

COUNCIL ON ENVIRONMENTAL QUALITY



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VIA ELECTRONIC MAIL

August 26, 2026

Melanie Bachman, Executive Director
Connecticut Siting Council
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Re: Petition No. 1717 – TRITEC Americas, 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 3.92-megawatt AC solar photovoltaic electric generating facility and associated equipment located on Parcel No. 051-7850 at 0 Hunters Mountain Road, Naugatuck, Connecticut, and associated electrical interconnection.

Dear Attorney Bachman:

The Council on Environmental Quality (Council) offers the following comments regarding Petition 1717:

Wetlands and Vernal pools.

The Petitioner notes that one wetland system extends north to south through the central portion of the property. Further, the Petitioner states that “to the east of the wetland, the forest is a dry oak hickory forest with a sparse understory with occasional huckleberry and beaked hazelnut shrubs. The wetland was not surveyed since it will not be a part of the project. West of the wetland, the forest becomes more mesic and the canopy trees shift to red maples and tulip trees...” Since the “wetland was not surveyed” and there is no mention of vernal pools in the petition materials, it is unclear if there are vernal pools within the wetland system, and if so, the type of vernal pool(s) is unknown, as is its condition, and what the impact of removing trees/vegetation on the eastern and western portions of the proposed site would have on the critical terrestrial habitat (CTH). Given the importance of vernal pools, the Council suggests that the Petitioner should survey the wetlands within the proposed site for the potential presence, type, and condition of vernal pools, between January and June; if present, assess the potential impacts of the proposed facility on the CTH and be required to eliminate or minimize those potential impacts to the maximum extent possible

Vegetation and Core Forest

The Petitioner notes three habitat types, two upland and one wetland, are present at the property. The two upland habitat types are Oak Tulip-Tree Forest and Oak Hardwood Forest. Further, the Petitioner notes that approximately 63 percent (12.7 of 20.1 acres) of the Oak Tulip-Tree Forest habitat is proposed to be converted to Grassland habitat and that approximately 80 percent (10.5 of 13.2 acres) of the Oak Hardwood Forest habitat is proposed to be converted to Grassland habitat for the proposed project. The Petitioner also notes that “the proposed development will remove approximately 23 acres of onsite core forest.” Although the Department of Energy and Environmental Protection (DEEP) issued

a determination that the proposed project “will not materially affect the status of such Site as core forest”, the Council does not support the loss of any core forest.

Wildlife

The Council notes that DEEP’s Natural Diversity Database (NDDB) provided a Determination letter on September 4, 2025 (#202305840) that indicated the potential presence of three species Columbine borer (*Papaipema leucostigma*), Whip-poor-will (*Caprimulgus vociferus*), and Eastern box turtle (*Terrapene carolina carolina*). The NDDB Determination letter also noted that “if the solar panel project is approved, the intermittent stream corridor will be protected by a series of wetland buffers. All trees within the buffer zone should not be cut to provide shade. The breeding habitat for the amphibian species should remain in its existing conditions.” The Council notes that Appendix B Civil Plan Set, Sheet 2.1 (and others) depicts the limit of tree clearing and the limit of disturbance extends within the 100-foot wetland buffer. The Council suggest that the Petitioner should adhere to the NDDB Determination letter.

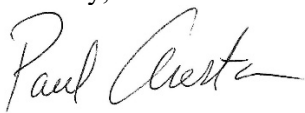
The Petitioner states that “Herpetological Associates, Inc, prepared a report, dated December 12, 2024, of their 2024 findings in which they summarized that the eastern box turtle, eastern hognose snake, and five-lined skink were not found at the Site,” which was confirmed in a follow-up survey in 2025. Notwithstanding the findings of the surveys, the NDDB Determination letter noted that, for Eastern box turtle, “NDDB continues to receive recent sightings of this species nearby the planned project. To avoid collision with animals that may wander into the work zone, prevent turtle access and entry into your work zone between April 1- November 1.” The NDDB Determination letter also identified several protective measures during the turtle’s active season and “General Site Design Recommendations” to better protect reptiles and amphibians, including Eastern box turtle. The Council recommends that the Petitioner implement all protective measures identified in the NDDB determination letter dated September 4, 2025. The Council notes that plastic netting used in a variety of erosion control products has been found to entangle wildlife, including reptiles, amphibians, birds and small mammals. The Council also recommends that the Petitioner use erosion control products that avoid/minimize the potential for wildlife entanglement.

The Council also notes that the United States Fish and Wildlife Service (USFWS), Information for Planning and Conservation (IPAC) tool indicates that there is the possibility that the tricolored bat (TCB), a species proposed for official listing as endangered, might occur in the vicinity of the proposed project area. Since the Petitioner proposes to remove vegetation along the eastern and western portions of the proposed project area, 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 potential impacts on TCB. The Council also recommends that the Petitioner utilize the USFWS Northern Long-eared Bat and Tricolored Bat Range-wide determination key (Dkey),¹ available through the IPaC website, to confirm that the proposed project would not adversely affect TCB.

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

c. Robin Blum, CT DEEP NDDB

¹ USFWS: <https://www.fws.gov/library/collections/northern-long-eared-bat-and-tricolored-bat-range-wide-determination-key>