

STATE OF CONNECTICUT

CONNECTICUT SITING COUNCIL

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CERTIFIED MAIL RETURN RECEIPT REQUESTED

September 7, 2006

Anne Bartosewicz
Project Director
Northeast Utilities Service Company
P.O. Box 270
Hartford, CT 06141-0270

RE: **DOCKET NO. 272** - The Connecticut Light and Power Company and The United Illuminating Company Certificate of Environmental Compatibility and Public Need for the Construction of a New 345-kV Electric Transmission Line and Associated Facilities Between Scovill Rock Switching Station in Middletown and Norwalk Substation in Norwalk, Connecticut Including the Reconstruction of Portions of Existing 115-kV and 345-kV Electric Transmission Lines, the Construction of the Beseck Switching Station in Wallingford, East Devon Substation in Milford, and Singer Substation in Bridgeport, Modifications at Scovill Rock Switching Station and Norwalk Substation and the Reconfiguration of Certain Interconnections. Development and Management (D&M) Plan for Segment 2b - Cheshire/Hamden Town line to the East Devon Substation that traverses the towns of Hamden, Bethany, Woodbridge, Orange, West Haven and Milford.

Dear Ms. Bartosewicz:

At a public meeting held on August 31, 2006, the Connecticut Siting Council (Council) considered and conditionally approved the Development and Management (D&M) Plan for Segment 2b - Cheshire/Hamden Town line to the East Devon Substation that traverses the towns of Hamden, Bethany, Woodbridge, Orange, West Haven and Milford with the following conditions:

- That CL&P provide two weeks advance notice prior to commencement of construction
- That CL&P provide quarterly construction reports noting milestones of construction activity, including spill reports.
- That CL&P provide a weekly Environmental Inspector's report.
- That the location of the contractor's yards and staging areas be identified and provided to the Council prior to use.
- That a soil management plan be provided prior to commencement of construction.
- That CL&P submit a copy of the Change -in-Use Permit (as reviewed and approved by the DPH) prior to the commencement of construction.

- That CL&P conduct a sweep of the areas in vicinity of Wepewaug River prior to construction for the protection of wood turtles.
- That lay down or pulling station sites be provided prior to commencement of construction and such locations not be located within 50 feet of the edge of a wetland or water body.
- That CL&P utilize a professional forester to oversee clearing activities consistent with forestry BMP.
- That clearing and installation of structures be conducted during periods of low flow or during winter months, to the extent practicable, and that temporary construction mats and associated material used throughout Segment 2b be removed upon completion of construction.
- That best management practices for fueling, operation, and maintenance of vehicles in aquifer zones and inland wetland and watercourses be employed.
- That CL&P provide an annual report for three years following ROW construction on the reestablishment of native vegetation to inland wetland and the control and management of invasive plant species.
- Council staff recommends CL&P coordinate with the Town of Milford to minimize impacts to the park and integrate allowable recreational uses of the ROW.
- That CL&P notify the Council of workday and/or work hour extensions verbally and documented within 24 hours of a business day.
- That CL&P notify landowners adjacent to the right-of way not less than two weeks prior to the initiation of construction.
- That CL&P provide a blasting plan, if necessary, for review and approval prior to blasting.
- That the D&M plans for erosion and sediment controls comply with the 2002 Connecticut Guidelines for Erosion and Sediment Control.
- That CL&P provide archeological reconnaissance surveys for review and approval.
- That proposed deviations are authorized by the Chairman with written specification of the deviation submitted within 24 hours of a business day and all other changes require advance notification and Council approval or be subject to enforcement by the Attorney General.

This approval applies only to the D&M Plan submitted on June 14, 2006. Enclosed for your information is the staff report dated August 31, 2006.

Docket No. 272
D&M Plan Segment 2b
Decision
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Any deviation from the D&M plans may result in the Council implementing enforcement proceedings pursuant to General Statutes § 16-50u including, without limitation, imposition of expenses resulting from such failure and of civil penalties in an amount not less than one thousand dollars per day for each day of construction or operation in material violation.

Please feel free to call S. Derek Phelps, Executive Director if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Colin C. Tait", followed by a stylized flourish or scribble.

Colin C. Tait
Vice Chairman

CCT/SDP/foc

Enclosure

c: Council Members
Parties and Intervenors

Docket No. 272
Connecticut Light and Power Company
Development and Management Plan Segment 2b
Cheshire/Hamden Town line to the East Devon Substation
Overhead 345-kV Transmission line
August 31, 2006

Introduction

On June 15, 2006 Connecticut Light and Power Company (CL&P) submitted a Development and Management (D&M) Plan for overhead transmission lines in Segment 2b - Cheshire/Hamden Town line to the East Devon Substation that traverses the towns of Hamden, Bethany, Woodbridge, Orange, West Haven and Milford.

CL&P consulted with officials and residents of Hamden, Bethany, Woodbridge, Orange, West Haven and Milford. Commonwealth Associates, an independent Technical Advisor selected after consultation with Connecticut's Office of Consumer Counsel, was available to assist residents and municipal officials with their requests.

Pursuant to Connecticut General Statutes §16- 243, CL&P must file a *Method and Manner of Construction* with the Connecticut Department of Public Utility Control and associated Department regulations. The Project is also subject to a permit from the U.S. Army Corps of Engineers. A Connecticut Department of Public Health Change-in-Use Permit will be needed to cross South Central Regional Water Authority (RWA) lands the ROW would cross.

Project Administration

Project administration is overseen by CL&P. CL&P's construction contractor will establish a contractor's yard for office trailers, staging of equipment, materials and supplies, and a parking area for construction workers. This contractor's yard will be about two to five acres in size and located proximal to the project. Where possible, material storage, staging and lay down areas will be set up on property already owned by NU. If NU property is not available, areas such as parking lots or land that is not in use would be used. Council staff recommends that the contractor's yards and staging areas be identified and provided to the Council prior to use.

Design Considerations

Residents in Hamden, Bethany, Woodbridge, Orange, West Haven, and Milford raised concerns and requests to move structures within the ROW, structure heights and finishes, well testing and landscaping. The D&M Plan reflects many iterations maximizing location and height of structures to reduce electric and magnetic fields consistent with the Council's Decision and Order. Wetlands, roadways, and attempts to reduce view scape affected how the structures were located. Furthermore, when dealing with conflicting requests of structure design and heights CL&P defaulted to the low-EMF design and is proposing weathered steel structures. However, many of the requests for specific tower heights and designs have been incorporated into the D&M Plan. CL&P does not landscape around or in vicinity of the transmission line structures, CL&P does not object to property owners to landscape as long as the plantings are not within 25 feet of a structure or five feet of a guy and said plantings would not mature above a particular height.

Residents concerned about septic systems and leeching fields within the ROW were informed they must be designed to appropriate loading standards and received prior approval from CL&P to remain; otherwise they may need to be relocated by the property owner. Also, requests to move structures to other properties could not be accommodated as CL&P plans to remove and replace structures in the same location as to minimize impact to property owners that do not have an existing structure located on their property. This would also require purchasing additional easements. However, some existing structures that would be removed and would not be replaced would provide relief to that property owner.

The following describes locations CL&P was able to accommodate constituent concerns.

Hamden:

- Eliminate structures 24201/4014 and increase heights of 24203/4017 to accommodate longer span.
- Move structures 24184/3997 longitudinally toward 24185.
- Move structures 24183/3996 to south side of Tom Swamp Road to preserve no impact to leeching fields.
- Structures would have a weathered steel finish except structures 243200-24202 with galvanized finish.

Bethany:

- remove and replace 115-kV structures near a residence and locate new structure 24168/3981 further from the residence.
- Move structure 24166 25 feet southwest, however CL&P could not move structure 24165 due to encroachment to adjacent property.
- Structures would have a weathered steel finish.

Woodbridge:

- Preference of higher structures is being proposed as split phase design at a typical height of 135 feet which increases conductor to ground clearance by 30 feet at locations where higher structures were requested.
- Move structures 24101/3913 and 24098/3911 south to property boundaries
- Move structure 3910 90 feet out of line-of-sight.
- Move structures 24102/3915 100 feet north for aesthetic concerns.
- Structures would have a galvanized steel finish as requested by the town.
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Orange:

- Accommodate higher structures south of Hall Drive to south of Racebrook Road and south of Hunting Hill Place to north of Saddle Ridge Road.
- Move structures away from residences across Orange Center Road to town-owned property at High Plains Community Center
- Preference of higher structures is being proposed as split phase design at a typical height of 105 feet which increases conductor to ground clearance between 15 and 40 feet
- Move structures 24056 and 3869 30 feet south to avoid wetlands
- Move structure 24057 65 north o reduce wetland impacts
- Move structure 3876 50 northeast away from a swimming pool

Orange (con't)

- Move structures 24069 and 3882 45 feet and 75 feet northeast respectively to reduce property impact
- Structures would have a weathered steel finish

Milford:

- Preference of higher structures is being proposed as split phase design at a typical height of 105 feet which increases conductor to ground clearance between 12 and 35 feet
- Coordinated structure locations and vegetative management in Eisenhower Park
- Lexington Green Homeowner's Association was presented two design options with detailed drawings. Lexington Green reviewed and accepts the D&M Plan as proposed.
- Structures would have a galvanized steel finish

Specific Structures Referenced in Council's Decision and Order

The Council's Decision and Order Item 14(t) requires information concerning pole placement at two locations: (1) Farmington Canal Recreation Trail in Hamden and (2) Wetland #133 between Manville and Ansonia Roads in Woodbridge. The existing structures 4010 and 5213 those are immediately adjacent and to the east of the Farmington Canal recreation Trail will be removed and will not be replaced. The new structures west of Brooksvale Avenue (2419 and 4004) have been moved east to allow for spanning the trail and associated greenway.

At Wetland #133, the engineering constraints, such as location of angle structures and street crossings, do not allow for spans long enough to accommodate the request to eliminate existing structures 3920 and 5120. These structures will be replaced by new structures 24102 and 3915, respectively. Existing structure 2392 will be eliminated.

Transmission Line Route

The D&M Plan and alignment maps (at a scale of 1" = 200'), including right-of-way (ROW) and structure profiles, outlines the route of a new overhead 345-kV transmission line. Segment 2b consists of one continuous path for the proposed 345-kV transmission line within an existing 115-kV transmission line corridor. Segment 2b begins at the Cheshire/Hamden Town Line south of Cook Hill Junction in Hamden and continues through the towns of Hamden, Bethany, Woodbridge, Orange, West Haven and Milford to the new East Devon Substation in Milford and onward to the Devon Generating Station. Two of the three existing 115-kV lines will be rebuilt within this corridor and all three will interconnect at the East Devon Substation. The 115-kV lines, and the 115-kV Milford Power Generation connection lines, continue beyond the new East Devon Substation location to the Devon Generation Substation in Milford. These 115-kV lines will be rebuilt or reconfigured to support the Project.

Woodbridge Deviations

New easements are required for adjustments to the ROW alignment in the vicinity of the Jewish Community Center and Congregation B'nai Jacob in Woodbridge. The Council held a hearing on July 20, 2006 for purposes to modify the approved route as outlined in its decision and

order. The portion of the ROW between Rimmon Road and Center Road in the Town of Woodbridge would be considered by the Council at a future date.

Cheshire/Hamden Town Line to Hamden Transition Structure

A new 115-kV underground line segment (Line 1640) will be constructed in Hamden along the existing CL&P ROW and within Old Lane Road (less than 0.1 miles). The existing overhead line easement will be used to gain access from this road to the line transition structures. The width of the existing ROW will not have to be expanded; however, CL&P will have to acquire underground rights to install its underground line facilities within the ROW.

The typical duct bank configuration includes three 3500-kcmil copper XLPE 115-kV transmission cables and grounding wire. The work zone for duct bank construction will measure approximately 400 feet in length. The following activities will occur in Old Farms Road and Old Lane Road:

- saw cutting pavement
- trench excavation that includes a typical 3-foot wide by 5.5-foot deep trench which would allow for a 30 inch minimum cover of the duct bank. Steel plating of the open trench will be used to facilitate the construction process and open up travel lanes. . A soil management plan will be issued for handling spoil material removed during excavation. Council staff recommends that a soil management plan be provided to the Council and municipalities prior to the commencement of construction.
- duct placement includes three six-inch and one 2-inch Polyvinyl Chloride (PVC) ducts supported by incrementally spaced duct spacers Spacing of the ducts is critical and is dictated by system ampacity requirements, which are negatively affected by mutual heating of the cables. CL&P proposes various configurations for duct installation which would address specific conditions such as avoiding other underground utilities.
- backfilling the ducts will be encased concrete (earthen formed), and then the trench will be backfilled with a 100-psi fluidized thermal backfill.
- temporary pavement restoration and in the end permanent pavement restoration will be performed to standards outlined by the Town of Hamden for locations within public road right-of-way..

Two splice vaults are proposed for this 115-kV underground line and both are located in the Town of Cheshire. These vaults have been reviewed and approved by the Council in Segment 2a D&M Plan.

Site specific traffic plans have been developed for excavations and is included in the D&M Plan identified as the Maintenance and Protection of Traffic (MPT) Plans. MPT Plans will be submitted to the towns. The Council has exclusive jurisdiction of the project and would resolve any disagreement in the MPT Plans.

Transition from underground to overhead structure Hamden to East Devon Substation, Milford

This segment of the new overhead 345-kV line begins adjacent to a new 115-kV line transition structure just south of the Cheshire/Hamden Town Line in Hamden. The new 345-kV line continues through the towns of Bethany, Woodbridge, Orange and West Haven to the new East Devon Substation in Milford. Currently, there are three 115-kV lines within the right-of-way

(ROW) corridor. Two of the 115-kV lines (circuits 1640 and 1610/1685) are supported on wood-pole H-frame structures and will be removed and replaced with a single line of double-circuit 115-kV line on steel monopoles as a low electric and magnetic field (LEMF) design with a typical height of 80 feet. No new ROW will be required along the existing corridor. The third 115-kV line currently supported on steel lattice towers (Line 1690) will be removed and replaced with the new 345-kV line on steel monopoles. The new monopoles will have either a delta configuration with a typical height of 85 feet or a split-phase configuration with a typical height of 105 feet, both considered as LEMF designs.

The 345-kV delta-configured structures will be installed from the new 115-kV line transition structure south of Cheshire/Hamden Town Line through Bethany to just north of Clark Road in Woodbridge, a distance of approximately 8.3 miles, and from Route 15 in Woodbridge to just north of the Orange/West Haven Town Line, a distance of 1.9 miles.

The 345-kV split-phase configured structures will be installed from just north of Clark Road to Route 15 in Woodbridge, a distance of approximately 3.7 miles, and from just north of the Orange/West Haven Town Line southerly to the new East Devon Substation, a distance of approximately 8.1 miles.

East Devon Substation to Devon Generation Substation

The three existing 115-kV lines (Line 1640, Line 1685 and Line 1690) continue past the site of the new East Devon Substation to the existing Devon Generation Substation where they terminate, all in Milford. Seven additional circuits join this ROW corridor at East Devon Junction in Milford along the way to Devon Generation Substation. The length of this segment is approximately 1.3 miles. No expansion of the ROW will be required. The two existing 115-kV lines that are supported on wood H-frame structures (Line 1640 and Line 1685) transition to double-circuit steel lattice towers approximately 0.8 miles south of the East Devon Substation. These towers and the two circuits will be removed and rebuilt on double-circuit 115-kV steel monopoles with a typical height of 80 feet. The existing 115-kV line that is supported on steel lattice towers (Line 1690) will be removed and replaced with a higher capacity 115-kV line on steel monopoles with a typical height of 90 feet. This line will be terminated at the new East Devon Substation, creating a new Devon Generation – East Devon 115-kV tie line (Line 1485).

Milford Power Substation to Devon Generation Substation

The existing 115-kV tie line between the Milford Power Substation and Devon Generation Substation (Line 1350) exits the Milford Power Substation to the west, crossing under three 115-kV lines and then turns south where it runs along the east side of a railroad ROW. This existing 115-kV line is built on steel monopoles with a typical height of 105 feet. This line will be “cut open” at the location where it turns to the west. Each “open” end of the two remaining segments will be extended northerly for a few spans on new structures to the East Devon Substation. Continuation of the opened end of the line from Devon Generation will be on steel H-frames with a typical height of 60 feet, creating an additional Devon Generation – East Devon 115-kV tie (Line 1497). Continuation of the opened end of the line from Milford Power Substation will be on new steel H-frame structures with a typical height of 60 feet, creating a new Milford Power – East Devon 115-kV tie (Line 1320).

Construction Process

The D&M Plan specifically outlines the methods of construction and guidelines for clearing, (permanent and temporary) access roads, foundation excavation, soil erosion and sedimentation control, dewatering, spoil placement, and restoration of disturbed areas to pre-construction conditions. Blasting is not expected however if blasting is necessary CL&P would submit a Blasting plan to the Council for review and approval.

Special procedures have been developed for stream and inland wetland crossings, electric utility crossings, noise sensitive receptors, fugitive particulate emissions, dust and mud control, management of solid and/or hazardous substances, protection of cultural and historic resources including an unanticipated discoveries plan, visual impact and residential mitigation plan, and worksite safety plan.

Clearing

Clearing will occur along the majority of Segment 2b. Vegetation clearing practices to be used are consistent with NU's Design and Application Standard titled "Right-of-Way Vegetation Clearing Standard for 69-kV through 345-kV Transmission Lines" (TRM 81.021), the New England Independent System Operator's Vegetation Clearing Standard OP-4, and the National Electrical Safety Code Rule 218 as adopted by the Connecticut Department of Public Utility Control (Regulation Section 16-11-134). The construction clearing practices include retention of a 50-foot buffer near intermittent streams and wetlands and a 100 foot buffer near perennial streams. Also, a 40-foot cleared area is needed from all surfaces of structures. Lay down and assembly of structures would require larger cleared areas. The D&M Plan ROW profiles do not demarcate specific clearing to construct the 345-kV line and reconstruct the 115-kV line because much of the ROW had been maintained from edge to edge. CL&P had been maintaining the ROW consistent with its vegetative maintenance program on four year cycles. As the Middletown-Norwalk Project was being planned vegetative maintenance was postponed and would be scheduled to take place during construction of the Middletown-Norwalk Project. Thus adjacent residents become accustomed to growing vegetation within the ROW easement.

A professional forester will oversee tree inventory and clearing activities. Low-impact tree clearing is the preferred method for clearing which incorporates a variety of approaches, techniques and equipment to minimize site disturbance and to protect residual forests, wetlands, watercourses, soils and cultural resources, including stone walls, old cemeteries and old foundations that are commonly found in wooded areas in Connecticut. Primarily, CL&P would follow the Best Management Practices (BMP) for harvesting as outlined in *Logging and Water Quality in Connecticut* – developed by the Connecticut 208 Forestry Advisory Committee, 1982. Council staff recommends CL&P utilize a professional forester to oversee clearing activities consistent with BMP.

Soil Management

A soil management plan will be issued for handling spoil material removed during excavation. Council staff recommends a soil management plan be provided prior to commencement of construction.

Construction Methods

Construction of the overhead transmission lines requires use of existing access roads and construction of (permanent and temporary) access roads both to widths of 15 feet. CL&P would install crushed stone, gravel and or timber mat as a base for access roads. Steel poles ranging in height from 60 feet to 160 feet would require reinforced concrete foundations ranging from 7 feet to 8 feet in diameter. While the project would use an extensive amount of concrete, it is made of naturally-occurring substances. Mostly calcium from within the concrete materializes on the surface the concrete. However, soils with sulfites would require a particular concrete mixture to mitigate molecular interaction. This would be denoted within soil boring logs and CL&P would order such concrete.

Structure and foundation construction would require a 25-foot cleared area to drill foundation holes in to the ground or into rock. Excavated material would be used to improve grade around the structures in upland areas; to improve designated construction access roads; and/or deposited as directed by the landowner but not in a wetland.

Soil excavated in wetlands would be stored in upland areas reserved for wetlands restoration. Other excess material would be removed and disposed in accordance with state and/or federal regulations.

Excavations may require dewatering as a result of storm water or groundwater. Dewatering shall consist of a 10 ft by 10 ft straw bale perimeter (size adjusted per water volume) be located on a fairly level upland that is well vegetated, to allow water to drain and not to discharge into a wetland or water body.

No lay down or pulling station sites have been identified and Council staff would recommend such locations not be located within 50 feet of the edge of a wetland or water body and be provided prior to commencement of construction.

Erosion/Sedimentation/Revegetation

CL&P developed a soil erosion/sedimentation control and revegetation plan and procedures regarding access road development, erosion control and minimization of effects on natural systems incidental to construction. Council staff recommends that the erosion and sediment controls comply with the 2002 Connecticut Guidelines for Erosion and Sediment Control.

Also, CL&P developed a wetland vegetation monitoring and maintenance plan and invasive species control and management plan. Council staff recommends an annual report for three years following ROW construction on the reestablishment of native vegetation to inland wetland and the control and management of invasive plant species.

Water crossing

Water crossing methods that may be used during construction include flume pipe with crushed rock ramp, temporary bridge, construction mats and stone fords. Typically work in these resource areas are done during periods of low flow which occur in the summer months of June through September and the winter months of January through March. Also, gaps have been designed into the access roads to provide additional protection to water and/or wetland crossings. These gaps are identified on the drawings as "Restricted Access."

Access roads requiring permanent fill are located between structures 24023 -23025; and 24028-24029 in Milford; 24044 in Orange; 24100, 24104, 24109, 24110, and 24134 in Woodbridge; 24152 and 24154 in Bethany; and 24179-24180, 24185, 24187-24189, 24194,

24199 in Hamden. Construction mats will be used for the portions of the access road in other wetlands. Construction mats will also be used to provide a work platform at structure installation sites in wetlands. Council staff recommends clearing and installation of structures be conducted during periods of low flow or during winter months, to the extent practicable, and that temporary construction mats and associated material used throughout Segment 2b be removed upon completion of construction.

Environment/Cultural/Recreation

Wetlands within the Segment 2b ROW are dominated by shrub swamps and shallow marshes, with occasional wet meadows, forested wetlands, streams, and open waters existing within the route. The major wetlands and stream crossings include the Wepawaug River (Milford), Indian River (Orange), Silver Brook (Orange), Race Brook (Woodbridge), Willow Brook (Hamden), and Mill River (Hamden). Major open water crossings include Glen Dam Reservoir (Woodbridge) and a small portion of Maltby Lake (Orange). Five forested wetlands would be crossed by the project and are located in: the Town of Bethany near existing structure 3971; the Town of Woodbridge between existing structure 3917 and Ansonia Road; and, in the Town of Orange between existing structures 3902 and 3903, near existing structure 3855, and between existing structures 3888 and 3889. CL&P will limit the conductor pulling sites to upland areas to the extent practicable. Conductor pulling sites will be identified to the Council prior to commencement of construction.

Wood turtles are found in the vicinity of the Wepawaug River in Milford. DEP suggests that construction not occur during the period from April 1 to November 1. It is currently not known if construction will occur in the vicinity of Wepawaug River during this time period. If construction occurs during this period, CL&P will provide appropriate training in the recognition and removal of individual wood turtles from the ROW. Council staff recommends that CL&P conduct a sweep of the areas in vicinity of Wepawaug River prior to construction for the protection of wood turtles.

The Project crosses through:

Eight watershed protection zones:

Butterworth Brook – Hamden
Mill River – Hamden
Lake Whitney - Hamden
Lake Bethany - Bethany
Lake Waltrous - Bethany and Woodbridge
Lake Dawson - Woodbridge
Glen Lake – Woodbridge
Maltby Lakes - Orange.

Two aquifer protection zones:

Mill River - Hamden
Willow Brook - Hamden

Refueling in aquifer protection zones will be performed using portable spill containment areas. Council staff recommends that best management practices for fueling, operation, and maintenance of vehicles in aquifer zones and inland wetland and watercourses be employed.

The South Central Regional Water Authority (RWA) owns a significant portion of the land traversed by the ROW from Bethany to Orange. Item 16 of The Council's Decision and Order requires CL&P to prepare a Connecticut Department of Public Health (DPH) Change-in-Use Permit application for all RWA properties crossed by the Project. CL&P is actively preparing

this permit application for RWA for submittal to the DPH. DPH has submitted comments and mitigation measures which Council staff understands would be part of the Change-In-Use Permit review and approval process and recommends CL&P submit a copy of the Change –in-Use Permit (as reviewed and approved by the DPH) prior to the commencement of construction.

Numerous rock walls exist along the ROW and some have been identified by the State Historic Preservation Officer (SHPO) as having significance, as defined in the National Historic Preservation Act of 1966. These rock walls and other cultural resources will require that protective measures be employed during clearing and construction activities. Such measures will be developed in consultation with the SHPO, cultural resource contractor and CL&P prior to construction. No specific recommendations have been documented since an archeological reconnaissance Phase II survey is still being conducted. Council staff recommends that such surveys be submitted for review and approval.

Thirteen recreational resources are located in the vicinity of the Segment 2b ROW. These include:

1. Sleeping Giant State Park (Hamden – Segment 24)
2. Hamden Fish and Game Protective Association (Hamden – Segments 24 and 25)
3. Quinnipiac Trail (Bethany – Segment 28)
4. Lake Bethany Trail system (Bethany – Segment 29)
5. Blue-blazed trail (Woodbridge – Segment 31)
6. Unnamed blazed trail (Orange – Segment 35)
7. White-blazed trail (Orange – Segment 36)
8. ATV trail (Orange and West Haven – Segment 37)
9. Unnamed marked trail (Orange – Segment 39)
10. Paul Ode Nature Trail (Orange – Segments 40)
11. Fred P. Wolff Town Park (Orange – Segment 40)
12. Eisenhower City Park (Milford – Segment 42)
13. Milford Riders Motorcycle Club course (Milford – Segment 45).

The project would cross or run parallel to the Quinnipiac Trail near the Hamden – Bethany Town Line; the Lake Bethany trail system in Bethany, blue blazed trail in the Town of Woodbridge, the Paul Ode Nature Trail, unnamed marked trail, unnamed blazed trail and white-blazed trail in the Town of Orange and an ATV trail in Orange and West Haven, and the Hamden Fish and Game Protective Association which is a private shooting club for skeet, turkey and ham shoots and archery.

There are two town parks in or near the Project. The Fred P. Wolff Town Park is immediately adjacent to the Project ROW in Orange but no recreational facilities are in the immediate vicinity of the ROW. The Eisenhower City Park in Milford offers hiking and horseback riding trails. CL&P is aware of the City of Milford's plans to upgrade and redesign Eisenhower Park over the next several years. CL&P is discussing coordination efforts with representatives of the Park to minimize impacts to the Park design and unauthorized utilization in areas where the ROW has been cleared and to maximize the effectiveness of site restoration.

No permanent restrictions to recreational use are anticipated however short-term inconvenience from detouring around construction may occur, but will not be significant. Any damage to these areas will be repaired to pre-construction condition. Council staff recommends

CL&P coordinate with the Town of Milford to minimize impacts to the park and integrate allowable recreational uses of the ROW.

Spill Prevention and Response

A Spill Prevention and Response Plan address actions used to prevent spills in addition to actions that shall be taken should any spills occur including emergency notification procedures. The on-site Environmental Inspectors are responsible for ensuring that contractors implement and maintain spill control measures. All fuel, oil, and hazardous materials management will be in accordance with local, state and federal guidelines. Council staff recommends CL&P attach copies of spill reports with its construction progress report.

Work safety

CL&P provided a copy of the Project Safety and Health Program. Prior to commencement of construction CL&P requires that all personnel (CL&P and Contractor) involved in construction activities attend a project-specific safety and environmental training session. These training sessions summarize the D&M Plan and other permit/certificate requirements governing the project. The training will emphasize the importance of workplace safety and environmental compliance including disciplinary action. Furthermore, an environmental inspector, the BSC Group previously recognized by the Council will be responsible for inspections and weekly reporting to verify that the construction is performed in accordance with environmental requirements.

Construction Schedule

The construction and installation of Segment 2b, from survey to energizing, will take approximately 42 months. The schedule is currently under review and subject to modifications. Construction activities are expected to take place during daylight hours (7:00 am to 7:00 pm) six days per week, with additional overtime if necessary. Extensions of the workday and hours may occur on a temporary and case-by-case basis. Council staff recommends that CL&P notify the Council of workday and/or work hour extensions verbally and documented within 24 hours of a business day.

The following items summarize the projected schedule:

| | |
|-------------------------------|---------------------------------|
| Survey | December 2005 – May 2006 |
| Geotech testing | January 2006 – May 2006 |
| Right-of-way clearing | September 2006 – October 2006 |
| Mobilization for Construction | October 2006 - -November 2006 |
| Structure Removal | December 2006 – August 2008 |
| Structures/Cable installation | November 2006 – September 2008 |
| Cut-overs | September 2007 – September 2008 |
| Site Restoration | January 2007 – December 2008 |

D&M Plan Changes

CL&P proposes the following procedures to address deviations of the D&M Plan:

- For proposed deviations prior to the start of construction or well in advance of commencement of specified activity, CL&P will submit a request in writing for review and approval by the Council;
- For proposed deviations during construction based upon field conditions, CL&P will conduct a telephone conference with Council staff to present the proposed modification and receive verbal approval from the Council Chairman with written specification of the deviation to be submitted within 24 hours after the request; and
- Implementation of deviations to the D&M Plan that are approved by the Council will be documented within the monthly monitoring reports to be submitted by the independent environmental inspector.

Council staff recommends that proposed deviations be authorized by the Chairman with written specification of the deviation submitted within 24 hours of a business day after the request and all other changes require advance notification and Council approval or be subject to enforcement by the Attorney General.

Notifications and Reporting

CL&P will notify municipalities and landowners adjacent to the rights-of way not less than two weeks prior to the initiation of construction. A toll-free number, staffed during working hours and voicemail other hours, will be available specific to the project. All calls will be documented which will initiate a protocol of response. Council staff recommends CL&P provide two weeks advance notice prior to commencement of construction and municipalities and landowners adjacent to the rights-of way not less than two weeks prior to the initiation of construction.

CL&P proposed to provide monthly construction reports however the Environmental Inspector for the Council would provide weekly reports. Council staff recommends that CL&P provide quarterly construction reports noting milestones of construction activity.

Recommendations

To summarize, the Council staff recommends approval of the Section 2b D&M Plan as follows:

That CL&P provide two weeks advance notice prior to commencement of construction

That CL&P provide quarterly construction reports noting milestones of construction activity, including spill reports.

That CL&P provide a weekly Environmental Inspector's report.

That the location of the contractor's yards and staging areas be identified and provided to the Council prior to use.

That a soil management plan be provided prior to commencement of construction.

That CL&P submit a copy of the Change –in-Use Permit (as reviewed and approved by the DPH) prior to the commencement of construction.

That CL&P conduct a sweep of the areas in vicinity of Wepewaug River prior to construction for the protection of wood turtles.

That lay down or pulling station sites be provided prior to commencement of construction and such locations not be located within 50 feet of the edge of a wetland or water body.

That CL&P utilize a professional forester to oversee clearing activities consistent with forestry BMP.

That clearing and installation of structures be conducted during periods of low flow or during winter months, to the extent practicable, and that temporary construction mats and associated material used throughout Segment 2b be removed upon completion of construction.

That best management practices for fueling, operation, and maintenance of vehicles in aquifer zones and inland wetland and watercourses be employed.

That CL&P provide an annual report for three years following ROW construction on the reestablishment of native vegetation to inland wetland and the control and management of invasive plant species.

Council staff recommends CL&P coordinate with the Town of Milford to minimize impacts to the park and integrate allowable recreational uses of the ROW.

That CL&P notify the Council of workday and/or work hour extensions verbally and documented within 24 hours of a business day.

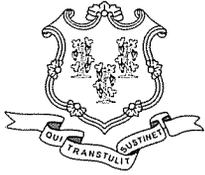
That CL&P notify landowners adjacent to the right-of way not less than two weeks prior to the initiation of construction.

That CL&P provide a blasting plan, if necessary, for review and approval prior to blasting.

That the D&M plans for erosion and sediment controls comply with the 2002 Connecticut Guidelines for Erosion and Sediment Control.

That CL&P provide archeological reconnaissance surveys for review and approval.

That proposed deviations are authorized by the Chairman with written specification of the deviation submitted within 24 hours of a business day and all other changes require advance notification and Council approval or be subject to enforcement by the Attorney General.



STATE OF CONNECTICUT

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NOTICE OF SERVICE

I hereby affirm that a photocopy of this document was sent to each Party and Intervenor on the service list dated September 6, 2006.

Dated: September 7, 2006

A handwritten signature in cursive script, appearing to read "Lisa L.", written over a horizontal line.

Lisa Fontaine
Custodian of Docket No. 272