



COUNCIL ON ENVIRONMENTAL QUALITY

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July 22, 2020

Melanie Bachman, Executive Director
Connecticut Siting Council
Ten Franklin Square
New Britain, CT 06051

RE: PETITION NO. 1415 - Greenskies Clean Energy, LLC petition for a declaratory ruling for the proposed construction, maintenance and operation of a 5.0-megawatt-AC solar photovoltaic electric generating facility on approximately 27 acres located generally northeast of the intersection of Boom Bridge Road and Anthony Road and south of Interstate 95 in North Stonington, Connecticut.

Dear Ms. Bachman:

The Council on Environmental Quality (“the Council”) supports the development of clean, renewable energy technologies on appropriate sites in Connecticut. The Council offers the following comments with regard to Petition No. 1415 (Petition):

1. Proposed Project Site

The Petition notes that hydrocarbon fuel would be stored on the proposed site during construction; however, there is no mention of a Spill Prevention, Control, and Countermeasure (SPCC) plan for the proposed project as recommended by the Phase I Environmental Survey. The Council recommends that the Petitioner develop and incorporate an SPCC plan for the proposed project that includes provisions for the proposer storage of fuel and/or refueling on the proposed site.

2. Wetlands

The Council notes that the contractor parking/staging area is partially located within the 100 foot wetland buffer, even though there appears to be considerable area to the northwest and west for that use. The Council recommends that the Petitioner consider relocating the contractor parking/staging area to be outside of the 100 foot buffer area. In addition, the Council recommends consideration of a rerouting of the proposed access road, which is proposed to traverse the center of wetland #4, to a more northerly route to take it out of the wetlands and make it closer to the contractor parking/staging area.

3. Wildlife

The Council notes that there are a total of thirteen vernal pools identified on the proposed site, and four vernal pools (VP1, VP2, VP4, and VP5) that are classified as Tier I, which denotes exemplary pools where “management recommendations should be applied”. While the proposed 100 foot wetland buffer will reduce impacts on the “vernal pool envelope”, the “critical upland habitat”, which includes the area between 100 feet to 750 feet from the vernal pools and is the area needed to support upland populations of amphibians that breed in vernal pools, should also be protected. The Council recommends that the Petitioner specify the management practices¹ it would employ to protect the critical upland habitat of the identified Tier I vernal pools.

The Petitioner stated that additional field surveys are needed to confirm if some of the state-listed species, identified by the DEEP Natural Diversity Data Base (NDDDB) are present. A review of the United States Fish and Wildlife Service Information for Planning and Consultation (IPaC) identifies a federally listed endangered species (prairie warbler) as having the potential to exist on or near the proposed site. The Council recommends that the Petitioner assess the impact the proposed project could have on that species when it performs the additional site surveys and review of the NDDDB, which is required by the *General Permit for Stormwater and Dewatering Wastewaters from Construction Activities*. Because, as stated in the NDDDB Preliminary Assessment letter, “consultations with the Data Base should not be substitutes for on-site surveys required for environmental assessments”, the Council recommends that the Petitioner conduct a field survey to confirm the absence of state and federally-listed species or suitable habitat for state and federally-listed species.

Thank you for your consideration of these comments. Please do not hesitate to contact the Council if you have any questions.

Sincerely,



Peter Hearn
Executive Director

¹ Calhoun, A. J. K. and M. W. Klemens. 2002. Best Development Practices: Conserving pool-breeding amphibians in residential and commercial developments in the northeastern United States. MCA Technical Paper No. 5, Metropolitan Conservation Alliance, Wildlife Conservation Society, Bronx, New York
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