

STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL

Ten Franklin Square, New Britain, CT 06051

Phone: (860) 827-2935 Fax: (860) 827-2950

E-Mail: siting.council@ct.gov

www.ct.gov/csc

October 21, 2011

Lee D. Hoffman, Esq.
Pullman & Comley, LLC
90 State House Square
Hartford, CT 06103-3702

RE: **PETITION NO. 983** - 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 4.8 MW Wind Renewable Generating facility located on Flagg Hill Road, Colebrook, Connecticut.

Dear Attorney Hoffman:

At a public meeting of the Connecticut Siting Council held on October 20, 2011, the Connecticut Siting Council (Council) considered and approved the site clearing portion of the Development and Management (D&M) Plan submitted for this project on September 16, 2011, and approved Dr. Michael Klemens as the environmental inspector for the project, with the following condition:

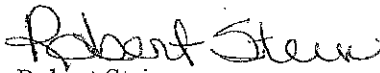
- Dr. Michael Klemens shall submit bi-weekly environmental erosion and sedimentation control monitoring reports per section 2k (4) of the letter dated September 1, 2011 from Matthew Davison, Registered Soil Scientist, VHB, Inc.

This approval applies only to the D&M Plan submitted on September 16, 2011. Any changes to the D&M Plan require advance Council notification and approval.

Please be advised that deviations from this plan are enforceable under the provisions of the Connecticut General Statutes § 16-50u. Enclosed is a copy of the staff report on this D&M Plan, dated October 20, 2011.

Thank you for your attention and cooperation.

Very truly yours,


Robert Stein
Chairman

RS/MP/cm

Enclosure: Staff Report, dated October 20, 2011

c: Parties and Intervenors

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} Connecticut

} Siting

} Council

October 20, 2011

STAFF REPORT

On June 2, 2011, the Connecticut Siting Council (Council) issued a Declaratory Ruling to BNE Energy, Inc. (BNE) that no Certificate of Environmental Compatibility and Public Need is required for the construction, maintenance, and operation of a 4.8 megawatt (MW) wind renewable generating facility located on Flagg Hill Road, Colebrook, Connecticut. As required in the Council's Decision and Order, BNE submitted a Development and Management Plan (D&M Plan) for this project on September 16, 2011. The project entails the construction and installation of three GE 1.6 MW wind turbines on a 124.9 acre parcel located at the intersection of Route 44 (Winsted-Norfolk Road) and Rock Hall Road.

The D&M Plan is still under review. BNE has requested approval of the commencement of the site clearing portion of the D&M Plan. Portions of the plan that are associated with site clearing and the limits of the clearing are depicted on Drawing No. C-003.

With respect to vegetative clearing, first the limits of the construction area will be staked out. Then all vegetation within the construction area will be cleared. Stumps will not be removed at this time. All trees and shrubs less than six inches in diameter will be chipped. In total, 13.32 acres or approximately 16.70 percent of the subject property will be cleared.

The construction entrance, silt fence, haybales and/or other perimeter situation devices shall be placed as shown on the erosion and sedimentation control plans prior to removal of any stumps. Stumps will be removed from the site.

BNE plans to retain Dr. Michael Klemens as a third-party environmental inspector to monitor erosion and sedimentation controls and ensure appropriate environmental safeguards of amphibian and reptile species. The inspector will inspect the installation of erosion and sedimentation controls (E&S Controls) prior to the start of construction activities and monitor such controls throughout the construction period. E&S Controls will be monitored on a weekly basis or within 24 hours of a rainfall event of at least 0.5 inches. E&S Controls monitoring reports will be prepared by the inspector and submitted to the Council on a bi-weekly basis.