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Chairman

STATE OF CONNECTICUT  
CONNECTICUT SITING COUNCIL

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March 27, 2008

TO: Parties & Intervenors

FROM: S. Derek Phelps, Executive Director

RE: **PETITION NO. 834** – Watertown Renewable Power, LLC petition for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the construction, maintenance, and operation of a 30 MW biomass gasification generating project located at Echo Lake Road, Watertown, Connecticut.

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The Connecticut Siting Council (Council) intends to take administrative notice of the following items in this proceeding, assuming that there is no objection from parties and intervenors:

- Feasibility Study Report (Feasibility Study) for the Proposed Biomass 38 MW Project (#191) Tapping 115-kV Line 1191 or Line 1238 near Frost Bridge 115-kV Substation in Connecticut, received March 5, 2008
- Department of Environmental Protection letter (DEP Letter) regarding use of right-of-way, dated March 26, 2008

The DEP Letter is attached for your convenience. The Feasibility Study may be viewed on our website at <http://www.ct.gov/csc/cwp/view.asp?a=2397&Q=401332&PM=1>. If any party or intervenor in this proceeding objects to the Council taking administrative notice of the above-noted documents, please file your objection in writing no later than April 7, 2008.

Thank you for your cooperation.



STATE OF CONNECTICUT  
DEPARTMENT OF ENVIRONMENTAL PROTECTION



March 26, 2008

**RECEIVED**  
MAR 26 2008

CONNECTICUT  
SITING COUNCIL

Mr. William G. Carter  
Managing Director  
Tamarack Energy, Inc.  
35 Pratt Street  
Suite 101  
Essex, CT 06426

Subject: Request for Power Line Transmission Right of Way - Watertown  
DEP File Number: A-07-41

Dear Mr. Carter:

By this correspondence I would like to provide Tamarack Energy with the Department of Environmental Protection's (DEP) current perspective on the proposed acquisition of a permanent right of way easement over a section of Mattatuck State Forest, after reviewing your updated proposal.

As you are aware from our correspondence of July 31, 2007, our Agency had initially concluded that we would be willing to grant the right of way as long as it had as minimal impact as possible on the forest and that several conditions were met, including the burying of the transmission lines, the replanting of cleared areas with a species that is beneficial to wildlife, an annual payment, compensation for the value of timber removed, and being responsible for all costs associated with granting the right of way easement.

You had responded on January 18, 2008 that a draft Feasibility Study from ISO-NE made it clear that above ground transmission lines were strongly preferred by the interconnecting utility, CL&P, due to greater reliability and ease of maintenance. You further provided a revised plan to minimize the impact on the forest, including a configuration that utilizes a single line of poles with a ROW width of 90 feet, an orientation of the interconnecting route to reducing the total length of the ROW to approximately 500 feet, and basic details of the area required for the proposed fenced in switchyard.

Several divisions within our Agency have reviewed your revised plan and it was concluded that we would be willing to allow the revised right of way easement, which includes the installation of above ground transmission lines rather than buried lines, as long as it has as minimal an impact as possible on the forest. Some of the conditions that must be met for the right of way to be granted include the following:

- 1) Any cleared areas beyond the existing trail must be replanted with a species that is beneficial to wildlife.
- 2) The State will require an annual payment and/or another form of compensation for the right of way. The compensation must be equal to or greater than the value of the right of

way easement. The terms of the compensation will be negotiated prior to the granting of the easement.

- 3) The State must be compensated for the value of the timber removed.
- 4) All costs associated with granting the right of way easement including, but not limited to, site surveys, appraisals, title work, etc. will be borne by Lamarack Energy, Inc.

I hope this provides you with additional clarification of the Department's current position on the proposed right of way easement. DEP staff is committed to continue to work with you to ensure that the granting of a right of way easement is both procedurally sound and fair.

Sincerely,



Matthew Starr  
Property Agent

cc: Elizabeth Brothers

EB:MS:ms