (DEEP-20, DEEP-21). A petition for a hearing was submitted to DEEP on April 1, 2024. DEEP published a Notice of Public Hearing in the Norwalk Hour on April 26, 2024. (DEEP-23). The public comment hearing was held on May 29, 2024 and an evidentiary hearing was held on June 6, 2024.

The parties to the hearing were Eversource and DEEP staff. No other person or entity petitioned for or was granted status as an intervening party or intervenor.

At the hearing, the Applicant provided testimony from two witnesses, Kathleen M. Shanley (APP-8), an expert in siting and environmental permitting of electric utility transmission facilities and Ian Cole (APP-7), an expert in the environmental licensing applicable to the proposed activity. Bianca Beland, an Environmental Analyst 2 with the Land and Water Resources Division of DEEP, provided expert testimony on behalf of DEEP staff with regard to DEEP’s application review and the Draft License. (DEEP-24). All three witnesses were stipulated to and accepted by the hearing officer as experts.

Based on a review of the record in this matter, including the documentary evidence, expert testimony, and public comment, the Applicant has met its burden by demonstrating that the proposed activity as described in the Application will be conducted in a manner that complies with the requirements of Connecticut General Statutes § 22a-359-363h concerning structures, dredging, and fill, Connecticut General Statutes § 22a-28-35, the Tidal Wetlands Act, their implementing regulations, and that is consistent with the applicable policies of the Coastal Management Act. As such, the Draft License should be issued as a final license.

II. Findings of Fact

Background

1. Eversource operates and maintains two 115-kV transmission lines, Circuits 1028 and 1146 (the “Eversource Lines”) that currently run from west to east across the Norwalk River on the existing Norwalk River Railroad Bridge (the “Bridge”) operated and maintained by the Connecticut Department of Transportation (“CTDOT”). CTDOT will demolish the Bridge and replace it with a new structure that will carry the Metro-North Railroad (the “Railroad”) across the Norwalk River. The design of the new CTDOT bridge will not accommodate the Eversource Lines. As a result, the Eversource Lines will need to

disconnect from the Railroad right of way west of the bridge and cross the Norwalk River in a different location and rejoin the Railroad right of way on the east side of the river. (DEEP-3; APP-8).

2. Eversource, in conjunction with CTDOT and the City of Norwalk (the “City”) conducted a lengthy review of alternatives for getting the Eversource Lines across the river. (APP-3, APP-8; DEEP-3). These alternatives were reviewed for feasibility, impacts on CTDOT’s bridge replacement schedule, property interests, impacts to City owned recreational space, and visual impacts. (DEEP-3; APP-8).

3. The final proposal based on the conclusions of this review, includes the installation of two, high density polyethylene (HDPE) conduits underneath the Norwalk River by a horizontal direct drill (HDD). (DEEP-3). A sending pit will be located at 90 Water Street in Norwalk on the west side of the river and a receiving pit will be located in east bound lanes of CT Route 136. Pilot holes will be drilled initially and the boring will increase in size until the boring hole can accommodate the conduit. The conduit will be fused together on land and pulled back through the boring hole from the east side back to the west side. Once the conduit is installed, the new cable can be pulled through the conduit and connected in an underground vault within CT Route 136 to the remaining underground cable needed to reconnect back to the Railroad right of way. During construction, there will be some material and equipment stored in the parking area at Veteran’s Park (collectively this makes up the “Project”). All areas used by the Project will be fully restored by Eversource and sedimentation and erosion controls will be removed. (DEEP-3, DEEP-20; APP-8).¹

Application Review and Procedure

4. On June 8, 2023, the Department received an application from Eversource to conduct the proposed activities that are regulated by the structures, dredging and fill statutes, the Tidal Wetlands Act and its implementing regulations, and the applicable policies of the Coastal Management Act. (DEEP-2, DEEP-3).

5. The Department issued a Notice of Insufficiency via email dated December 26, 2023 seeking additional information from the Applicant and the Applicant provided additional clarification to DEEP in response on January 10, 2024. (DEEP-13). The application was presented for review by the Norwalk Shellfish Commission, the Norwalk Harbor Management Commission, DEEP Fisheries, DEEP Natural Diversity Database, U.S. Army Corps of Engineers and the Department of Agriculture’s Bureau of Aquaculture. (DEEP-3, DEEP-4, DEEP-5, DEEP-6, DEEP-7, DEEP-8, DEEP-10, DEEP-12, DEEP-17).

6. As part of the Department’s review of the Application, an alternatives analysis is only required for activities impacting tidal wetlands. See Regs., Conn. State Agencies § 22a-30-10. Consistent with the regulatory requirements, the Department reviewed alternatives to the Applicant’s proposed activity that are technically feasible and would further minimize adverse impacts. (Test. B. Beland, 6/6/24). Department staff determined that there were no feasible alternatives to the proposed project that would reduce impacts to the tidal wetlands. (Id.).

¹ Project impacts in the upland portion of the area (i.e., beyond the coastal jurisdiction line) are not part of the Department’s review of the Application. While they are relevant to note for a holistic understanding of Eversource’s proposed activity, some of these activities are not subject to Department review as part of a structures, dredging and fill and tidal wetlands permit application.

7. Department staff determined there was sufficient information to review and process the Application and no further information was required by the staff to make its Tentative Determination. On March 6, 2024, DEEP issued a Notice of Tentative Determination to approve and issue the Draft License for the proposed activity. (DEEP-19, DEEP-20, DEEP-21, DEEP-24). During the 40-day public comment period, the Department received comments from the State Historic Preservation Office and the Norwalk Harbor Management Commission (DEEP-22, Testimony Bianca Beland 6/6/24). A petition for public hearing was filed during the public comment period and subsequently, DEEP published a notice of public hearing in the Norwalk Hour on April 26, 2024. (DEEP-23).

Coastal Resources

8. The coastal resources within the project footprint are: tidal wetlands, nearshore waters, benthic habitat, intertidal flats, submerged aquatic vegetation, finfish, shellfish areas, state-listed species, and coastal hazard areas. (DEEP-3, DEEP-9, DEEP-19; APP-7).

9. No surficial work will be conducted waterward of the Coastal Jurisdiction Line (“CJL”) and no permanent structure will occupy coastal waters or any coastal resource areas on the surface. The sending and receiving pits for the HDD are both above the CJL and outside of any upland coastal resource area, approximately 115 feet landward of the CJL on the west side of the river, and 200 feet landward of it on the east side. The proposed work would be located below (underneath) the riverbed and jurisdictional coastal resource areas via horizontal direct drilling. (DEEP-3; APP-7).

10. The conduit and transmission lines will be located at depths ranging from 28 to 41 feet below the riverbed. Due to the depth of the drilling route and the depth of the final placement of the underground infrastructure, the proposed activity will not impact tidal wetlands, nearshore waters, benthic habitat, intertidal flats, submerged aquatic vegetation, finfish, shellfish areas, state-listed species, coastal hazard areas, or other coastal resources in the project area. (DEEP-3; APP-4, APP-7).

11. The proposed activities were reviewed by the Connecticut Department of Agriculture, Bureau of Aquaculture, which determined that the Project would not significantly impact a shellfish area and recommended a time-of-year restriction preventing HDD activity between June 15 to August 15 to protect spawning oyster from any potential release of drilling fluid to the water column during the HDD process. (DEEP-3, DEEP-12). This time-of-year restriction is captured as a special condition in the Draft License prohibiting drilling between June 1 and August 30. (DEEP-20). During this time period shellfish metabolism is greatly reduced, which lowers their susceptibility to water turbidity. (DEEP-3, DEEP-19).

12. There are no commercial or recreational shellfish beds within the project area. The nearest commercial shellfish beds are located approximately 1.5 miles downstream from the project area, and the nearest recreational shellfish bed, Calf Pasture Beach in Norwalk, is located approximately 1.7 miles from the project area. The Norwalk Shellfish Commission made no specific finding relative to shellfish impacts and recommended permit conditions related to the visitor’s dock at Veteran’s Park. (DEEP-3, DEEP-8, DEEP-19).

13. DEEP’s Natural Diversity Database review identified endangered, threatened, or special concern species that have been documented in the project area or in close proximity. (DEEP-4). The NDDDB review

suggests implementation of best management practices in case any of those identified species are encountered. (DEEP-4). The NDDDB review placed no additional restriction on the proposed activity.

Navigation and Public Access

14. There will be no impact to navigation or water dependent uses. (Testimony Ian Cole, 6/6/24). The depth of the conduit installation will allow for future dredging to the depth of 12 feet required by the U.S. Army Corps of Engineers in this area of the Norwalk River and will also accommodate the additional 4 feet of over dredge with clearance of 21 feet from the maximum dredge depth, including the over dredge. (DEEP-3; APP-7).

15. The city owns a recreational property on the Norwalk River known as Veteran's Park. Use of a small area of Veteran's Park will be temporary and mostly for purposes of storing project equipment. To reduce any impact to public access and to avoid conflict with park uses, Project construction will occur in the late fall and early winter. (DEEP-3).

16. On the western side of Veteran's Park is a public boat ramp and set of docks that accommodate the launching of boats and that are used for visiting vessels and owned by the City of Norwalk. A portion of the visitor docks extend south to north toward CT Route 136 and are supported by single pilings. There is sufficient clearance between the proposed conduit and the existing pilings that support the visitor docks. Running from south to north, Piling A5 is embedded to a depth of 27 feet below the riverbed, Piling A6 is embedded to a depth of 26.8 feet, Piling A7 is embedded to a depth of 25.7 feet and Piling A8 is embedded to a depth of 26.3 feet. The circuit 1146 conduit will be placed between pilings A5 and A6 and will be over 13 feet from the bottom elevations of those existing pilings. The circuit 1028 conduit will be installed between pilings A7 and A8 and will be over 13 feet from the bottom elevations of those existing pilings. Eversource has designated an area around the proposed conduit as "No Future Construction" to protect the cables from any construction impacts. All four pilings can be installed to a greater depth in their current location or adjusted to the east and west of their current location without interfering with the conduits or the "No Future Construction" limit. (DEEP-3; APP-4). This "No Future Construction" area is also known as the exclusion zone. This exclusion zone exists within 5 feet of the proposed lines. (Test. I. Cole, 6/6/24).

17. No signage is proposed as part of the Application for the exclusion zone or otherwise noting the location of the underground transmission lines, nor is any required under the regulatory standards administered by DEEP LWRD. (Test. I. Cole, 6/6/24). Furthermore, the Draft License does not authorize the installation of signage and the Applicant would be required to seek authorization from the Department for the installation of signage at a later date if it is proposed to be located below the coastal jurisdiction line. (Test. B. Beland, 6/6/24).

18. Due to the proposed placement of the cable, the City of Norwalk will be required to consult with Eversource regarding any reconfiguration of the existing visitor's dock if it involves installing piles in the vicinity of the conduit. This does not prevent the City of Norwalk from reconfiguring its dock. Eversource has provided the City with \$50,000 in case this review requires any additional engineering for a reconfigured dock. In addition, Eversource has confirmed that it will provide its own engineering and survey resources to coordinate on solutions with the City. In addition, any reconfiguration of the visitor dock would require permission in some form from DEEP. DEEP would review any application from the City of Norwalk on a case by case basis. (Test. B. Beland, 6/6/24). DEEP would consider the presence of

underground public utilities as a factor to support additional piles or other structural solutions should they be required to accommodate a reconfiguration. (DEEP-14; APP-4, APP-9; Test. B. Beland, 6/6/24).

Water Quality

19. Erosion controls will be installed prior to the start of construction and will be maintained throughout construction. These include turbidity curtains, stone filter berms, compost filter socks with flocculant, catch basin (inlet) protection, and anti-tracking pads. (DEEP-3, APP-7).

20. No discharge of drilling fluid or solids to the Norwalk River is permitted, as such, the Department has included special conditions in the Draft License to prevent the release and to address a release should one be detected. (DEEP-20). HDD fluids will be recycled and continuously used for the drilling process, provided that impacted soils are not encountered. Once impacted soils are encountered, both cuttings and drill fluids will be siphoned off and treated as waste. These products will be collected in containers for solids, and tankage for the fluid portion. To address any concerns during the drilling process, Eversource will employ an environmental monitor to coordinate with the Project manager and contractor on any releases of drilling fluid. (DEEP-3, APP-7).

21. The project will be conducted in accordance with *Monitoring and Operations Plan, Horizontal Directional Drilling, Norwalk Bridge Transmission Relocation Project; Flood Contingency Plan; and an Inadvertent Release Contingency Plan for Horizontal Directional Drilling* along with the *Site- and Contractor-Specific Inadvertent Release Contingency Plan*. (DEEP-3). These plans will be provided in final form to DEEP 30-days prior to commencement of construction as Special Condition No. 3 of the Draft License. (DEEP-20).

22. In the event a release of drilling fluid is detected, the Applicant will monitor for dissolved oxygen, pH and turbidity levels in the vicinity of the release and 50-feet upstream and downstream of the release as required by Special Condition No. 4 of the Draft License. (DEEP-20). Any required remediation for such a release will be completed in coordination with DEEP Fisheries. (DEEP-20).

23. As Special Condition No. 5 of the Draft License, Eversource will post a surety bond in the amount of \$774,000 to cover any remedial costs related to a release of drilling fluid to the Norwalk River. (DEEP-13, DEEP-20; APP-7).

III. Conclusions of Law

The proposed regulated activities, as conditioned by the Draft License, are regulated by the structures, dredging and fill statutes, the Tidal Wetlands Act and its regulations, and the applicable policies of the Coastal Management Act. This statutory framework requires a balancing of interests and requires applicants to minimize impacts to coastal resources and, if appropriate, mitigate those impacts that cannot be avoided or minimized. The Application and evidence presented during the hearing supports the assertion that the proposed activity will be conducted in a manner that avoids impacts to coastal resources within the project area and addresses any potential impacts from the construction process with financial surety and proper contingency planning.

When considering technically complex issues, administrative agencies typically rely on experts. See *River Bend Associates, Inc. v. Conservation & Inland Wetlands Commission*, 269 Conn. 57, 78 (2004) (determination of impacts to an inland wetland is a technically complex matter for which inland

wetlands commissions typically rely on evidence provided by experts). “When the application of agency regulations requires a technical, case-by-case review, that is precisely the type of situation that calls for agency expertise.” *MacDermid v. Dep’t of Environmental Protection*, 257 Conn. 128, 139 (2001). The issues raised in this proceeding are also the type of issues on which the Department may rely on its own expertise. See *Connecticut Building and Wrecking Co. v. Carothers*, 218 Conn. 580, 593 (1991) (“An agency composed of [experts] is entitled . . . to rely on its own expertise within the area of its professional competence.” Each expert supported the conclusion reached in the Notice of Tentative Determination, that the proposed activity if conducted in accordance with the Draft License, will comply with the relevant statutory criteria. These expert opinions were credible and provide a substantial basis in fact upon which the Hearing Officer may base a decision to recommend issuance of the Draft License. No expert evidence was offered to refute their opinions. See *Feinson v. Conservation Comm’n*, 180 Conn. 421, 429 (lay commission must accept expert testimony). The analysis that follows is intended to amplify the general conclusions reached by these experts and provide context for the recommendation that the Draft License should be issued as a Final License.

Environmental Impact of the Proposed Activity

The proposed activity, as conditioned by the Draft License, presents a safe and reliable route for the Applicant’s 115kV lines to cross the Norwalk River and to rejoin the Railroad right of way with minimal impacts to the City of Norwalk, the public, and coastal resources. The record supports a finding that the project will have no direct environmental impacts on coastal resources, functions, and values and any potential impacts from issues that arise during the drilling process are sufficiently mitigated by project plans and the construction bond running in favor of the Commissioner. As a result, the proposed Project is consistent with the following statutory policies and requirements regarding coastal resources and coastal management:

- a. Section 22-92(a)(1) of the General Statutes which requires the development, preservation, or use of the land and water resources of coastal areas proceeds in a manner consistent with the rights of private property owners and the capability of the land and water resources to support development, preservation, or use without significantly disrupting either the natural environmental or sound economic growth;
- b. Section 22-a92(a)(2) of the General Statutes which requires the preservation and enhancement of coastal resources;
- c. Section 22a-92(b) of the General Statutes which requires that structures in tidal wetlands and coastal waters be designed constructed and maintained to minimize adverse impacts to coastal resources, circulation and sedimentation patters, water quality and flooding and erosion to minimize the use of fill and reduce conflicts with the riparian rights of adjacent landowners;
- d. Section 22a-92(b)(1)(G) of the General Statutes which encourages increased boating and use of coastal waters;
- e. Section 22-92(b)(1)(H) of the General Statutes which requires that proposed activities minimize any disruption of degradation to natural coastal resources;
- f. Section 22a-92(b)(1)(I) of the General Statutes which requires that proposed activities be designed in a manner that does not interferes with the needs of the commercial fishing industry;
- g. Section 22a-92(b)(2)(A)-(I) of the General Statutes which requires that proposed activities not result in significant adverse impacts to specifically defined coastal resources, including beaches, tidal wetlands, intertidal flats, and coastal hazard areas;

- h. Section 22a-92(c)(1)(B) of the General Statutes which discourages the filling of tidal wetlands and nearshore, offshore, and intertidal waters;
- i. Section 22a-92(c)(2)(A) of the General Statutes which sets forth the policies concerning coastal land and other resources within the coastal boundary, including the maintenance of healthy marine populations and the maintenance of essential patterns of circulation, drainage and basin configuration;
- j. Section 22a-30(c) of the General Statutes which discusses criteria for issuing tidal wetlands permits requires that due regard be given to impacts on coastal and tidal resources, navigation, recreation, finfish, shellfish, wildlife, flooding, and water dependent use opportunities; and
- k. Section 22a-359 of the General Statutes which governs placement of structures and fill waterward of the coastal jurisdiction line requires within permit determinations, the consideration of aquatic life, fish and wildlife, the prevention or alleviation of shore erosion and coastal flooding, the use and development of adjoining uplands, the improvement of coastal and inland navigation for all vessels, including small craft for recreational purposes, the use and development of adjacent lands and properties and the interests of the state, including pollution control, water quality, recreational use of public water, and management of coastal resources with proper regard for the rights and interests of all persons concerned

In light of the overlapping statutory requirements, the proper analysis of the Project's compliance with the applicable statutes and regulations focuses on the major topics highlighted within the exhibits and testimony in the record. The Applicant has met its burden to demonstrate that the proposed activity is consistent with applicable standards, goals and policies of sections 22a-359, 22a-30c, and 22a-92 of the General Statutes. In general, impacts to the coastal resources in the Project area have been avoided through use of horizontal direct drilling at a depth far below where there could be impacts to resource of concern. The activity in upland areas will be sufficiently controlled to avoid impacts to the Norwalk River. The examination of alternatives was not a required element of this application under the structures, dredging and fill statutes because the construction activity is situated well below the ground surface and as discussed previously, an alternatives analysis pursuant to the Tidal Wetlands regulations concluded that there is no feasible alternative as the proposed activity will not disturb the tidal wetlands located within the project area. However, numerous alternatives were examined prior to submission of the application in light of interests expressed by the City of Norwalk as an adjacent property owner to avoid overhead infrastructure near the river and to minimize activity in and disruption of Veteran's Park and its users as part of an underground alternative. As a result, these efforts also avoided direct impact to the existing public boating infrastructure owned by the City so the public access to the water would not be disrupted.

Due to the nature of the upland area to be impacted by the Project, its distance from the river and the proposed erosion control plans, the Project is unlikely to cause or produce unreasonable erosion or sedimentation. A soil erosion control plan has been developed to minimize soil erosion and sedimentation throughout the duration of the Project, which will implement best management practices that avoid sediment deposition even if flooding of the project area were to occur. The potential impacts from this activity, namely release of drilling fluid from the drilling process have been adequately covered by affirmative project plans and conditions within the Draft License.

The Project will not adversely alter coastal flooding; will not alter the flood inundation characteristics within the Project area or beyond the Property under the 100-year coastal storm condition; and will not

result in the significant increase in the velocity or volume of flood water flow in the Norwalk River estuary and will not reduce the capacity of the Norwalk River to transmit flood waters generated by any storm event. In the event of flooding, the project's Flood Contingency Plan will ensure any work areas flooded during construction will not impact the Norwalk River.

There will be no navigational impacts. While the Project is being constructed, no equipment will be located within the Norwalk River. The integrity of the navigational channel will be preserved and future maintenance dredging will not be impacted.

IV. Public Comment

The comments received in this matter center on the potential impact of the project on Veteran's Park, namely the recently reconstructed visitor's dock. Eversource will be responsible should any of the work authorized by the Draft License cause any damage to the existing dock structure. In addition, Eversource has affirmed its commitment to work directly with the City should any changes to this infrastructure require placement of new piles in the vicinity of the new conduits. Eversource provided direct payment to the City in case there are costs to the City for additional engineering or permitting that result from the location of the new conduits. This payment is further supplemented by Eversource's commitment to provide its own engineering and survey resources to the City to support any needed changes to the visitor's dock for as long as the Eversource Lines remain active beneath the Norwalk River in this location. These additional resources will be provided at no cost to the City. In recognition of Eversource's commitments, the City has offered its support for the project and expressed its willingness to work with Eversource should there be any need for work in the vicinity of the newly installed lines. The hypothetical concerns raised as part of the public comment were dismissive of these efforts by the City and Eversource to commit to the level of coordination necessary to accommodate the coexistence of infrastructure that serves the public interest. Further permit conditions are not required to address these concerns. The City of Norwalk, as the entity responsible for the visitor docks at Veteran's Park, and Eversource have adequately addressed them through mutual cooperation and plans for future coordination, if necessary.

The depth at which the conduits will be placed give sufficient clearance from the existing pilings and allow for shifting of the pilings' location should future expansion or reconfiguration of the docks be considered. Notably, additional piles can be placed in an east to west orientation in line with the existing pilings because there is sufficient space on either side of the planned conduit. The existing pilings and additional piles can also be installed to any depth without conflicting with the proposed conduit and the No Future Construction Limit.

The Project is found to be consistent with the Norwalk Harbor Management plan and has specifically avoided conflicts with continued public use of the Veteran's Park docking facility and the access to navigable water that it provides.

V. CONCLUSION

The Department's tentative determination to approve the application to conduct the proposed activity, as conditioned by the Draft License (DEEP-20), is supported by the substantial evidence in the record. The Applicant has met its burden of proving, by a preponderance of the evidence, that the proposed activities should be permitted through the credible testimony of expert witnesses and the submission of

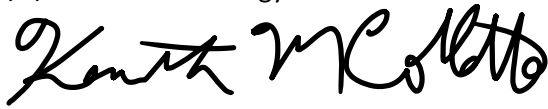
documentary evidence as described above. The substantial evidence in the record indicates that the proposed activity is consistent with the applicable statutes and regulations if the Project is constructed pursuant to the conditions in the Draft License.

VI. RECOMMENDATION

For the reasons stated above, the Draft License attached hereto as Exhibit A, should be issued as a Final License.

Jointly submitted by:

The Connecticut Light and Power Company,
d/b/a Eversource Energy



Kenneth M. Collette
Its Counsel

Land and Water Resource Division
Bureau of Water Protection and Land Reuse



Brendan Schain
Its Counsel



Connecticut Department of Energy and Environmental Protection License*

Structures, Dredging & Fill and Tidal Wetlands Permit

Licensee(s): The Connecticut Light and Power Company
d/b/a Eversource Energy

Licensee Address(s): 107 Selden Street
Berlin, CT 06037

License Number(s): 202304621-SDFTW

Municipality: Norwalk

Project Description: Relocation of twin 115kV transmission lines from monopoles and catenaries on the Norwalk Walk Bridge into two parallel conduits beneath the Norwalk River

Project Address/Location: 90 Water St. under Norwalk River to CT-136 & Goldstein Place Intersection

Waters: Norwalk River

Authorizing CT Statute(s) and/or Federal Law: CGS Section 22a-359 to 363g; CGS Section 22a-28 to 35; CGS Section 22a-90 to 112

Applicable Regulations of CT State Agencies: 22a-30-1 to 17

Agency Contact: Land & Water Resources Division,
Bureau of Water Protection & Land Reuse, 860-424-3019

License Expiration: Five (5) years from the date of issuance of this license.

Project Site Plan Set: *Line 1028 & 1146 Darien-Fitch and Sono-Sherwood 115-kV Underground Transmission Line for Eversource Energy. Sheets 1-8 prepared by Power Engineers for Eversource. Sheets 1,2,& 4-8 last revised 12/02/2021, sheet 3 last revised 03/11/2019,*

*Connecticut's Uniform Administrative Procedure Act defines License to include, "the whole or part of any agency permit, certificate, approval, registration, charter or similar form of permission required by law . . ."

License Enclosures: LWRD General Conditions, Site Plan Set, Land Record Filings, LWRD Work Commencement Form, LWRD Compliance Certification Form.

Authorized Activities:

The Licensee is hereby authorized to conduct the following work as described in application # 202304621 and as depicted on any site plan sheets / sets cited herein:

Relocate overhead utilities into underground bore holes by:

- a. installing sedimentation and erosion controls;
- b. constructing bore pits in the uplands on either side of the Norwalk River;
- c. creating two 44" bore holes approximately 20' apart;
- d. pulling HDPE conduit and transmission lines through the bore holes and reconnecting to the circuits on the upland on either side of the Norwalk River; and,
- e. restoring work areas and removing sedimentation and erosion controls.

Failure to comply with the terms and conditions of this license shall subject the Licensee and / or the Licensee's contractor(s) to enforcement actions and penalties as provided by law.

This license is subject to the following Terms and Conditions:

1. **License Enclosure(s) and Conditions.** The Licensee shall comply with all applicable terms and conditions as may be stipulated within the License Enclosure(s) listed above.
2. **Time-of-Year Restrictions.** Horizontal directional drilling authorized herein is prohibited between June 1st and August 30th, inclusive, of any year in order to protect shellfish resources from potential drilling fluids releases in the area unless otherwise authorized in writing by the Commissioner
3. **Final Plan Approvals.** The Licensee shall provide, at a minimum of 30-days prior to work commencement and for the Commissioner's review and written approval, an updated *Monitoring and Operations Plan, Horizontal Directional Drilling, Norwalk Bridge Transmission Relocation Project; Flood Contingency Plan; and an Inadvertent Release Contingency Plan for Horizontal Directional Drilling* along with the Site- and Contractor-Specific Inadvertent Release Contingency Plan. Copies of the approved plans shall be kept at the drilling entry and exit pit locations at all times to ensure compliance.
4. **Drilling Fluid Release.** In the event of a detectable release of drilling fluid into the Norwalk River, the Licensee shall conduct monitoring for dissolved oxygen, pH, and turbidity levels in the immediate vicinity of the release as well as within a 50' off-set both upriver and downriver of the release point. Such data shall be provided to DEEP Fisheries for review. Based on monitoring results, any habitat remediation shall be conducted in coordination with DEEP Fisheries biologist recommendations.

5. **Performance Bond for Drilling Activities.** Prior to the commencement of the work authorized herein, the Licensee shall post a performance bond or other financial surety in an amount of \$774,000 in favor of the Commissioner in order to secure the performance of all directional drilling work authorized herein in accordance with the terms and conditions of this license. Prior to posting such surety, the Licensee shall submit to the Commissioner for review and written approval the amount, form, and terms of surety. Such surety shall only be released upon completion of the work authorized herein and upon written approval of the Commissioner.

Issued under the authority of the Commissioner of Energy and Environmental Protection on:

Date

Emma Cimino
Deputy Commissioner
Environmental Quality Branch



LWRD General Conditions

1. **Land Record Filing (for Structures Dredging & Fill, Tidal Wetlands, Certificate of Permission, and Long Island Sound General Permit Licenses only).** The Licensee shall file the Land Record Filing on the land records of the municipality in which the subject property is located not later than thirty (30) days after license issuance pursuant to Connecticut General Statutes (CGS) Section 22a-363g. A copy of the Notice with a stamp or other such proof of filing with the municipality shall be submitted to DEEP.LWRDRegulatory@ct.gov no later than sixty (60) days after license issuance. If a Land Record Filing form is not enclosed and the work site is not associated with an upland property, no filing is required.
2. **Contractor Notification.** The Licensee shall give a copy of the license and its attachments to the contractor(s) who will be carrying out the authorized activities prior to the start of construction and shall receive a written receipt for such copy, signed and dated by such contractor(s). The Licensee's contractor(s) shall conduct all operations at the site in full compliance with the license and, to the extent provided by law, may be held liable for any violation of the terms and conditions of the license. At the work site, the contractor(s) shall, whenever work is being performed, have on site and make available for inspection a copy of the license and the authorized plans.
3. **Work Commencement¹.** Not later than two (2) weeks prior to the commencement of any work authorized herein, the Licensee shall submit to DEEP.LWRDRegulatory@ct.gov, on the Work Commencement Form attached hereto, the name(s) and address(es) of all contractor(s) employed to conduct such work and the expected date for commencement and completion of such work, if any.
 - For water diversion activities authorized pursuant to 22a-377(c)-1 of the Regulations of Connecticut State Agencies, the Licensee shall also notify the Commissioner in writing two weeks prior to initiating the authorized diversion.
 - For emergency activities authorized pursuant Connecticut General Statutes Section 22a-6k, the Licensee shall notify the Commissioner, in writing, of activity commencement at least one (1) day prior to construction and of activity completion no later than five (5) days after conclusion.
4. **For Coastal Licenses Only - License Notice.** The Licensee shall post the first page of the License in a conspicuous place at the work area while the work authorized therein is undertaken.
5. **Unauthorized Activities.** Except as specifically authorized, no equipment or material, including but not limited to, fill, construction materials, excavated material or debris, shall be

¹ The Work Commencement condition and the need for a Work Commencement Form is not applicable to Flood Management Certification approvals.

deposited, placed or stored in any wetland or watercourse on or off-site. The Licensee may not conduct work within wetlands or watercourses other than as specifically authorized, unless otherwise authorized in writing by the Commissioner. Tidal wetlands means “wetland” as defined by section 22a-29 and “freshwater wetlands and watercourses” means “wetlands” and “watercourses” as defined by section 22a-38.

6. **Management of Materials.** Any materials removed from the site shall be managed in accordance with all federal, state, and local requirements, including Chapter 446K Water Pollution Control, Chapter 445 Hazardous Waste, and Chapter 446d Solid Waste of the Connecticut General Statutes.
7. **Unconfined Instream Work.** Unless otherwise noted in a condition of the license, the following conditions apply to projects in non-coastal waters:
 - Unconfined instream work is limited to the period June 1 through September 30.
 - Confinement of a work area by cofferdam techniques using sand bag placement, sheet pile installation (vibratory method only), portadam, or similar confinement devices is allowed any time of the year. The removal of such confinement devices is allowed any time of the year.
 - Once a work area has been confined, in-water work within the confined area is allowed any time of the year.
 - The confinement technique used shall completely isolate and protect the confined area from all flowing water. The use of silt boom/curtain or similar technique as a means for confinement is prohibited.
8. **For State Actions Only - Material or Equipment Storage in the Floodplain.** Unless approved by a Flood Management Exemption, the storage of any materials at the site which are buoyant, hazardous, flammable, explosive, soluble, expansive, radioactive, or which could in the event of a flood be injurious to human, animal or plant life, below the elevation of the five-hundred (500) year flood is prohibited. Any other material or equipment stored at the site below said elevation by the Licensee or the Licensee's contractor must be firmly anchored, restrained or enclosed to prevent flotation. The quantity of fuel stored below such elevation for equipment used at the site shall not exceed the quantity of fuel that is expected to be used by such equipment in one day. In accordance with the licensee's Flood Contingency Plan, the Licensee shall remove equipment and materials from the floodplain during periods when flood warnings have been issued or are anticipated by a responsible federal, state or local agency. It shall be the Licensee's responsibility to obtain such warnings when flooding is anticipated.
9. **Temporary Hydraulic Facilities for Water Handling.** If not reviewed and approved as a part of the license application, temporary hydraulic facilities shall be designed by a qualified professional and in accordance with the *Connecticut Guidelines for Soil Erosion and Sediment Control*, the *2004 Connecticut Stormwater Quality Manual*, or the *Department of Transportation's ConnDOT Drainage Manual*, as applicable. Temporary hydraulic facilities may include channels, culverts or bridges which are required for haul roads, channel relocations, culvert installations, bridge construction, temporary roads, or detours.

- 10. Excavated Materials.** Unless otherwise authorized, all excavated material shall be staged and managed in a manner which prevents additional impacts to wetlands and watercourses.
- 11. Best Management Practices.** The Licensee shall not cause or allow pollution of any wetlands or watercourses, including pollution resulting from sedimentation and erosion. In constructing or maintaining any authorized structure or facility or conducting any authorized activity, or in removing any such structure or facility, the Licensee shall employ best management practices to control storm water discharges, to prevent erosion and sedimentation, and to otherwise prevent pollution of wetlands and other waters of the State. For purposes of the license, “pollution” means “pollution” as that term is defined by CGS section 22a-423. Best Management Practices include, but are not limited, to practices identified in the *Connecticut Guidelines for Soil Erosion and Sediment Control* as revised, *2004 Connecticut Stormwater Quality Manual*, Department of Transportation’s *ConnDOT Drainage Manual* as revised, and the Department of Transportation Standard Specifications as revised.
- 12. In-Water Work Vessel Staging and Storage. (for Structures Dredging & Fill, Tidal Wetlands, Certificate of Permission, and Long Island Sound General Permit Licenses only).** For any barge, vessel, skiff or floating work platform (“work vessels”) utilized in the execution of the work authorized herein, the Licensee shall ensure that such work vessels:
- do not rest on, or come in contact with, the substrate at any time, unless specifically authorized in the license.
 - are not stored over intertidal flats, submerged aquatic vegetation or tidal wetland vegetation or in a location that interferes with navigation. In the event any work vessel is grounded, no dragging or prop dredging shall occur to free it.
- 13. Work Site Restoration.** Upon completion of any authorized work, the Licensee shall restore all areas impacted by construction, or used as a staging area or accessway in connection with such work, to their condition prior to the commencement of such work.
- 14. Inspection.** The Licensee shall allow any representative of the Commissioner to inspect the project location at reasonable times to ensure that work is being or has been conducted in accordance with the terms and conditions of this license.
- 15. Change of Use. (Applies only if a use is specified within the License “Project Description”)**
- a. The work specified in the license is authorized solely for the purpose set forth in the license. No change in purpose or use of the authorized work or facilities as set forth in the license may occur without the prior written approval of the Commissioner. The Licensee shall, prior to undertaking or allowing any change in use or purpose from that which is authorized by this license, request permission from the Commissioner for such change. Said request shall be in writing and shall describe the proposed change and the reason for the change.
 - b. A change in the form of ownership of any structure authorized herein from a rental/lease commercial marina to a wholly-owned common interest community or dockominium may constitute a change in purpose as specified in paragraph (a) above.
- 16. De Minimis Alteration.** The Licensee shall not deviate from the authorized activity without

prior written approval from the Commissioner. The Licensee may request a de minimis change to any authorized structure, facility, or activity. A de minimis alteration means a change in the authorized design, construction or operation that individually and cumulatively has minimal additional environmental impact and does not substantively alter the project as authorized.

- For diversion activities authorized pursuant to 22a-377(c)-2 of the Regulations of Connecticut State Agencies, a de minimis alteration means an alteration which does not significantly increase the quantity of water diverted or significantly change the capacity to divert water.

17. Extension Request. The Licensee may request an extension of the license expiration date. Such request shall be in writing and shall be submitted to DEEP.LWRDRegulatory@ct.gov at least thirty (30) days prior to the license expiration. Such request shall describe the work done to date, what work still needs to be completed, and the reason for such extension. The Commissioner may extend the expiration date of this license for a period of up to one year, in order for the Licensee to complete the authorized activities. It shall be at the Commissioner's sole discretion to grant or deny such request. No more than three (3) one-year extensions will be granted under this license.

18. Compliance Certification. Not later than 90 days after completion of the authorized work, the Licensee shall prepare and submit to DEEP.LWRDRegulatory@ct.gov, the attached Compliance Certification Form. Such Compliance Certification shall be completed, signed, and sealed by the Licensee and a Connecticut Licensed Design Professional. If non-compliance is indicated on the form, or the Commissioner has reason to believe the activities and/or structures were conducted in non-compliance with the license, the Commissioner may require the Licensee to submit as-built plans as a condition of this license.

19. Maintenance. The Licensee shall maintain all authorized structures or work in optimal condition or shall remove such structures or facility and restore the affected waters to their pre-work condition. Any such maintenance or removal activity shall be conducted in accordance with applicable law and any additional approvals required by law.

20. No Work After License Expiration. Work conducted after the license expiration date is a violation of the license and may subject the licensee to enforcement action, including penalties, as provided by law.

21. License Transfer. The license is not transferable without prior written authorization of the Commissioner. A request to transfer a license shall be submitted in writing and shall describe the proposed transfer and the reason for such transfer. The Licensee's obligations under the license shall not be affected by the passage of title to the license site to any other person or municipality until such time as a transfer is approved by the Commissioner.

22. Document Submission. Any document required to be submitted to the Commissioner under the license or any contact required to be made with the Commissioner shall, unless otherwise specified in writing by the Commissioner, be directed to:

DEEP.LWRDRegulatory@ct.gov or

Regulatory Section
Land & Water Resources Division
Department of Energy and Environmental Protection
79 Elm Street
Hartford, Connecticut 06106-5127
860-424-3019

- 23. Date of Document Submission.** The date of submission to the Commissioner of any document required by the license shall be the date such document is received by the Commissioner. The date of any notice by the Commissioner under the license, including but not limited to notice of approval or disapproval of any document or other action, shall be the date such notice is personally delivered or the date three (3) days after it is mailed by the Commissioner, whichever is earlier. Except as otherwise specified in the license, the word “day” as used in the license means calendar day. Any document or action which is required by the license to be submitted or performed by a date which falls on a Saturday, Sunday or a Connecticut or federal holiday shall be submitted or performed on or before the next day which is not a Saturday, Sunday, or a Connecticut or federal holiday.
- 24. Certification of Documents.** Any document, including but not limited to any notice, which is required to be submitted to the Commissioner under the license shall be signed by the Licensee and by the individual or individuals responsible for actually preparing such document, each of whom shall certify in writing as follows: “I have personally examined and am familiar with the information submitted in this document and all attachments and certify that based on reasonable investigation, including my inquiry of those individuals responsible for obtaining the information, the submitted information is true, accurate and complete to the best of my knowledge and belief, and I understand that any false statement made in this document or its attachments may be punishable as a criminal offense.”
- 25. Accuracy of Documentation.** In evaluating the application for the license, the Commissioner has relied on information and data provided by the Licensee and on the Licensee’s representations concerning site conditions, design specifications and the proposed work, including but not limited to representations concerning the commercial, public or private nature of the work or structures, the water-dependency of said work or structures, its availability for access by the general public, and the ownership of regulated structures or filled areas. If such information proves to be false, deceptive, incomplete or inaccurate, the license may be modified, suspended or revoked, and any unauthorized activities may be subject to enforcement action.
- 26. Limits of Liability.** In granting the license, the Commissioner has relied on all representations of the Licensee, including information and data provided in support of the Licensee’s application. Neither the Licensee’s representations nor the issuance of the license shall constitute an assurance by the Commissioner as to the structural integrity, the engineering feasibility or the efficacy of such design.
- 27. Reporting of Violations.** In the event that the Licensee becomes aware that they did not or may not comply, or did not or may not comply on time, with any provision of this license or of any document incorporated into the license, the Licensee shall immediately notify the

agency contact specified within the license and shall take all reasonable steps to ensure that any noncompliance or delay is avoided or, if unavoidable, is minimized to the greatest extent possible. In so notifying the agency contact, the Licensee shall provide, for the agency's review and written approval, a report including the following information:

- a. the provision(s) of the license that has been violated;
- b. the date and time the violation(s) was first observed and by whom;
- c. the cause of the violation(s), if known;
- d. if the violation(s) has ceased, the duration of the violation(s) and the exact date(s) and times(s) it was corrected;
- e. if the violation(s) has not ceased, the anticipated date when it will be corrected;
- f. steps taken and steps planned to prevent a reoccurrence of the violation(s) and the date(s) such steps were implemented or will be implemented; and
- g. the signatures of the Licensee and of the individual(s) responsible for actually preparing such report.

If the violation occurs outside of normal business hours, the Licensee shall contact the Department of Energy and Environmental Protection Emergency Dispatch at 860-424-3333. The Licensee shall comply with any dates which may be approved in writing by the Commissioner.

- 28. Revocation/Suspension/Modification.** The license may be revoked, suspended, or modified in accordance with applicable law.
- 29. Other Required Approvals.** License issuance does not relieve the Licensee of their obligations to obtain any other approvals required by applicable federal, state and local law.
- 30. Rights.** The license is subject to and does not derogate any present or future property rights or powers of the State of Connecticut, and conveys no property rights in real estate or material nor any exclusive privileges, and is further subject to any and all public and private rights and to any federal, state or local laws or regulations pertinent to the property or activity affected hereby.
- 31. Condition Conflicts.** In the case where a project specific special condition listed on the license differs from, or conflicts with, one of the general conditions listed herein, the project specific special condition language shall prevail. It is the licensee's responsibility to contact the agency contact person listed on the license for clarification if needed prior to conducting any further regulated activities.

Land Record Filing*

To: DO NOT FILE

Signature and

NOTE: Due to the electronic delivery of this license and the legal requirement to have a live signature on this document, the “Land Record Filing” as detailed in General Condition #1 will be sent to the Licensee via U.S. Mail for the Licensee to file with the city/town clerk.

Date:

Subject: _____
License # _____

If you have any questions pertaining to this matter, please contact the Land & Water Resources Division at 860-424-3019.

~~Return to:~~

~~Land & Water Resources Division
State of Connecticut
Department of Energy & Environmental Protection
79 Elm Street
Hartford, CT 06106-5127~~

*The Licensee shall file the Land Record Filing on the land records of the municipality in which the subject property is located not later than thirty (30) days after license issuance pursuant to Connecticut General Statutes (CGS) Section 22a-363g. A copy of the Notice with a stamp or other such proof of filing with the municipality shall be submitted to the Commissioner no later than sixty (60) days after license issuance.

CONSTRUCTION SEQUENCING

THE FOLLOWING SUGGESTED SEQUENCE OF MAJOR CONSTRUCTION ACTIVITIES ARE BASED UPON ENGINEERING JUDGEMENT AND BEST MANAGEMENT PRACTICES. THE CONTRACTOR MAY ELECT TO ALTER THE SEQUENCING TO BEST MEET THE CONSTRUCTION SCHEDULE, THE EXISTING SITE ACTIVITIES, WEATHER CONDITIONS, AND UNFORESEEN CONDITIONS.

1.1 DUCT BANK AND VAULTS SUGGESTED CONSTRUCTION SEQUENCE

SOME OF THE SUGGESTED SEQUENCE OF WORK BELOW MAY TAKE PLACE MULTIPLE TIMES AT DIFFERENT LOCATIONS BASED ON A PHASED CONSTRUCTION APPROACH, MAINLY FOR THE INSTALLATION OF THE DUCT BANK AND VAULTS. ADDITIONALLY, SPECIFIC CONSTRUCTION SEQUENCING IS REQUIRED FOR THE NORWALK RIVER HDD (SEE SECTION 3.2). THE GENERAL CONSTRUCTION SEQUENCE IS SUMMARIZED BELOW.

- CONDUCT A PRE-CONSTRUCTION MEETING TO DISCUSS THE PROPOSED WORK AND EROSION AND SEDIMENTATION CONTROL MEASURES. THE MEETING SHOULD BE ATTENDED BY THE OWNER, THE OWNER REPRESENTATIVE(S), THE GENERAL CONTRACTOR, DESIGNATED SUB-CONTRACTORS AND THE PERSON, OR PERSONS, RESPONSIBLE FOR THE IMPLEMENTATION, OPERATION, MONITORING AND MAINTENANCE OF THE EROSION AND SEDIMENTATION MEASURES. THE CONSTRUCTION PROCEDURES FOR THE ENTIRE PROJECT SHALL BE REVIEWED AT THIS MEETING.
- CONSTRUCTION STAKING.
- INSTALLATION OF TEMPORARY TRAFFIC CONTROL MEASURES.
- INSTALLATION OF EROSION AND SEDIMENTATION CONTROL MEASURES. THE INSTALLATION OF EROSION AND SEDIMENTATION CONTROL MEASURES WILL INCLUDE BUT ARE NOT LIMITED TO SILT FENCE, FILTER SOCKS, INLET PROTECTION, CONSTRUCTION ENTRANCES, ETC.
- PREPARATION OF STAGING AND LAYDOWN AREAS.
- CLEARING AND GRUBBING, WHERE REQUIRED.
- SAW CUT PAVEMENT.
- MARK OUT ALL UTILITIES WITHIN THE PROJECT CORRIDOR.
- REINCHING AND EXCAVATION, INCLUDING TEMPORARY SHORING.
- SPLICE/PULL THROUGH VAULT INSTALLATION, BACK FILL AND FLOWABLE FILL PLACEMENT, AND TEMPORARY PAVEMENT/LANDSCAPE RESTORATION.
- COMMUNICATIONS VAULT INSTALLATION, BACK FILL AND FLOWABLE FILL PLACEMENT, AND TEMPORARY PAVEMENT/LANDSCAPE RESTORATION.
- DUCT BANK INSTALLATION, FLOWABLE FILL PLACEMENT, AND TEMPORARY PAVEMENT RESTORATION.
- NORWALK RIVER HDD (SEE SECTION 1.2).
- CABLE INSTALLATION INCLUDING CABLE PULLING AND SPlicing.
- TESTING AND INTERCONNECTION.
- FINAL OFF-ROADWAY RESTORATION.
- FINAL PAVEMENT RESTORATION.
- REMOVE ALL EROSION AND SEDIMENTATION CONTROLS AND CLEAN UP ONCE CONSTRUCTION AREAS HAVE BEEN DEEMED PERMANENTLY STABILIZED.
- FILE "NOTICE OF TERMINATION FORM".

1.2 NORWALK RIVER HDD

SUGGESTED SUB-CONSTRUCTION SEQUENCE

THE FOLLOWING SUGGESTED SEQUENCE OF HORIZONTAL DIRECTIONAL DRILLING (HDD) AND TRANSMISSION LINE INSTALLATION ACTIVITIES IS PROJECTED BASED UPON ENGINEERING JUDGEMENT AND BEST MANAGEMENT PRACTICES. THE CONTRACTOR MAY ELECT TO ALTER THE SEQUENCING TO BEST MEET THE CONSTRUCTION SCHEDULE, THE EXISTING SITE ACTIVITIES, WEATHER CONDITIONS, AND UNFORESEEN CONDITIONS.

- CONDUCT A PRE-CONSTRUCTION MEETING TO DISCUSS THE PROPOSED WORK AND EROSION AND SEDIMENTATION CONTROL MEASURES. THE MEETING SHOULD BE ATTENDED BY THE OWNER, THE OWNER REPRESENTATIVE(S), THE GENERAL CONTRACTOR, DESIGNATED SUB-CONTRACTORS AND THE PERSON, OR PERSONS, RESPONSIBLE FOR THE IMPLEMENTATION, OPERATION, MONITORING AND MAINTENANCE OF THE EROSION AND SEDIMENTATION MEASURES. THE CONSTRUCTION PROCEDURES FOR THE ENTIRE PROJECT SHALL BE REVIEWED AT THIS MEETING. THIS INCLUDES THE INADVERTENT RETURN (FRAC-OUT) CONTINGENCY PLAN PREPARED FOR THE PROJECT.
- MARK OUT ALL UTILITIES WITHIN THE PROJECT SCOPE.
- PREPARE STAGING, LAYDOWN, AND WORK AREAS.
- REMOVE EXISTING IMPROVEMENTS AS NECESSARY AND PROVIDE MINIMAL CLEARING AND GRUBBING TO INSTALL THE REQUIRED EROSION AND SEDIMENTATION MEASURES.
- INSTALL EROSION AND SEDIMENTATION CONTROL MEASURES AND CONSTRUCTION STAKING.
- UTILIZE THE TEMPORARY EASEMENT TO CONDUCT FUSING, STAGING AND STRING OUT OF THE HIGH-DENSITY POLYETHYLENE CONDUITS.
- EXCAVATE BORE PITS.
- SET DRILLING RIG ON THE WEST SIDE OF THE RIVER AS INDICATED ON THE PLANS.
- BORE HOLE.
- BACK REAM BOREHOLE TO SIZE. MULTIPLE PASSES MAY BE NECESSARY.
- ATTACH BOBBER TO DRILL STRING AND SWAG BOREHOLE.
- INSTALL CONDUIT BUNDLE.
- INSTALL TWO UNDERGROUND SPlicing VAULTS ON EACH SIDE OF THE RIVER.
- INSTALL COPPER GROUND CABLE AND GROUND RODS.
- CONNECT THE GROUNDING GRID TO THE UNDERGROUND SPlicing VAULT.
- CONNECT THE HDPE DUCTS AND PVC DUCTS INTO UNDERGROUND SPlicing VAULTS.
- INSTALL APPROPRIATE APPURTENANCES WITHIN THE UNDERGROUND SPlicing VAULT.
- INSTALL A PULLING HAND HOLE (PHH) FOR EACH CIRCUIT INSTALLED.


EROSION AND SEDIMENTATION CONTROLS GENERAL NOTES

1. ALL EROSION AND SEDIMENT CONTROL MEASURES SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE STANDARDS AND SPECIFICATIONS OF THE "2002 CONNECTICUT GUIDELINES FOR SOIL EROSION AND SEDIMENT CONTROL", CIDEEP BULLETIN NO. 34, AND ALL AMENDMENTS AND ADDENDA THERETO AS PUBLISHED BY THE CT DEEP. ADDITIONALLY, THE CONTRACTOR SHALL ABIDE BY EVERSOURCE'S CONSTRUCTION & MAINTENANCE ENVIRONMENTAL REQUIREMENTS AND BEST MANAGEMENT PRACTICES MANUAL FOR MASSACHUSETTS AND CONNECTICUT, DATED SEPTEMBER 2016 (BMP MANUAL), WHEREVER IS MORE STRINGENT SHALL APPLY.
2. LAND DISTURBANCE SHALL BE KEPT TO THE MINIMUM NECESSARY FOR CONSTRUCTION OPERATIONS.
3. INSTALL ALL CONTROL MEASURES AS SHOWN ON THE PLANS AND ELSEWHERE AS NECESSARY, TO PREVENT SOIL EROSION AND SEDIMENT TO RESOURCE AREAS. ADDITIONAL CONTROLS, NOT DEPICTED ON THE PLANS, MAY BE NECESSARY. IT IS THE RESPONSIBILITY OF THE CONSTRUCTION CONTRACTOR TO ASSESS THE NEED FOR AND INSTALL ADDITIONAL CONTROLS THAT ARE WARRANTED BY SITE CONDITIONS.
4. INSPECT AND MAINTAIN CONTROL MEASURES THROUGHOUT THE CONSTRUCTION PERIOD. INSPECTIONS SHALL BE CONDUCTED AFTER EACH RAINFALL AND STORM EVENTS TO DETERMINE IF ALL CONTROL MEASURES ARE ADEQUATE IN PLACE AND EFFECTIVE, AS REQUIRED BY THE GENERAL PERMIT.
5. EXCAVATED SOIL THAT CANNOT BE REUSED (MAINLY IN AREAS OF THE DUCT BANK AND VAULT INSTALLATION) WILL BE LIVE-LOADED INTO TRI-AXELS AND TRANSPORTED TO A LICENSED, THIRD-PARTY LOCATION FOR TESTING AND DISPOSAL.
6. IN ACCORDANCE WITH THE PROJECT SPECIFICATION, PERMANENT STABILIZATION OF OPEN SOIL SURFACES WILL BE IMPLEMENTED WITHIN SEVEN (7) DAYS AFTER GRADING OR CONSTRUCTION ACTIVITIES HAVE TEMPORARILY OR PERMANENTLY CEASED, UNLESS WEATHER PROHIBITS SEED DEMONSTRATION. IN WHICH CASE TEMPORARY STABILIZATION MEASURES WILL BE IMPLEMENTED.
7. WHERE NECESSARY, IN ACCORDANCE WITH THE PROJECT SPECIFICATIONS, SUITABLE TOPSOIL, SEEDBED PREPARATION, AND WATER SHALL BE PROVIDED FOR EFFECTIVE ESTABLISHMENT OF VEGETATIVE COVER.
8. THE CONSTRUCTION CONTRACTOR SHALL KEEP ALL PAVED ROADWAYS CLEAN OF POSSIBLE CONSTRUCTION DEBRIS.
9. INSPECT AND MAINTAIN TEMPORARY EROSION AND SEDIMENTATION CONTROLS UNTIL RESTORATION HAS BEEN DETERMINED TO BE EFFECTIVE AS DEFINED BY CONFORMANCE TO THE CIDEEP GENERAL PERMIT FOR THE DISCHARGE OF STORMWATER AND DETAHERING WASTEWATERS ASSOCIATED WITH CONSTRUCTION ACTIVITIES.

ISSUED FOR
PERMIT



REVISIONS DURING CONSTRUCTION			
NO.	DATE	DESCRIPTION	BY
0	12/20/22	CONNECTICUT DEEP LAND AND WATER RESOURCES DIVISION PERMIT SET	LSJ LJB



EVERSOURCE ENERGY

DARREN-FITCH AND SONO-SHERWOOD
CONNECTICUT DEEP LAND AND WATER RESOURCES DIVISION PERMIT SET
LWRD CONSTRUCTION SEQUENCING AND NOTES

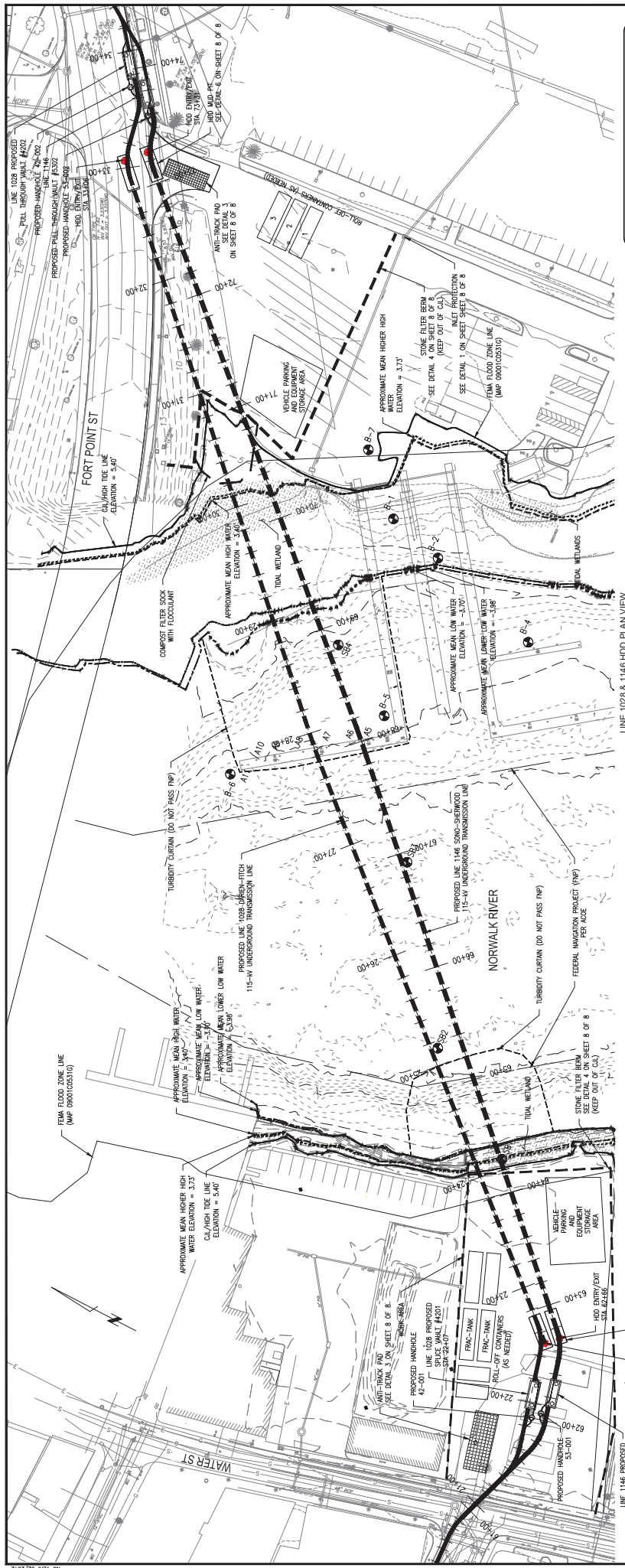
PROJECT NO.	0000	CITY/TOWN	NORWALK, CONNECTICUT
DATE	12/20/2022	DATE	12/20/2022
PROJECT NAME	11.1.1	SCALE	1/8" = 1'-0"
PROJECT NUMBER	04343001	DATE	04/24/2021

25-BUILT REVISIONS



THREE BUSINESS DAYS BEFORE YOU DIG CALL
CONNECTICUT CALL BEFORE YOU DIG
TOLL FREE
1-800-922-4455

FOR CURRENT EVERSOURCE PROPERTY RIGHTS REFER TO
PROPERTY RECORD MAPPING - LOCATED IN TRANSMISSION
SURVEY ENGINEERING/ROW DEPARTMENT



ISSUED FOR PERMIT

VERTICAL DATUM BEING NAVD88 FOR ALL ELEVATIONS PROVIDED

MHH (MEAN HIGHER HIGH WATER) ELEVATION = 3.73'
 MHW (MEAN HIGH WATER) ELEVATION = 3.40'
 MLW (MEAN LOWER LOW WATER) ELEVATION = -3.98'
 MLW (MEAN LOW WATER) ELEVATION = -3.7'
 C.L. (COASTAL JURISDICTION LINE) ELEVATION = 5.40'

LEGEND

--- PROPOSED 115-W UNDERGROUND TRANSMISSION LINE
 --- PROPOSED 116-W UNDERGROUND TRANSMISSION LINE
 --- EXISTING TRANSMISSION LINE
 --- TIDAL WETLAND
 --- APPROXIMATE MEAN HIGH WATER
 --- APPROXIMATE MEAN LOWER LOW WATER
 --- COASTAL JURISDICTION LINE

LINE 1028 HDD COORDINATES		LINE 1166 HDD COORDINATES	
STATION	EASTING	NORTHING	ELEVATION
22+00	816,541.37	596,883.53	2.41
22+50	816,590.11	596,938.43	2.41
23+00	816,627.70	596,938.91	-3.50
23+50	816,663.15	596,972.17	-3.84
24+00	816,689.69	597,000.16	-3.50
24+50	816,714.91	597,027.89	-3.50
25+00	816,738.99	597,077.89	-42.00
25+50	816,804.95	597,113.21	-45.00
26+00	816,840.40	597,148.47	-44.99
26+50	816,875.85	597,183.74	-44.99
27+00	816,911.30	597,219.00	-44.99
27+50	816,946.75	597,254.26	-44.99
28+00	816,982.20	597,289.51	-44.99
28+50	817,017.65	597,324.77	-44.99
29+00	817,053.10	597,352.22	-44.99
29+50	817,088.55	597,383.37	-44.99
30+00	817,124.00	597,414.53	-44.81
30+50	817,159.45	597,445.68	-42.44
31+00	817,194.90	597,476.84	-37.27
31+50	817,230.35	597,507.99	-29.24
32+00	817,265.80	597,539.15	-18.29
32+50	817,301.25	597,570.30	-3.40
33+00	817,336.70	597,601.45	3.40
33+50	817,372.15	597,632.60	3.40

- NOTES:**
- UNDERGROUND UTILITY, STRUCTURE AND FACILITY LOCATIONS DEPICTED AND NOTED HEREON HAVE BEEN COMPILED, IN PART, FROM RECORD MAPPING SUPPLIED BY THE RESPECTIVE UTILITY COMPANIES OR GOVERNMENTAL AGENCIES, FROM PARCEL ESTIMATES AND FROM OTHER SOURCES. THESE LOCATIONS MUST BE CONSIDERED AS APPROXIMATE. THE EXISTENCE OF ANY UTILITIES OR STRUCTURES ON OR NEAR THE SITE, THE EXISTENCE OF WHICH ARE UNKNOWN TO EVERSOURCE ENERGY, THE SIZE, LOCATION AND EXISTENCE OF ALL SUCH FEATURES MUST BE FIELD DETERMINED AND VERIFIED BY THE APPROPRIATE AUTHORITIES PRIOR TO CONSTRUCTION. CALL BEFORE YOU DIG: 1.800.332.4455.
 - HORIZONTAL DATUM: REFERENCES CONNECTICUT STATE PLANE COORDINATE SYSTEM-14083, CONNECTICUT STATE PLANE, ZONE 15, US FOOT, VERTICAL DATUM: NAVD88.
 - PRIOR TO BEGINNING CONSTRUCTION, CONTRACTOR SHALL BE REQUIRED TO SUBMIT A DETAILED DRILLING PROCEDURE FOR INSTALLATION OF THE CROSSING, A DRILL SITE LAYOUT AND A BAR CHART DETAILING THE PROPOSED WORK SCHEDULE.
 - CONTRACTOR SHALL MONITOR DRILLING PRESSURES DURING PILOT OPERATIONS.
 - CONTRACTOR SHALL COMPLETE ALL ITEMS IN CHECKLIST FOUND IN THE PROJECT SPECIFICATION PRIOR TO MOBILIZATION.
 - PROVIDE A PLAN FOR INADVERTENT RETURN DETECTION, RESPONSE, AND MITIGATION TO INCLUDE ANY AREA ALONG THE DRILL PATH: SURFACE LOCATIONS WATER-BASED CLEANUP.

EVERSOURCE ENERGY

DARREN-FITCH AND SONO-SHERWOOD
CONNECTICUT DEEP LAND AND WATER RESOURCES DIVISION PERMIT SET
L146W HDD PLAN

DATE: 12/02/2021
TIME: 12:02:00 PM
DRAWN BY: JLB
CHECKED BY: JLB
SCALE: 1" = 40'

REVISIONS DURING CONSTRUCTION

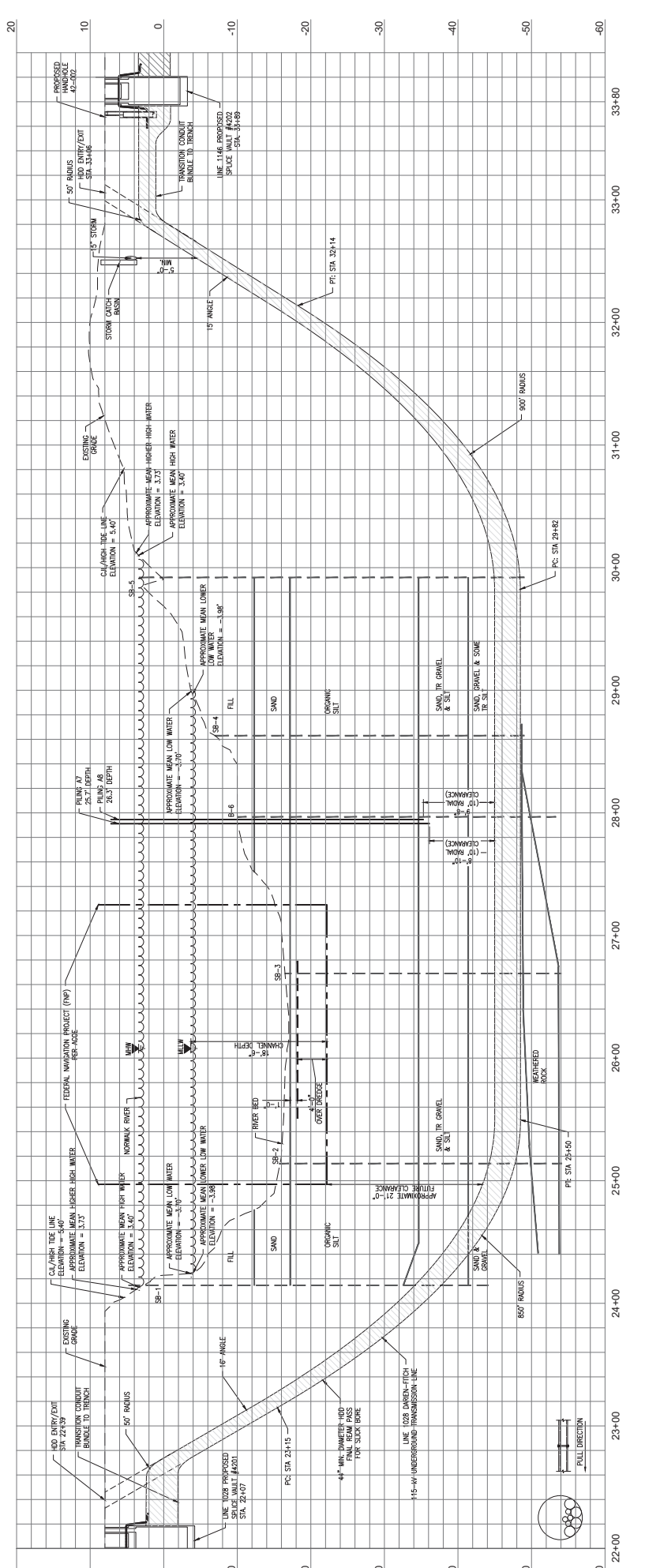
NO.	DATE	DESCRIPTION
1	12/02/2021	ISSUED FOR PERMIT

66 POWER ENGINEERS

THREE BUSINESS DAYS BEFORE YOU DIG CALL
CONNECTICUT CALL BEFORE YOU DIG
TOLL FREE
1-800-922-4455

FOR CURRENT EVERSOURCE PROPERTY RIGHTS REFER TO PROPERTY RECORD MAPPING - LOCATED IN TRANSMISSION SURVEY ENGINEERING/ROW DEPARTMENT

SHEET 4 OF 8



ISSUED FOR PERMIT

LINE 1028 HDD PROFILE VIEW

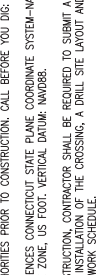
- NOTES:**
- UNDERGROUND UTILITY STRUCTURE AND FACILITY LOCATIONS IDENTIFIED AND NOTED HEREIN HAVE BEEN COMPLETED IN PART FROM RECORD DRAWINGS SUPPLIED BY THE RESPECTIVE UTILITY COMPANIES OR GOVERNMENTAL AGENCIES FROM PAROL TESTIMONY AND FROM OTHER SOURCES. THESE LOCATIONS MAY BE INCOMPLETE, INACCURATE, OR CHANGED SINCE RECORDING. CONTRACTOR SHALL VERIFY THE EXISTENCE OF ALL UTILITIES PRIOR TO CONSTRUCTION. CALL BEFORE YOU DIG.
 - HORIZONTAL DATUM: CONNECTICUT STATE PLANE COORDINATE SYSTEM-NAD83
CONNECTICUT STATE PLANE ZONE: US FOOT, VERTICAL DATUM: NAVD83.
 - FOR CURRENT EVERSOURCE PROPERTY RIGHTS REFER TO PROPERTY RECORD MAPPING - LOCATED IN TRANSMISSION SURVEY ENGINEERING/ROW DEPARTMENT.
PRIOR TO BEGINNING CONSTRUCTION, CONTRACTOR SHALL BE REQUIRED TO SUBMIT A DETAILED DRILLING PROCEDURE FOR INSTALLATION OF THE CROSSING, A DRILL SITE LAYOUT AND A BAR CHART DETAILING THE PROPOSED WORK SCHEDULE.

- CONTRACTOR SHALL MONITOR DRILLING PRESSURES DURING PILOT OPERATIONS.
- CONTRACTOR SHALL COMPLETE ALL ITEMS IN CHECKLIST FOUND IN THE PROJECT SPECIFICATION PRIOR TO MOBILIZATION.
- PROVIDE A PLAN FOR INADVERTENT RETURN DETECTION, RESPONSE, AND MITIGATION TO INCLUDE ANY SURFACE LOCATIONS WATER-BASED CLEANUP.



REVISIONS DURING CONSTRUCTION

NO.	DATE	BY	DESCRIPTION
1	02/28/2023	LR	ISSUED FOR PERMIT
2	02/28/2023	LR	ISSUED FOR PERMIT
3	02/28/2023	LR	ISSUED FOR PERMIT
4	02/28/2023	LR	ISSUED FOR PERMIT
5	02/28/2023	LR	ISSUED FOR PERMIT
6	02/28/2023	LR	ISSUED FOR PERMIT
7	02/28/2023	LR	ISSUED FOR PERMIT
8	02/28/2023	LR	ISSUED FOR PERMIT
9	02/28/2023	LR	ISSUED FOR PERMIT
10	02/28/2023	LR	ISSUED FOR PERMIT



VERTICAL DATUM BEING NAVD88 FOR ALL ELEVATIONS PROVIDED

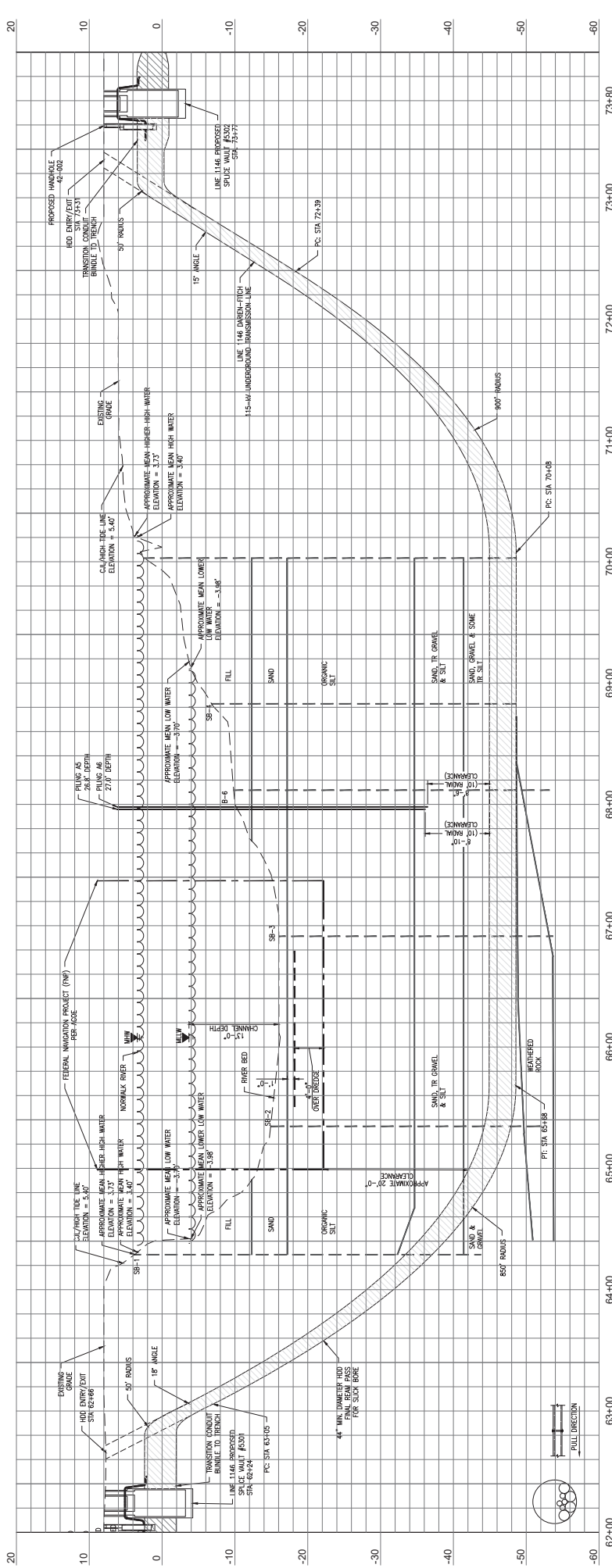
THREE BUSINESS DAYS BEFORE YOU DIG CALL CONNECTICUT CALL BEFORE YOU DIG TOLL FREE 1-800-922-4455

EVERSOURCE ENERGY

DARIEN-FITCH AND SONO-SHERWOOD
CONNECTICUT DEEP LAND AND WATER RESOURCES DIVISION PERMIT SET
LINE 1028 HDD PROFILE

PROJECT	NO. 1028
DATE	02/28/2023
BY	LR
CHECKED	LR
SCALE	AS SHOWN
TITLE	ISSUED FOR PERMIT

CONTRACT NO. 04043001
SHEET 5 OF 8



LINE 1146 HDD PROFILE VIEW

ISSUED FOR PERMIT

- NOTES:**
- UNDERGROUND UTILITY STRUCTURE AND FACILITY LOCATIONS DERIVED AND NOTED HEREIN HAVE BEEN COMPILED IN PART FROM RECORD MAPS SUPPLIED BY THE RESPECTIVE UTILITY COMPANIES OR GOVERNMENTAL AGENCIES FROM PAROL TESTIMONY AND FROM OTHER SOURCES. THESE LOCATIONS MUST BE CONSIDERED AS APPROXIMATE IN NATURE. ADDITIONALLY, OTHER SUCH FEATURES MAY EXIST ON THE SITE, THE EXISTENCE OF WHICH ARE UNKNOWN TO EVERSOURCE ENERGY, THE CONTRACTOR AND/OR THE STATE OF CONNECTICUT. THE CONTRACTOR SHALL VERIFY THE LOCATION OF ALL UTILITIES BY THE APPROPRIATE AUTHORITIES PRIOR TO CONSTRUCTION. CALL BEFORE YOU DIG, 1.800.422.4455.
 - HORIZONTAL DATUM: REFERENCES CONNECTICUT STATE PLANE COORDINATE SYSTEM-MD83 CONNECTICUT STATE PLANE ZONE, US FOOT, VERTICAL DATUM: NAVD83
 - PRIOR TO BEGINNING CONSTRUCTION, CONTRACTOR SHALL BE REQUIRED TO SUBMIT A DETAILED DRILLING PROCEDURE FOR INSTALLATION OF THE CROSSING, A DRILL SITE LAYOUT AND A BAR CHART DETAILING THE PROPOSED WORK SCHEDULE.
 - CONTRACTOR SHALL MONITOR DRILLING PRESSURES DURING PILOT OPERATIONS.
 - CONTRACTOR SHALL COMPLETE ALL ITEMS IN CHECKLIST FOUND IN THE PROJECT SPECIFICATION PRIOR TO MOBILIZATION.
 - PROVIDE A PLAN FOR INADVERTENT RETURN DETECTION, RESPONSE, AND MITIGATION TO INCLUDE ANY SURFACE LOCATIONS WATER-BASED CLEANUP.



VERTICAL DATUM BEING NAVD88 FOR ALL ELEVATIONS PROVIDED

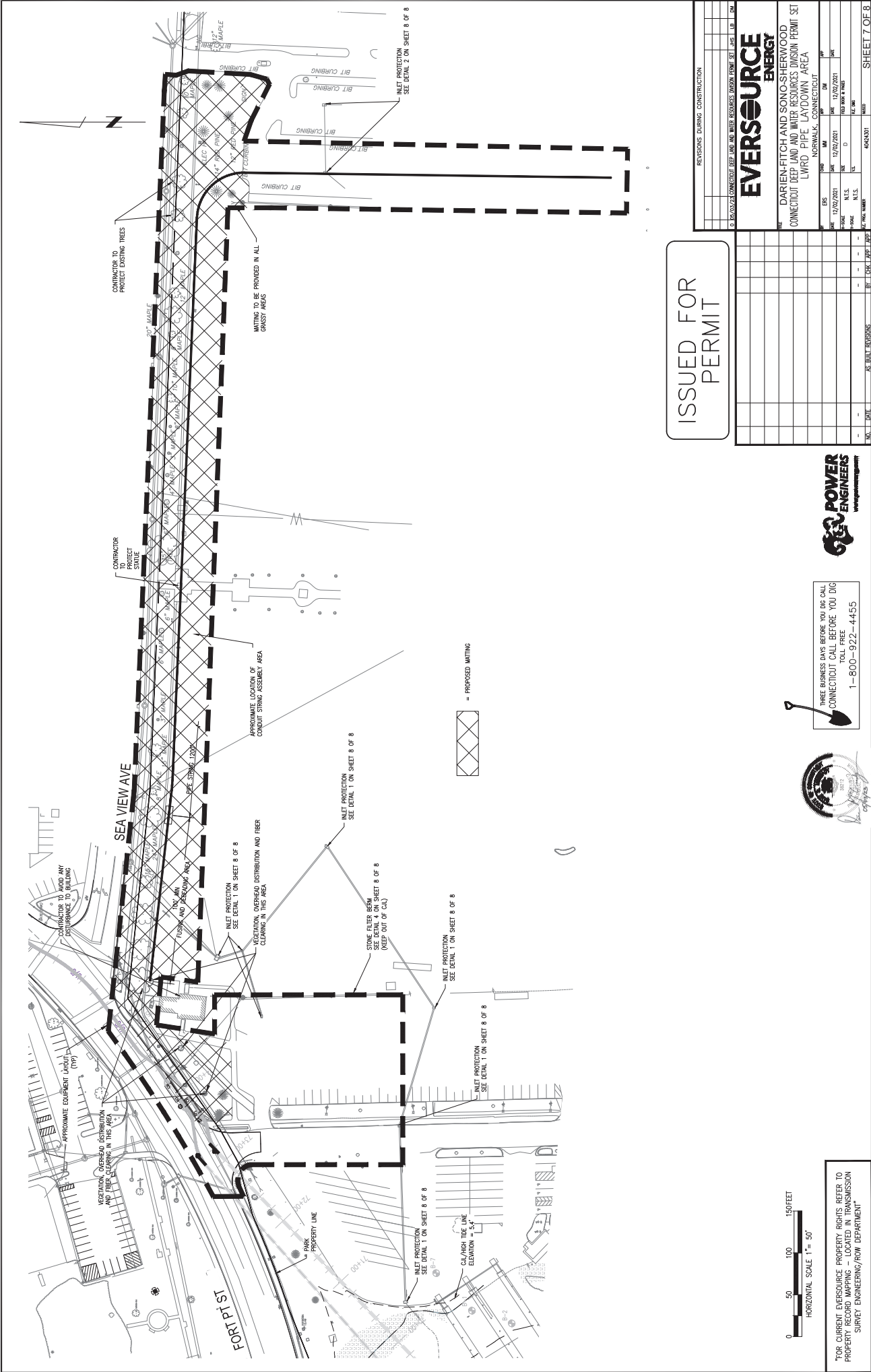
THREE BUSINESS DAYS BEFORE YOU DIG CALL
CONNECTICUT CALL BEFORE YOU DIG
TOLL FREE
1-800-922-4455



REVISIONS DURING CONSTRUCTION	
NO.	DESCRIPTION

EVERSOURCE ENERGY			
1146 DARIEN-FITCH AND SONO-SHERWOOD CONNECTICUT DEEP JAW AND WATER RESOURCES DIVISION PERMIT SET LWRD LINE 1146 HDD PROFILE			
DATE: 10/26/2021	DATE: 12/02/2021	DATE: 12/02/2021	DATE: 12/02/2021
BY: [Signature]	BY: [Signature]	BY: [Signature]	BY: [Signature]
CHECKED BY: [Signature]	CHECKED BY: [Signature]	CHECKED BY: [Signature]	CHECKED BY: [Signature]
SCALE: 1" = 40'	SCALE: 1" = 5'	SCALE: 1" = 40'	SCALE: 1" = 5'
PROJECT NUMBER: 0454969	SHEET NUMBER: 6 OF 8		

FOR CURRENT EVERSOURCE PROPERTY RIGHTS REFER TO PROPERTY RECORD MAPPING - LOCATED IN TRANSMISSION SURVEY ENGINEERING/ROW DEPARTMENT



ISSUED FOR PERMIT

REVISIONS DURING CONSTRUCTION		
NO.	DATE	DESCRIPTION
0	02/02/2023	CONNECTION DEEP LAND AND WATER RESOURCES DIVISION PERMIT SET



DARIEN-FITCH AND SONO-SHERWOOD
 CONNECTICUT DEEP LAND AND WATER RESOURCES DIVISION PERMIT SET
 LWRO PIPE LAYDOWN AREA
 PROJECT NO. 191-1000191
 DATE 12/02/2021
 SHEET NO. 111.1
 SHEET NAME: 111.1
 SHEET TOTAL: 111.1

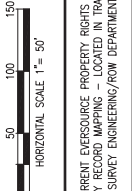
NO.	DATE	AS-BUILT REVISIONS	BY	DATE	DATE
1					

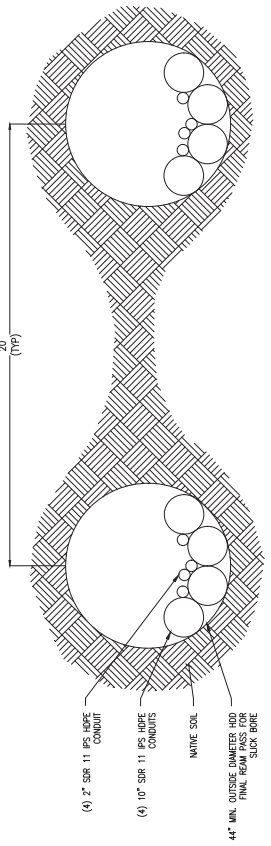


THREE BUSINESS DAYS BEFORE YOU DIG CALL
 CONNECTICUT CALL BEFORE YOU DIG
 TOLL FREE
 1-800-922-4455

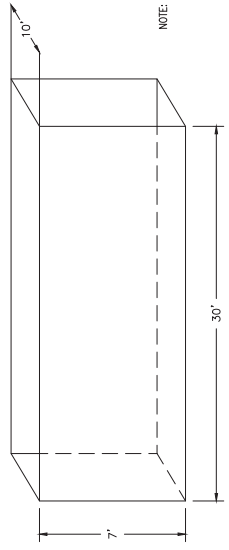


FOR CURRENT EVERSOURCE PROPERTY RIGHTS REFER TO
 PROPERTY RECORD MAPPING - LOCATED IN TRANSMISSION
 SURVEY ENGINEERING/TOW DEPARTMENT

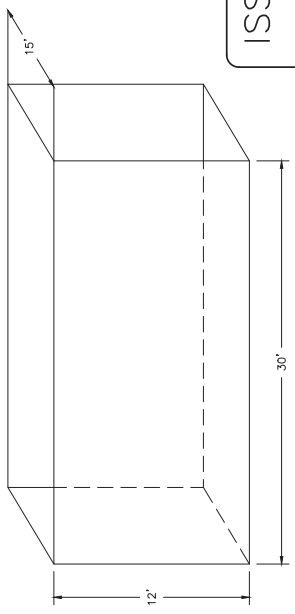




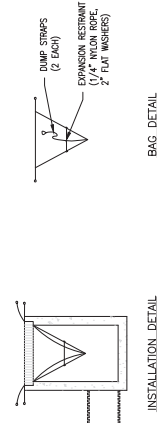
HDD SLICK BORE DETAIL
SCALE: N.T.S.
7 SHEET 8 OF 8



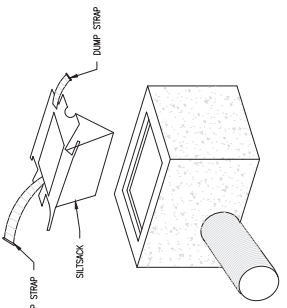
HDD ENTRY/EXIT MUD PIT DETAIL
SCALE: N.T.S.
6 SHEET 8 OF 8



HDD VAULT EXCAVATION PIT DETAILS
SCALE: N.T.S.
5 SHEET 8 OF 8

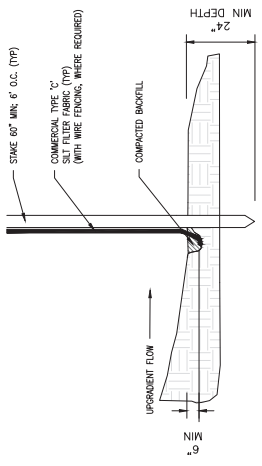


INSTALLATION DETAIL

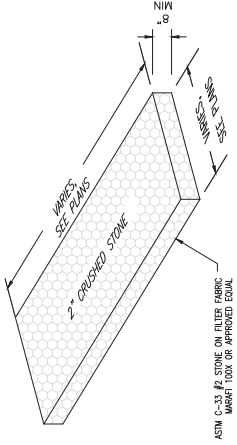


BAG DETAIL

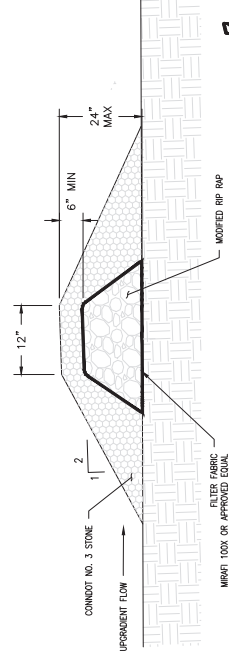
INLET PROTECTION
DETAIL
SCALE: N.T.S.
1 SHEET 8 OF 8



SILT FENCE DETAIL
DETAIL
SCALE: N.T.S.
2 SHEET 8 OF 8



ANTI-TRACKING PAD
DETAIL
SCALE: N.T.S.
3 SHEET 8 OF 8



STONE FILTER BERM
DETAIL
SCALE: N.T.S.
4 SHEET 8 OF 8

- NOTES:
- EXISTING EXCAVATED MATERIAL THAT IS NOT TO BE REUSED SHALL BE FULLY REMOVED FROM THE SITE AND PROPERLY DISPOSED OF.
 - SOIL/AGGREGATE STOCKPILE SITES TO BE WHERE SHOWN ON THE DRAWINGS.
 - RESTORE STOCKPILE SITES TO PRE-EXISTING PROJECT CONDITION AND RESEED AS REQUIRED.
 - STOCKPILE HEIGHTS MUST NOT EXCEED 15'. STOCKPILE SLOPES MUST BE 2:1 OR FLATTER.
 - ANY SOIL IN STOCKPILES IN EXCESS OF SEVEN (7) DAYS SHALL BE SEEDD AND MULCHED OR COVERED.

ISSUED FOR PERMIT

FOR CURRENT EVERSOURCE PROPERTY RIGHTS REFER TO PROPERTY RECORD MAPPING - LOCATED IN TRANSMISSION SURVEY ENGINEERING/ROW DEPARTMENT



THREE BUSINESS DAYS BEFORE YOU DIG CALL CONNECTICUT ONE CALL TOLL FREE 1-800-922-4455

ISSUED FOR PERMIT

NO.	DATE	AS-BUILT REVISIONS	BY	CHKD	APP'D	REV.
REVISIONS DURING CONSTRUCTION						
1	06/24/23	CONNECTICUT ONE CALL AND WATER RESOURCES DESIGN PERMIT SET	JWS	LIB	EWB	
EVERSOURCE ENERGY						
DARREN-FITCH AND SONO-SHERWOOD						
CONNECTICUT DEP. LAND AND WATER RESOURCES DIVISION PERMIT SET						
LWRD - CONTROL DETAILS						
NO.	DATE	DESCRIPTION	BY	CHKD	APP'D	REV.
1	10/26/2021	REV.	JWS	LIB	EWB	001
2	12/21/2021	REV.	JWS	LIB	EWB	002
3	06/12/2023	REV.	JWS	LIB	EWB	003
4						
5						
6						
7						
8						
9						
10						
SHEET 8 OF 8						



LWRD Work Commencement Form

To: DEEP.LWRDRegulatory@ct.gov or
Regulatory Section
Department of Energy and Environmental Protection
Land & Water Resources Division
79 Elm Street
Hartford, CT 06106-5127

Licensee Name: The Connecticut Light and Power Company d/b/a Eversource Energy
Municipality in which the project is occurring: Norwalk
DEEP License No(s): 202304621-SDFTW

CONTRACTOR(s):

1 Name: _____
Address: _____
Telephone: _____
E-mail: _____

2 Name: _____
Address: _____
Telephone: _____
E-mail: _____

3 Name: _____
Address: _____
Telephone: _____
E-mail: _____

Date Contractor(s) received a copy
of the license and approved plans: _____

EXPECTED DATE OF COMMENCEMENT OF WORK: _____

EXPECTED DATE OF COMPLETION OF WORK: _____

LICENSEE: _____
(Signature) (Date)



Compliance Certification Form

The following certification must be signed by the licensee working in consultation with a Connecticut-licensed design professional and must be submitted to the address indicated at the end of this form within ninety (90) days of completion of the authorized work.

1. Licensee Name: <u>The Connecticut Light and Power Company d/b/a Eversource Energy</u>	
DEEP License Number(s): <u>202304621-SDFTW</u>	
Municipality in which project is occurring: <u>Norwalk</u>	
2. Check one:	
(a) <input type="checkbox"/> "I certify that the final site conditions and / or structures are in general conformance with the approved site plans". Identify and describe any deviations and attach to this form.	
(b) <input type="checkbox"/> "The final site conditions and / or structures are not in general conformance with the approved site plans. The enclosed "as-built" plans note the modifications".	
3. "I understand that any false statement in this certification is punishable as a criminal offence under section 53a-157b of the General Statutes and under any other applicable law."	
_____ Signature of Licensee	_____ Date
_____ Name of Licensee (print or type)	
_____ Signature of CT-Licensed Design Professional	_____ Date
_____ Name of CT-Licensed Design Professional (print or type)	
_____ Professional License Number (if applicable)	Affix Stamp Here
<ul style="list-style-type: none"> As-built plans shall include: elevations or tidal datums, as applicable, and structures, including any proposed elevation views and cross sections included in the approved license plans. Such as-built plans shall be the original ones and be signed and sealed by an engineer, surveyor or architect, as applicable, who is licensed in the State of Connecticut. The Licensee will be notified by staff of the Land and Water Resources Division (LWRD) if further compliance review is necessary. Lack of response by LWRD staff does not imply compliance. 	
<p>Submit this completed form to :</p> <p>DEEP.LWRDRegulatory@ct.gov or</p> <p>Regulatory Section Department of Energy and Environmental Protection Land & Water Resources Division 79 Elm Street Hartford, CT 06106-5127</p>	



**STATE OF CONNECTICUT
DEPARTMENT OF ENERGY AND ENVIRONMENTAL
PROTECTION
OFFICE OF ADJUDICATIONS**

IN THE MATTER OF : **APPLICATION NO. 202304621-
SDFTW**

**CONNECTICUT LIGHT AND
POWER COMPANY, d/b/a
EVERSOURCE
ENERGY, NORWALK** : **APRIL 18, 2024**

SERVICE LIST

DEEP - Land and Water Resources Division Bureau of Water Protection and Land Reuse

Attorney Brendan Schain
Attorney Sarah Solarz
Jeff Caiola
Susan Jacobson
Bianca Beland

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susan.jacobson@ct.gov
bianca.beland@ct.gov

Applicant – Eversource Energy, Norwalk
Attorney Kenneth Collette

kenneth.collette@eversource.com

Contact for the Petitioner–
Christopher White

chwhite1986@gmail.com