



DEPARTMENT OF THE ARMY
NEW ENGLAND DISTRICT, CORPS OF ENGINEERS
696 VIRGINIA ROAD
CONCORD, MASSACHUSETTS 01742-2751

REPLY TO:
ATTENTION OF:

April 19, 2006

Regulatory Division
CENAE-R-PEB
File Number: NAE-2004-1162

Attn: Mr. Donald Biondi
Connecticut Light & Power Company
107 Selden Street
Berlin, Connecticut 06037

Dear Mr. Biondi:

This summarizes the meeting discussions with CT DOT and CL&P on March 24 and 31, 2006 regarding the proposed Norwalk River North crossing/Riverside Avenue (S.R. 809) segment of the Middletown to Norwalk Project.

The proposed Norwalk River North crossing/Riverside Avenue (S.R. 809) alternative would directly impact wetlands areas and the Norwalk River. The subject wetlands are wetland mitigation areas associated with a permit issued by the Corps to the Connecticut Department of Transportation (CT DOT). As such, the Corps is not likely to allow the impacts to the wetlands and disturbance of the mitigation area if there is a less environmentally damaging practicable alternative (LEDPA).

A viable alternative route for the underground line between Norwalk Substation and aligning directly unto State Route 123 (New Canaan Avenue/Main Street) up to the Route 123/Route 1 intersection appears to be a practicable alternative within the context of the Clean Water Act (CWA) 404b(1) Guidelines. This roadway route satisfies the project purpose and completely avoids direct impacts to wetlands and waters, and is clearly a less environmentally damaging practicable alternative. Where there is an available practicable alternative to the proposed discharge that would have less adverse impact on wetlands/waters, the Corps must permit that alternative unless the Corps determines that the alternative has... "other significant adverse environmental consequences".

The CT DOT (Mr. Sohrab Afrazi and others) has evaluated the alternative alignment onto Route 123 (from Norwalk Substation to Route 1), and has indicated that this alternative underground roadway alignment can be considered and approved (subject to review of further design layout) as long as the proposed required vault locations are located outside of the limits of the travel lanes of Route 123 (New Canaan Avenue/Main Street), unless physical conditions or electrical constraints preclude such placement. Preliminary vault locations were identified by your engineering consultants during the March 31st discussions, and engineers for CL&P have also indicated that two of the four required vaults will be further investigated to locate them outside the limits of the travel lanes on Route 123.

Further, final CTDOT approval of the reroute onto Route 123 is subject to review and approval of a traffic management plan for maintenance of vehicle traffic/pedestrian access/driveway access, etc. on Route 123 during construction. The attached e-mail from CT DOT (Mr. Afrazi) details the requirements provided by CT DOT (Traffic).

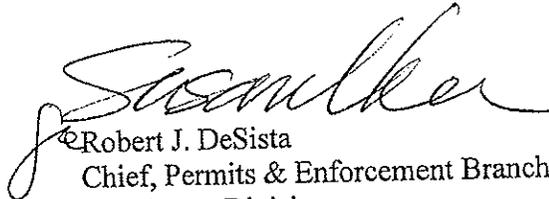
Based on the preliminary input from CT DOT and your engineers, the Corps concludes that the roadway alternative is a viable practicable alternative with respect to the CWA regulations, unless demonstrated otherwise.

The Corps has coordinated the subject project revision with the U.S. Environmental Protection Agency, U.S. Fish and Wildlife Service, and the CT Department of Environmental Protection. These agencies concur that the roadway route is a less environmentally damaging practicable alternative.

Once you have confirmed that the CT DOT will provide final approval of the subject modified route, you will need to submit revised information, as appropriate, with respect to wetlands/water impacts.

If you have questions regarding this matter, please contact Susan Lee at 978-318-8494.

Sincerely,



Robert J. DeSista
Chief, Permits & Enforcement Branch
Regulatory Division

Attachment

Copy Furnished:

Attn: Jeff Borne
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Berlin, CT 06037

Attn: Sohrab Afrazi
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Attn: Michael Marsh
U.S. EPA – Region 1
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Attn: Greg Mannesto
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Attn: Michael Ludwig
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