



COUNCIL ON ENVIRONMENTAL QUALITY

VIA ELECTRONIC MAIL

June 25, 2026

To: DEEP.EnergyBureau@ct.gov

Re: PA 26-127 – Section 11 – Agrivoltaics Incentive Program Feasibility Study

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 Agrivoltaics Incentive Program Feasibility Study.

The Council does not support incentives for solar development on important farmland¹ for commercial (front of the meter) applications² that would result in the conversion of important farmland to an electric generating facility. Such incentives could result in greater loss of important farmland in the state.

The Council's responses to the questions identified in the Notice of Proceeding and Request for Written Comments, dated June 17, 2026, are as follows:

1. What revisions, if any, should be made to the recommendations included in "DRAFT Guidance for Siting Solar on Agricultural Land" document released by DEEP and DOAG?

The Council generally supports the recommendations included in the draft guidance document, especially the provision that states "placing solar on prime and important farmland soils should be avoided."

The Council suggests the following changes:

- The sentence in Section 1.2.2 regarding "Impacts to Core Forest" be revised to prohibit any impacts to core forest blocks, and not just core forest blocks that are greater than 250 acres. As noted in the Council's annual report, [Environmental Quality in Connecticut](#) for 2025, "core forests provide habitat for many species of wildlife (edge-intolerant species), provide connectivity and corridors for species migration, and increase overall biodiversity." The destruction of core forest blocks less than 250 acres would be equally unacceptable and would not serve DEEP's overarching mission to conserve, improve, and protect the natural resources and the environment of the state of Connecticut.*
- A sentence should be added in Section 1.2.2 regarding "Wildlife" to note that "if the project will disturb or fragment 10 or more acres, it is strongly recommended that comprehensive biological surveys and habitat characterization across the entire site be conducted, regardless of whether the site is in a mapped NDDB Area or not."³*

¹ Important farmlands consist of prime farmland, unique farmland, and farmland of statewide or local importance. United States Department of Agriculture https://efotg.sc.egov.usda.gov/references/public/LA/Prime_and_other_Important_Farmland.html

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.

³ Connecticut DEEP, Requests for Natural Diversity Data Base Environmental Reviews; <https://portal.ct.gov/deep/nddb/requests-for-nddb-environmental-reviews>

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- A sentence should be added in section 1.2.2 regarding “Land Management” to note that “if the proposed site is or was used as an orchard, the developer should undertake an assessment of the soils within the orchard area for the presence of chemicals and/or pesticides. If chemicals and/or pesticides are known to be present or found in the soil, it is suggested that the project developer 1) assess whether soil disturbances during site work could release such chemicals and/or pesticides to the groundwater and/or impact worker safety, and 2) adhere to DEEP’s [General Guidance on Development of Former Agricultural Properties](#).⁴

- Reference the Connecticut Department of Agriculture’s (DoAG) [Agrivoltaics Requirements for Solar Energy Generating Facilities located in whole or in part on Prime Farmland](#)⁵ updated January 2026; and [Agrivoltaics Farm Plan for Solar Energy Generating Facilities located in whole or in part on Prime Farmland](#).⁶

- Update the provisions of Section 1.8 “Decommissioning” including, but not limited to, the addition of Public Act 25-127⁷ that states “such decommissioning bond requirement shall also apply to any such two-megawatt or more solar photovoltaic facility that is approved by declaratory ruling.”

2. How can an entity demonstrate that land is “in productive agricultural use” for the purposes of potential program participation? How are rotational fields or fallow fields considered?

Consistent with the provisions of the [DRAFT Guidance for Siting Solar on Agricultural Land](#) document, placing solar on prime and important farmland soils should be avoided, especially important farmland soils in “productive agricultural use.” Alternatively, agrivoltaics incentives should be directed to “areas with Prime and Important Farmland soils that have been degraded due to activities, such as gravel extraction or development.” Such agrivoltaics incentives could result in 1) the development of renewable energy resources, 2) the restoration of important farmland that has been degraded, and/or 3) the expansion/extension of agricultural operations.

3. What elements should be considered or prioritized when developing a configuration to support agrivoltaics? Please provide insight on row spacing, panel height, types of panels, and other considerations.

Restoration of degraded farmland, expansion/extension of agricultural operations, and design considerations that minimize soil disturbances and soil compaction should be prioritized. Other design considerations, such as row spacing, panel height, and types of panels will likely vary based on the type of agriculture; consequently, the Council suggests that any agrivoltaics incentive program include provisions that are consistent with the recommended design standards identified in [DoAG’s Agrivoltaics Requirements for Solar Energy Generating Facilities located in whole or in part on Prime Farmland](#), revised January 2026.

4. Do certain types of configurations (elevated arrays, spacing, row height, tracking design, etc.) best support continued farming activities?

See response to question 3 above.

5. What percentage of a parcel can host solar equipment while the land remains accessible for agricultural production?

The Council has no comment.

6. Should an agrivoltaics incentive program have a nameplate capacity restriction, including but not limited to a (a) 5 MW maximum project size, (b) requirement that projects are tied to on-site load, and/or (c) requirement that projects be sized to meet on-site load and agricultural projects may exceed that to meet the load of an additional five metered accounts?

(a) The Council has no comment regarding maximum project size; (b) the Council supports the development and use of renewable energy resources for self-generation for agricultural uses to increase

⁴ Connecticut DEEP, <https://portal.ct.gov/deep/remediation--site-clean-up/guidance/general-guidance-on-development-of-former-agricultural-properties>

⁵ Connecticut DoAG, <https://portal.ct.gov/doag/-/media/doag/adarc/solar/doag-agrivoltaics-requirements-final-11326.pdf>

⁶ Connecticut DoAG, <https://portal.ct.gov/-/media/DOAG/ADaRC/Solar/DOAG-Agrivoltaics-Farm-Plan-FINAL.pdf>

⁷ Connecticut General Assembly, Public Act No. 25-127, <https://www.cga.ct.gov/2025/act/pa/pdf/2025PA-00127-R00HB-05916-PA.pdf>

energy reliability, reduce costs and greenhouse gas emissions, and enhance sustainable operations; and (c) the Council has no comment regarding project size.

7. Are different capacity limits needed based on parcel size, soil quality and/or classification, agrivoltaics use, or fixed-tilt systems compared to tracking systems?

The Council has no comment.

8. How do the unique considerations and configurations that enable dual-use impact project costs? Please be as specific as possible, including the price differential for developing an agrivoltaics system versus a ground mounted, non-agrivoltaics system, if any.

The Council has no comment.

9. What specific elements of a decommissioning plans, including any financial assurances beyond what is mandated pursuant to Section 16-50k of the Connecticut General Statutes, should be required for agrivoltaics projects to enable the land to return to 100% production agriculture?

Consistent with [DoAG's Agrivoltaics Requirements for Solar Energy Generating Facilities located in whole or in part on Prime Farmland](#), the Council suggests that decommissioning plans should include a soil health assessment performed by a soil scientist to establish baseline conditions for soil restoration upon decommissioning; a soil management plan prepared by a soil scientist; and a description of how production agriculture could continue on the site after the project is decommissioned.

10. What criteria should be considered to ensure production agriculture continues throughout the lifetime of the solar project?

The Council suggests that project proponents seeking an agrivoltaics incentive should be required to develop an Agrivoltaics Farm Plan, consistent with the provisions of DoAG's [Agrivoltaics Farm Plan for Solar Energy Generating Facilities located in whole or in part on Prime Farmland](#) and that such Agrivoltaics Farm Plan must be approved by the DoAG.

11. What entity should enforce and how should they enforce the agrivoltaics project status to ensure production agriculture continues throughout the lifetime of the solar project?

The Council has no comment.

12. How should compliance and enforcement be handled over the life of the project?

The Council has no comment.

13. Please describe any other benefits of co-locating solar photovoltaic energy generating systems on land that is also used for agriculture.

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.

14. Please describe any other impacts of co-locating solar photovoltaic energy generating systems on land that is also used for agriculture.

The application of pesticides within solar projects to control insects and vegetation could adversely impact grazing operations. Consistent with the DoAG's [Requirements for Solar Grazing Properties](#),⁸ which states "if herbicides or pesticides will be used on the property, the solar developer must share application areas and plans with the solar grazer and a plan for animal safety must be established."

The Council suggests that any program to provide incentives for agrivoltaics include provisions to ensure that no harmful materials or chemicals, such as metals or PFAS, from the solar panels and/or any associated components are introduced to the agricultural land.

⁸ Connecticut DoAG, https://portal.ct.gov/-/media/DOAG/ADaRC/Solar/Requirements-for-Solar-Grazing_Final.pdf

15. Should incentives differ for different types of agricultural operations or communities?

Yes, the Council suggests that incentives used to restore degraded farmland and/or expand/extend agricultural operations should be prioritized and could be of higher value.

16. Are there other known challenges to address that are not being considered in this proceeding?

The Council has no comment.

Thank you for your consideration of the Council's comments.

Sincerely,

A handwritten signature in black ink, appearing to read "Paul Aresta", with a stylized flourish at the end.

Paul Aresta
Executive Director