



STATE OF CONNECTICUT

COUNCIL ON ENVIRONMENTAL QUALITY

VIA ELECTRONIC MAIL

December 18, 2025

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PETITION NO. 1701– Shepaug 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 1.99-megawatt AC solar photovoltaic electric generating facility and associated equipment located at 2225 River Road, Southbury, Connecticut.

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 1701.

Core Forest

The Petitioner notes that the Department of Energy and Environmental Protection’s (DEEP) Forestland Habitat Impact Mapping “identifies several very small core forest blocks on the Property along the southern Property boundary and a small area in the southwestern corner in proximity to the Shepaug Dam.” However, the 2015 forest fragmentation map¹ identifies the area on the edge of the proposed site as “Edge Forest” and then further west “Core Forest (small)”. Further, the Petitioner notes that 9.69 acres of forested habitat and 1.55 acres of woodland habitat within the proposed project’s limits of disturbance would be altered through the removal of all vegetation. Core forests provide habitat for many species of wildlife that cannot tolerate significant disturbance, and the loss of core forest cover diminishes water purification and habitat values. Consequently, the Council does not support the proposed removal of trees and reduction of important habitat and other functions.

Prime Farmland Soil

The Petitioner states that “the Project area includes approximately 11.5 acres classified as prime farmland soils”, but that “this portion of the Site is entirely encumbered by forest and has not been utilized for agricultural production or actively farmed for over 100 years.” The Petitioner also states that “the Petitioner plans to return a portion of the wooded Prime Farmland into productive agricultural use” through the “establishment of native pollinator habitat and the introduction of an on-site apiary to support biodiversity and promote long-term soil health”. While the Council supports the use of some agrivoltaics practices on appropriate sites, the Council does not believe that the proposed conversion of forested habitat to native pollinator habitat to support an on-site apiary will result in a net public interest benefit. However, if approved as proposed, the Council recommends that best practices be employed during construction that might allow for the future restoration of farmland soils to more productive agricultural use by minimizing grading, trenching, and compaction of the prime farmland soils.

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,

A handwritten signature in black ink that reads "Paul Aresta". The signature is written in a cursive, flowing style.

Paul Aresta
Executive Director

¹ University of Connecticut, Center for Land Use Education and Research, CT 2015 Forest Fragmentation