



STATE OF CONNECTICUT

COUNCIL ON ENVIRONMENTAL QUALITY

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January 25, 2023

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

PETITION NO. 1555 – Earthlight Technologies proposed construction, maintenance and operation of a 1.9-megawatt AC solar photovoltaic electric generating facility to be located at Collins Aerospace, 1 Hamilton Road, Windsor Locks, Connecticut.

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 Petition 1555.

1. **Wildlife**

The Petitioner notes that a Final Determination letter from the Connecticut Department of Energy and Environmental Protection (CTDEEP) Natural Diversity Database (NDDDB) dated March 17, 2022, indicates that a state-listed species of special concern: eastern pondmussel has been documented nearby the proposed site. The Council recommends that the Petitioner 1) use best management practices available to control stormwater runoff from this site both during construction and after construction, and 2) engage a qualified environmental inspector(s) to inspect the sedimentation and erosion control measures as detailed in the determination letter. In addition, the Council recommends that there be mechanisms, possibly including but not limited to a gap at the bottom of the proposed security fence to allow for migration of small wildlife, if consistent with safety and security requirements.

A review of the U.S. 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)¹, a species that has recently been reclassified as “endangered” under the Endangered Species Act, and twelve species of migratory birds might be present in or near the project location. Since the proposed project involves the removal of trees in the southern portion of the proposed site, the Council recommends that the Petitioner consult with CTDEEP regarding protective measures, such as time of year restrictions on tree removal, to minimize any potential impacts on NLEB. In addition, the Council recommends that the Petitioner assess the proposed site for suitable habitat for each of the twelve bird species, and if suitable habitat is present, follow appropriate regulations and consider implementing appropriate conservation measures to minimize the impact on those species.

¹ The CTDEEP Northern Long-eared Bat Map identifies East Granby, the town immediately west of Windsor Locks, as an area with known NLEB hibernacula.

2. Stormwater and Inspections

The Petitioner states that “the wooded area proposed to be cleared and developed ranges in slopes between 0% and 18%”. The Petitioner also states that “a Storm Water Pollution Control Plan (“SWPCP”) will be developed and implemented by the project civil engineer” and that “the SWPCP will include regular inspection of erosion control measures to prevent sedimentation or water quality impact”. Given the steep slopes of the undeveloped areas of the proposed site, the Council strongly supports the presence of an environmental inspector. The Council notes that the proposed inspection frequency, identified in Appendix E, Best Management Practices – Maintenance / Evaluation Checklist, might be inconsistent with the recommended inspection schedule identified in the NDDDB Final Determination letter dated March 17, 2022. The Council recommends that the Petitioner adhere to the NDDDB’s recommended schedule for the inspection of the proposed stormwater control measures to minimize erosion to protect the habitat for eastern pondmussel.

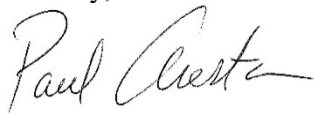
3. Wetlands

The Petitioner notes that there are two wetland systems on the proposed site. The Council supports the Petitioner’s plans to maintain a vegetated buffer between the proposed development and the identified wetland systems, consisting of a minimum 100-foot buffer from the proposed solar panels.²

The Council notes that the comments above address only certain elements of the materials provided by the Petitioner 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 that reads "Paul Aresta". The signature is written in a cursive, flowing style.

Paul Aresta
Executive Director

² Connecticut DEEP, General Permit for the Discharge of Stormwater and Dewatering Wastewaters from Construction Activities, Appendix I.