



INLAND WETLANDS COMMISSION

36 CENTER STREET
PROSPECT, CONNECTICUT 06712-1699

February 7, 2011

Linda Roberts
Executive Director
Connecticut Siting Council
Ten Franklin Square
New Britain, CT 06051

Re: Petition No. 980—BNE Energy, Inc. petition for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the construction, maintenance, and operation of a 3.2 MW Wind Renewable Generating facility located at 178 New Haven Road, Prospect, Connecticut.

Dear Ms. Roberts:

The Prospect Inland Wetlands Commission has reviewed the Petition Filing associated with the above noted Wind Renewable Generating Facility. One 1.6 MW commercial wind turbine and proposed access way are located within 100-feet of a defined wetlands. A second 1.6 MW commercial wind turbine is located approximately 130-feet from a wetlands. All activity associated with this project is upland of the wetlands as identified on the property by the applicant's soils scientist and the Town of Prospect's Wetland Soils Classification Map. The Inland Wetlands Commission requests the Siting Council consider our following comments when reviewing this application:

- 1) We are informing the Siting Council that this project is located within a public water supply watershed of the Connecticut Water Company that supplies the Long Hill Reservoir, an active public drinking water supply. Approximately 1,000-feet easterly of the proposed wind turbine project is an EPA Brownfield Site identified as the U.S. Cap, Inc. property, 214 New Haven Road, Prospect. This property (214 New Haven Road) is also located within the Long Hill Reservoir's watershed. EPA testing has determined that an underground plume of industrial contamination is located on this property. We have concerns that any blasting taking place at 178 New Haven Road (the Wind Renewable Generating Facility) associated with the installation of the two 1.6 MW turbines may affect the movement of this underground contamination by creating cracks or fissures in the bedrock resulting in the

- 2) plume spreading outward and possibly into the ground water recharge of the Long Hill Reservoir. We request that BNE Energy provide expert testimony to the Siting Council on what impact, if any, BNE believes the installation of the commercial turbines at 178 New Haven Road would have on the movement of this identified, underground contamination.
- 3) The locations of the 2 turbines are in close proximity and up-gradient of defined wetlands on the property. These wetlands are identified as forested hillside seep wetlands draining westerly towards Long Hill Reservoir. The wetlands generally occur where topographical gradient decreases and groundwater breakout occurs. The proposed turbines will be placed on solid pads that will require excavation and possibly blasting. When completed, these pads will create a physical barrier below ground level that could prevent the up-hill ground water from draining into the wetlands and hence impact the wetlands. We request that BNE Energy provide expert testimony on the location of these buried pads relative to ground water movement and consequent impact on the affected wetlands. We suggest considering the installation of standpipes placed in the ground between the pads and the wetlands to monitor ground water movement before and after construction.
- 3) We ask if this project is approved that our Inland Wetlands Agent be allowed reasonable access onto the property to inspect the project to ensure the wetlands are not being adversely impacted and that the site is properly stabilized when the project is completed. We request the Agent be provided with the names and contact information of those individuals responsible for the installation and maintenance of all erosion and sedimentation controls, and with the understanding that should our agent find these controls have been damaged due to storm events or construction activities or that additional control measures are necessary, his call would require an immediate response by these individuals to inspect the site and take whatever actions are necessary to protect the wetlands.
- 4) We also request clarification on what agency (Siting Council or Prospect Inland Wetlands Commission) would have authority with activities that may occur within an inland wetlands regulated area on this property in addition to the activities described in BNE's Petition. Specifically, we understand that BNE Energy has indicated their desire to construct a structure or structures for educational purposes at a later date that would allow the public the opportunity to visit the site and learn about wind energy. This could require the need for additional parking areas, drainage improvements, grading, etc. not shown on the existing plans and possibly the installation of a septic system and well. We believe it would be beneficial to both BNE Energy and the Prospect Inland Wetlands Commission if the Siting Council would clarify regulatory jurisdiction should BNE wish to have additional activities that may occur within an inland wetlands regulated area on this property which are not currently described in BNE's Petition. We would like to suggest that all subsequent activities which occur within an inland wetlands regulated area on this property are the authority of the Prospect Inland Wetlands Commission.
- 5) Given the close proximity of the proposed turbines to wetlands, we would request the latest technology fire suppression systems be included within each nacelle which covers the actual turbine, and separate units be attached with each of the towers. We also request that BNE Energy provide expert testimony to the Siting Council on what impact, if any, BNE believes

the suppressant chemicals have to potentially pollute the inland wetlands and what training will the local first responders need to address such a fire. We also do not believe there should be any storage of fuel or other hazardous materials within close proximity to or upland of the wetlands. What fuels or materials are required to be kept on site should be safely contained and in no greater volume than what a residential household may need. A fuel remediation kit should be available to immediately contain a spill and remove any contamination quickly.

- 6) We are including a copy of Prospect's Inland Wetlands and Watercourses Regulations for your files. As our Regulations may pertain to the above Petition, we ask that you review under Section 2 Definitions of the Regulations the definitions: "Disturb the natural and indigenous character of the wetland or watercourse"; "Management practice"; and "Regulated Activity", and Section 10: Considerations For Decision.

In closing, the Prospect Inland Wetlands Commission would like to partner and actively work with the Siting Council in making a decision concerning Petition No. 980, with respect to any potential impact to the Town of Prospect's inland wetlands.

Yours truly,



Stephen Sackter, Chairman
Inland Wetlands Commission