



STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL

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VIA ELECTRONIC MAIL

December 5, 2024

TO: Service List, dated September 30, 2024

FROM: Melanie Bachman, Executive Director *MB*

RE: **DOCKET NO. 526** – Greenskies Clean Energy, LLC application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance, and operation of a 4.999-megawatt-AC solar photovoltaic electric generating facility and associated equipment located at Lantern Hill Road (Parcel No. 169-1-4), Stonington, Connecticut and associated electrical interconnection.

Comments have been received from the Department of Energy and Environmental Protection on December 5, 2024. A copy of the comments is attached for your review.

MB/RDM/laf

c: Council Members
CGS §16-50j(i) State Agency Comment List (via electronic mail)

December 5, 2024

Connecticut Siting Council
10 Franklin Square
New Britain, Connecticut 06051

RE: 4.999 MW Solar Photovoltaic Solar Project
Greenskies Clean Energy LLC
Docket No. 526: Lantern Hill Road, Stonington CT

Dear Members of the Connecticut Siting Council:
Staff of the Department of Energy and Environmental Protection (DEEP) Office of Environmental Review & Strategic Initiatives (ERSI) reviewed the above-referenced application by Greenskies Clean Energy, LLC.

Staff provided comments to discuss areas within DEEP's jurisdiction as they relate to the proposed project. DEEP may also include observations or discuss potential noise and visual impacts that can be avoided or mitigated through project planning. Staff may conduct site visits as part of the analysis to observe site characteristics that may not be captured in project plans.

In addition to reviewing projects for the Siting Council, DEEP ERSI staff participate in the Sustainable Transparent and Efficient Practices for Solar Development (STEPS) process, which includes guidance on siting solar facilities that avoids, minimizes, and/or mitigates adverse impacts to the local community and on the environment, agricultural, and natural resources to the maximum extent practicable. DEEP ERSI staff also participate in renewable energy programs administered by DEEP and the Electric Distribution Companies.

Summary of Key Findings

The following are the key findings discussed in further detail in this review.

- DEEP ERSI performed a site visit with the applicant on November 20, 2024. The site footprint is 28 acres out of a 70.8-acre parcel. It is an open, abandoned, farm field sandwiched between Lantern Hill Road and Whitford Brook. Aquarion Water Company owns a well house at 229 Lantern Hill Road accessed by an easement across the subject property. The same easement will be used to access the solar facility.
- Whitford Brook runs to the west of the property and is 100 ft. (and greater) from the development with no ground disturbance in this area.
- No wetlands or vernal pools are in the project footprint.
- The project received the Natural Diversity Data Base Determination dated October 20, 2023, indicating the potential presence of the spotted turtle near the project area.
- The site received a No Material Effect letter from the Forestry Division dated July 8, 2024.

- Development is located outside of the Aquifer Protection Area in Stonington for Aquarion Water Company. As per DEEP's Aquifer Protection Program, no regulated activities such as chemical storage or refueling will take place within 500 feet of the wellhead.
- Noise is generated from the 40 string inverters, two transformers, and 169 motors controlling the solar tracking system. A noise study indicates that the A-weighted decibel levels are below DEEP's daytime and nighttime standards.
- The site was selected in the 2023 Shared Clean Energy Facilities program.

Project Description

Greenskies Clean Energy LLC is seeking a Certificate of Environmental Compatibility and Public Need for the construction of a 4.99 MW solar photovoltaic facility located on Lantern Hill Road (parcel ID 8351) owned by Lantern Hill Farm Inc. The solar facility will utilize 28 acres of a 70-acre parcel.

The adjacent properties north and south of this site are farmland and some woodland. East of the site Lantern Hill Road and west of the site is Whitford Brook.

A soils map of the site shows the entire site contains prime farmland soils. The site was a prior vegetable farm, dairy farm, and bottling plant prior to 1968. At that point the land was leased to neighboring farmers for growing feed corn. After 1996, the land was handed down to the next generation within the family, who are looking to supplement their income and are no longer interested in farming or leasing primarily for farming. Greenskies proposes to continue some farming practices while the site is utilized for solar. Greenskies will work with a farmer for herb or natural dye farming and pollinator friendly flowers. The project is designed to allow increased sunlight below the modules and increased accessibility between rows. Sheep grazing is another agricultural use being considered for this site if perennial plant farming is not a viable option.

DEEP Focus Areas

Stormwater Management

Construction projects involving five (5) or more acres of land disturbance are regulated under CGS Section 22a-430 and under Section 402(p) of the federal Clean Water Act and the National Pollutant Discharge Elimination System ("NPDES") program. Prior to the start of such regulated activities, authorization is required from DEEP. This project is eligible to register for coverage under DEEP's NPDES General Permit for the Discharge of Stormwater and Dewatering Wastewaters from Construction Activities (Stormwater General Permit). A pre-application meeting held in July 2021 identified the General Permit path. During that meeting, the applicant noted that grading is limited to the construction of the stormwater basins and associated swales. DEEP notified the applicant that all drainage basins need to be registered with DEEP, though a dam safety permit is not required due to the basins not exceeding 3-acre-feet in volume. The site is in FEMA Zone "A" floodplain (100-year flood). The applicant analyzed the accuracy of the FEMA maps and is in the process of a Letter of

Map Revision with FEMA to adjust the floodplain limits. The applicant plans to submit the Stormwater General Permit application to DEEP for review.

Core Forest

Connecticut General Statutes Chapter 277a Sec. 16-50k states that for a solar photovoltaic facility with a capacity of two or more megawatts, to be located on forestland, DEEP must represent in writing to the siting council that such project will not materially affect the status of such land as core forest. This site is not identified on DEEP's Habitat Impact Map, which is a screening method DEEP utilizes to determine material effect. DEEP's Forestry Division reviewed the application and provided a No Material Effect letter dated July 8, 2024.

Natural Diversity Data Base

The Project Site and surrounding area is within a Natural Diversity Data Base area. The determination letter expires October 20, 2025. A new determination letter is required if the project has not started by that date. The letter states that a special concern state-listed species, the spotted turtle, may be in the vicinity of the project. General site recommendations include increasing the value of the habitat for wildlife by promoting and growing native vegetation on site and creating a management plan that reduces the need for constant mowing which reduces harm to reptiles and amphibians. ERSI recommends wildlife friendly fencing with a gap of 6 inches to allow for species movement. The NDDB determination stated a preference to perform ground disturbance during the cold weather months of November 1 to March 31 while the turtle species is dormant. For any construction work in late March to October, NDDB recommended exclusionary fencing to prevent access into the disturbed areas.

Reducing Carbon Emissions and Ozone Forming Pollutants

DEEP notes that the construction of solar facilities would support Connecticut's vision for a more affordable, cleaner, and more reliable energy future for the ratepayers of Connecticut. Bringing more zero carbon energy projects online furthers this vision by diversifying the regional fuel mix, and aids in achieving a 100% zero-carbon electric sector by 2040 as required by Connecticut General Statutes Sec. 22a-200a(a)(3). Developing grid-scale renewables is also imperative to the state's success in achieving its statutory goal of reducing carbon emissions by 45% below 2001 levels by 2030 and by 80% below 2001 levels by 2050. Displacing emissions from fossil combustion also can reduce emissions of nitrogen oxides (NOx) that contribute to the formation of ozone or smog. Displacing NOx emissions especially on peak ozone days in the summer can help reduce the number of days Connecticut's air quality is designated as "unhealthy".

Visual Impacts

DEEP staff believe that visual impacts are not a factor in this development if screening is proposed for residences at 209, 221, and 227 Lantern Hill Road. These residences abut the development with limited tree or shrub cover.

Noise Impacts

DEEP staff reviewed the noise study and determined noise is not a factor for this development. The three addresses at 209, 221, and 227 Lantern Hill Road are approximately 600 ft., 480 ft., and 400 ft. respectively from the proposed equipment pad which will hold 20 inverters. Receptors at these locations registered an average of 35 dBA, below DEEP's daytime standard of 61 dBA. No noise will be generated at night. The remaining 20 inverters are centrally located within the arrays.

Decommissioning Plan

As represented in the application, restoration of the site includes removing equipment within 150 days of discontinued operation, including the arrays, all equipment, security barriers and fencing. Any hazardous materials will be disposed of following applicable regulations. Disturbed areas will be seeded, and landscaping may be left to avoid further soil disturbance. The application does not mention a bond for decommissioning. Per amendments to section 16-50k(a) of the General Statutes, the Connecticut Siting Council will now require a decommissioning bond at the end of a project's generating life to cover all costs of decommissioning for projects that are greater than 2 MW in nameplate capacity and are located on prime farmland.

Consideration in DEEP Procurement Process

The project was selected in the Shared Clean Energy Facilities (SCEF) procurement in 2023. The statewide SCEF Program was developed pursuant to Section 7(a)(1)(C) of [Public Act 18-50, An Act Concerning Connecticut's Energy Future](#), codified as Section 16-244z(a)(1)(C) of the General Statutes of Connecticut. The statewide SCEF Program seeks the deployment of new or incremental Class I renewable generation projects for a 20-year term. Eligible projects are chosen through a competitive bidding procurement process each year. Bidders apply directly to the Electric Distribution Companies and copies to DEEP's Energy Bureau. The Electric Distribution Companies jointly issue the annual Request for Proposals. During the 2023 procurement, DEEP evaluated projects based on slope, core forest impacts, and confirmation that the bidder has read and understands the requirements of DEEP's Stormwater General Permit.

Historic and Archeological Resources

This location in Stonington following Whitford Brook has been identified by the State Historic Preservation Office as having high sensitivity for archaeological resources. Both a Phase 1A survey and Phase 1B study were performed by Heritage Consultants. A cultural site was identified in the northwest section of the parcel and as a result, the configuration of the array and fencing are at a distance of 50 feet or greater from this location. No ground disturbance will take place within the identified location. The State Historic Preservation Office is in receipt of this application, and it is under review.

Thank you for the opportunity to review this application and to submit these comments to the Connecticut Siting Council. DEEP's comments are based on information available for review as of the date of this letter, which may not fully apply if elements of this petition are modified through the Siting Council's administrative review process. Since this application may be modified, these comments should not be considered to be a final endorsement or rejection for the public record.

Respectfully yours,

Linda Brunza
Environmental Analyst 3

CC: Katie Dykes, DEEP Commissioner