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Also admitted in Massachusetts  
and Vermont

March 8, 2022

*Via Electronic and U.S. Mail*

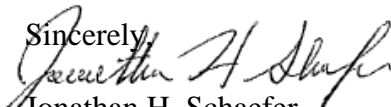
Melanie A. Bachman, Esq.  
Executive Director/Staff Attorney  
Connecticut Siting Council  
10 Franklin Square  
New Britain, CT 06051

Re: **Petition No. 1443A - SR North Stonington, 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 9.9-Megawatt AC Solar Photovoltaic Electric Generating Facility on Five Parcels Located North and South of Providence New London Turnpike (State Route 184), West of Boombridge Road and North of Interstate 95 in North Stonington, Connecticut, and Associated Electrical Interconnection**

Dear Attorney Bachman:

Enclosed please find fifteen (15) copies of the Connecticut Department of Energy and Environmental Protection's response comments<sup>1</sup> to SR North Stonington, LLC's November 21, 2021 NDDDB Review Request regarding the proposed project in the above-referenced petition.

Please feel free to contact me if you have any questions or need any additional information.

Sincerely,  
  
Jonathan H. Schaefer

Enclosure

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<sup>1</sup> Natural Diversity Data Base Determination No. 202100070.



Connecticut Department of  
**ENERGY &  
 ENVIRONMENTAL  
 PROTECTION**

March 7, 2022

Mr. Dean Gustafson  
 All-Points Technology Corporation, P.C.  
 567 Vauxhall Street Ext., Suite 311  
 Waterford, CT 06385-4341  
[dgustafson@allpointstech.com](mailto:dgustafson@allpointstech.com)

Project: Installation of 9.9 MW (AC) Solar Facility, North Stonington Solar Facility on Cranberry, Boom Bridge Roads and Providence-New London Turnpike in North Stonington, Connecticut

NDDB Final Determination No.: 202100070

Dear Dean Gustafson,

I have reviewed Natural Diversity Data Base maps and files regarding the Installation of 9.9 MW (AC) Solar Facility, North Stonington Solar Facility on Cranberry, Boom Bridge Roads and Providence-New London Turnpike in North Stonington, Connecticut.

According to our information there are known extant populations of state listed plant and animal species and significant natural communities that occur within or close to the boundaries of this property. These are the known extant populations of state listed plants known from this area:

**State Endangered**

<i>Agalinis acuta</i>	Sandplain agalinis
<i>Malaxis unifolia</i>	Green adder's-mouth

**State Threatened**

<i>Carex cumulata</i>	Clustered sedge
<i>Eurybia spectabilis</i>	Showy aster
<i>Polygala nuttallii</i>	Nuttall's milkwort
<i>Senna hebecarpa</i>	Wild senna
<i>Xyris montana</i>	Northern yellow-eyed grass

**State Special Concern**

<i>Plantago virginica</i>	Hoary plantain
<i>Crocianthemum propinquum</i>	Low frostweed
<i>Hottonia inflata</i>	Featherfoil
<i>Lygodium palmatum</i>	Climbing fern

**Animal Species**

According to our records there are several extant populations of endangered, threatened, and special concern animal species that inhabit this area of North Stonington.

<b>Invertebrate Animal</b>		
<i>Calopteryx dimidiata</i>	Sparkling jewelwing	State Threatened
<i>Margaritifera margaritifera</i>	Eastern pearlshell	State Special Concern

<b>Vertebrate Animal</b>		
<i>Scaphiopus holbrookii</i>	Eastern spadefoot	State Endangered
<i>Terrapene carolina carolina</i>	Eastern box turtle	State Special Concern
<i>Opheodrys vernalis</i>	Smooth green snake	State Special Concern
<i>Lasiurus borealis</i>	Red bat	State Special Concern
<i>Lasiurus cinereus</i>	Hoary bat	State Special Concern
<i>Enneacanthus obesus</i>	Banded sunfish	State Special Concern

We received a comprehensive field report on November 24, 2021 provided by Davison Environmental, LLC and Quinn Ecological, LLC of field surveys for the listed plants and herpetofauna species, respectively, on the subject property. The herpetofauna survey also included the following species which had been observed during a previous survey of the Site, but not included in the NDDDB letter:

- Spotted turtle (*Clemmys guttata*), Special Concern
- Common ribbonsnake (*Thamnophis saurita saurita*), Special Concern

The comprehensive field report included:

1. Survey date(s) and duration
2. Site descriptions and photographs
3. List of component species within the survey area (including scientific binomials)
4. Data regarding population numbers and/or area occupied by State-listed species
5. Detailed maps of the area surveyed including the survey route and locations of State-listed species
6. Conservation strategies and protection plans that indicate how impacts may be avoided for all state-listed species present on the site.
7. Statement/résumé indicating the biologist's qualifications. Please be sure when you hire a consulting qualified biologist to help conduct this site survey that they have the proper experience with target taxon.
8. A conservation or protection plan designed to minimize adverse effects on the observed state listed species.

In addition to providing field survey details, during the investigation the botanist reported a new population of State Special Concern *Aristida longespica* (Slimspike threeawn) within the project site.

We concur with the report findings and have accepted the protection and mitigation including these important requirements:

**Protection and Mitigation for the State Listed Plants:**

1. Clearing/cutting of woody vegetation as well as competing herbaceous vegetation in and around the Slimspike threeawn plants should be done during the dormant period outside of the growing season if possible.
2. Prior to any work activities, including vegetation clearing, the population of Slimspike threeawn must be flagged by a qualified botanist. If clearing activities occur during the growing season, any vegetation clearing work will be performed under the supervision of a qualified botanist.
3. Light soil disturbance should be implemented (i.e., disturbance to the topsoil), but large-scale grading or filling should be avoided.
4. Perimeter fencing should not fragment the population of Slimspike threeawn in any location it is located.

With the proposed Project avoiding the majority of the Slimspike threeawn population along with all of the yellow wild indigo population and with these Slimspike threeawn protection measures, I do not anticipate that the Project will result in an adverse effect to State-listed rare plant or the host plant to a rare butterfly.

**Protection and Mitigation for the State Listed Animals:**

I do not anticipate that this project will result in adverse impacts to State Listed animal species as long as the attached Resource Protection Plan and the following four items below are followed during the pre-construction and post construction components of this project. The required animal protection measures include:

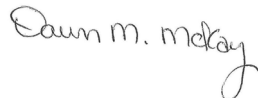
1. Maintain the 100-foot vernal pool buffers for the 11 vernal pools occurring on this site and provide either 100-foot or 50-foot vegetative wetland buffers on this property for all other wetlands.
2. Tree clearing is restricted to occur only between August 15th through April 30th, during the bat's non-roosting period, when bats would not be present on the Site.
3. Develop and implement an invasive species removal plan for the southern portion of this site as described in the Quinn Ecological Biological and Habitat Assessment Report dated November 2021. Please provide this invasive species removal plan and timeline to the NDDDB Program as soon as possible.  
Excerpt From the Quinn Ecological Biological and Habitat Assessment Report dated November 2021:  
*"...Although no eastern spadefoots were detected on the subject property, suitable habitat for this species was observed including potential breeding pools and upland habitats. The scarified sand and gravel habitat in the southern portion of the subject property affords great opportunity for habitat restoration. Much of the old sand and gravel extraction area has become inundated with invasive plant species over the years, namely autumn olive (*Elaeagnus umbellata*) and multiflora rose (*Rosa multiflora*). This inundation has greatly reduced the availability of suitable scarified early/late successional habitat. The southern portion of the property also contains a mosaic of forest and wetland habitat types. Both the spotted turtle and ribbon snake..... were observed within the wetlands to the west and southwest of the sand and gravel habitat. Removing the invasive shrub species within the southern portion of the property will create early successional habitat and enhance the habitat connections between the wetland, forest and early successional mosaic. Invasive shrub species should be monitored and removed every five years to prevent the re-establishment of invasive shrubs. This habitat enhancement will benefit the eastern box turtle and spotted turtle and will maintain the suitability of this habitat for eastern spadefoots, if over time, this area is colonized by spadefoots which currently occur in close proximity to this site."*
4. As noted above, implement the all the Resource Protection Measures contained within the attached "Resources Protection Plan".

This determination is good for two years. Please re-submit an NDDDB Request for Review if the scope of work changes or if work has not begun on this project by March 7, 2024.

Natural Diversity Data Base information includes all information regarding critical biological resources available to us at the time of the request. This information is a compilation of data collected over the years by the Department of Energy and Environmental Protection's Natural History Survey and cooperating units of DEEP, private conservation groups and the scientific community. 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. Current research projects and new contributors continue to identify additional populations of species and locations of habitats of concern, as well as, enhance existing data. Such new information is incorporated into the Data Base as it becomes available. The result of this review does not preclude the possibility that listed species may be encountered on site and that additional action may be necessary to remain in compliance with certain state permits.

Please contact me if you have further questions at (860) 424-3592, or [dawn.mckay@ct.gov](mailto:dawn.mckay@ct.gov) . Thank you for consulting the Natural Diversity Data Base.

Sincerely,



Dawn M. McKay  
Environmental Analyst 3

# Attachment 5

## Resources Protection Measures Plan

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## ENVIRONMENTAL NOTES - RESOURCES PROTECTION MEASURES

### WETLAND, VERNAL POOL, AND RARE SPECIES PROTECTION PROGRAM

The proposed solar facility is located proximate to sensitive habitats including wetland resource areas, vernal pools, and rare species. As a result, the following protective measures shall be followed to help avoid degradation of nearby wetland/watercourses, avoid incidental impact to vernal pool indicator species, and rare species.

In addition, Eastern Box Turtle (*Terrapene carolina carolina*), Spotted Turtle (*Clemmys guttata*), Ribbonsnake (*Thamnophis saurita saurita*), Smooth Green Snake (*Opheodrys vernalis*), Red Bat (*Lasiurus borealis*), Hoary Bat (*Lasiurus cinereus*), and Slimspike Threeawn (*Aristida longespica*), all State Special Concern species afforded protection under the Connecticut Endangered Species Act, are known to occur on or proximity to the proposed facility. These rare species protection measures are similar to protection measures previously approved by the Connecticut Department of Energy and Environmental Protection ("DEEP") Wildlife Division on other similar projects. Details of protection measures to be implemented in association with construction and maintenance of the facility are provided below.

It is of the utmost importance that the Contractor complies with the requirement for implementation of these protective measures and the education of its employees and subcontractors performing work on the project site. The wetland protection measures shall be implemented and maintained throughout the duration of construction activities until permanent stabilization of site soils has occurred. Vernal pool protection measures should be implemented during peak amphibian movement periods (early spring breeding [March 1st to May 15th] and late summer dispersal [July 15th to September 15th]) if construction cannot be avoided during these periods. The rare species protection measures within this plan shall be implemented in accordance with the plan details below for individual species.

All-Points Technology Corporation, P.C. ("APT") will serve as the Environmental Monitor for this project to ensure that these protection measures are implemented properly. APT will provide an education session for the Contractor prior to the start of construction activities on nearby sensitive wetland resources/vernal pools resources and rare species that may be encountered. The Contractor shall contact Dean Gustafson, Senior Biologist at APT, at least 5 business days prior to the start of any construction activities to schedule a pre-construction meeting. Mr. Gustafson can be reached by phone at (860) 552-2033 or via email at dgustafson@allpointstech.com.

This protection program consists of several components: education of all contractors and sub-contractors prior to initiation of work on the site; protective measures; periodic inspection of the construction project; and, reporting.

#### 1. Contractor Education

- a. Prior to work on site, the Contractor shall attend an educational session at the pre-construction meeting with APT. This orientation and educational session will consist of an introductory meeting with APT to emphasize the environmentally sensitive nature of the project, the various wetland, vernal pool and rare species resources, and the requirement to diligently follow the Protective Measures as described in sections below. Workers will also be provided information regarding the identification of other turtles, snakes, and common herpetofauna species that could be encountered. The meeting will further emphasize the non-aggressive nature of these species, the absence of need to destroy such animals and the need to follow Protective Measures as described in following sections. The Contractor will designate one of its workers as the "Project Monitor", who will receive more intense training on the identification and protection of herpetofauna.

- b. The importance of protecting nearby wetland and vernal pool resources will also be stressed as part of this educational session.
- c. The education session will also focus on means to discriminate between the species of concern and other native species to avoid unnecessary "false alarms". Encounters with any species of turtles, snakes and amphibians will be documented.
- d. The Contractor will designate a member of its crew as the Project Monitor to be responsible for the periodic "sweeps" for herpetofauna within the construction zone each morning and for any ground disturbance work. This individual will receive more intense training from APT on the identification and protection of herpetofauna in order to perform sweeps. Any herpetofauna discovered would be translocated outside the work zone in the general direction the animal was oriented.
- e. The Contractor will be provided with cell phone and email contacts for APT personnel to immediately report any encounters with any rare species. Educational poster materials will be provided by APT and displayed on the job site to maintain worker awareness as the project progresses.
- f. APT will also post Caution Signs throughout the project site for the duration of the construction project providing notice of the environmentally sensitive nature of the work area, the potential for encountering various amphibians and reptiles and precautions to be taken to avoid injury to or mortality of these animals.
- g. If any rare species are encountered, the Contractor shall immediately cease all work, avoid any disturbance to the species, and contact APT.

## **2. Isolation Measures & Sedimentation and Erosion Controls**

- a. Plastic netting used in a variety of erosion control products (i.e., erosion control blankets, fiber rolls [wattles], reinforced silt fence) has been found to entangle wildlife, including reptiles, amphibians, birds, and small mammals, but particularly snakes. No permanent erosion control products or reinforced silt fence will be used on the project. Temporary erosion control products will use either erosion control blankets and fiber rolls composed of processed fibers mechanically bound together to form a continuous matrix (netless) or netting composed of planar woven natural biodegradable fiber to avoid/minimize wildlife entanglement.
- b. Installation of sedimentation and erosion controls, required for erosion control compliance and creation of a barrier to possible migrating/dispersing turtles, shall be performed by the Contractor following clearing activities and prior to any earthwork. The Environmental Monitor will inspect the work zone area prior to and following erosion control barrier installation to ensure the area is free of Eastern Box Turtle (along with other amphibians and reptiles that may be encountered) and document barriers have been satisfactorily installed. The intent of the barrier is to segregate the majority of the work zone and isolate it from nesting/foraging/migrating/dispersing turtles, snakes and other herpetofauna. Oftentimes complete isolation of a work zone is not feasible due to accessibility needs and locations of staging/material storage areas, etc. Although the barriers may not completely isolate the work zone, they will be positioned to deflect migrating/dispersal routes away from the work zone to minimize potential encounters with turtles, snakes and other herpetofauna.
- c. Exclusionary fencing shall be at least 20 inches tall and must be secured to and remain in contact with the ground and be regularly maintained by the contractor (at

least bi-weekly and after major weather events) to secure any gaps or openings at ground level that may let animal pass through.

- d. The Contractor is responsible for daily inspections of the sedimentation and erosion controls for tears or breeches and accumulation levels of sediment, particularly following storm events that generate a discharge, as defined by and in accordance with applicable local, state and federal regulations. The Contractor shall notify the Environmental Monitor within 24 hours of any breeches of the sedimentation and erosion controls and any sediment releases beyond the perimeter controls that impact wetlands, watercourses or within 100 feet of wetlands and watercourses. The Environmental Monitor will provide periodic inspections of the sedimentation and erosion controls throughout the duration of construction activities only as it pertains to their function as isolation measures for the protection of rare species. Such inspections will generally occur once per month. The frequency of monitoring may increase depending upon site conditions, level of construction activities in proximity to sensitive receptors, or at the request of the permittee. If the Compliance Monitor is notified by the Contractor of a sediment release, an inspection will be scheduled specifically to investigate and evaluate possible impacts to wetland and/or watercourse resources.
- e. Third party monitoring of sedimentation and erosion controls will be performed by other parties, as necessary, under applicable local, state and/or federal regulations and permit conditions.
- f. The extent of the sedimentation and erosion controls will be as shown on the site plans. The Contractor shall have additional sedimentation and erosion controls stockpiled on site should field or construction conditions warrant extending the controls as directed by APT or other regulatory agencies.
- g. No equipment, vehicles or construction materials shall be stored outside of the sedimentation and erosion controls within 100 feet of wetlands or watercourses.
- h. All sedimentation and erosion controls shall be removed within 30 days of completion of work and permanent stabilization of site soils so that reptile and amphibian movement between uplands and wetlands is not restricted.

### **3. Petroleum Materials Storage and Spill Prevention**

- a. Certain precautions are necessary to store petroleum materials, refuel and contain and properly clean up any inadvertent fuel or petroleum (i.e., oil, hydraulic fluid, etc.) spill to avoid possible impact to nearby resources.
- b. Silicon Ranch Corporation has developed and will adhere to a Spill Prevention Control and Countermeasure (SPCC) Plan for this project as per the requirements of 40 CFR 112. Please refer to the SPCC for specific requirements. Basic requirements for petroleum materials storage and spill prevention are provided below. In the event these basic requirements contradict the SPCC, the Contractor shall rely on requirements provided in the SPCC.
- c. A spill containment kit consisting of a sufficient supply of absorbent pads and absorbent material will be maintained by the Contractor at the construction site throughout the duration of the project. In addition, a waste drum will be kept on site to contain any used absorbent pads/material for proper and timely disposal off site in accordance with applicable local, state, and federal laws.
- d. The following petroleum and hazardous materials storage and refueling restrictions and spill response procedures will be adhered to by the Contractor.



i. Petroleum and Hazardous Materials Storage and Refueling

1. Refueling of vehicles or machinery shall occur a minimum of 100 feet from wetlands or watercourses and shall take place on an impervious pad with secondary containment designed to contain fuels.
2. Any fuel or hazardous materials that must be kept on site shall be stored on an impervious surface utilizing secondary containment a minimum of 100 feet from wetlands or watercourses.
3. The contractor shall inspect all equipment at the beginning and end of each day for any fuel or hydraulic leaks and if discovered shall take immediate steps to make repairs and clean up any discharges as detailed in the following sections.

ii. Initial Spill Response Procedures

1. Stop operations and shut off equipment.
2. Remove any sources of spark or flame.
3. Contain the source of the spill.
4. Determine the approximate volume of the spill.
5. Identify the location of natural flow paths to prevent the release of the spill to sensitive nearby waterways or wetlands.
6. Ensure that fellow workers are notified of the spill.

iii. Spill Clean Up & Containment

1. Obtain spill response materials from the on-site spill response kit. Place absorbent materials directly on the release area.
2. Limit the spread of the spill by placing absorbent materials around the perimeter of the spill.
3. Isolate and eliminate the spill source.
4. Contact the appropriate local, state and/or federal agencies, as necessary.
5. Contact a disposal company to properly dispose of contaminated materials in accordance with all local, state, and federal regulations.

iv. Reporting

1. Complete an incident report.
2. Submit a completed incident report to the Connecticut Siting Council, and other applicable local, state, and federal officials.

**4. Herbicide, Pesticide and Salt Restrictions**

- a. The use of herbicides and pesticides at the facility shall be restricted. In the event herbicides and/or pesticides are required at the facility (i.e., to assist in management of invasive species within habitat enhancement areas), their use will be used in accordance with Integrated Pest Management ("IPM") principles with particular attention to minimize applications within 100 feet of wetland or watercourse resources. No applications of herbicides or pesticides are allowed within actual wetland or watercourse resources.

- b. Maintenance of the facility during the winter months shall not include the application of salt or similar products for melting snow or ice.

## **5. Vernal Pool Protection Measures**

- a. A thorough cover search of the construction area will be performed by APT's Environmental Monitor for herpetofauna (amphibians and reptiles) prior to and following installation of the silt fencing barrier to remove any species from the work zone prior to the initiation of construction activities. Any herpetofauna discovered would be carefully translocated outside the work zone in the general direction the animal was oriented. Periodic inspections will be performed by APT's Environmental Monitor throughout the duration of the construction.
- b. Any stormwater management features, ruts or artificial depressions that could hold water created intentionally or unintentionally by site clearing/construction activities will be properly filled in and permanently stabilized with vegetation to avoid the creation of vernal pool "decoy pools" that could intercept amphibians moving toward the vernal pools. Stormwater management features such as level spreaders will be carefully reviewed in the field to ensure that standing water does not endure for more than a 24-hour period to avoid creation of decoy pools and may be subject to field design changes. Any such proposed design changes will be reviewed by the design engineer to ensure stormwater management functions are maintained.

## **6. Turtle Protection Measures – Construction Phase**

- a. Prior to construction and following installation of isolation barriers, the construction area will be swept by APT and any turtles occurring within the work area will be relocated to suitable habitat outside of the isolation barriers.
- b. Prior to the start of construction each day, the contractor shall search the entire work area for turtles.
- c. If a turtle is found during the active period, it shall be immediately moved, unharmed, by being carefully grasped in both hands, one on each side of the shell, between the turtle's forelimbs and the hind limbs, and placed just outside of the isolation barrier in the same approximate direction it was heading. These animals are protected by law and no turtles should be relocated from the property.
- d. Special care shall be taken by the contractor during early morning and evening hours so that possible basking or foraging turtles are not harmed by construction activities.
- e. The contractor shall be particularly diligent during the months of May and June when turtles are actively selecting nesting sites which results in an increase in turtle movement activity.
- f. No heavy machinery or vehicles may be parked in any turtle habitat.
- g. Avoid and limit any equipment use within 100 feet of wetlands and no heavy machinery or vehicles may be parked in any turtle habitat or within 100 feet of wetlands.
- h. Special precautions must be taken to avoid degradation of wetland habitats, particularly along an perennial stream riparian corridors.
- i. Clearing activities are recommended to occur during the Eastern Box Turtle active period (April 15<sup>th</sup> through October 15<sup>th</sup>), if possible, with the understanding that the

tree clearing restriction for the listed bat species of August 15<sup>th</sup> through April 30<sup>th</sup> takes precedence.

- j. If clearing activities are scheduled to commence during the inactive season for Eastern Box Turtles (approx. October 15<sup>th</sup> through April 15<sup>th</sup>), these sweeps must occur prior to September 15<sup>th</sup>. In this case, isolation barriers would need to be installed prior to September 15<sup>th</sup> so that any turtles found during the seep could be placed outside of the project's limit of clearing.

## **7. Snake Protection Measures – Construction Phase**

- a. Installation of artificial plywood cover boards measuring 2 feet wide x 4 feet long, covering a total area of 8 square feet/board. A total of 40 plywood cover boards should be placed around the inside perimeter of the exclusionary barrier. The placement of cover boards, supplied by the Contractor, will be performed by the Compliance Monitor. Cover boards should be checked once weekly in the early morning or late evening hours throughout the snake active season. Cover boards can be left in place throughout the construction phase of the project. All snakes encountered will be photographed, GPS located and placed just outside of the exclusionary barrier.
- b. The Contractor shall install orange construction fencing around the construction side of each cover board to prevent unintentional damage by construction equipment. The Compliance Monitor will install caution signage at each cover board location.
- c. Monitoring during the removal of any existing anthropogenic cover features (i.e., log piles, rock piles, etc.) already in the construction area will be performed by the Compliance Monitor. All anthropogenic cover features should be removed prior to any construction activities. Ideally these cover objects should be removed just after the placement of the plywood cover boards, increasing the likelihood of snakes using the plywood cover.

## **8. Turtle Protection Measures – Facility Maintenance (Mowing Recommendations)**

- a. Perform mowing during the turtle dormant period – November 1<sup>st</sup> through March 31<sup>st</sup> when possible.
- b. If mowing is required outside of the turtle dormant period, avoid mowing during May 15<sup>th</sup> through August 30<sup>th</sup> when turtles may be located within the facility (and away from forested habitat), if possible, understanding that some vegetation maintenance is necessary for operational and electrical safety purposes.
- c. Vegetation maintenance within the fenced solar facility may be accomplished through sheep grazing. Should that technique be used, mowing restrictions would not apply; mowing recommendations outside of the fenced facility would still apply.
- d. If mowing is required during the turtle active season (April 1<sup>st</sup> through October 31<sup>st</sup>), mowing should be performed as follows.
  - i. Mowing style: Avoid flail mower heads with guide bars that ride along the ground. Sickle bar mowers will have the least impact if mowing every 1-5 years. In areas with more woody vegetation >1-2" diameter Brontosaurus-style mower will likely have the least impact on turtles.
  - ii. Mowing height: If mowing during active season, retention of mowing stubble to 7-12 inches will reduce mortality, reduce blade wear, and will leave important cover for animals.

- iii. Directionality: If mowing during the active season is necessary, start mowing from the center of the field and use a back-and-forth approach, or large circular pattern, to avoid concentrating fleeing animals where they may be killed or stranded. In addition, leave an un-mowed 30 ft strip around the perimeter of the field and mow this area last. Most turtles are found in these areas and this provides time for them to react to the mowing activity and move out of the area.
- iv. Mower Speed: Mowing in low gear or at slow speeds will allow turtles to react and move out of the field.
- v. Un-mowed Edge: Leaving an un-mowed field edge in high turtle use areas until after September 15th.

## **9. Rare Bats Site Management Measures (Tree Clearing)**

- a. Tree clearing is restricted to occur only between August 15<sup>th</sup> through April 30<sup>th</sup>, during the bat's non-roosting period, when bats would not be present on the Site.

## **10. Rare Plant Protection Measures (Slimspike Threawn)**

- a. Most of the 2.38-acre population of Slimspike threawn is located outside of the proposed solar development area and therefore will be unaffected. A small portion of the population ( $\pm 347$  square feet) is located within the limits of clearing, but outside of any proposed grading. The following measures are recommended to protect this area of the population:
  1. Clearing/cutting of woody vegetation as well as competing herbaceous vegetation in and around the Slimspike threawn plants would be beneficial but should be done during the dormant period outside of the growing season if possible.
  2. Prior to any work activities, including vegetation clearing, the population of Slimspike threawn will be flagged by a qualified botanist. If clearing activities occur during the growing season, any vegetation clearing work will be performed under the supervision of a qualified botanist.
  3. Light soil disturbance would also be beneficial (i.e., disturbance to the topsoil), but large-scale grading or filling should be avoided.
  4. If possible, perimeter fencing should not fragment the population of Slimspike threawn.

## **11. Reporting**

- a. A Compliance Monitoring Report (brief narrative and applicable photos) documenting each APT inspection will be submitted by APT to the contractor and permittee for compliance verification. Any observations of rare species, vernal pool indicator species, wetland impacts, or corrective actions will be included in the reports.
- b. Following completion of the construction project, APT will provide a Final Compliance Monitoring Report to the permittee documenting implementation of this wetland, vernal pool, and rare species protection program, monitoring and any species observations. The permittee shall provide a copy of the Final Compliance Monitoring Report to the Connecticut Siting Council for compliance verification.

- c. Any observations of rare species will be reported to DEEP by APT on the appropriate special animal reporting form, with photo-documentation (if possible) and specific information on the location and disposition of the animal.