



STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL

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VIA ELECTRONIC MAIL

June 11, 2020

Emily A. Gianquinto, Esq.
EAG Law LLC
21 Oak Street, Suite 601
Hartford, CT 06106

RE: **PETITION NO. 1347A** - GRE GACRUX 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 16.78-megawatt AC solar photovoltaic electric generating facility located at 117 Oil Mill Road and associated electrical interconnection to Eversource Energy's existing substation at 325 Waterford Parkway North in Waterford, Connecticut. Reopening of this petition based on changed conditions pursuant to Connecticut General Statutes §4-181a(b).

Dear Attorney Gianquinto:

The Connecticut Siting Council (Council) requests your responses to the enclosed questions no later than June 18, 2020. To help expedite the Council's review, please file individual responses as soon as they are available. At this time, consistent with the Council's policy to prevent the spread of Coronavirus, please submit an electronic copy only to siting.council@ct.gov. However, please be advised that the Council may later request one or more hard copies for records retention purposes.

Copies of your responses shall be provided to all parties and intervenors listed on the service list, which can be found on the Council's website under the "Pending Matters" link.

Any request for an extension of time to submit responses to interrogatories shall be submitted to the Council in writing pursuant to §16-50j-22a of the Regulations of Connecticut State Agencies.

Sincerely,

s/Melanie A. Bachman

Melanie A. Bachman
Executive Director

c: Service List

Petition No. 1347A

**Save the River-Save the Hills, Inc.
Interrogatories
June 11, 2020**

1. Provide a list of all of the names of the members of STR-STH for the record.
2. How many solar photovoltaic projects has Mr. Trinkaus designed in the State of Connecticut that have been approved and constructed? Please indicate size and locations of such Projects. Did these projects require a DEEP General Permit?
3. Referring to the STR-STH responses to GRE GACRUX LLC's Interrogatories 25 and 26, what other ways are there to measure any environmental effects the proposed project could have on both Oil Mill Brook and Stony Brook?
4. Please comment on the buffer zones to a "coldwater fish" resource" recommended by the Connecticut Council of Trout Unlimited in correspondence to the Department of Energy and Environmental Protection, Water Permitting and Enforcement Division, dated February 7, 2020, in response to a solicitation of comments by DEEP regarding the Proposed Reissuance with Modifications of the *General Permit for the Discharge of Stormwater and Dewatering Wastewaters from Construction Activities*. A copy is attached for your convenience.



Connecticut Council of Trout Unlimited
Trout Unlimited
45 Birchwood Drive,
Middletown, CT 06457

07 February 2020

Leadership

*National
Leadership Council
Representative
Sal DeCarli*

*Council Chair
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*Secretary
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Ernest Ludwig*

Christopher Stone, P.E.
Water Permitting and Enforcement Division
Bureau of Materials Management and Compliance Assurance
Department of Energy and Environmental Protection
79 Elm Street
Hartford, CT 06106 5127

Mr. Stone,

Trout Unlimited (TU) representatives have reviewed the proposed changes to the *General Permit for the Discharge of Stormwater and Dewatering Wastewaters from Construction Activities*. We believe in general, the proposed changes will help protect the State's wetlands and watercourses, however we propose the following additions to the permit for the Department's consideration:

Section 2. Definitions

"Coldwater Fish Resource (CFR)" means a waterbody (stream, river, or tributary thereto) with documented populations of wild brown trout (*Salmo trutta*) or wild brook trout (*Salvelinus fontinalis*) as documented by CT DEEP in the last ten (10) years.

Section 5. Conditions of This General Permit

(a) General Conditions

(4) Impacts to Coldwater Fish Resources (CFRs)

A one-hundred (100) foot buffer shall be maintained between any project and a CFR. The buffer shall consist of undisturbed soil and existing vegetation. Fisheries data is available online through the University of Connecticut (UConn) Connecticut Environmental Conditions Online (CTECO) or by contacting CT DEEP Fisheries Division.

(b) Stormwater Pollution Control Plan

(2) Stormwater Control Measures

(D) Other Controls

The one-hundred (100) foot buffer adjacent to any CFR must be maintained post-construction and supplemented with additional plantings as necessary to maintain the canopy/stream cover.



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CFRs are particularly sensitive to landscape modifications in riparian corridors. These include decreases in canopy cover and modifications to coldwater seeps and springs that maintain the coldwater CFR species require. It has been documented in discussions with CT DEEP Fisheries Biologists that the trout populations in CFRs are sensitive to changes in water temperature and *"any significant increase (as little as 1C) in water temperature can negatively affect these populations to the point of extirpation."*

The one-hundred (100) foot buffer proposed in Appendix I is a commendable step forward in reducing the impacts of solar projects on wetland, watercourses, and vernal pools. However, the impacts of clearing and development are not limited to solar projects. All development has the potential to impact wetlands, watercourses, and vernal pools. CFRs are particularly sensitive to landscape modifications along riparian corridors and a single development site has the potential to irreversibly change a watercourse. These impacts to CFRs cannot not be mitigated/replicated elsewhere like a wetland or vernal pool. Once the thermal properties of a watercourse are changed (and the species extirpated), it cannot not be reversed.

The CT Council of Trout Unlimited strongly encourages the above mentioned additions to protect CFRs. These species are increasingly threatened by warming trends and precipitation fluctuations in the Connecticut climate. TU is not opposed to development, but believes that it does not need to come at the cost of unnecessary and irreversible change to our aquatic species. Thank you for your time and consideration of our amendments.

Sincerely,

John Kovach
Connecticut State Council Chair
Trout Unlimited

Sincerely,

Sal DeCarli
Trout Unlimited National
Leadership Council Representative,
State of Connecticut

CC: Pete Aarrested (CT DEEP)
Mike Beauchene (CT DEEP)
Brian Murphy (CT DEEP)
Brian Eltz (CT DEEP)