

CONNECTICUT SITING COUNCIL CONSERVATION PLAN – COLEBROOK SOUTH

Purpose of Conservation Plan

The purpose of this Conservation Plan is to enhance the environmental benefits of Wind Colebrook South for the State of Connecticut, the Town of Colebrook, its residents, and for members of the public. The Conservation Plan will protect wetlands, conserve natural resources and wildlife habitat, preserve open space and mitigate potential impacts from the development of the wind project on the property.

Project Description

The wind generation project will consist of three 1.6 MW wind turbines on 79.74 acres located at 17 and 29 Flagg Hill Road in Colebrook, Connecticut (the "Project"). The Project will produce clean renewable electricity with zero emissions and no water consumption resulting in significant environmental benefits. The Conservation Plan will enhance the environmental benefits of the Project by preserving open space and providing additional protections for wetlands, natural resources and wildlife habitat.

Protected Property

The protected property consists of 26.58 acres or 33% of the total 79.74 acres on the site (the "Protected Property"). The Protected Property consists of a pond (11.24 acres), wetlands (4.21 acres) and uplands (11.13 acres). There is also a minimum buffer of 50 feet from the wetlands which extends to 100 feet in areas and encompasses all of the land that is within 100 feet of the vernal pools in accordance with the Metropolitan Conservation Alliance Technical Paper No. 5 (Calhoun and Klemens, 2002). The details of the Protected Property are shown on Sheet C-003, depicted as the blue hatched area in the southwest corner of the property.

Restricted Uses of the Protected Property

The restrictions hereby imposed upon the Protected Property are as follows:

1. No residential, commercial, industrial, or mining activities shall be permitted, and no building, structure, telecommunications facility, or like improvement, shall be constructed, created, installed, erected or moved onto the Protected Property.
2. Except as otherwise permitted herein, or as may currently exist, no rights-of-way, easements of ingress or egress, driveways, roads, or utility lines or easements shall be constructed, developed or maintained into, on, over, under, or across the Protected Property.
3. Except for any natural disturbance or acts God, there shall be no disturbance of the surface, including but not limited to filling, excavation, removal of topsoil, sand, gravel, rocks or minerals, or change of the topography of the land in any manner, except as may be reasonably necessary to carry out the uses permitted on the Protected Property under the terms herein. In no case shall subsurface mining of oil, gas or other minerals be permitted.
4. There shall be no manipulation of natural watercourses, marshes, or other water bodies, nor shall there be activities conducted on the Protected Property which would be detrimental to water quality, or which could alter natural water level or flow, except as reasonably necessary to carry out the permitted uses provided herein.
5. There shall be no billboards, or outdoor advertising of any kind erected or displayed on the Protected Property; provided, however, that reasonable signs may be erected and maintained including but not limited to signs designating the Protected Property, indicating the name of the Protected Property and its ownership, boundary markers, directional signs, informational and interpretive signs, and signs limiting access or use.
6. There shall be no trash cans, bins, or other improvements for the collection or storage of trash, human waste, or any other unsightly or offensive material placed on the Protected Property.

Permitted Uses of the Protected Property

Notwithstanding the restrictions on the Protected Property to the contrary as stated herein, this Conservation Plan shall not restrict or prohibit the following uses of the Protected Property:

1. The right to implement wildlife habitat improvement practices that are consistent with the purpose of the Conservation Plan.
2. The right to conduct and enjoy recreational activities, such as, without limitation, walking, cross-country skiing, snowshoeing, horseback riding, mountain biking, camping and wildlife-based recreational activities (e.g. bird watching, hunting, trapping, and fishing).
3. The right to use, repair and maintain, trails for permitted recreational activities on the Protected Property.
4. The right to harvest timber from, and use the Protected Property for, the production of forest products, including without limitation sawlogs, firewood, and biomass.
5. The right to use, improve, build and maintain logging roads, landings, and "skidder" trails, to facilitate the harvest of timber products on the Protected Property, provided that these shall be the only roads, landings, and trails that shall be allowed to be on the Protected Property.

Term of Conservation Plan

The Conservation Plan and the restrictions stated herein shall be effective as of commencement of construction activities in connection with the Project (the "Commencement Date") and shall be in effect for the duration of the Project including its ongoing operations until such time as the Project is decommissioned and no longer used as a wind powered electrical generation facility. Any changes, modifications or amendments to this Conservation Plan are subject to the prior approval of the Connecticut Siting Council.