



STATE OF CONNECTICUT

COUNCIL ON ENVIRONMENTAL QUALITY

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VIA ELECTRONIC MAIL

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Melanie Bachman, Executive Director
Connecticut Siting Council
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DOCKET NO. 526 – Greenskies Clean Energy, LLC (Applicant) application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance, and operation of a 4.999-megawatt-AC solar photovoltaic electric generating facility and associated equipment located at Lantern Hill Road (Parcel No. 169-1-4), Stonington, Connecticut and associated electrical interconnection.

Dear Attorney Bachman,

The Council on Environmental Quality (Council) supports the development of clean energy facilities on appropriate sites in Connecticut. The Council offers the following comments regarding Docket 526.

1. Farmland

The Applicant notes that prime farmland soils and statewide important farmland soils are found on the proposed site and within the project area. The Council wants to emphasize the importance of agricultural land in Connecticut and to note that the continuing accretion of multiple individual decisions to site solar facilities on agricultural land has cumulative regional economic and ecological implications. The Council does not support the use of “important farmlands”¹ for commercial (front of the meter) energy projects. However, if approved, the Council recommends that the Applicant employ best practices during construction and operation that might allow for the future restoration of farmland soils to a more productive agricultural state by minimizing grading, trenching, and compaction of farmland soils.

The Applicant proposes agricultural co-use activities at the proposed site, including 1) planting of perennial plants (natural dye or herbs), and 2) planting of perennial cold season grasses and pollinator friendly flowers, and that a secondary farming use of the site would be sheep grazing. The Council recommends that the proposed perennial plants and pollinator friendly flowering plants be restricted to native plants² and that, given the proximity to potential drinking water sources, the use of insecticides and herbicides be restricted to the extent practicable. Given the Applicant’s stated intent to engage in “soil friendly land management”, the Council recommends that the Applicant comply with the requirements of the Connecticut Department of Agriculture’s Agrivoltaics Requirements³ for Shared Clean Energy Facilities, including but not limited to providing a) a vegetation and soil management plan, prepared by a soil scientist, and b) a soil health assessment, performed by a soil scientist, to establish baseline conditions for soil restoration upon decommissioning.

2. Wildlife

The Applicant notes that the Connecticut Department of Energy and Environmental Protection (DEEP) Natural Diversity Database (NDDB) provided a determination letter, dated October 20, 2023, that there were records of spotted turtle (*Clemmys guttata*), a State Species of Special Concern, documented nearby the proposed project area. The NDDB determination letter specifically recommended that the Applicant “consult with a herpetologist familiar with preferred habitats to assist you with proper techniques to ensure the best protection strategies are employed for your site and the scope of your project.” The Council recommends that the Applicant also engage the qualified herpetologist to oversee implementation of protection strategies and conduct contractor training to assist the Applicant minimize any adverse impacts on spotted turtle. In addition, the Council notes that certain plastic netting used in a variety of erosion and sedimentation (E&S) control products has been found to entangle wildlife, including reptiles, amphibians, birds and small mammals. Given the potential presence of spotted turtle on/near the proposed project area, the Council recommends that the Applicant avoid/minimize the use of E&S controls that could cause wildlife entanglement.

3. Public Water Supply and Spill Prevention

The Council notes that the Eastern portion of the proposed site is within an aquifer protection area and that the remainder of the proposed site has a groundwater designation as “GA”, which is defined as “existing or potential public supply of water suitable for drinking without treatment”. The Council recommends that the Applicant review and incorporate 1) the Best Management Practices, identified in the Town of Stonington’s Aquifer Protection Area Regulations, effective December 5, 2005, and 2) the protective measures identified in the Department of Public Health’s “General Construction Best Management Practices for Sites within a Public Drinking Water Supply Area” guidance document.⁴

The Council’s comments above addresses 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,



Paul Aresta
Executive Director

¹ Important farmlands consist of prime farmland, unique farmland, and farmland of statewide or local importance. As stated in an email from Eileen Underwood, DOAG dated April 22, 2024, “The regulation pertaining to solar development of prime farmland is based on soils, not current usage.”

² University of Massachusetts, Amherst, The Center for Agriculture, Food, and the Environment, *Pollinator-Friendly Solar PV*, 3-12-2019; <https://portal.ct.gov/-/media/caes/documents/publications/pollinators/conference-2019/pollinator-friendly-solar-handout.pdf>

³ DOAG, Agrivoltaics Requirements; <https://portal.ct.gov/-/media/doag/adarc/solar/doag-agrivoltaics-requirements-final.pdf>

⁴ Although the proposed site might not within a public drinking water supply watershed, the suggested Best Management Practices would be protective of groundwater resources. Connecticut Department of Public Health; https://portal.ct.gov/-/media/departments-and-agencies/dph/dph/drinking_water/pdf/bmpfactsheetpdf.pdf