



STATE OF CONNECTICUT

COUNCIL ON ENVIRONMENTAL QUALITY

VIA ELECTRONIC MAIL

March 27, 2024

Melanie Bachman, Executive Director
Connecticut Siting Council
Ten Franklin Square
New Britain, CT 06051
Melanie.Bachman@ct.gov

PETITION NO. 1617 - Woodstock Solar One, LLC and VCP, LLC d/b/a Verogy, 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 3.0-megawatt AC solar photovoltaic electric generating facility and associated equipment located at 11 Castle Rock Road, Woodstock, Connecticut, and associated electrical interconnection.

Dear Attorney Bachman,

The Council on Environmental Quality (Council) offers the following comments regarding Petition 1617.

1. Farmland Soils

The Petitioner notes that the Project Site is currently being farmed and that the majority of the proposed site is prime farmland. Although the Department of Agriculture (DOAg) issued a conditional determination that the proposed project “will not materially affect the status of project land as prime farmland” (letter dated January 19, 2024), 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 productive agricultural land has cumulative regional economic and ecological implications. The DOAg’s determination is based, in part, on the proposed use of rotational grazing of sheep within the project site. The Council questions if there are sufficient quantities of sheep to ensure the proposed co-use for the operating life of the proposed facility, which the Petitioner notes is 35 years, as well as for other solar facilities throughout the state that will be using sheep. The Council recommends that the Petitioner 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.

2. Source Water Protection

The Petitioner notes the proposed site is located within a Connecticut Department of Public Health (DPH) recognized drinking water supply watershed (Figure 6). The Petitioner also provided a Spill Prevention and Materials Storage Plan, dated February 2024, for the proposed project. The Council supports the Petitioner’s efforts to protect drinking water and minimize the potential adverse impacts associated with an inadvertent release. The Council recommends that the construction contractors also adhere to the Connecticut DPH’s General Construction Best Management Practices for Sites within a Drinking Water Supply Area¹, which includes provisions to notify the appropriate public water system, and to allow site access for public water system personnel to review compliance with site best management practices.

Keith Ainsworth
Acting Chair

Christopher Donnelly

David Kalafa

Matthew Reiser

Denise Rodosevich

Charles Vidich

William Warzecha

Paul Aresta
Executive Director

3. Vernal Pool

The Petitioner notes that a potential vernal pool was observed within Wetland area #1 during the on-site field investigation in 2023 and a biological survey of this pool is scheduled to be conducted in the spring 2024 to confirm if amphibians are using this pool for breeding. The Council recommends that the Petitioner assess how much of the area within the critical terrestrial habitat of the potential vernal pool would be “developed” post-construction. Vernal pools with 25 percent or less developed area in the critical terrestrial habitat are classified as having high priority for protection/conservation. The Council recommends that the Petitioner employ protection measures and Best Development Practices², including, but not limited to, avoiding the creation of ruts and other artificial depressions that hold water, which can serve as decoy pools; using silt fencing to exclude amphibians from active construction areas; and minimizing disturbed areas and protecting down-gradient buffer areas, to the extent practicable.

The Council’s 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,



Paul Aresta
Executive Director

¹ Connecticut Department of Public Health, General Construction Best Management Practices for Sites within a Public Drinking Water Supply Area, July 2014; https://portal.ct.gov/-/media/Departments-and-Agencies/DPH/dph/drinking_water/pdf/BMPFactSheetpdf.pdf

² Calhoun, 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>