

COUNCIL ON ENVIRONMENTAL QUALITY



Keith Ainsworth

August 28, 2020

Alicea Charamut

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

David Kalafa

Lee E. Dunbar

RE: PETITION NO. 1421 - Bristol Solar One, LLC petition for a declaratory ruling for the proposed construction, maintenance and operation of a 3.25 megawatt AC solar photovoltaic generating facility located at 399 Hill Street, Bristol, Connecticut, and associated electrical interconnection.

Alison Hilding

Kip Kolesinskas

Dear Ms. Bachman:

Matthew Reiser

The Council on Environmental Quality (“the Council”) supports the development of clean, renewable energy technologies on appropriate sites in Connecticut. The Council notes the recent increase in Petitions for solar energy projects that include co-location of grazing activities among the proposed solar panels. In the past two months, four Petitions (1421, 1422, 1424, 1426) proposed sheep grazing among the installed panels. At its meeting on August 26th, the Council voted to make it explicit, in its comments on those Petitions and possibly others to follow, that the co-location of ancillary agricultural activity at solar energy sites is not a remedy for the loss of prime farmland that the legislature intended to be preserved when it enacted PA 17-218.¹

Charles Vidich

Peter Hearn
Executive Director

In the case of Petition 1421, a rationalization that the proposal does not appear to be a material impact on the status of prime farmland has been offered by the Department of Agriculture. The Council notes that, to a significant degree, such a determination is dependent upon the success of decommissioning the proposed project after its useful life. To the Council’s knowledge, long-term soil preservation by dispersal about the site has not been attempted in Connecticut, nor has removal of the supports for the panels and the buried electrical conduits and other soil disturbances. Decommissioning and restoration is an unproven promise. At the expiration of the lease term, negotiation of a new contract to take advantage of the installed solar infrastructure is as probable as is a return to agriculture. The probability that the site will never return to farming needs to be acknowledged.

The Council is concerned about the scale of the statewide conversions of active, or potentially usable, farmland for renewable energy installations. These conversions have been most notable in the Connecticut River Valley, which is its own unique ecological area and a United States Department of Agriculture (USDA) designated resource area² because of the excellent soils and microclimate. This farmland usually contains prime farmland soils, which are the soils that are “best suited to producing food, feed, forage, fiber and oilseed crops”. Even if the addition of grazing among solar panels might assist with the short-term viability of an individual farm,

¹ House Session Transcript for 06/07/2017, and Senate Session Transcript for 06/06/2017, at [2017STR00606-R00-TRN.HTM](https://www.ct.gov/ceq/2017STR00606-R00-TRN.HTM) .

² USDA NRCS *Land Resource Regions and Major Land Resource Areas of the United States, the Caribbean, and the Pacific Basin*, at https://www.nrcs.usda.gov/Internet/FSE_DOCUMENTS/nrcs142p2_050898.pdf .

conversion to a solar facility can have negative regional impacts. It has been estimated that nearly 30 percent of the State's farmers depend on land that is leased³. Loss of access to those fields can severely affect those farms and disrupt their business viability, business succession planning, and even their ability to implement nutrient management plans (where a land base is needed to apply manure at safe rates). Loss of leased fields decreases farm density, and the suppliers of services and users of products are likely to move or close. Consideration of such cumulative and regional impacts by the Siting Council is within its authority under CGS Sec. 16-50p(a).

Both the preservation of farmland and development of renewable energy sources are essential to the State's future. It is at the Siting Council that these priorities intersect and sometimes conflict. Since June of 2020, this Council has reviewed six proposals to utilize farmland for renewable energy projects. The total farm acreage of active or potentially usable farmland in those five Petitions and one Application is over 330 acres of active or potentially usable farmland. Inclusion of the all projects reviewed by this Council in the past eight months brings the total to over 540 acres of Connecticut farmland that were the target for siting of solar energy facilities. By comparison, the total acreage acquired for preservation by the State for all of in 2019 was 773 acres. The continuing accretion of multiple individual decisions to site solar facilities on productive agricultural land has cumulative regional economic and ecological implications that go beyond the loss of farmland. For example, many permanent and migratory species depend on Connecticut's farm fields for habitat. The Council urges the Siting Council to weigh the cumulative regional economic and ecological factors when assessing the scale and location of each proposed siting.

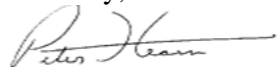
The Council offers the following additional comments on wetlands and wildlife for Petition 1421:

The Council notes that the Petitioner proposes to utilize a fifty-foot buffer between wetland #3 and the proposed project area. The Council recommends that the Petitioner utilize a one hundred-foot buffer along the eastern portion of wetland #3, which would negate the need to clear some of the mature vegetation along the eastern extent of the existing "edge" upland forest habitat due to shading concerns. If the removal of trees is still necessary in this area because of shading concerns, retention in place of the stumps to reduce possible soil erosion should be considered.

The Petitioner estimates construction would take approximately six months to complete. However, the letter from the Department of Energy and Environmental Protection Natural Diversity Database (NDDDB) recommends that "work, particularly tree removal/land clearing activities, should occur when these turtles (eastern box turtle) are active (April 1 through November 1)". In addition, to avoid impact to bobolink, NDDDB recommends that work be performed outside of this bird's breeding season (May 20 through August 20). The proposed construction schedule, which is available through the Petitioner's website, identifies "Construction groundbreaking" beginning in November 2020, which is outside the "active" period for the eastern box turtle. More specificity regarding the construction schedule to demonstrate compliance with the NDDDB letter in order to protect the two-state-listed species that may be present on the proposed site would be appropriate.

Thank you for your consideration of these comments.

Sincerely,



Peter Hearn, Executive Director

³ UCONN webinar *Improving Access to Farmland in Connecticut*, Rachel Murray and Kip Kolesinskas 2015, at <https://www.youtube.com/watch?v=nvN1WJa7mgM&feature=youtu.be>