

# COUNCIL ON ENVIRONMENTAL QUALITY



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*Executive Director*

November 20, 2020

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

PETITION NO. 1437 – Burlington Solar One, LLC petition for a declaratory ruling for the proposed construction, maintenance and operation of a 3.5-megawatt AC solar photovoltaic electric generating facility and associated electrical interconnection located at Lot 33, Prospect Street, Burlington, Connecticut.

Dear Ms. Bachman:

The Council on Environmental Quality (“the Council”) supports the development of clean, renewable energy technologies on appropriate sites in Connecticut and offers the following comments with regard to Petition No. 1437 (Petition):

## 1. Wildlife

The Council supports the Petitioner’s efforts to preserve and protect the eastern box turtle (EBT), which is a State Special Concern species afforded protection under the Connecticut Endangered Species Act and listed as a Greatest Conservation Need species in Connecticut. The Council is concerned that the EBT, which might be hibernating or undergoing brumation on the proposed site within the proposed limits of disturbance, could be negatively impacted or killed during the initial phases of construction. According to the Petitioner’s project factsheet from the Petitioner’s project website, if approved, the Petitioner anticipates undertaking construction groundbreaking immediately after the Siting Council’s decision. Furthermore, the proposed construction staging schedule calls for the stumping and grubbing of all 16.6 acres during phase I and II of construction, which, depending on the weather, could be during the EBT hibernation/brumation period. Consequently, the Council recommends that no ground disturbance be undertaken in areas that might be used by the EBT for hibernation/brumation until April 1, 2021 or later, depending on weather conditions and the advice of the Petitioner’s Environmental Monitor.

The Petitioner’s Box Turtle Protection Plan also notes that all existing mining and stockpiling activity within the proposed EBT “Relocation Zone” should temporarily cease while EBT relocation is underway. The Council questions whether the Petitioner has control over the gravel mining activities outside of the proposed limits of disturbance. If not, are there assurances from the owner/operator of the gravel mining operation that there would be a cessation of the gravel operations to allow for the EBT relocation?

## 2. Core Forest

The proposed construction would require the removal of trees in an area that is approximately sixteen acres, resulting in the loss of approximately 7 acres of core forest. The Council does not support the destruction of core forest and suggests that the Petitioner assess the possibility of relocating the proposed project to the south into the area identified as the existing gravel stockpile yard, while maintaining a 100 foot buffer around any identified wetlands and potential EBT nesting sites.

Thank you for your consideration of these comments. Please do not hesitate to contact the Council if you have any questions.

Sincerely,

A handwritten signature in cursive script that reads "Peter Hearn". The signature is written in black ink and is positioned above the printed name and title.

Peter Hearn,  
Executive Director