



STATE OF CONNECTICUT

COUNCIL ON ENVIRONMENTAL QUALITY

VIA ELECTRONIC MAIL

August 27, 2025

Melanie Bachman, Executive Director
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PETITION NO. 1686 – Greenskies Clean Energy LLC (Petitioner) petition for a declaratory ruling, pursuant to Connecticut General Statutes §4-176 and §16-50k, for the construction, maintenance and operation of a 4.99-megawatt AC solar photovoltaic electric generating facility and associated equipment located at 54 South Street, Morris, 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 Petition 1686.

Wildlife

The Petitioner notes that the Connecticut Department of Energy and Environmental Protection (DEEP) Natural Diversity Database (NDDB) issued a Final Determination on September 12, 2024, which indicated that Bobolink; Tri-colored bat; Northern long-eared bat; American Kestrel; Savannah sparrow; and Brown thrasher have the potential to occur proximate to the Project Area. The NDDB Final Determination letter also included recommended protection measures for birds including, but not limited to, the following: “land disturbance activities including digging, ground clearing, heavy machinery driving/staging, or trampling that will occur more than 100 feet into or cut across in a way that fragments large parcels of grassland habitat should be done when grassland birds are not breeding. Breeding primarily takes place between **April 15 - August 15**. Conducting land disturbance activities outside of the breeding season will avoid impact to the individuals.” Although the Petitioner states that “the Project Plans include the recommended site design measures as recommended in the NDDB Determination for these species,” it is unclear if the note on Sheet C-4.0, which states “for trenchwork between April 15 and August 15, open trenches are not allowed to exceed 100 contiguous linear feet open at any period in time” adequately addresses NDDB’s recommended protection measures. The Council recommends that the Petitioner adhere to NDDB’s recommendation for “protection measures for birds” if grassland habitat is present.

Visibility

The Petitioner states that “it is anticipated that the project will be partially visible to residential neighbors adjacent to the Project. Petitioner is working to customize screening solutions that will minimize the impact on those affected, including additional screening as necessary.” Further, the Petitioner states that “Petitioner has included Visual Cross Sections in Appendix I that graphically show the view corridor from the two nearest residential locations”; however,

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there is no assessment of the visual impact of the proposed facility from the properties located to the north of the proposed facility or from West Street (Route 109). The Council suggests that the Petitioner also assess the visual impact along the northern boundary for the proposed facility along West Street, and if appropriate, identify screening solutions to minimize the visual impact of the proposed facility.

Groundwater, Public Water Supply and Spill Prevention

The Council notes that Figure 10 – “Morris Water Supply Watershed Mapping” and Figure 11 – “Water Quality Classifications” appear to depict the proposed site partially within an area designated as “Drinking Water Watersheds” and within an area with a Groundwater Quality Classification of GAA, which is designated for future or current use as a drinking water supply without treatment. Although the Petitioner details certain provisions for the storage of flammable liquids, placement of spill kits in all vehicles and equipment on-site, and chemical use monitoring, the Council recommends that the Petitioner review and incorporate 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.¹ Further, the Council recommends that the Petitioner require that all refueling and/or servicing of vehicles and machinery be done on an impervious surface located at least 100 feet from any wetlands, and that the project plans specify spill prevention, containment and reporting procedures.

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; https://portal.ct.gov/-/media/Departments-and-Agencies/DPH/dph/drinking_water/pdf/BMPFactSheetpdf.pdf