



STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL

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VIA ELECTRONIC MAIL

November 18, 2020

TO: Service List dated October 8, 2020

FROM: Melanie Bachman, Executive Director *MAB*

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.

Comments have been received from the State of Connecticut Department of Energy and Environmental Protection, dated November 12, 2020. A copy of the comments is attached for your review.

MB/FOC/laf

c: Council Members

November 12, 2020

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

RE: Petition No. 1425- Gaylord Mountain Solar Project, 1.9MW
Distributed Solar Development
360 Gaylord Mountain Road, Hamden

Dear Attorney Bachman and members of the Siting Council:

The Department of Energy and Environmental Protection has reviewed the above referenced petition for a declaratory ruling for the proposed construction, maintenance, and operation of a 1.9 MW AC ground-mounted solar photovoltaic electric generation facility at 360 Gaylord Mountain Road, Hamden, Connecticut.

Location

The parcel is 33.88 acres on Gaylord Mountain Road, which is a winding road with areas of steep slopes and residential housing between stretches of undeveloped land. The project proposes clearing and grading of 12.3 acres of the site. The site slopes up from east to west with areas exceeding 25% slope. Site work involves construction along Gaylord Mountain Road, with a drainage basin with berm located approximately 100 ft in and clearing and grading for a plunge pool within a few feet from Gaylord Mountain Road. The existing communications tower on site is accessed from the north off Gaylord Mountain Road. This access road will be utilized during construction, and a new access road and interconnection route is proposed off of Gaylord Mountain Road as part of the construction process.

Stormwater Runoff

The petition states the site is designed in accordance with DEEP's guidance on Solar Array for Construction Stormwater General Permit Appendix I dated 1/6/20, dropping one hydrologic soil group to account for soil compaction, and stating the solar panels, transformer pads, and the gravel roadway are considered impervious cover. No HydroCAD models were submitted with the Environmental Assessment to verify the runoff coefficient and corresponding soil group. This site runs downhill with areas of steep slopes. Because of the downhill nature of this location, the large capacity stormwater basin is designed with a raised berm to control water volume.

Construction projects that involve creating a dam or berm for stormwater retention/ detention require a review from DEEP's Dam Safety Division. This review is required because a dam is defined in § 22a-

409-1 of the Regulations of Connecticut State Agencies (RCSA) as *any barrier of any kind whatsoever which is capable of impounding or controlling the flow of water, including but not limited to storm water retention or detention dams, flood control structures, dikes and incompletely breached dams*. The result of a review by DEEP Dam Safety is to determine the Hazard Potential if the structure were to fail, in terms of loss of life, economic loss or environmental damage.

Based upon the resources provided by the petitioner, Dam Safety staff reviewed the area down slope of the proposed drainage basin, the inundation map, topography, and existing land cover. Based on those elements and on the storage capacity of 78,771cf (cubic feet) or 1.8af (acre-feet) of the basin, Dam Safety staff consider this a Hazard Class AA Dam. A Class AA dam is described as a negligible hazard potential dam that if it were to fail, would result in no measurable damage to roadways, no measurable damage to land and structures, and negligible economic loss. After construction, the petitioner will need to register the stormwater structure with DEEP Dam Safety unit. All dams are subject to reclassification at any time if the DEEP Commissioner determines that the hazard potential has changed.

In reviewing the premise of the design for the large detention basin, there may be a conflict with what is in the Environmental Assessment regarding the description of the analysis and what was provided to Dam Safety to assess the berm. The Environmental Assessment, page 22, states that the site was considered as fully impervious when determining water runoff. This is in line with DEEP's stormwater guidance documents. However, the single HydroCad model provided to Dam Safety by the petitioner to show the storage capacity of the basin during a 100-year storm event, shows that the site was considered fully pervious. A "zero" was inserted in the "percent impervious cover." Though the HydroCad model provided to Dam Safety was for a particular purpose, the description in the Environmental Assessment discussing runoff takes a different approach. There were no HydroCad models included in the petition.

A few storm drains along Gaylord Mountain Road were observed to contain debris and leaves which prevents stormwater from entering these drains. Site design should account for water volume and velocity and seek to contain water to this site, so as not to add to the existing conveyance issues along the road.

The petition states they will apply for DEEP's *General Permit for the Discharge of Stormwater and Dewatering Wastewaters from Construction Activities* (Stormwater GP). DEEP can assess erosion and sedimentation controls, water volume and water quality once that application is submitted.

Stockpiles

During construction there is an estimated 5,600 CY of material being excavated. Sheets EC-3 and EC-6 of the site plans show two stockpile locations with silt fences around them. The petitioner may need to clarify if the stockpiles are sized appropriately to hold 5,600 CY of soils while under construction and if silt fence is the appropriate erosion control for this amount of soil. The petition states that 1458 CY of material in excess may be used elsewhere on the site after constructing the berm and basin. More clarification is needed as to where the material will go and for what purpose.

Wetlands

Clarification is needed for the purpose of the riprap level spreader outside the solar field Limits of Disturbance, near wetland 1. A discussion of this area should include the steep slopes and the anticipated runoff for this area.

The petition states that wetlands were inspected during one field day in March 2020. The wetlands were identified as either depressions or isolated pockets, with little detail about habitat value and a conclusion that none of these sites are potential amphibian breeding habitats. The buffers proposed may be reasonable to prevent siltation or other potential impacts during and after construction, but without a habitat assessment of these five wetlands there is not enough information to determine a reasonable distance to disturbance.

Core Forest

This petition is not subject to a letter from DEEP regarding a core forest determination. The petition includes a discussion of core forest and identifies a small interior area within the 13-acre array. DEEP would advise developers to consider the parcel as a whole and how it fits into its surroundings when looking at impacts to core forest. The CL&P utility right of way bisects the northwestern portion of the site, essentially separating this parcel from directly connecting to a broader, undeveloped stretch of land owned by the South-Central Connecticut Regional Water Authority. Due to development surrounding this site with Gaylord Mountain Road, Hunting Ridge Road and the CL&P Right of Way, it is likely not considered to be core forest.

Mill River Watershed

Connecticut DEEP, Save the Sound, and other stakeholders collaborated on a Mill River Watershed Management Plan in 2018. The Mill River runs from Cheshire to New Haven and forms Lake Whitney, a reservoir operated by the South Connecticut Regional Water Authority. This site is near Eaton Brook, which is a feeder brook to the Mill River. Any measures that can be taken on the property to reduce the velocity and volume of water and improve water quality leaving the site should be included in a watershed protection plan.

Errata

Table 4 on page 25 of the Environmental Assessment may not be referencing this site, it is referring to a larger parcel of at least 54 acres.

Thank you for the opportunity to review this project. If there are any questions regarding these comments, please contact me at Linda.Brunza@ct.gov.

Best Regards,

Linda Brunza, Environmental Analyst
Office of Planning & Program Development, Environmental Review
Department of Energy & Environmental Protection