



STATE OF CONNECTICUT

COUNCIL ON ENVIRONMENTAL QUALITY

VIA ELECTRONIC MAIL

September 26, 2024

Melanie Bachman, Executive Director
Connecticut Siting Council
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PETITION NO. 1640 - The Connecticut Light and Power Company d/b/a Eversource Energy (Petitioner) petition for a declaratory ruling, pursuant to Connecticut General Statutes §4-176 and §16-50k, for the proposed Towantic Substation to Beacon Falls Junction Rebuild Project consisting of the replacement and reconductoring of electric transmission line structures along approximately 4.6 miles of two of its existing electric transmission line right-of-ways shared by its existing 115-kilovolt (kV) 1142, 1319, 1403, 1580, 1619, and 1808 Lines between Towantic Substation, Christian Street Junction and Beacon Falls Junction in Oxford, Connecticut, and related electric transmission line and substation improvements.

Dear Attorney Bachman,

The Council on Environmental Quality (Council) offers the following comments regarding Petition 1640.

1. Best Management Practices

The Petitioner notes that certain project activities, including, but not limited to, vegetation work, work in or near water resource areas, stormwater management, right of way (ROW) restoration, activities in wetland areas, measures to control the disturbance and spread of invasive species, erosion and sedimentation (E&S) control measures, dewatering activities, handling of excessive soils, etc. would be done in accordance with the Petitioner's 2022 Best Management Practices Manual for Massachusetts and Connecticut (BMPs) and the project-specific Stormwater Pollution Control Plan. The Council recommends that the referenced BMPs and any external environmental quality plans and/or standards, referenced by the Petitioner, be submitted to the Siting Council for inclusion in the record, consideration, and possible incorporation into permits.

2. Wildlife

The Petitioner notes that the Department of Energy and Environmental Protection (DEEP) Natural Diversity Database (NDDDB) mapping depicts known or potential occurrences of state-listed endangered, threatened, or special concern species in the vicinity of the Project Area and that a final NDDDB determination for the Project was received on August 19, 2024. The Petitioner states that "Eversource will comply with the NDDDB supplemental protection measures required for any listed species" and that a qualified individual¹ will oversee implementation of listed species protection measures and conduct contractor training. The Council supports efforts to avoid adverse impacts to state-listed species within the proposed project area and recommends that the qualified individual be a qualified herpetologist, as detailed in the NDDDB determination letter.

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3. Wetlands, Watercourses and Vernal Pools

The Petitioner identified 13 watercourses, 42 wetlands, and two vernal pools proximate to the structure replacements, new structures and access roads associated with the proposed project. The Petitioner notes that a permanent stone ford crossing of an intermittent stream (S4) and areas within wetland 4 (W4), which would result in permanent impacts to both S4 and W4, would be installed along the east side of the ROW as part of the proposed access road off East Commerce Drive. Since the existing contours in the area indicate that the elevation decreases from east to west, the Council recommends that the Petitioner assess if the proposed stone fords could adversely impact the hydrology of W4, and if so, propose an alternative to the proposed stone ford and/or propose mitigation measures to address potential adverse impacts to W4. The Petitioner also notes that the proposed project would temporarily impact approximately 3.94 acres of wetlands, and permanently impact 0.15 acre of wetlands associated with the installation of five hard bottom (stone ford) wetland crossings (three within W4 and one each within W33 and W34) and from the installation of structures within wetlands W4, W5, W6, W11, and W14. The Council recommends that the temporary and permanent impacts to wetlands within the ROW be minimized to the extent practicable and that the boundaries of the vernal pool envelopes (VPEs) and wetland areas within the project area be marked in the field to avoid any unintended encroachment.

The Petitioner notes that temporary work pads and access roads would be installed within the 100-foot VPE for vernal pool 1 (VP1) and vernal pool 2 (VP2), but that the transmission line structures would be installed outside the VPEs. The Petitioner also states that “the Project will comply with the vernal pool avoidance and minimization measures recommended for the Project” (detailed in Attachment G – Vernal Pool Report). The Council supports efforts to avoid adverse impacts to the vernal pools, VPEs and known vernal pool obligate species. The Council recommends that the qualified herpetologist, which is required by DEEP NDDB to ensure that adverse impacts to eastern box turtle (*Terrapene c. carolina*) and hognose snake (*Heterodon platirhinos*) are avoided, also be available to ensure that the proposed vernal pool avoidance and minimization measures are followed to also prevent adverse impacts to wood frog and spotted salamander.

The Council’s comments above address only certain elements of the materials provided by the Petitioner at the time of the filing. Additional information can become evident through comments offered by other parties and during the Siting Council’s administrative hearing process. The absence of comment(s) by this Council about any Petition or Application, or any aspects thereof, may not be interpreted as an endorsement of a proposed project, or its components or that this Council might not have comments or concerns on more specific issues raised during the hearing process.

Thank you for your consideration of the Council’s comments.

Sincerely,



Paul Aresta
Executive Director

¹ The Petitioner defines a qualified individual as a person “who will provide environmental monitoring for implementation of NDDB required listed species protection measures during construction, will have a demonstrated proficiency as a wildlife biologist with applicable field experience for training and guiding the Contractor during the work.”