



STATE OF CONNECTICUT

CONNECTICUT SITING COUNCIL

Ten Franklin Square, New Britain, CT 06051

Phone: (860) 827-2935 Fax: (860) 827-2950

E-Mail: siting.council@ct.gov

Web Site: portal.ct.gov/csc

VIA ELECTRONIC MAIL

October 2, 2020

Thomas Parlapiano, Chair
Hamden Tree Commission
Hamden Government Center
2750 Dixwell Ave
Hamden, CT 06518
twparlapiano@aol.com

RE: **PETITION NO. 1425** – Gaylord Mountain Solar Project 2019, 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 1.9-megawatt AC solar photovoltaic electric generating facility located at 360 Gaylord Mountain Road in Hamden, Connecticut, and associated electrical interconnection.

Dear Chairman Parlapiano:

The Connecticut Siting Council (Council) is in receipt of the Town of Hamden Tree Commission's correspondence dated September 30, 2020, concerning the above-referenced petition. Thank you for taking the time to provide the Council with your comments.

At a public meeting held on September 10, 2020, the Council voted to hold a remote public hearing via Zoom Conferencing on November 17, 2020 for the benefit of the public. A copy of the hearing notice is attached for your review.

Pursuant to Regulations of Connecticut State Agencies §16-50j-40, a copy of the petition is to be submitted to the municipality where the facility is to be located for review. Before reaching a final decision on a petition, the Council carefully considers all of the facts contained in the evidentiary record that is developed by the Council, the petitioner, parties and intervenors in the proceeding and members of the public who speak at the remote public hearing or submit written statements to the Council.

Your comments shall become part of the official record in this matter in the form of a limited appearance defined under subsection (f) of Connecticut General Statutes §16-50n. Copies of your correspondence will be distributed to all participants in the proceeding.

Please note that you can view all of the documents related to this proceeding on our website at portal.ct.gov/csc under the "Pending Matters" link. You may also keep apprised of Council events on the website calendar and agenda.

Thank you for your interest and concern in this matter.

Sincerely,

s/Melanie A. Bachman

Melanie A. Bachman
Executive Director

MAB/lm

c: Service List dated August 10, 2020
Council Members



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HEARING NOTICE

Pursuant to provisions of Connecticut General Statutes § 16-50m and Governor Lamont's March 14, 2020 Executive Order No. 7B, notice is hereby given that the Connecticut Siting Council (Council) will conduct a public hearing via Zoom remote conferencing on Tuesday, November 17, 2020, beginning with an evidentiary session at 2:00 p.m., and continuing with a public comment session at 6:30 p.m. The hearing will be on a petition from Gaylord Mountain Solar Project 2019, LLC for a declaratory ruling, pursuant to Connecticut General Statutes §4-176 and §16-50k, for the proposed construction, maintenance and operation of a 1.9-megawatt AC solar photovoltaic electric generating facility located at 360 Gaylord Mountain Road in Hamden, Connecticut.

The purpose of the hearing is to receive evidence on the petitioner's assertions that the construction, operation, and maintenance of the facility will not have a substantial adverse environmental effect. The 2:00 p.m. evidentiary session will provide the petitioner, parties and intervenors an opportunity to cross-examine positions. **No public comments will be received during the 2:00 p.m. evidentiary session.** The 6:30 p.m. public comment session will be reserved for the public to make brief statements into the record. During the 6:30 p.m. public comment session, the petitioner will present an overview of the proposed facility.

Attendees can join by clicking (or entering) the following link:

<https://zoom.us/j/94286416985?pwd=TEhHNVI5RjBNL1J2SUNYcHg4N1Q4UT09> from a computer, smartphone, or tablet. **Meeting ID: 942 8641 6985 and Passcode: qL1A6K**

No prior software download is required. For audio-only participation, attendees can join by dialing in at **1(929) 205-6099 (not toll free)** and then enter the **Meeting ID: 942 8641 6985 and Passcode: 342162** from a telephone.

Interested persons may join any session to listen, but must sign-up in advance to speak during the 6:30 p.m. public comment session.

To participate in the **6:30 p.m. public comment session by computer, smartphone or tablet**, please send an email to siting.council@ct.gov with your name, email address and mailing address by **November 10, 2020**. To participate in the **6:30 p.m. public comment session by telephone**, please leave a voicemail message at 860-827-2935 with your name, telephone number, and mailing address by **November 10, 2020**. Public comments may also be submitted to the Council by electronic mail or by regular mail.

Any person may be removed from the Zoom remote evidentiary session or public comment session at the discretion of the Council.

Applicable law for this proceeding includes the Public Utility Environmental Standards Act, General Statutes § 16-50g, et seq., and Sections 16-50j-1, et seq., of the Regulations of Connecticut State Agencies.

The Council directs that all testimony and exhibits be pre-filed electronically with the Council and all parties and intervenors by November 10, 2020.

Individuals are encouraged to participate through their elected officials and other party/intervenor groupings.

Any person seeking to be named or admitted as a party or intervenor to the proceeding may file a written request to be so designated at siting.council@ct.gov, on or before November 10, 2020.

Parties and intervenors will be allowed to submit briefs and proposed findings of fact within 30 days after the close of the evidentiary record.

Any person who is not a party or intervenor to this proceeding may file a written statement with the Council up to 30 days after the close of the evidentiary record. No written statement or any other information will be accepted after 30 days of the close of the evidentiary record, except as otherwise prescribed by law or the Council.

A verbatim transcript of the hearing will be posted on the Council's project webpage and deposited in the Town Clerk's Offices of the Hamden and Bethany Town Halls for the convenience of the public.

Requests for information in alternative formats or for sign-language interpreter services must be submitted in writing by November 10, 2020.

Information about how the public hearing will be conducted and how the public can access it will be posted on the Council's Petition No. 1425 project webpage at the following link: https://portal.ct.gov/CSC/3_Petitions/Petition-Nos-1421-1430/Petition-No-1425-Gaylord-Mountain-Solar-Project-2019-LLC

The petitioner is represented by the following:

Petitioner

Gaylord Mountain Solar Project 2019, LLC

Its Representative

Kenneth C. Baldwin, Esq.
Robinson & Cole LLP
280 Trumbull Street
Hartford, CT 06103-3597

A copy of the petition is available for review on the Council's website at portal.ct.gov/csc under the link "Pending Matters." The Council has assigned this proceeding Petition No. 1425.

Tree Commission Town of Hamden

September 30, 2020
Ms. Melanie A. Bachman, Executive Director
Connecticut Siting Council
Ten Franklin Square
New Britain, CT 06051

Re: Petition # 1425 for a Declaratory Ruling concerning a 1.9-megawatt photovoltaic generation facility at 360 Gaylord Mountain Road in Hamden, CT

Ms. Bachman and Honorable Members of the Siting Council:

We greatly appreciate the extended comment period which considers the monthly schedule of many volunteer commissions and organizations. After review of the Petition and the Environmental Assessment, the Hamden Tree Commission has voted to oppose the plan. Our assessment noted several inconsistencies in the proposal and the absence of Appendix I and a standard inventory made by a consulting forester. We believe that this proposal to clear cut and chip over 12 acres of mature, mesic hardwood forest that is on steep slopes and contains wetlands will have substantial adverse permanent environmental impacts. Furthermore, the lack of timber harvest is a waste of resources and an opportunity to reduce atmospheric pollution. Specifics of our opposition follow:

- 1) Because this parcel has only 1 acre of core forest as defined by DEEP, the applicant treats the forest as a nuisance that needs to be removed in the most expedient manner--conversion to wood chips. The proposal provides only a generic description of the forest, addressing only DEEP concerns about air and water quality and wildlife, and omits timber and other forest values.
- 2) All above ground woody biomass will be chipped (12.3 acres). Based on the average for CT forests (USDA Forest Inventory Analysis 2018) (FIA), this would be 935 tons dry weight, 3.5 pounds per square foot of land surface. The decay of these chips would release 1,714 tons of carbon dioxide (CO₂).
- 3) Timber will not be harvested on the property. Thus, a valuable industrial raw material will be wasted and the sequestered carbon that the forest has been accumulating and storing for several years will be converted to atmospheric CO₂. For example, in the SE corner, visible from the trail, is a red oak that is about 30" DBH with >35 ft of clear bole. Additional trees, considerably larger than the 10-16" DBH that the applicant indicates are present, are visible from the public road and in the Figures provided. The applicant should provide a report from a consulting forester that gives an inventory of the species, stocking density and harvestable timber on the property, as well as mark trees suitable for timber harvest. Lacking this information, an estimate of the net volume of harvestable sawtimber is 112 000 board feet, based on averages published by FIA for the State. The yield of useable hardwood lumber converted into furniture, flooring etc. is equivalent to 312 tons of carbon dioxide more or less permanently sequestered.
- 4) The value of additional ecosystem services, in addition to harvestable timber, provided by the trees on this property – reduced erosion and runoff, sequestration of carbon, temperature remediation, improvements to air and water quality, support of local biodiversity – greatly outweigh the benefits of the proposed solar farm to the greater New Haven community. These

ecosystem service values are greatly enhanced by the fact that this parcel is a critical component of a forested corridor that connects the Naugatuck State Forest and adjacent Regional Water Authority watershed with Sleeping Giant State Park and Mill River Watershed.

- 5) The benefits of these ecosystem services are recognized in Hamden's Plan of Conservation and Development, which encourages the protection and enhancement of the community forest as a key strategy.
- 6) Information in a draft report from the Forests Subgroup of the Governor's Council on Climate Change (GC3) supports our conclusion that the value of forest ecosystem services needs to take precedence over solar generation. The report makes the following recommendations:
 - Incentivize the siting of renewable energy infrastructure to avoid the loss of forests, farmland and other sensitive lands
 - Strongly recommend a policy of "no net loss" of forest acreage

We agree that increasing our reliance on solar and other green energy choices should not come at the expense of trees, which are also an important partner in limiting the impacts of climate change.

- 7) The Hamden Tree Commission adopted a Tree Removal Policy in 2015 which states that a desire to install solar panels is not a valid reason to remove a public tree. While we understand that the trees at 360 Gaylord Mountain Road are private, their value to the community and region are at least as critical as each public tree.
- 8) Habitat enhancement plan is inadequate. It consists of using seed mixes for wet sites and semi-shaded sites and mowing this yearly or once every four years. The southern area will be full sun and southerly aspect and needs a dry site seed mix. A berm is proposed and the plan only says that it will be vegetated with shrubs. In short, the proposed so called "habitat enhancement" will most likely result in invasive species filled habitat similar to the adjacent power line ROW and have minimal wildlife benefit compared to the present forest.
- 9) Wetlands impacts will be substantial and adverse. Wetland 5 will have all trees removed from it; hence, converted from a swamp-type wetland to a meadow-type wetland. Realistically, it most likely will cease to exist as the project will result in less infiltration because of soil compaction and higher soil temperatures due to the absence of tree shade. Wetland 3 will likely receive less water since water will be diverted by a basin that is parallel to most of its length. The proposed repair of the culvert and extensive modification of its outfall may result in the draining of Wetland 1. The purpose of this is unclear as it is not needed for the solar project.

Again, we appreciate the opportunity to be heard regarding this proposal. We believe in Connecticut's future reliance on solar and other non-fossil fuel powered energy sources. However, there are many alternative locations for this project that are better suited, closer to the proposed consumers, and do not require the loss of trees or forest habitat - a critical partner in our efforts to reduce the impacts of climate change. We ask that you reject this proposal from Distributed Solar Development for a solar farm at 360 Gaylord Mountain Road.

For the Commission,
Thomas Parlapiano, Chair
Hamden Tree Commission