



STATE OF CONNECTICUT

COUNCIL ON ENVIRONMENTAL QUALITY

March 22, 2023

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DOCKET NO. 514 – Glenvale, LLC d/b/a Glenvale Solar (Applicant) application for a Certificate of Environmental Compatibility and Public Need for a 4.0-megawatt-AC solar photovoltaic electric generating facility to be located at 56 River Road, Putnam, Connecticut and associated electrical interconnection.

Dear Attorney Bachman:

The Council on Environmental Quality (“Council”) supports the development of clean, renewable energy technologies on appropriate sites in Connecticut. The Council offers the following comments regarding Docket 514.

1. **Wildlife**

The Applicant states that the proposed site contains a Connecticut Department of Energy and Environmental Protection (DEEP) Natural Diversity Database (NDDDB) buffer area, which depicts the approximate location of endangered, threatened, and special concern species and important natural communities. While DEEP does not anticipate negative impacts to state-listed species resulting from the proposed activity at the proposed site, the Council recommends that the recommendations identified in the DEEP Determination Letter dated January 25, 2022, including 1) creating a site management plan to promote native vegetation growth in the area under the solar panels; 2) restoring native vegetation to attract pollinators and avoid the need for constant mowing; and 3) providing habitat for wildlife and allow for connectivity for wildlife movement be conditions of approval.

A review of the US Fish and Wildlife Service (USFWS), Information for Planning and Conservation (IPAC) tool indicates that there is the possibility that the northern long-eared bat (NLEB), a species that has recently been reclassified as “endangered” under the Endangered Species Act, might occur in the vicinity of the proposed project. Since the Applicant states that the proposed site is mainly forested and the project involves the removal of trees on the proposed site, the Council recommends that the Applicant consult with the Connecticut Department of Energy and Environmental Protection (CTDEEP) Wildlife Division regarding protective measures, such as time of year restrictions on tree removal, to minimize any potential impacts on NLEB. The IPAC tool also indicates that eleven migratory 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 Council recommends that the Applicant conduct a site-specific survey for suitable habitat for each of the eleven bird species, and if present, propose conservation/mitigation measures to minimize the impact on those species, including but not limited to a restriction of construction activities within the period in which the probability of their presence is greatest.

2. Prime Farmland Soils

The Applicant states that the proposed facility would impact 4.4 acres of prime farmland soils and that the Department of Agriculture (DoA) indicated that the Applicant's proposed agricultural co-use activities were insufficient for the DoA to conclude that "the Project would not have an adverse impact on Connecticut's prime farmland soils". The Applicant further notes that a three-acre field, which is currently used for the production of feed corn, would be eliminated by the proposed project. Even though the proposed project, filed as an application for a Certificate, does not require a determination from the DoA regarding the material affect on prime farmland soils, the Council recommends that the Applicant incorporate low-impact development to enable agricultural co-use, including but not limited to installing the solar panels higher above the ground and spaced farther apart than conventional systems to allow in enough sun to grow crops for harvesting or for animals to graze. In addition, the Council recommends that best practices be employed during construction that might allow for the future restoration of prime farmland soils to more productive agricultural use by minimizing grading, trenching, and compaction of prime farmland soils.

3. Groundwater

The Applicant states that the groundwater underlying the proposed site is designated as "GA" and is not within an aquifer protection area. The Council supports the Applicants' proposed measures to eliminate or minimize the potential spill of petroleum products and other chemicals, as identified on the Environmental Assessment Sheet GN-1.

4. Core Forest

The Applicant states that "the Project will mainly impact edge forest with only ± 2 acres of small core forest habitat directly affected by the proposed development". The Council notes that between 1985 and 2015 (most recent data available), the area of core forest in the state has decreased by more than 15 percent. Core forests provide habitat for many species of wildlife that cannot tolerate significant disturbance. Consequently, the Council does not support the loss of any core forest and recommends that the Applicant reconfigure the proposed project to eliminate any impacts on the identified core forest block.

5. Wetlands and Vernal Pool

The Applicant notes that there is an existing Tier I type vernal pool within Wetland 1 in the southern portion of the proposed site. The Applicant states that the "developed" area within the critical terrestrial habitat (CTH) would increase from 6 percent under existing conditions to 23 percent once the proposed facility is constructed. The Council recommends that because the vernal pool is characterized as Tier I type and is of high priority because the CTH is less than 25 percent developed, the Applicant should employ best development practices¹, including but not limited to the following:

- maintain an undeveloped forested habitat around the pool, including both canopy and understory;
- avoid barriers to amphibian dispersal (emigration, immigration);
- protect and maintain pool hydrology and water quality by maintaining a 100-foot "no- disturbance" buffer; and
- maintain a pesticide-free environment.

The Council supports the Applicant's efforts to reduce impacts to wetlands and the vernal pool during the construction through the proposed Wetland and Vernal Pool Protection Program, identified in the Environmental Assessment Sheet GN-1. The Council also supports efforts to replant vegetation within the CTH as part of a Vernal Pool Terrestrial Enhancement Area located in the southwestern portion of the

¹Calhoun, A. J. K. and M. W. Klemens. 2002. Best development practices: Conserving pool-breeding amphibians in residential and commercial developments in the northeastern United States. MCA Technical Paper No. 5, Metropolitan Conservation Alliance, Wildlife Conservation Society, Bronx, New York <https://www.nae.usace.army.mil/Portals/74/docs/regulatory/VernalPools/BestDevelopmentPractices20Oct2014.pdf>

proposed site (west of the proposed detention basin), as depicted on the Environmental Assessment - Sheet SP-2.

The Council notes that the comments above address only certain elements of the materials provided by the Applicant at the time of the filing. Additional information can become evident through comments offered by other parties and during the Siting Council's administrative hearing process. The absence of comment(s) by this Council about any Petition or Application, or any aspects thereof, may not be interpreted as an endorsement of a proposed project, or its components or that this Council might not have comments or concerns on more specific issues raised during the hearing process.

Thank you for your consideration of the Council's comments.

Sincerely,

A handwritten signature in black ink, appearing to read "Paul Aresta". The signature is fluid and cursive, with a long horizontal stroke at the end.

Paul Aresta
Executive Director