

COUNCIL ON ENVIRONMENTAL QUALITY



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

PETITION NO. 1431 – SunJet Energy, 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 1.99-megawatt AC solar photovoltaic electric generating facility and associated electrical interconnection to be located at 0, 78 and 84 Thomson Road in Bethlehem, 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. 1431 (Petition):

1. Stormwater and Wetlands

The Petitioner states that the proposed project “has been designed to generally meet the requirements of DEEP’s January 2020 draft Appendix I, Stormwater Management at Solar Array Construction Projects.”, The Council recommends that the Petitioner explicitly meet all the requirements of Appendix I, or provide specific details as to which requirements will not be met and why.

In addition, the Petitioner states that the proposed facility would be approximately fifty feet from both Wetland 1 (northeast) and Wetland 2 (west). The value of wetland buffers to reduce wetland filling and contamination is well established.¹ Consequently, the Council recommends that the Petitioner maintain a one-hundred foot buffer from these identified wetlands.

2. Wildlife

A review of the US Fish and Wildlife Service (USFWS), Information for Planning and Conservation (IPac) tool indicates that there is the possibility that eleven bird species, which are either on the USFWS Birds of Conservation Concern (BCC) list or warrant special attention, may be present at or near the proposed project location. The Petitioner also confirmed that three state-listed bird species, identified by the Connecticut Department of Environmental Protection Natural Diversity Database (NDDDB), were present at the proposed site, which also included bobolink (one of the

¹ Planner’s Guide to Wetland Buffers for Local Governments, Environmental Law Institute, March 2008;
https://www.ecosystemmarketplace.com/wp-content/uploads/archive/documents/Doc_457.pdf

Bird species on the USFWS BCC list). Consequently, the Council recommends that the Petitioner should propose all appropriate conservation/mitigation measures to minimize the potential impact on those BCC species.

3. Noise and Visibility

The Petitioner states that “once the Project is constructed and operational, the only equipment that will emit noise consists of the inverter cooling which cannot be heard outside of the Project fence line.” However, the Petitioner also acknowledges that “no formal noise study was completed for the Project”. The Council recommends that the Petitioner confirm that noise from the proposed project would not exceed applicable noise standards at the nearest residential property lines.

The Petitioner notes that no trees will be removed for the proposed project. However, residents located west of the proposed facility may have a dramatically different view of the current agricultural field if the proposed project is constructed. Therefore, the Council suggests that the Petitioner consider planting native, evergreen, deer-resistant plants along the western fence line, where appropriate, to minimize the visual impact of the proposed facility.

4. Prime farmland soils

The proposed project would be located on agricultural land. The Petitioner provided a map that depicts areas along the western portion of the proposed site as being “prime farmland”, but failed to note that the area which comprises the majority of the central portion of the proposed site have soils that may be Paxton and Montauk fine sandy loams, which are soils that are designated as “farmland of statewide importance”. As with other solar electric generating facility proposals, the Council notes that 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 soils.

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 black ink, appearing to read "Peter Hearn", with a long horizontal flourish extending to the right.

Peter Hearn,

Executive Director