STATE OF CONNECTICUT

COUNCIL ON ENVIRONMENTAL QUALITY

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

RE: DOCKET NO. 492 – Gravel Pit Solar application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance, and operation of a 120-megawatt-AC solar photovoltaic electric generating facility on eight parcels generally located to the east and west of the Amtrak and Connecticut Rail Line, south of Apothecaries Hall Road and north of the South Windsor town boundary in East Windsor, Connecticut and associated electrical interconnection.

Dear Ms. Bachman:

The Council on Environmental Quality ("the Council") supports the development of clean, renewable energy technologies on appropriate sites in Connecticut. The Council is concerned about the scale of the statewide conversions of active, or potentially usable, farmland, which the legislature intended to be preserved when it enacted PA 17-218, for renewable energy installations. This farmland usually contains prime farmland soils, which are the soils that are "best suited to producing food, feed, forage, fiber and oilseed crops". These conversions have been most notable in the Connecticut River Valley, which is its own unique ecological area and a United States Department of Agriculture (USDA) designated resource area because of the excellent soils and microclimate[i].

Both the preservation of farmland and development of renewable energy sources are essential to the State's future. It is at the Siting Council that these priorities intersect and sometimes conflict. The Council urges the Siting Council to assess the cumulative regional economic and ecological factors when assessing the scale and location of this proposed siting. Consideration of such cumulative and regional impacts by the Siting Council is within its authority under CGS Sec. 16-50p(a).

Since June of 2020, this Council has reviewed seven proposals to utilize farmland for renewable energy projects. The total farm acreage of active or potentially usable farmland in those six Petitions and one Application is approximately 350 acres of active or potentially usable farmland. Inclusion of the all projects reviewed by this Council in the past eight months brings the total to over 540 acres of Connecticut farmland that were the target for siting of solar energy facilities. By comparison, the total acreage acquired for preservation by the State for all of 2019 was 773 acres. The continuing concentration of solar energy facilities on the tillable farmland, rather than on peripheral land, threatens the continued viability of the agricultural economy in the State.

Although the Applicant is proposing an Agricultural Soil Protection Plan, in order for a solar energy installation to have no impact on the status of prime farmland soils on a site, decommissioning and restoration would have to be successful at the end of the anticipated service life of the solar panels. To the Council's knowledge, long-term soil preservation has not been attempted in Connecticut, nor has removal of the supports for the panels and the buried electrical conduits and other soil disturbances. Decommissioning and restoration is an unproven promise. At the expiration of the lease term, negotiation of a new contract to take advantage of the installed solar infrastructure is as probable as is a return to agriculture. The probability that the site will never return to farming needs to be acknowledged. It has been estimated that nearly 30 percent of the State's farmers depend on land that is leased[ii]. Loss of access to those fields can severely affect the farms and disrupt their business viability, business succession planning, and even their ability to implement nutrient management plans (where a land base is needed to apply manure at safe rates). Loss of leased fields decreases farm density, and the suppliers of services and users of products are likely to move or close. The continuing accretion of multiple individual decisions to site solar facilities on productive agricultural land has cumulative regional economic and ecological implications that go beyond the loss of prime soils. For example, there are many permanent and migratory species depend on Connecticut's farm fields for habitat.

The Council offers the following additional comments regarding visibility, wildlife, vernal pools/wetlands, and groundwater:

The application shows sensitivity to visual impacts in its plan to install landscape screening features (modules) along portions of the property line to soften views from abutting properties. The Proposal would benefit from greater specificity with regard to the location(s) where black vinyl coated fencing will be deployed to "minimize light reflection and thus visibility of the fence."

The Applicant states that the conservation strategy for several species, including eastern pearlshell and American brook lamprey, will involve curtailing "illicit ATV operation within the properties it will control with fencing and other barriers". Additional details regarding what barriers or strategies will be employed to curtail illicit ATV use along Ketch Brook need to be identified; or alternative conservation strategies for the state-listed species identified by the Department of Energy and Environmental Protection Natural Diversity Database (NDDB) should be described. Furthermore, the actual height and locations of the proposed gaps under the proposed perimeter fencing for migration of turtles should be added to the Application's site plans.

A total of six vernal pools on the proposed site are classified as Tier I, which denotes exemplary pools where "management recommendations should be applied". While the proposed wetland buffer will likely reduce impacts on the "vernal pool envelope", the Applicant did not identify the area or percentage of the "critical upland habitat", (the area between 100 feet to 750 feet from the vernal pools), The Council recommends that the Applicant: 1) identify how much of the critical terrestrial habitat would be impacted by the proposed project, and 2) specify the management practices the Applicant would employ to protect the critical upland habitat of the identified Tier I vernal pools.

In addition, the Council notes that wetland #10 would be eliminated to construct the proposed project. The Council recommends that a minimum 100-foot non-disturbance buffer be applied around wetland #10 or in the alternative, a new wetland be created on the proposed site of equal or greater area in a location that would better support wildlife habitat and migration.

The groundwater at the site is identified as GAA, suitable for drinking water. A Spill Control and Countermeasures Plan (SPCC) should be included in the application for this project.

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

Sincerely,

Peter Hearn,
Executive Director

[i] USDA NRCS *Land Resource Regions and Major Land Resource Areas of the United States, the Caribbean, and the Pacific Basin*, at https://www.nrcs.usda.gov/Internet/FSE_DOCUMENTS/nrcs142p2_050898.pdf .

[ii] UCONN webinar *Improving Access to Farmland in Connecticut*, Rachel Murray and Kip Kolesinskas 2015, at https://www.youtube.com/watch?v=nvN1WJa7mgM&feature=youtu.be