



STATE OF CONNECTICUT
COUNCIL ON ENVIRONMENTAL QUALITY

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To: DEEP.EnergyBureau@ct.gov

Re: Shared Clean Energy Facility Program Comments

The Council on Environmental Quality (Council) provides the following comments in response to the Department of Energy and Environmental Protection's (DEEP) request for comments regarding the Shared Clean Energy Facility Program.

Shared Clean Energy Facility (SCEF)

1. *What should the price cap be for Year 6 of the SCEF program?*

The Council has no comment regarding the price cap for Year 6 of the SCEF program.

2. *What bid preference percentage should be given to projects on brownfields and landfills?*

The Council supports DEEP's recommendation for maintaining a minimum 20 percent bid preference for projects on brownfields and landfills. The Council also supports DEEP's recommendation that the bid preference amount be proportional to how much of the "Generation Footprint" is on the brownfield site.

3. *What bid preference percentage should be given to solar canopy projects?*

The Council supports DEEP's recommendation for maintaining the 30 percent bid preference for solar canopies on previously developed land, such as parking or driving areas, pedestrian walkways, courtyards, etc. The Council is uncertain how a shade-providing structure that hosts solar photovoltaic panels could be located above a "canal" without potentially impacting water resources and suggests greater clarity in the SCEF program year 6 plan. The Council also suggests that DEEP include information in the SCEF Program to better define what "other utilized surface" might include.

4. *What bid preference percentage, if any, should be given to vertical bi-facial solar projects on Prime Farmland?*

The Council does not support a bid preference for solar development on "important farmland"¹ for commercial (front of the meter) applications² for the SCEF Program because such a bid preference could result in the greater loss of "important farmland" in the state. (Please also see response to question 5)

5. *What other bid preferences should DEEP consider for Year 6? Provide both the category and the suggested percentage, and please explain how the bid preference furthers the state's*

¹ Important farmlands consist of prime farmland, unique farmland, and farmland of statewide or local importance.

² The Council supports the development and use of renewable energy resources for self-generation for agricultural uses to increase energy reliability, reduce costs and greenhouse gas emissions, and enhance sustainable operations.

policy goals, why a bid preference is necessary, and why the suggested percentage is appropriate.

The Council supports a bid preference for the development of Class I energy sources on appropriate developed sites, such as rooftops, parking areas, landfills, brownfields, etc. that would not result in significant adverse impacts on environmental resources. DEEP could consider a bid preference for sites that are designated by the host municipality as industrial/commercial which would encourage solar development on land that is not zoned as residential and/or agricultural. The Council does not support a bid preference for the development of Class I renewable sources in areas that would impact important farmlands and/or core forests and suggests that DEEP consider a negative bid disincentive or a “cost adder” for such project proposals for evaluation purposes.

6. How can DEEP’s suggested brownfield definition for both the SCEF and NRES programs be improved? Please explain your reasoning for any suggested changes.

Connecticut General Statutes Section 32-760 defines “brownfield” as “any abandoned or underutilized site where redevelopment, reuse or expansion has not occurred due to the presence or potential presence of pollution in the buildings, soil or groundwater that requires investigation or remediation before or in conjunction with the redevelopment, reuse or expansion of the property”. DEEP’s suggested SCEF program definition for brownfield is generally consistent with the statutory definition with more detail regarding verification of the presence or potential presence of pollution. The Council notes that it is unclear if the requirement that the site be “either abandoned or underutilized because of such contamination” applies to parts (1) and (2) of the SCEF and NRES programs definition, and recommends greater clarity as to whether it applies to both, which would more fully align with the statutory definition.

7. What else should DEEP consider in its revised slope rules? Please explain how any recommendations balance ease of siting and streamlining of the permitting process.

DEEP recommends revising the slope rules so that no more than ten percent of the Project is on slopes greater than 15 percent, including solar photovoltaic projects on a landfill. It is assumed that the slope requirement is a means of reducing the potential for erosion and sedimentation that might be associated with the development of a solar facility. The Council supports efforts to reduce the potential for erosion and sedimentation. However, the development of solar facilities on landfills might not have the same potential for erosion since landfill post-closure management plans usually have provisions that limit disturbance of the cap, vegetative cover, and the underlying material. Further, the development of solar facilities on landfills where more than ten percent of the Project would be on slopes greater than 15 percent might be acceptable pending a site-specific engineering analysis and approval from DEEP, which could be a requirement for SCEF proposals on landfills.

8. What else should DOAG consider in its revised Prime Farmland requirements? Please explain how any recommendations will protect Prime Farmland as a limited natural resource and promote clean energy deployment.

Notwithstanding Connecticut state policy which seeks to promote and facilitate the development of zero-carbon resources, the Council does not support the use of “important farmlands” for commercial (front of the meter) applications given their importance to the state's agricultural industry.

9. If any of the recommendations in this Notice present a barrier to participation in the SCEF program, please explain why and discuss possible modifications to the recommendation.

The Council has no additional comments regarding any of the proposed recommendations that could present a barrier to participation in the SCEF program.

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 style with a long horizontal flourish at the end.

Paul Aresta
Executive Director