



STATE OF CONNECTICUT

COUNCIL ON ENVIRONMENTAL QUALITY

VIA ELECTRONIC MAIL

November 19, 2025

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PETITION NO. 1694 – 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 4.0-megawatt AC solar photovoltaic electric generating facility and associated equipment accessed from Old Maids Lane in Glastonbury and located on a parcel south of the Glastonbury town boundary (Parcel No. 119/0014) in Portland, 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 1694.

Wetlands and Watercourses

The Petitioner states that “four wetlands and one freshwater pond are located on the Project site”, and that the wetlands are not connected to waters of the United States and are therefore not within the jurisdiction of the United States Army Corp of Engineers. The Petitioner also states that “under the State of Connecticut Inland Wetlands and Watercourses Act (IWWA), wetlands are defined as land areas that consist of soil types designated as poorly drained, very poorly drained, alluvial and floodplain by the National Cooperative Soil Surfaces. The soils within the delineated wetland areas were not found to meet the hydric soil types specified by the IWWA.” However, the definition for wetlands in Connecticut does not reference “hydric” soils, but it does reference alluvial and floodplain soils. Further, the United States Department of Agriculture’s Natural Resources Conservation Service (NRCS) and Connecticut Department of Energy and Environmental Protection’s (DEEP) *Clarification of Wetland Soil Criteria for Human-Altered and Human Transported Soils in Connecticut*¹ provides guidance on the designation of wetlands for human-altered and human transported (HAHT) soils.

The Petitioner states that “the Project limits meet or exceed CT DEEP Stormwater General Permit’s minimum suggested setbacks for both solar panels (100’) and overall disturbance (50’) to wetlands.” However, Appendix A Sheet C101 “Existing Conditions Plan” depicts wetland flags and the 100-foot wetland buffer in the same area where the proposed solar panels and security fence would be located, as depicted on Sheet C108. The Council recommends that the Petitioner confirm that the proposed solar arrays would be located a minimum 100-foot setback from any downgradient wetlands, as determined using the Connecticut IWWA criteria for the soils-based designation of wetlands.

Wildlife and Vegetation

The Petitioner notes that suitable habitat exists on the project site for eastern box turtle (*Terrapene c. carolina*), a state species of special concern, and that best management practices (BMPs) to prevent impacts to the eastern box turtle, as identified by DEEP's Natural Diversity Data Base (NDDDB) determination letter dated July 29, 2025, will be incorporated into the contract document specifications for the development contractor. The Council recommends that the Petitioner also include all the relevant BMPs for the protection of eastern box turtle on the project plans. The Council also recommends that the "construction sequence" include a pre-construction meeting with a qualified herpetologist, the development contractors, and the qualified inspectors to ensure the protection guidelines for eastern box turtle remain in effect to protect the turtles and their habitat.

The United States Fish and Wildlife Service (USFWS), Information for Planning and Conservation (IPAC) tool indicates that there is the possibility that tricolored bat (TCB), a species proposed for official listing as endangered, might occur in the vicinity of the proposed project area. The Petitioner notes that the project proposes the removal of 5.2 acres of non-core forest. The Council recommends that the Petitioner 1) minimize tree removal to the extent practicable, and 2) consult with DEEP's Wildlife Division regarding protective measures, such as time of year restrictions on tree clearing, to better protect TCB and other tree nesting bat species.

Given that a portion of the proposed work site is a former orchard, the Council suggests that the Petitioner assess the soils within the orchard area for the presence of chemicals and pesticides, which might have been used within the orchard area, to protect worker safety.

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 <https://portal.ct.gov/-/media/deep/water/wetlands/disturbedsoils2015nrscpdf.pdf>