



STATE OF CONNECTICUT

COUNCIL ON ENVIRONMENTAL QUALITY

VIA ELECTRONIC MAIL

July 24, 2024

Melanie Bachman, Executive Director
Connecticut Siting Council
Ten Franklin Square
New Britain, CT 06051
Melanie.Bachman@ct.gov

DOCKET NO. 524 – Greenskies Clean Energy, LLC (Applicant) application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance, and operation of a 4.625-megawatt-AC solar photovoltaic electric generating facility and associated equipment located at Fawn Meadow Lane (Parcel No. 029-018D), Woodbury, Connecticut and associated electrical interconnection.

Dear Attorney Bachman,

The Council on Environmental Quality (Council) supports the development of clean energy facilities on appropriate sites in Connecticut. The Council offers the following comments regarding Docket 524.

1. Farmland

The Applicant notes that the project site is a hayfield and Prime Farmland Soils and Statewide Soils of Importance are found on the proposed site and within the project area. The Council wants to emphasize the importance of agricultural land in Connecticut and to note that the continuing accretion of multiple individual decisions to site solar facilities on agricultural land has cumulative regional economic and ecological implications. And although the Applicant states their intent to “work with a farmer to ensure that the soils are protected, used for agricultural purposes during the solar project operations, and that the land is preserved for future agriculture use once the Project is decommissioned”, the Council does not support the use of “important farmlands”¹ for commercial (front of the meter) energy projects. However, if approved, the Council recommends that the Applicant be required to implement the proposed measures identified above and employ best practices during construction and operation that might allow for the future restoration of farmland soils to a more productive agricultural state by minimizing grading, trenching, and compaction of farmland soils as a condition of approval.

2. Wildlife

The Applicant notes that the Connecticut Department of Energy and Environmental Protection (DEEP) Natural Diversity Database (NDDDB) provided a new determination on October 8, 2023, indicating the potential presence of eastern hognose snake (*Heterodon platirhinos*), a State Special Concern Species, within the project area. The NDDDB determination letter also included a list of Best Management Practices to avoid negative impacts to the listed species. The Applicant indicated that “the contractor will not disturb suitable habitat areas during hibernation periods, they will perform reptile sweeps around equipment and stockpiles prior to starting activities for the day, and ensure silt fencing is secure to the ground to create an exclusionary barrier around the site.” Further, Sheet C-4.0 Erosion Control Plan, includes provisions for “Wildlife Protection” that incorporate most, but not all of the Best Management Practices listed in the NDDDB determination letter. Consequently, the Council recommends that the Applicant

¹ Important farmlands consist of prime farmland, unique farmland, and farmland of statewide or local importance.

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William Warzecha

Paul Aresta
Executive Director

adhere to all the NDDB Best Management Practice recommendations, set forth in the DEEP determination letter, as a condition of approval.

3. Wetlands and Erosion & Sedimentation (E&S) Controls

The Council notes that Sheet C-4.0 Erosion Control Plan depicts the extension of the proposed access road through Wetland 1 and the potential vernal pool. Given the location of the existing road and catch basins in proximity to Wetland 1 and the potential vernal pool, it might not be possible to extend the access road as proposed without adversely impacting the wetland and potential vernal pool. The Council recommends that the applicant assess the possibility of relocating the proposed access road and that E&S controls be installed and maintained between the proposed access road and associated construction activities and Wetland 1 and the potential vernal pool. The Council also recommends that the Applicant install 1) an anti-tracking pad adjacent to the existing paved road, and 2) appropriate E&S control material on the existing catch basins to capture any sediment/material tracked onto the existing paved road. The Council notes that plastic netting used in a variety of E&S control products has been found to entangle wildlife, including reptiles, amphibians, birds and small mammals. Given the potential presence of eastern hognose snake, the Council recommends that the Applicant avoid/minimize the use of E&S control measures that are made of plastic and/or have the potential for wildlife entanglement.

4. Spill Prevention and Materials Storage Plan

The Connecticut Department of Energy and Environmental Protection (DEEP) identifies the groundwater quality within the proposed project area as “GA”, which is defined as “existing private and potential public or private supplies of water suitable for drinking without treatment”. The Applicant states that “there will be less than one gallon of PVC glue and less than 25 gallons of fuel stored on-site. Applicant would keep all flammable liquids in code compliant cabinets and containers. Applicant would also keep spill kits in all vehicles and equipment on-site. Applicant would monitor chemical usage daily to ensure compliance to requirements. No risk of release to the environment is anticipated.” The Council supports the Applicant’s measures to eliminate the potential to adversely impact groundwater resources. The Council recommends that the Applicant also develop and implement a spill prevention plan for construction of the proposed facility, with specific procedures and contact information, as an additional measure to minimize potential adverse impacts on groundwater resources.

The Council’s comments above address only certain elements of the materials provided by the Applicant 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,

A handwritten signature in black ink, appearing to read "Paul Aresta". The signature is fluid and cursive, with a long horizontal stroke at the end.

Paul Aresta
Executive Director