



# STATE OF CONNECTICUT

## CONNECTICUT SITING COUNCIL

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September 16, 2016

Kathleen M. Shanley  
Manager-Transmission Siting  
Eversource Energy  
P.O. Box 270  
Hartford, CT 06141-0270

RE: **PETITION NO. 1227** – Eversource Energy petition for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the proposed replacement of electric transmission line structures within approximately .8 miles of existing right of way along its existing No. 1975 115-kV transmission line traversing the municipalities of Middlefield, Durham and Middletown, Connecticut, and related transmission line structure improvements.

Dear Ms. Shanley:

At a public meeting of the Connecticut Siting Council (Council) held on September 15, 2016, the Council considered and approved the Development and Management (D&M) Plan submitted for this project on August 9, 2016, with the following conditions:

1. Use of off-road construction equipment that meets the latest EPA or California Air Resources Board standards, or in the alternative, equipment with the best available controls on diesel emissions, including, but not limited to, retrofitting with diesel oxidation catalysts, particulate filters and use of ultra-low sulfur fuel;
2. Compliance with the provisions of Section 22a-174-18(b)(3)(C) of the Regulations of Connecticut State Agencies that limit the idling of mobile sources to 3 minutes; and
3. Approval of requested significant changes to the approved D&M Plan be delegated to Council staff in accordance with Regulations of Connecticut State Agencies §16-50j-62(b). In accordance with that section, if advance written notice is impractical, the Petitioner shall provide verbal notice of the changes and shall submit written specifications to the Council within 48 hours after the verbal notice.

This approval applies only to the D&M Plan submitted on August 9, 2016. Requests for any changes to the D&M Plan shall be approved by Council staff in accordance with Regulations of Connecticut State Agencies (RCSA) §16-50j-62(b). Furthermore, the project developer is responsible for reporting requirements pursuant to RCSA §16-50j-62.

This decision is under the exclusive jurisdiction of the Council and is not applicable to any other modification or construction. All work is to be implemented as specified in the Council's decision on the petition dated May 27, 2016, in the D&M Plan dated August 9, 2016 and supplemental data dated August 26, 2016.

Enclosed is a copy of the staff report on this D&M Plan, dated September 15, 2016.

Thank you for your attention and cooperation.

Sincerely,



Robert Stein  
Chairman

RS/FOC/lm

Enclosure: Staff Report dated September 15, 2016

- c: The Honorable Laura L. Francis, First Selectman, Town of Durham
- Geoffrey Colegrove, Town Planner, Town of Durham
- The Honorable Edward Bailey, First Selectman, Town of Middlefield
- Allan Johanson, Zoning Enforcement Officer, Town of Middlefield
- The Honorable Daniel T. Drew, Mayor, City of Middletown
- Michiel Wackers, AICP, Director of Planning, City of Middletown



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### Petition No. 1227

### Eversource Energy

### Middletown, Middlefield, and Durham, Connecticut

### Development and Management Plan

### Staff Report

September 15, 2016

On May 27, 2016, the Connecticut Siting Council (Council) approved a petition from The Connecticut Light and Power Company d/b/a Eversource Energy (Eversource) for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for proposed replacement of electric transmission line structures and conductors within approximately 0.8 mile segment of its No. 1975 115-kilovolt (kV) transmission line traversing the municipalities of Middlefield, Durham and Middletown, Connecticut. In its decision, the Council required Eversource to submit a Development and Management Plan (D&M).

Eversource provided draft copies of the D&M to officials of the municipalities of Middletown, Middlefield, and Durham and invited comments or a meeting to review the D&M. In July 2016, Eversource met with municipal officials of Durham.

Eversource submitted its D&M to the Council on August 9, 2016 including copies to the municipalities of Middletown, Middlefield, and Durham, interested individuals of Petition 1227 and direct abutting property owners of the project. Also, Eversource submitted responses to Council staff interrogatories on August 26, 2016. Staff has received no comments to date.

The Project portion of the 115-kV transmission line, designated as the 1975 Line, extends for approximately 0.8 mile. The Project consists of replacing a total of 19 structures, including 13 wood H-frame structures and six weathering single-circuit steel structures and foundations. The steel structures proposed for removal include two dead-end H-frame structures which support the existing southerly line and four tap structures which currently facilitate the bundling of the two transmission lines. The heights of the existing structures range from 43 feet to 61 feet above grade. In addition to the structures, associated 4/0 copper conductor and copperweld shield wires will also be removed.

To accommodate the conversion from a two-line configuration to a single circuit, five new replacement line structures are required to be fixed within the existing ROW. The replacement structures will consist of weathering steel H-frames to be direct-embedded. Four of the new steel structures will be 65 feet tall; one new structure will rise to a height of 75 feet above grade. The proposed work also requires installation of a new 1590-kcmil aluminum conductor steel supported (ACSS) and two optical ground wires (OPGW) on the proposed steel structures. Short-term outages of the 115-kV 1975 Line circuit will be required to safely install the new structures, remove the existing conductor and associated structures, and install the 115-kV line on the new structures.

The State Historic Preservation Office determined no effects from the project. Department of Energy and Environmental Protection determined no impact to state species by the project.

Eversource's D&M includes a number of different plan components intended to help ensure that Eversource abides by the most current best management practices for its construction project. Among the components included are construction procedures, soil erosion and sedimentation control and restoration plan, a spill prevention and control plan, snow removal and de-icing procedures, a wetlands invasive species control and restoration plan, and a vegetation clearing plan.



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The Project construction will be overseen by personnel from Eversource who will directly monitor construction activities, including adherence to safety and Project plans, including the requirements of environmental permits and other approvals, terms and conditions. Eversource will be filing monthly reports on the field observations.

Condition No. 1 (a) through (o) of the Council's May 27, 2016 Declaratory Ruling with staff comments are as follows:

**a) A detailed site plan showing the placement of the access roads, work pads, equipment and material staging area, pull pad and route to pull conductors, and identifying these areas as temporary;**

Volume 3 of the D&M provides details of the aforementioned components. A new temporary access road (approximately 40 feet in length to the ROW) is proposed from the Evergreen Terrace cul-de-sac in Durham. Eversource has existing easement rights to access the ROW from the end of the cul-de-sac. This would avoid steep slopes in the ROW. Five temporary work pads for structure removal/replacement and one conductor pull pad are proposed west of Black Walnut Drive on the Town boundary between Middletown/Durham. This part of the ROW is surrounded by residences. Four permanent work pads for structure removal/replacement and one conductor pull pad are proposed east of Black Walnut Drive. This part of the ROW is in a forested area. Eversource has re-designated the permanent work pad for structure no. 3579 as temporary in response to a Council staff query. This structure is located in vicinity of the Royal Oaks subdivision adjacent to a residence. The disturbed area will be restored in accordance with Eversource BMPs.

**b) Plan and notification of using helicopter for conductor installation, if applicable;**

Eversource plans to use a helicopter to string conductor pulling rope. In the event scheduling of helicopter conflicts with project schedule and outages, Eversource proposes to use a light duty vehicle to pull the conductor pulling rope through the center of the ROW. Vegetation clearing would be required to accomplish this task. This access road would be temporary and restored in accordance with Eversource BMPs.

Eversource representatives will be available to brief residents affected by Project construction activities and other interested stakeholders regarding the construction process, key construction stages, and expected construction timeline. Project representatives will also contact adjacent and nearby residents to notify them of upcoming construction activities and will be available throughout the construction process to address any specific questions or concerns.

**c) Identification of developed areas for staging and equipment lay down, field office trailers, sanitary facilities and parking;**

Eversource plans to utilize its Dooley Substation property located at 1279 Long Hill Road, Middletown as its primary staging area for field office trailers, sanitary facilities and parking. Construction contractors will be responsible for identifying additional staging areas prior to mobilizing construction. Eversource would submit the proposed locations of these construction support areas to Council staff for review and approval.

**d) An erosion and sediment control plan, consistent with the 2002 Connecticut Guidelines for Soil Erosion and Sediment Control as amended;**

Volume 2 Attachment D provides a narrative of erosion and sediment (E&S) controls. Volume 3 contains mapsheets delineating areas of soil disturbance and E&S controls would be placed in these areas to contain disturbed soils.

**e) A spill prevention and countermeasures plan;**

Volume 2, Attachment B of the D&M contains narrative of this plan.

**f) Provisions for crossing inland wetland and watercourses;**

One wetland resource would be temporarily impacted. The area of impact is 0.49 acres located east of Snell Road along the town boundary between Middlefield/Durham. Eversource would use timber mats to approach and remove four structures. No other work is proposed in this area.

No other wetland resources would be affected by the project.

**g) Vegetative clearing plan and use of organic materials;**

Volume 2 Attachment E provides narrative of vegetation clearing. Volume 3 contains mapsheets delineating areas of vegetation clearing. Eversource would clear all vegetation access road areas (up to 16 to 20 feet in width to accommodate construction vehicles) and in work pad areas within the ROW boundaries (typically ranging from about 100 feet by 100 feet to 200 feet by 100 feet depending structure type). Also, vegetation on the edge of the ROW proximate to the conductors may be trimmed or cleared as a reliability requirement. Herbicide treatments are not usually applied within the scope or during the schedule of work for ROW clearing.

**h) Mark established or ornamental vegetation for preservation prior to clearing, to the extent practicable;**

Volume 3 contains mapsheets delineating areas of vegetation to remain; particularly along Packinghouse Lane in Durham.

**i) A wetland and upland restoration plan;**

Restoration would ensue in accordance with Eversource's Construction and Maintenance Environmental Requirements Best Management Practices (BMPs) Manual: Connecticut. A copy of BMPs is in Volume 2, Attachment D.

**j) A schedule of construction hours;**

Eversource expects to begin construction in the third quarter of 2016 and upon receipt of all permits and approvals. Construction hours proposed are Monday-Friday 7 am to 7 pm. Work outside these hours and Saturday/Sunday may be required to complete a task or in alignment with a scheduled transmission line outage, most notably from October 18, to October 31, 2016. These hours align with resident and Town of Durham consultation.

**k) Consult with the Town of Durham on construction traffic during the Durham Fair;**

Eversource plans to communicate with the Town of Durham regarding this event.

**l) A plan to minimize air quality effects during construction;**

Dust suppression, anti-tracking pads, and sweeping of paved surfaces where access roads intersect with roads would minimize dust. Eversource would follow the provisions of Section 22a-174-18(b)(3)(C) of the Regulations of Connecticut State Agencies that limit the idling of mobile sources to 3 minutes. Idling is defined as the period when mobile construction equipment is not in motion or is not otherwise actively performing its designated function.

**m) Confirm no blasting is necessary;**

No blasting is required.

**n) Identification and protective measures to private wells and septic systems; and**

A new temporary access road (approximately 40 feet long to the ROW) is proposed from the Evergreen Terrace cul-de-sac in Durham. Two private wells are in the general area (identified on Volume 3 mapsheet 2 of 3) and Eversource would maintain a minimum of 20 feet to avoid potential impacts.

**o) Plans and strategies to prevent the use of the right-of-way by off-road vehicles.**

Eversource does not permit use of its ROW by off road vehicles or ATVs other than for construction and maintenance activities. Prior to construction, Eversource would send a letter to the police departments of the municipalities of Middletown, Middlefield, and Durham alerting them of Eversource's policy and consideration of prohibition on ATV use of the ROW. Furthermore, Eversource installs signs warning the public of dangers to high voltage transmission lines and the use of the ROW is unlawful without the permission of the landowner.

Staff finds that Eversource's D&M for this project conforms to Sections 16-50j-60 through 16-50j-62 of the Regulations of Connecticut State Agencies and the Council's Declaratory Ruling and that it addresses the environmental issues likely to be encountered during this project.

Council staff recommends approval of the D&M Plan with the following conditions:

1. Use of off-road construction equipment that meets the latest EPA or California Air Resources Board standards, or in the alternative, equipment with the best available controls on diesel emissions, including, but not limited to, retrofitting with diesel oxidation catalysts, particulate filters and use of ultra-low sulfur fuel;
2. Compliance with the provisions of Section 22a-174-18(b)(3)(C) of the Regulations of Connecticut State Agencies that limit the idling of mobile sources to 3 minutes; and
3. Approval of requested significant changes to the approved D&M Plan be delegated to Council staff in accordance with Regulations of Connecticut State Agencies §16-50j-62(b). In accordance with that section, if advance written notice is impractical, the Petitioner shall provide verbal notice of the changes and shall submit written specifications to the Council within 48 hours after the verbal notice.