

DOCKET NO. 468 - The Connecticut Light & Power Company d/b/a Eversource Energy application for a Certificate of Environmental Compatibility and Public Need for the Southwest Connecticut Reliability Project that traverses the municipalities of Bethel, Danbury, and Brookfield, which consists of (a) construction, maintenance and operation of a new 115-kV overhead electric transmission line entirely within existing Eversource right-of-way and associated facilities extending approximately 3.4 miles between Eversource's existing Plumtree Substation in the Town of Bethel to its existing Brookfield Junction in the Town of Brookfield; (b) reconfiguration of two existing 115-kV double-circuit electric transmission lines at Eversource's existing Stony Hill Substation in the Town of Brookfield; and (c) related substation modifications.

} Connecticut Siting Council November 10, 2016

Decision and Order

Pursuant to Connecticut General Statutes Section 16-50p and the foregoing Findings of Fact and Opinion for the Southwest Connecticut Reliability Project, the Connecticut Siting Council (Council) finds that there is a public need for the proposed facility and the effects associated with the construction of a new 115-kV overhead electric transmission line, associated facilities and related improvements to the Stony Hill Substation in Brookfield and the Plumtree Substation in Bethel (Project), including effects on the natural environment; ecological integrity and balance; forests and parks; scenic, historic, and recreational values; air and water purity; fish and wildlife; and public health and safety are not disproportionate either alone or cumulatively with other effects compared to need, are not in conflict with the policies of the State concerning such effects, and are not sufficient reason to deny the application. Therefore, the Council directs that a Certificate of Environmental Compatibility and Public Need, as provided by Connecticut General Statutes §16-50k, be issued to Eversource Energy (hereinafter referred to as the Certificate Holder) for the construction, maintenance and operation of the Project.

Unless otherwise approved by the Council, the Project shall be constructed, operated, and maintained substantially as specified in the Council's record in this matter, and subject to the following conditions:

1. The Certificate Holder shall construct the proposed electric transmission line overhead along the proposed route and perform related Project improvements, as proposed, subject to modifications during final site design and approval of the Development and Management (D&M) Plan for the project.
2. The Certificate Holder shall prepare a D&M Plan for this Project that shall be in compliance with Sections 16-50j-60 through 16-50j-62 of the Regulations of Connecticut State Agencies. The D&M Plan shall be served on the municipalities of Bethel, Danbury and Brookfield for comment and submitted to and approved by the Council prior to the commencement of facility construction. The D&M Plan shall include:
 - a. Detailed site plans showing the design and placement of transmission structures and associated work pads;
 - b. Detailed site plans showing design and the location of temporary and permanent access roads, including provisions for narrower access roads where possible and identification of wider sections for use as designated passing areas;
 - c. Detailed site plans for substation improvements;
 - d. Identification and design of staging and equipment lay down areas, field office trailers, sanitary facilities and parking;
 - e. Identification of wetland and watercourse resources, related temporary and permanent construction impacts and methods to reduce such impacts;

- f. Details of ground disturbance;
 - g. Vegetative clearing plan including identification of areas of scrub-shrub habitat within the right-of-way that would be retained. Identify methods, including the use of seasonal restrictions where practical, to minimize environmental impacts related to vegetative clearing;
 - h. An erosion and sediment control plan, consistent with the *2002 Connecticut Guidelines for Soil Erosion and Sediment Control*, as amended;
 - i. Wetland restoration plan;
 - j. Invasive species control plan;
 - k. A schedule of construction hours;
 - l. A blasting plan, if necessary;
 - m. A spill prevention and countermeasures plan;
 - n. An EMF Monitoring Plan; and
 - o. Plan to prevent post-construction use of the right-of-way by all-terrain vehicles.
3. The Certificate Holder shall comply with the Department of Energy and Environmental Protection recommendations, or coordinate with the Department of Energy and Environmental Protection, for construction of the route in the area of endangered, threatened, or special concern species identified along the Project route. Include provision for the spotted turtle, a State Species of Special Concern.
4. The Certificate Holder shall hire an independent environmental inspector, subject to Council approval, to monitor and provide bi-weekly reports to the Council regarding environmental compliance with the approved D&M Plan.
5. The Certificate Holder shall obtain necessary permits from the United States Army Corps of Engineers and the Connecticut Department of Energy and Environmental Protection prior to the commencement of construction, in areas where said permits are required.
6. The Certificate Holder shall conform to the Council's Best Management Practices for Electric and Magnetic Fields.
7. The Certificate Holder shall comply with all future electric and magnetic field standards promulgated by State or federal regulatory agencies. Upon the establishment of any new standards, the facilities granted in this Decision and Order shall be brought into compliance with such standards.
8. The Certificate Holder shall provide to the Council an operating report within three months after the conclusion of the first year of operation of all facilities herein, and annually thereafter for a period of three years, with information relevant to the overall condition, safety, reliability, and operation of the new transmission line.
9. Unless otherwise approved by the Council, this Decision and Order shall be void if all construction authorized herein is not completed within five years of the effective date of the Decision and Order, or within five years after all appeals to this Decision and Order have been resolved. Authority to monitor and modify this schedule, as necessary, is delegated to the Executive Director. The Certificate Holder shall provide written notice to the Executive Director of any schedule changes as soon as is practicable.
10. Any request for extension of the time period referred to in Condition 9 shall be filed with the Council not later than 60 days prior to the expiration date of this Certificate and shall be served on all parties and intervenors, as listed in the service list, and the municipalities of Bethel, Danbury and Brookfield.
11. This Certificate may be surrendered by the Certificate Holder upon written notification to the Council.

12. In accordance with Section 16-50j-62 of the Regulations of Connecticut State Agencies, the Certificate Holder shall provide the Council with written notice two weeks prior to the commencement of site construction activities. In addition, the Certificate Holder shall provide the Council with written notice of the completion of site construction, and the commencement of site operation.
13. The Certificate Holder shall remit timely payments associated with annual assessments and invoices submitted by the Council for expenses attributable to the facility under Conn. Gen. Stat. §16-50v.
14. This Certificate may be transferred in accordance with Conn. Gen. Stat. §16-50k(b), provided both the Certificate Holder/transferor and the transferee are current with payments to the Council for their respective annual assessments and invoices under Conn. Gen. Stat. §16-50v. In addition, both the Certificate Holder/transferor and the transferee shall provide the Council a written agreement as to the entity responsible for any quarterly assessment charges under Conn. Gen. Stat. §16-50v(b)(2) that may be associated with this facility.

We hereby direct that a copy of the Findings of Fact, Opinion, and Decision and Order be served on each person listed in the Service List, dated August 1, 2016, and notice of issuance published in the News-Times.

By this Decision and Order, the Council disposes of the legal rights, duties, and privileges of each party named or admitted to the proceeding in accordance with Section 16-50j-17 of the Regulations of Connecticut State Agencies.