



STATE OF CONNECTICUT

COUNCIL ON ENVIRONMENTAL QUALITY

Keith Ainsworth,
Acting Chair

Alicea Charamut

David Kalafa

Kip Kolesinskas

Matthew Reiser

Charles Vidich

William Warzecha

Paul Aresta
Executive Director

February 14, 2023

Re: House Bill 5608 - An Act Concerning Certain Solar Photovoltaic Facilities Located on Prime Farmland, Farmland of State-Wide Importance or Core Forest Lands

Honored Co-Chairs Sen. Lopes and Rep. Gresko, Vice Chairs Sen. Hochadel and Rep. Palm, Ranking Members Sen. Harding and Rep. Callahan, Distinguished Members of the Environment Committee,

The Council on Environmental Quality (Council) is a nine-member board that works independently of the Department of Energy and Environmental Protection to assess the condition of Connecticut's environment and report its findings annually to the Governor; recommend actions to improve state environmental programs; advise other state agencies on the environmental impacts of proposed projects; and investigate citizens' complaints and allegations of violations of environmental laws. The Council supports the development of clean, renewable energy technologies on appropriate sites in Connecticut.

The Council **supports** the provision in House Bill 5608 that would require an applicant for Certificate of Environmental Compatibility and Public Need (Certificate) for a solar photovoltaic (PV) facility to furnish a bond to cover all costs associated with the decommissioning of such facility. The Council notes that Connecticut General Statutes 16-50k(a) (B)(iii) does not require a determination from the Connecticut Department of Agriculture (DoAG) and the Department of Energy and Environmental Protection (DEEP) that the development of a solar PV facility "will not materially affect" the status of such land as prime farmland or core forest, respectively, for solar facilities that apply for a Certificate. Consequently, it is appropriate that resources be available to decommission such approved facility at the end of its operating life and restore the site to pre-development conditions to the extent practical. The Council would also support a provision that all solar PV facilities that seek regulatory approval from the Connecticut Siting Council be required to obtain a determination from the DoAG and DEEP, if applicable, that each proposed solar PV facility would not materially affect farmland soils and/or core forest.

Thank you for consideration of these comments.

Sincerely,

Paul Aresta,
Executive Director