

COUNCIL ON ENVIRONMENTAL QUALITY



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

RE: PETITION NO. 1426 - East Windsor Solar One, LLC petition for a declaratory ruling for the proposed construction, maintenance and operation of a 4.9-megawatt AC solar photovoltaic electric generating facility located west of the Ellington town boundary at 341 East Road, East Windsor, 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 notes the recent increase in Petitions for solar energy projects that include co-location of grazing activities among the proposed solar panels. In the past two months, four Petitions (1421, 1422, 1424, 1426) proposed sheep grazing among the installed panels. At its meeting on August 26th, the Council voted to make it explicit, in its comments on those Petitions, and possibly others to follow, that the co-location of ancillary agricultural activity at solar energy sites is not a remedy for the loss of prime farmland that the legislature intended to be preserved when it enacted PA 17-218.¹ This Petition proposes the use of 29 acres of farmland.

For a solar energy installation to have no impact on the status of prime farmland soils on the site, decommissioning and restoration would have to be successful at the end of the anticipated twenty-five year 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 likely as is a return to agriculture. The probability that the site will never return to farming needs to be acknowledged.

The Council is concerned about the scale of the statewide conversions of active, or potentially usable, farmland for renewable energy installations. 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 area² because of the excellent soils and microclimate. This farmland usually contains prime farmland soils, which are the soils that are “best suited to producing food, feed, forage, fiber and oilseed crops”. Even if the addition of grazing among solar panels might assist with the

¹ House Session Transcript for 06/07/2017, and Senate Session Transcript for 06/06/2017, at [2017STR00606-R00-TRN.HTM](https://www.ct.gov/ceq/2017STR00606-R00-TRN.HTM) .

² 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 .

short-term viability of an individual farm, conversion to a solar facility can have negative regional impacts. It has been estimated that nearly 30 percent of the State's farmers depend on land that is leased.³ 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. Consideration of such cumulative and regional impacts by the Siting Council is within its authority under CGS Sec. 16-50p(a).

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. Since June of 2020, this Council has reviewed six proposals to utilize farmland for renewable energy projects. The total farm acreage of active or potentially usable farmland in those five Petitions and one Application is over 330 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 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 urges the Siting Council to weigh the cumulative regional economic and ecological factors when assessing the scale and location of each proposed siting.

The Council also has the following comments regarding access roads and site visibility:

The Petitioner proposes to excavate the topsoil along the proposed service roads and disperse this material on site. Even though the Petitioner states that the property owner "may" retain the service roads after the proposed facility is removed, the Council recommends that the Petitioner consider utilizing an alternative method for constructing the service roads to minimize impacts on prime farmland soils. The Council suggests that the Petitioner consider preserving the topsoil in place, install a non-woven geotextile fabric on the ground surface, and then spread a layer of processed stone over the geotextile to provide soil separation. During decommissioning, if the property owner decides not to use the proposed service roads, the processed stone can then be stripped away exposing the geotextile. The geotextile can then be removed revealing the original soil surface. The Council also recommends that the decommissioning plan include provisions for the compacted soil, beneath the service roads, be ripped up with a subsoiler plow to loosen it before being returned to crop production.

The Council notes that the Petitioner proposes to install "privacy slats" within the fence and vegetation along the northern border of the proposed site with Middle Road. The Council also recommends that the Petitioner consider extending the privacy slats and vegetation southerly from Middle Road along East Road an appropriate distance to limit the visual impact looking east from Middle Road.

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

³ 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>