

COUNCIL ON ENVIRONMENTAL QUALITY



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Executive Director

March 25, 2020

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

RE: PETITION NO. 1396 - CP East Hampton Solar I, LLC and CP East Hampton Solar II, LLC petition for a declaratory ruling, pursuant to Connecticut General Statutes §4-176 and §16-50k, for the proposed construction, maintenance and operation of a 1.0-megawatt AC solar photovoltaic electric generating facility and a 0.975-megawatt AC solar photovoltaic electric generating facility on an approximately 27 acre parcel located generally west of Skinner Street (Route 196) and south of Forest Street in East Hampton, Connecticut and associated electrical interconnection.

Dear Ms. Bachman:

The Council on Environmental Quality (“the Council”) supports the development on clean, renewable energy technologies on appropriate sites in Connecticut and offers the following comments with regard to Petition No. 1396 (Petition).

1. Stormwater Runoff

The Council recommends that pre-development drainage patterns be maintained to the greatest extent feasible to maintain flows to existing wetland and watercourse areas. The steep slopes and potential runoff from the proposed gravel access road to Route 196 and Pocotopaug Creek need to be considered. The proposed site contains slopes that approach fifteen percent grade, especially from the center of the site to the east and southeast. Slopes of this extreme are specifically identified as needing special attention in [Appendix I](#) of the Department of Energy and Environmental Protection’s (DEEP) “Draft General Permit for the Discharge of Stormwater and Dewatering Wastewaters Associated with Construction Activities”. Given the topography of the site, the design recommendations of the Draft Permit should be incorporated into the Storm Water Pollution Control Plan for the site. These include: construction phasing (Section 5 (b)(1)(B)(iii)), maintaining 100 foot wetland buffers, slope dependent height and distance requirements for the panels, and the incorporation of level spreaders where appropriate.

2. Inland Wetlands and Vernal Pools

The proposed site contains three distinct areas of inland wetlands. The Petitioner noted that there was “a lack of evidence of seasonally flooded areas observed” on the date of the wetlands identification (November 21, 2019) and concluded that “it does not appear

that any potential vernal pool breeding habitat exists on the Site”. However, the Petitioner acknowledges that “the Wetland investigation was completed outside a period of breeding activity by vernal pool indicator species, so no formal vernal pool survey was conducted.” The Council recommends that the Petitioner undertake a field survey to identify any potential “breeding activity by vernal pool indicator species” and the presence of any endangered, threatened or state-listed species of special concern, other than those already identified through the Natural Diversity Database (NDDDB) mapping. As stated in the NDDDB letter dated November 20, 2019, “this information is not necessarily the result of comprehensive or site-specific field investigations. Consultations with the Data Base should not be substitutes for on-site surveys required for environmental assessments.”

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

Sincerely,

A handwritten signature in cursive script that reads "Peter Hearn". The signature is written in black ink and includes a long horizontal flourish extending to the right.

Peter Hearn
Executive Director