



STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL

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**CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

April 1, 2016

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

RE: **PETITION NO. 1216** – Eversource Energy petition for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the proposed modifications to its existing Long Mountain Switching Station located at Long Mountain Road, New Milford, Connecticut and the reconductoring of approximately 5.3 miles of its existing No. 398 345-kV transmission line from Long Mountain Switching Station to the New York/Connecticut state line in New Milford, Sherman, and Kent, Connecticut, and related transmission line structure improvements.

Dear Mr. Morissette:

At a public meeting held on March 31, 2016, the Connecticut Siting Council (Council) considered and ruled that the above-referenced proposal would not have a substantial adverse environmental effect, and pursuant to Connecticut General Statutes § 16-50k, would not require a Certificate of Environmental Compatibility and Public Need, with the following conditions:

1. The Petitioner shall implement protective measures for Natural Diversity Database wildlife and critical habitat in consultation with the Connecticut Department of Energy and Environmental Protection;
2. Unless otherwise approved by the Council, if the facility authorized herein is not fully constructed within three years from the date of the mailing of the Council's decision, this decision shall be void, and the facility owner/operator shall dismantle the facility and remove all associated equipment or reapply for any continued or new use to the Council before any such use is made. The time between the filing and resolution of any appeals of the Council's decision shall not be counted in calculating this deadline. Authority to monitor and modify this schedule, as necessary, is delegated to the Executive Director. The facility owner/operator shall provide written notice to the Executive Director of any schedule changes as soon as is practicable;
3. Any request for extension of the time period to fully construct the facility shall be filed with the Council not later than 60 days prior to the expiration date of this decision and shall be served on all parties and intervenors, if applicable, and the Towns of New Milford, Kent, and Sherman;
4. Within 45 days after completion of construction, the Council shall be notified in writing that construction has been completed;
5. The facility owner/operator 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;

6. This Declaratory Ruling may be transferred, provided the facility owner/operator/transferor is current with payments to the Council for annual assessments and invoices under Conn. Gen. Stat. §16-50v and the transferee provides written confirmation that the transferee agrees to comply with the terms, limitations and conditions contained in the Declaratory Ruling, including timely payments to the Council for annual assessments and invoices under Conn. Gen. Stat. §16-50v; and
7. If the facility owner/operator is a wholly owned subsidiary of a corporation or other entity and is sold/transferred to another corporation or other entity, the Council shall be notified of such sale and/or transfer and of any change in contact information for the individual or representative responsible for management and operations of the facility within 30 days of the sale and/or transfer.

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 petition dated February 5, 2016.

Enclosed for your information is a copy of the staff report on this project.

Very truly yours,



James J. Murphy Jr.
Vice-Chairman

JM/MP/lm

Enclosure: Staff Report dated March 31, 2016

- c: The Honorable David Gronbach, Mayor, Town of New Milford
Laura Regan, Zoning Enforcement Officer, Town of New Milford
The Honorable Bruce K. Adams, First Selectman, Town of Kent
John A. Johnson, Planning/Zoning Comm. Chm., Town of Kent
The Honorable Clay Cope, First Selectman, Town of Sherman
Ronald Cooper, Zoning Enforcement Officer, Town of Sherman
Marianne Barbino Dubuque, Esq., Carmody Torrance Sandak & Hennessey LLP



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Petition No. 1216

**The Connecticut Light and Power Company d/b/a Eversource Energy
New Milford, Sherman and Kent, Connecticut
Staff Report
March 31, 2016**

Introduction

On February 5, 2016, the Connecticut Siting Council (Council) received a petition (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 modifications to its existing Long Mountain Switching Station located in New Milford and for the reconductoring of the #398 345-kV transmission line from Long Mountain Switching Station to the New York/Connecticut State Line within Eversource's existing rights of way (ROW) located in New Milford, Kent, and Sherman, Connecticut. Council member Larry Levesque and Council staff member Michael Perrone conducted a field review of the proposed project on March 4, 2016. John Morissette, Project Manager – Transmission Siting CT, Eversource; Farah Omokaro, Siting Engineer, Eversource; Stephen Marien, Transmission Line Engineer, Eversource; Justin Adams, Permitting, Eversource; and David Klinch, Associate/PM, Epsilon/CVEC also attended the field review.

Cricket Valley Energy Center, LLC is proposing to build a new 1,000-megawatt natural gas-fired power plant in Dover, New York, about 3.3 miles west of the Connecticut/New York State Line. This new power plant will interconnect at a new substation to be built between the New York border and Consolidated Edison's (Con-Ed) Pleasant Valley Substation in Pleasant Valley, NY. The new substation will be connected to Con-Ed's existing 345-kV transmission line that extends from Pleasant Valley Substation to the Connecticut border, where the line becomes Eversource's #398 line that continues to Eversource's Long Mountain Switching Station. Transfer limit analysis performed by ISO-New England (ISO-NE) identified the need to upgrade the #398 line to eliminate significant adverse impacts such as reductions of the New York/New England transfer limit that would otherwise result from the Cricket Valley generating plant interconnection. The purpose of the proposed Eversource project is to avoid such adverse impacts. The proposed project would maintain or increase the existing transfer limit in scenarios where the #398 line limits the transfer capability. The proposed project is identified on the ISO-NE 2015 Regional System Plan Project List.

Specifically, the project consists of the following components noted below:

- a) Removal of existing wave trap and installation of new underground fiber conduit at Long Mountain Switching Station;
- b) Reconductoring approximately 5.3 miles of the existing 345-kV #398 transmission line from Long Mountain Switching Station to the NY/CT border;
- c) Replacement of one single-circuit wood H-Frame structure with a new single-circuit steel H-Frame structure on the #398 line; and
- d) Replacement of the eastern overhead ground wire with optical ground wire on the #398 transmission line.

Long Mountain Switching Station Portion of the Project

Eversource would remove an existing wave trap and install new underground fiber conduit within the existing fenced area of the switching station. The fiber communication would eliminate the need for the existing wave trap. The new underground fiber conduit would be installed from the control house to the overhead tower/pole inside the fenced switching station.

Reconductoring Portion of the Project

Specifically, Eversource seeks to replace the existing 2156-kcmil aluminum conductor steel reinforced (ACSR) conductors with new 2156-kcmil aluminum conductor steel supported (ACSS) conductors on the #398 line from structure number 8001 just slightly over the NY border to the Long Mountain Switching Station. The total distance is approximately 5.3 miles. The existing transmission structures currently have two ground wires. Eversource would also replace the eastern overhead ground wire with an optical ground wire.

Eversource would also replace one transmission structure. Specifically, existing wood H-frame structure number 8039 would be replaced with a new single-circuit steel H-frame structure in nearly the same location. The existing structure is approximately 83.5 feet tall. The new structure would be 97 feet tall. The new structure would be direct imbedded and would be made of weathering steel. It would be located approximately ten feet from the existing structure to be removed.

Construction Methods

Eversource would utilize the Long Mountain Switching Station property as the staging area for the project, including construction trailers and parking for vehicles.

No clearing is required. Vegetation removal for the proposed reconductoring work would be similar to what is currently conducted for periodic vegetation management of the ROW and for structure maintenance activities. Specifically, vegetation removal would consist of removing overgrowth at the base of existing structures and providing unobstructed access for construction equipment as well as conducting side trimming and vegetation removal along existing and new access roads to provide/improve access to existing structure locations. This would ensure the stability of work pads and safe operation of equipment used for the project.

Following vegetation removal, soil erosion and sedimentation controls would be installed. Erosion and sedimentation control measures (E&S controls) would be installed in accordance with the *2002 Connecticut Guidelines for Soil Erosion and Sediment Control* and Eversource's Best Management Practices (Eversource BMPs). Typical E&S controls include, but are not limited to, the use of hay bales and silt fence, check dams, berms, swales, sediment basins, seeding, mulching, and straw blankets. Temporary E&S controls would remain in place until construction is complete and all disturbed areas are stabilized.

The project would utilize existing and new permanent and temporary access roads. Permanent access road installation and improvements would involve the placement of gravel and typically include removing vegetation growth and grading the area to a width of approximately 16 to 20 feet (with additional width needed at turning or passing locations). Access roads would typically be gravel. However, where access roads traverse streams, wetlands, or areas of moderate to high potential for archaeological sensitivity, construction mats would be used.

A typical (upland) installation of a work pad at a structure location not located in an area of archaeological sensitivity would involve several steps, beginning with the removal of vegetation, if necessary. If not already level, the work pad site would then be graded to create a level work area, and the upper three to six inches of topsoil would be removed. The topsoil would be temporarily stockpiled within the ROW, typically near the work pad.

The new structure sections and associated materials and hardware would be delivered by truck and would be stored at the staging area. The new structure would be delivered to the installation location in sections, and then it would be assembled and installed with a crane. Insulators and connecting hardware would be installed on most structures at this time.

The reconductoring of the overhead line conductors and shield wires would require the use of special pulling and tensioning equipment, which would be positioned at pre-determined pull pad locations specified by Eversource. In this Petition, a typical pull pad size is 60 feet by 300 feet, with some others of various sizes to be located within the existing ROW.

Helicopters may be used for conductor and shield wire pulling activities. After the removal of the old conductors, the existing transmission line structure, hardware, and associated conductors and wires would be disposed of in accordance with Eversource BMPs.

ROW restoration activities would include the removal of construction debris, signs, flagging, and fencing, as well as the removal of temporary mat access roads and work pads in wetlands, archaeologically sensitive areas, and other areas that require protection from construction equipment. All other work pads and access roads would be left in place to facilitate future transmission line maintenance. Unless located in wetlands and/or areas of archeological sensitivity, areas affected by construction would be re-graded as practical and stabilized using re-vegetation or other measures before removing temporary erosion and sedimentation controls.

Eversource anticipates beginning construction during January 2018 and completing construction in June 2018. However, the final schedule is subject to the timing of the construction of the Cricket Valley power plant.

Environmental Effects and Mitigation Measures

Eversource's review of the Connecticut Department of Energy and Environmental Protection's (DEEP) Natural Diversity Database identified State-listed endangered, threatened, or special-concern species in the vicinity of the proposed project area. According to a data sharing agreement with DEEP, Eversource is unable to publicly identify the protected species. However, Eversource met with DEEP's Wildlife Division in August 2014 in order to discuss survey protocols for the rare species identified and to identify potential protection measures that could be implemented to minimize impacts to the species should they be found.

In the fall of 2015, Eversource provided DEEP with the results of the rare species surveys in order to further develop appropriate protection measures to minimize the potential for impact to these species. In its November 19, 2015 letter to DEEP, Eversource proposed location-specific protection protocols, but Eversource would also adhere to any further recommendations from DEEP and incorporate these additional measures into Eversource BMPs relative to the specific listed species.

A portion of the project falls within Dry Circumneutral Forest, a DEEP mapped critical habitat area. Eversource is working with DEEP to develop project-specific protection measures for work within this critical habitat area and would adhere to any additional DEEP-recommended protection measures relative to the specific listed species.

Heritage Consultants, LLC (Heritage) performed an assessment of archaeological and historical resources along the reconductoring route. The review identified areas of moderate to high potential for archaeological sensitivity along the route. As recommended by Heritage, Eversource would avoid ground disturbance in these areas by utilizing existing access roads to the extent possible and installing temporary construction mats over access roads, pull pads and work pads in these sensitive areas. Existing access roads would require mowing, limited grading, and the placement of gravel on previously disturbed areas. Construction mats would be used where additional width is needed for passing or turning, and the areas have not been previously disturbed. No ground disturbance other than for the underground conduit within the fence line of the Long Mountain Switching Station is expected.

The closest historical feature to the project area is Long Mountain Cemetery, located adjacent to and partially within the ROW corridor in New Milford. No work is proposed on the ROW within the cemetery. The Appalachian Trail (AT), a national scenic trail crosses the transmission line ROW in Kent. While the #398 line to be reductored passes over the AT, no work would be performed on the trail itself. Existing structures to the east and west of the trail would not be replaced.

Temporary wetland impacts would be associated with the use of construction mats in the existing ROW. The temporary wetland impact area would total approximately 22,000 square feet. Any work within wetland systems would be conducted in accordance with Eversource BMPs. No areas in the vicinity of the proposed project possess suitable vernal pool hydrology or bear evidence of such hydrology. As such, there are no vernal pools identified within the project area.

The transmission structure to be replaced is not located within a 100-year or 500-year flood zone.

No public water supply reservoirs are located in the vicinity of the proposed project. The project would not affect ground water or surface water features, and the project would not cross any aquifer protection areas.

Electric and magnetic fields (EMF) at the boundaries of the Long Mountain Switching Station would not change as a result of the proposed modifications. For the reductoring portion of the project, there may be small changes in EMF under the transmission lines because of the change in conductor sags. However, any changes to EMF at the edges of the ROW or beyond would be negligible.

There would be no changes to the existing sound levels along the transmission ROWs after completion of the project. No new equipment that would contribute to noise would be installed at Long Mountain Switching Station; thus, noise levels at Long Mountain Switching Station would remain unchanged.

There would be no visual impacts associated with the modifications to the Long Mountain Switching Station.

For the 5.3-mile reductoring portion of the project, the visual impact would not be expected to be significant because it involves one-for-one conductor replacements and a one-for-one ground wire replacement (with a new optical ground wire). The replacement transmission structure would utilize weathering steel which would weather/oxidize to a red/brown color, similar to the wooden structure to be removed. While the new structure would be 13.5 feet taller, the surrounding area is heavily wooded on all sides. The weathering steel color would also fit in with the character of the surrounding wooded area. Furthermore, the proposed replacement structure would be located about 325 feet from the property line of the nearest residence. No incremental visual impact on the Appalachian Trail would be expected because the reductored line would look very similar visually post-construction due to the one-for-one conductor swap.

Municipal and abutter notice

Eversource consulted with the Towns of New Milford, Sherman, and Kent collectively referred to as the Towns (Towns). Formal notice of the Petition was provided to the Towns and abutting property owners on or about February 4, 2016. The Council has not received any comments from abutters or the Towns to date.

Staff recommends including the following condition:

- The Petitioner shall implement protective measures for Natural Diversity Database wildlife and critical habitat in consultation with the Connecticut Department of Energy and Environmental Protection.