



STATE OF CONNECTICUT

COUNCIL ON ENVIRONMENTAL QUALITY

VIA ELECTRONIC MAIL

January 22, 2025

Melanie Bachman, Executive Director
Connecticut Siting Council
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New Britain, CT 06051
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PETITION NO. 1654 - Tunnel BESS, LLC (Petitioner) petition for a declaratory ruling, pursuant to Connecticut General Statutes §4-176 and §16-50k, for the proposed construction, maintenance and operation of a 16.02-megawatt (MW) AC battery energy storage facility and associated equipment to be located adjacent to FirstLight Power, Inc.'s Tunnel Hydroelectric Generating Station, 72 Roosevelt Avenue Extension, Preston, Connecticut, and associated electrical interconnection.

Dear Attorney Bachman,

The Council on Environmental Quality (Council) offers the following comments regarding Petition 1654.

Core Forest

The Petitioner states that “an area of approximately 1.29 acres would require tree clearing to allow for the conversion of this Site to a BESS” and that “timber harvesting and clearing would not exceed 300 feet from the existing forested edge and, therefore, would not impact areas identified as Core Forest.” The Council notes that removal of edge forest would result in an indirect decrease of core forest on and adjacent to the proposed site. However, based on the “Core Forest” map included in Exhibit 5, Forestry Inventory and Soils Mapping, the total area of core forest on the adjacent parcel is small and might not provide suitable habitat to support interior forest species. The Council recommends that the Petitioner assess the forested land on and adjacent to the proposed site to determine if the resulting reduction in core forest habitat would have a significant environmental effect on interior forest species. If so, the Council recommends that the Petitioner consult with the Department of Energy and Environmental Protection (DEEP) Wildlife Division.

Wildlife

The Petitioner notes that the United States Fish and Wildlife Service (USFWS) indicated that there is the possibility that the northern long-eared bat (NLEB), a species that has recently been reclassified as “endangered” under the Endangered Species Act, might occur in the vicinity of the proposed project area. The Council notes that ‘DEEP’s Northern Long-eared Bat Map, dated July 24, 2023, identifies Montville, the town immediately west of Preston, as an area with known “Summer Occurrence” of NLEB. Since the Petitioner states that 1.29 acres of tree clearing will be needed for the proposed project, the Council recommends that the Petitioner consult with the DEEP’s Wildlife Division regarding protective measures, such as time of year restrictions on tree removal, to minimize any potential impacts on NLEB.

The Petitioner notes that DEEP’s Natural Diversity Database (NDDB) identified two state-listed

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species that might be in the vicinity of the proposed project: the bald eagle, which is a State Threatened Species, and blueback herring, a species of State Special Concern. The Petitioner states that a wildlife biologist at DEEP “indicated that there should be no impact to Bald eagles based on current development plans”; however, the wildlife biologist at DEEP suggested that the Petitioner “check in” at a later time to confirm that status of the eagle nest. Consistent with the email correspondence from the wildlife biologist at DEEP to the Petitioner on April 12, 2022, the Council recommends that the Petitioner confirm with DEEP that there are no eagle nests proximate to the proposed project area.

Stormwater and Erosion Control

The Petitioner states that “as part of the Site development, storm water calculations were performed in accordance with DEEP standards (2004 Connecticut Stormwater Quality Manual)” and that “a Soil Erosion and Sediment Control plan, in accordance with Connecticut Guidelines (2002 Connecticut Guidelines for Soil Erosion and Sediment Control) has been created and included in the Project Site plans.” The Council recommends that the Petitioner stage the removal of existing vegetation and topsoil to decrease the area and duration of exposure that could result in soil erosion and sedimentation, especially in areas of high erosion potential, such as steep slopes. The Council also recommends that the Petitioner utilize updated methods and techniques for minimizing erosion and sedimentation, based on the best currently available technology, as identified in the revised 2024 Connecticut Guidelines for Soil Erosion and Sediment Control and the 2024 Connecticut Stormwater Quality Manual, effective date March 30, 2024.

Spill Prevention

The Petitioner notes that the groundwater underlying the proposed site is designated as "GA" by DEEP's Water Quality Classifications Map and the proposed site abuts the Quinebaug and Shetucket Rivers. The Council recommends that the Petitioner develop and employ a Spill Prevention Plan for the proposed project that would include provisions to protect surface and groundwater resources during and after construction. Such provisions could include, but are not limited to: 1) requiring that refueling and/or servicing of vehicles and machinery be done on an impervious surface and at least 100 feet from wetlands, 2) properly storing fuel and other hazardous materials on the proposed site (i.e. outside of the 100 and 500-year flood zone), and 3) providing a fuel spill kit(s) onsite for construction contractors and training the contractors on its proper use.

The Council's comments above addresses 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