



STATE OF CONNECTICUT DEPARTMENT OF AGRICULTURE

Office of the Commissioner



Bryan P. Hurlburt
Commissioner

860-713-2501
www.CTGrown.gov

April 5, 2021

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

Re: CTEC Solar – Proposed Solar Facility, 277 Sadds Mill Rd., Ellington

Dear Executive Director Bachman:

Pursuant to 16-50k(a) of the Connecticut General Statutes, we have reviewed the above cited project with respect to agricultural impacts, specifically, that "...such project will not materially affect the status of such land as prime farmland..."

The project is to be located on two parcels. There is a northerly parcel which is 57.69 acres, and a southerly parcel that is 99.63 acres in size. The solar project will develop approximately 30.5 acres across the two parcels. Overall, the project size is about ten (10) percent of the size of the farm (the total acreage of the farm is reported by the developer to be 317 acres). The area proposed for development contains approximately 10.8 acres of prime farmland (per the developer and confirmed through NRCS web soil survey) and was confirmed by site visit on February 14, 2018 to be wooded. During the February 14, 2018 site visit, an active apiary was observed on the farm.

In the project description submitted to the Department of Agriculture, dated December 23, 2020 (enclosed), the farm owners (Trustees of the Thompson Family Land Trust) stated that existing agricultural operations consist of growing crops for corn and hay on 30-35 acres in the western portion of the property, which will not be impacted by the project. The landowners also stated that there is some tree farming currently occurring on the property and that the tree farming activities will not be impacted by the project.

On January 14, 2021, A meeting was held with the landowner, the landowner's representative, Lee Hoffman, representatives of the Department of Agriculture (Jaime Smith and Stephen Anderson) and CTEC Solar representatives. In that meeting, the landowners and the developer stated the project's three goals to be as follows:

- 1) Overall sustainability of the farming operation, and continuation of the existing activities which will not be impacted due to the solar development;

- 2) To provide pollinator habitat and expand apiaries in the area of the site developed for solar. The developer states that this will be an improvement over existing use in the area where the solar project would be developed, which now is wooded and only used for timber, firewood and hunting; and
- 3) To provide honey for a planned diversification of the farm, which may include establishment of an on-farm distillery on the site.

The department received additional project clarifications in a letter from the trustees of the Thompson Farm, dated March 19, 2021 (enclosed). In that letter, the landowners stated that the farm's trustees intend to increase the size of their apiaries from a current size of 17 hives, to an expected size of 22 hives, and add another honeybee yard to the farm. This apiary expansion would result in an increase in honey production from 80 pounds per year to approximately 200 pounds per year. The trustees also provide a plan for the eventual re-establishment of a craft distillery on the farm, which would use the honey produced on the farm.

Based on the above, the successful implementation of these co-use activities and the continued production agriculture activities throughout this site, the Department of Agriculture can conclude that this project will not materially affect the status of project land as prime farmland. The Department of Agriculture will continue to monitor the proposed project, and should changes to the proposal raise concerns to the Department, we reserve the right to modify our position on this project, including opposing it, in the future, as detailed plans are provided by the developers.

If you have any questions, please feel free to contact either me or Stephen Anderson of my staff. Steve can be reached at Stephen.Anderson@ct.gov, or at (860) 713-2592.

Sincerely,



Bryan P. Hurlburt
Commissioner

Enc. Project description, dated 12/23/2020
Letter from Thompson Farm Trustees, dated March 19, 2021

Cc: Katie Dykes, Commissioner, Department of Energy and Environmental Protection
Lee Hoffman, Pullman & Comley LLC

March 19, 2021

Stephen Anderson
State of Connecticut Department of Agriculture
450 Columbus Blvd., Suite 701
Hartford, CT 06103

Re: Solar Energy Project Considerations – The Thompson Farm, Sadds Mill Road, Ellington, Connecticut

Dear Mr Anderson

Three months ago, your office was alerted to the desire of our farm to have a solar facility constructed on our farm to assist our farm's operations financially so that we can support our ongoing agricultural business. The Thompson Farm is respectfully requesting that the CT Department of Agriculture support the proposed solar facility on a portion of the Thompson Farm located in Ellington.

The Thompson Farm has appreciated working with CT DO-AG and USDA reps on the site for over 16 years to develop an innovative and locally appropriate solar facility on our farm just as the DOAG suggested we do from their initial invitation to attend workshops to promote a new concept of on-farm solar. After 16 years of planning and baseline work on our site, the project is ready to go forward. We have appreciated working with your agency, USDA, and the Town of Ellington to pass appropriate zoning codes making large scale solar an approved use in an industrial zone and having Connecticut make large scale solar a public policy objective of the state. More importantly for us, this project will provide a new stable income source to help sustain our other farming operations.

This planned solar facility will produce a sustainable income to the farm by converting sunshine to a locally-produced commodity to sell to Connecticut residents. Without the ability to generate on-site solar at grid scale, like similar products produced on farms in Massachusetts, New York, Maine and other states, Connecticut farmers have been struggling to compete. Our farms need projects like this to compete in traditional markets and find new markets to satisfy next-generation demands.

The Thompson Farm

The Thompson Farm, located in Ellington, CT, is the 16th oldest continuously operated farm in Connecticut. It is one of only 36 Federally recognized and designated National Bicentennial Farms in Connecticut by the USDA. The Thompson Farm has been in operation since before 1730 when this Melrose section of Ellington and East Windsor was all still part of Windsor. (See https://www.journalinquirer.com/towns/east_windsor/melrose-maintains-village-tradition-in-east-windsor/article_ccb2c162-70a2-11e8-81a4-2fbc696a05c2.html for more information.)

The Thompson Farm is bisected by the Ellington/East Windsor Town line and again by CT Highway Route 140. The site of the proposed Thompson Farm solar project is in a wooded

section of the farm in the southeast corner of the Ellington portion of the farm. It is a section heavily impacted by drought, insects and poor soils as seen and in the condition of the trees and as noted by Chris Martin, DEEP's State Forester. A copy of Mr. Martin's letter is attached. The proposed site represents less than 10% of the acreage of the Thompson Farm. The selection of this project keeps the remaining agricultural land open for continued farming activities on the farm's most productive land. The project will have the benefit of keeping almost 270 additional acres of land open for other agricultural-based or forestry activities.

The Proposed Project

The Thompson Farm began to assess the viability of a farm-based solar installation about 16 years ago following one of the first CT Dept of AG/USDA solar conferences for farms. This initial conference was innovative and attracted about 30 farms and about 10-15 vendors with tabletop booths and organizers from Dept of Ag and USDA CT offices. It was the nascent meeting for various stakeholders to understand what it would take solar to a larger scale and benefit Connecticut's farmers. Following that meeting, we requested and arranged to meet the USDA solar representative from the meeting to come tour the farm and assess its merits, deficiencies, and opportunities as a host site for large scale solar. The Thompson Farm had identified a parcel of land which the USDA representative agreed was a good site. That site is the same 30-acre parcel of wooded land which is proposed for the Thompson Farm solar project.

For the past 16 years, the Thompson Farm has followed CT solar adoption, new legislation, and the track record of the early projects like Somers Solar Center which is nearby. During that time, the Thompson Farm read about the loss of pollinator habitat and heard directly about the difficulty of honey bee health regionally from Ted Jones, founder of Jones Apiary and manager of the hives co-located on our farm. Even at that time it was apparent that the highest and best use for this section of the farm was as a solar farm co-located with pollinator habitat to bring an added benefit to the significant agricultural fields which surround our farm. The benefit of a properly designed and managed pollinator habitat will be symbiotic for both the farms in the area and the solar arrays. This will allow us to increase forage for additional honey bee hives and establish 30 acres of dense pollinator habitat. By so doing, other established, clear and productive farmland will not be taken out of production for pollinator habitat creation, which would limit income generating activity.

The Thompson Farm has partnered with the Bee and Butterfly Fund, www.beeandbutterflyfund.org, and Rob Davis of Fresh Energy, www.fresh-energy.org, and CTEC, <https://www.ctecsolar.com>, to create what the Thompson Farm believes is a cost-effective replicable model for the State and region to begin to address the loss of critical pollinator habitat. Connecticut recognizes the critical loss of pollinator habitat and has enacted PA 16-17 to prioritize the creation of Pollinator habitat as a valuable and productive use of land in Connecticut.

The selected site will not negatively impact the existing farm crop operations on the more productive fields and pastures. The Thompson Farm solar fields will benefit the existing

operations and the operations of other farms in Ellington and East Windsor with the incorporation of pollinator habitat throughout the site. For the past 20 years, the collaboration of the Thompson Farm with Jones Apiaries has resulted in a healthy honey bee yard of approximately 17 hives. According to Ted Jones, the growing density of housing in Connecticut means that the average honey bee density is about one yard of 10 hives per square mile. The Thompson Farm solar project will significantly increase forage for honey bees and native bee and butterfly pollinators for the surrounding agricultural area. It is anticipated that within two to three years of the establishment of the pollinator habitat, the Thompson Farm will increase its hives from 17 to 22 and will have built a second honey bee yard in an area closer to the solar fields with the new yard increasing the honey yield.

The Proposed Project Supports Additional Agricultural Uses

For decades, the Thompson Farm was known nationally for its high-quality Thompson's brand of Apple based products, the most common of which was its clarified cider and fermented and distilled vinegars. J.A. Thompson and Son shipped cider and vinegar across the region and across the country to new markets on newly-settled lands in the midwest and west from 1863 to 1973. The mill buildings remain on the farm and is an idled grandfathered use within the industrial zone of the town of Ellington. With the passage of the new on-farm distilling ordinances and a mill with a pre-prohibition history of distilling small amounts of specialty Champagne Cider, there is an interest in re-establishing a craft distillery on the farm in the JA Thompson and Son mill complex. One of the requirements of the on-farm distillery ordinance is that a portion of the product used in the distilled spirit be produced on the farm. Since the only product produced on the farm which is appropriate to use in a distilled spirit is honey, the growth of our honey production will allow the Thompson Farm to meet this threshold criteria.

Just as the Thompson Farm has taken 16 years to bring an innovative and sustainable solar project to its final stages of development and implementation, we anticipate that the assessment and business development of a viable distillery on the farm will follow the permitting, the clearing of the land, co-location of the solar arrays and establishment of the pollinator habitat which follows on after construction phases. We anticipate the growth of the existing apiary from 17-22 hives will occur in the first five years and establishment of a second yard near to the solar fields to occur in years 3-8. We are committed to this increase in hives. This increase in hives will form the basis for our distilled spirits manufacturing.

Over the next 6 years, we will be assessing the market for an on-farm distillery in Ellington because at this point there is none. It took 7 years to get compost permitted, and 27 years to grow it from nothing to where it is, it has taken 15 years to get solar to this point (with the assistance of Kip Kolesinskas along the way) with 3 plus years of intensive work and investment by CTEC. The distillery is a long-term concept. It is a reuse of a historic cider mill we have kept up and maintained since 1973. As far as we can tell, the CT Dept of Ag has no programs which would help us in this effort — this is a concept that requires the solar and honey first. While “farm to flask” is real elsewhere but Brand new to CT. We anticipate that honey produced at the farm will increase from its current production of 80 pounds per year to approximately 200

pounds per year in 5-6 years. With this increased production comes the ability to begin our distillation operations.

Site Selection – This Is the Right Site for the Appropriate Use

Smaller to mid-sized CT Farms are family owned businesses which are capital intensive and resource constrained. This has been the case since the first generation began farming here and will continue to be the case for the 10th generation of farmers. Therefore, any assessment of alternate uses for land depends on the ability to meet site selection criteria. This again has been true since the first land was cleared almost 300 years ago. In the past 300 years, Thompson farmers have considered the use or crop they required and then selected the site on the farm and manually cut, cleared, stumped and destoned the hay fields, pastures and cropland. They did the same for their houses, barns and cider mill. In all that time, the section of the farm now being considered for solar was not deemed of sufficient quality for any crop whether it was rye, wheat, corn, potatoes, tobacco, mulberries or apple orchards. This parcel was not deemed satisfactory for pasture for sheep or cattle, and not suitable for pigs or goats.

The land was only suitable for sand and gravel removal and was permitted for this as part of a larger operation, but the Thompson Farm ended the operation before we extracted the gravel from under these parcels. Again, the cost to clear and stump and prepare this site was not economically attractive compared to the ongoing timber management from this parcel. The decline in the timber quality, as related in the letter from the state forester and seconded by our woodcutter, has been caused by drought, insects and declining soil quality and has directly translated into lower quality timber over the past 25-30 years. Lower quality translates into lower revenue and an inability for the land to pay for itself through 10-15-year timber harvest cycles.

The Thompson Farm solar project developer was told that it was the first solar project to reach out to request a site visit to understand if the site met the threshold criteria to be approved following the passage of P.A. 17-218. We were taking a proactive collaborative approach and working with the appropriate state agencies now tasked with implementing the legislation as part of the balanced approach to the needs of the state and to farmers. The site does not have core forest designation. The site does have approximately 6 acres of soils in the woodland designated as prime soils but currently wooded.

It is the intent of the Thompson Farm for the solar developer to cut, stump and clear the site including the 6-acre area that, although designated as having prime soils, currently struggles to maintain quality hardwood tree growth. The 6 acres of land designated as prime will have solar arrays installed and pollinator habitat established. We anticipate that the 6 acres of pollinator habitat located on the prime soils will establish itself better and perhaps faster than the surrounding soils and yield more of the forage required to increase the honey yield on the farm. We would welcome a collaboration with the Ag extension service to evaluate the increased yield of pollinator species on prime soils vs non-prime soils in the same solar facility.

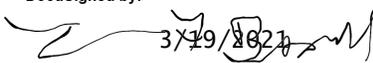
Conclusion

After considering alternative beneficial co-location activities, pollinators are the clear choice of co-location activities which bring the greatest indirect and direct benefit to the many stakeholders in the host community and surrounding agricultural fields and crop land. In conclusion we again respectfully request the support of the Department of Agriculture for the development of the solar facility located on the Thompson Farm in Ellington.

Regards.

John de Rham
John MM de Rham, Co-Trustee
Lawrence F. Bissell, Co-Trustee Thompson Farm (Thompson Family Land Trust)

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December 23, 2020

VIA ELECTRONIC MAIL

Stephen Anderson
State of Connecticut Department of Agriculture
450 Columbus Blvd., Suite 701
Hartford, CT 06103

Re: Solar Energy Project Considerations, Sadds Mill Road, Ellington, Connecticut

Dear Mr. Anderson:

I am writing on behalf of my client, CTEC Solar, LLC (“CTEC”), with respect to its proposed project to be located at 277 Sadds Mill Road in Ellington, Connecticut (the “Project”). As an initial matter, I want to thank you for taking the time to discuss the project with CTEC when you walked the project site with Jason Bowsza and Kip Kolesinskas (as well as Chris Martin from CT DEEP) approximately two years ago. us in detail at your offices. As we discussed at that visit, the payments from the proposed use of a portion of the Thompson Family’s farm for a solar array will allow the Thompson Family to continue its other agricultural and business pursuits at the site. Because the Project will be leasing this property from the Thompson family, the project intends to return the land in as good a condition as it found the land in, if not better.

With that goal in mind, this letter will serve as an update as to the activities CTEC has taken with respect to this proposed site, and to provide the Department with additional information concerning the site. As you know, section 16-50k(a) of the Connecticut General Statutes requires that for a solar photovoltaic facility with a capacity of two or more megawatts to be located on prime farmland, “excluding any such facility that was selected by the Department of Energy and Environmental Protection in any solicitation issued prior to July 1, 2017, pursuant to section 16a-3f, 16a-3g or 16a-3j”, the Department of Agriculture must represent, in writing, to the Connecticut Siting Council that such project will not materially affect the status of such land as prime farmland. It is our hope that once the Department has reviewed this information, it would agree that the Project will not materially affect the status of the prime farmland on the site.

As we mentioned when we met before, and as indicated on the attached map, the Thompson Family farm is currently used for some traditional farming activities including corn and hay on approximately 30-35 acres of the parcels identified on the map, and the property does contain prime farmland soils. Parts of the underlying property have also been used for a tree farm. The

Project would be located in a forested area of the site that is not being used for crop production. As you can see on the attached map, the crop production is occurring on the western portion of the site, while the solar array will be located in a forested area in the southeastern corner of the site.

Per the January 16, 2020 guidance that has previously been posted by the Department, CTEC is providing additional information on the Project for the Department's review. Our answers to the Department's request for information are provided in the responses below.

1) **Farm/Property Information** - Provide a description of the farm property, including but not limited to the following (include appropriate maps and surveys to allow evaluation):

a. Farm owner(s), farm name and location:

The property is located at 277 Sadds Mill Road, Ellington, CT. The landowners are John Derham, and Sally and Lawrence Bissell, Trustees of the Thompson Family Land Trust ("the Property").

b. Total acreage, identification of prime, statewide and/or locally important farmland soils & acreage:

The Property consists of two parcels, both owned by the same trustees as listed above. The northerly parcel is 57.69 acres with a map/block/lot number of 157 006 0000. It abuts Reeves Road on its northwest boundary. The southerly property is 99.63 acres with a map/block/lot number of 136 004 0000. It abuts Reeves Road on the northwestern portion of its boundary and Sadds Mill Road to the west. The intersection of these two roads is at the northwestern corner of this parcel. The Project area will involve the development of approximately 30.5 acres of the underlying lot across the two parcels, in the southeast area of the parcels ("Project Area"). Based on state mapping sources, approximately 14.6 acres of Statewide Important Farmland Soils are mapped within the central, northwestern, and southwestern portion of the Property while approximately 39.7 acres of Prime Farmland Soils are located in its northwestern and southeastern portions. CTEC has determined that the Project Area contains approximately 10.8 acres of mapped Prime Farmland Soils and approximately 0.1 acres of mapped Statewide Important Farmland Soils (See attached Figure - Farmland Soils Map).

c. Current production agriculture on the farm and the approximate location of crops, farm buildings, etc. used to support the farming operation:

Traditional farming activities of corn and hay take place on about 30-35 acres located in the western portion of the property. These activities will NOT be impacted

by the construction of the solar project. There is also some tree farming that occurs on the property, which will also not be impacted by the construction of the solar Project. The Project will be built in a forested area as indicated in the map below.

2) **Energy Project Information**

- a. Describe the energy project, including but not limited to, the size of the project in megawatts (MW), the footprint being proposed as it relates to prime farmland on the property, # of panels (if known), and a description of infrastructure needed to support the project.

The overall proposed system size of the energy project is 6.0 MW AC, to be developed as two (2) solar-based electric generating facilities. The Northern Facility will have an output of approximately 2.2 megawatts while the Southern Facility will have an output of approximately 3.8 megawatts. The Northern Facility's footprint is approximately 7.87 acres, of which, 0 acres are located within areas mapped as Prime Farmland Soils. The Southern Facility's footprint is approximately 14.44 acres, of which 6.15 acres are located within areas mapped as Prime Farmland Soils. The preliminary site plan/layout shows 7,182 panels/modules located in the Northern Facility while the Southern Facility has 12,474 panels/modules proposed. Required infrastructure includes stormwater management features, gravel roads and one concrete equipment pad per system.

- b. Describe what the energy will be used for and how it will benefit the farming operation.

The energy will be sold to The Connecticut Light & Power Company, d/b/a Eversource Energy ("Eversource") through a state approved power purchase agreement. The lease payments that the Project is making to the farm will allow the farm to continue its agricultural production on the remainder of the property.

- c. Are there future plans to increase energy capacity beyond what is proposed? If so, please describe these future plans, and any impacts the increase may have on prime farmland or the overall farming operation

There are no such plans at this time.

3) **Agricultural Resource Impacts**

- a. Describe any production agriculture currently being conducted within the footprint of the solar project.

There is no production agriculture currently occurring within the footprint of the Project.

- b. Describe overall how the project will impact production agriculture currently being conducted on the farm.

As stated above, the payments from the solar project will allow the agricultural activities that currently take place on this site to continue. Given the location of the Project, no production agriculture will be adversely impacted, since the Project will be located away from any current production agriculture.

- c. Provide a description of any plans by the farm owner(s) to foster production agriculture within or as a result of the development (e.g., grazing animals in and around the solar project, providing pollinator habitat).

The Project intends to provide pollinator habitat and construct apiaries within the Project site in order to foster production agriculture. Since the Project site is not currently being used for production agriculture, this will be an improvement.

4. Alternatives to Locating the Energy Project on Prime Farmland

- a. Provide a description of any alternatives considered by the farm owner(s) to developing the project on prime farmland soils (e.g., the option of selling agricultural development rights for the farm instead of developing for solar, or as a mitigation measure to reduce the size of the solar development).

The Thompson Family Farm selected this site through the evaluation process of successful projects, discussions with the Town of Ellington, and CTEC's experience on site selection criteria. The Thompson farm site is zoned Industrial and grid-connected solar is an approved use in an I-zone. The Project area is visually obscured from roadways, which is important to Town of Ellington. The site uses existing roadways from the existing paved truck access on CT Rte 140 to the access gate and thereby minimizes impact to neighbors and disturbance to all current farm activities and animal stress as well as the closest location to the existing honey bee apiary. The proposed site has the best access to the existing three phase power grid which runs along Route 140 and was brought to the farm in the mid-late 1990's and which minimizes any cutting or trimming required for the solar electrical infrastructure.

Just as importantly, the Thompson Family Farm considered the quality of the land that will comprise the Project Area. Put simply, if the land were better-suited to agricultural production, the land would have been put into crop production before now. Instead, the site has been woodland managed for fuel and timber by the

Thompson's since the 1730s. In the 1730s, the entire farm was woodland which needed to be cleared by hand and teams of oxen. For almost 300 years, this land was deemed too bony and rocky with thin cover that was unsuitable for anything but woodland - mostly chestnut. The land that comprises the Project Area was not deemed good enough to clear and till, even for apple orchards or mulberries. More recently, blights, droughts, and insect infestations have decreased the quality of timber and firewood harvested and made the site ideal for grid connected solar.

As noted above, the site is less than 10% of the total acreage of the farm and the income from the solar will provide long term revenue for preserving and sustaining other traditional farm operations.

- b. Describe any alternatives examined which might enable placement of some or all of the solar panels in locations other than on prime farmland (e.g., elsewhere on the property or on farm buildings).

While alternatives were considered, once all the siting criteria were layered on this site, both in terms of technical and aesthetic criteria, this site was deemed by both C-Tec and the Thompson Family Farm as the optimal location. The hay barn and barnyard were considered at one point, however, they are part of the historic barn program and are not rooftop solar appropriate.

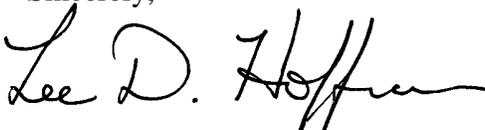
- c. Provide a description of any other form of mitigation considered by the farm owner(s) (e.g., farmland restoration, or a future commitment to preserve the farm)

In the late 1970s and early 1980s, The Thompson Family Farm contemplated succession planning and how to best preserve the farm as an entity for the next generations to farm or maintain. The Thompsons settled on a new concept which was used in Massachusetts known as a "Family Land Trust" as a way to preserve the Thompson Farm. The Thompson Farm was one of the first in CT to adopt this methodology as a way to preserve the farm. In the decades since, the Thompson Family believes that the "Family Land Trust" is one of the most popular forms of family farm and farmland preservation. The Thompson family intends to continue the use of this methodology.

Given this background, CTEC requests that the Department provide a letter to the Siting Council indicating that if CTEC proceeds with its Project in the fashion outlined above, it will not have an adverse impact on agriculture.

We look forward to working with the Department on this matter. Should you have any questions, please contact me at your convenience. Thank you in advance for your consideration.

Sincerely,



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Lee D. Hoffman

Enclosure

