



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 8, 2019

Mr. Rick Jacobson, Bureau Chief
Department of Energy and Environmental Protection
Bureau of Natural Resources - Wildlife Division
79 Elm Street
Hartford, CT 06106-5127

RE: **PETITION NO. 983** - BNE Energy, Inc. 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. **Bird and Bat Fatality Monitoring/Mitigation Measures.**

Dear Mr. Jacobson:

The Connecticut Siting Council (Council) is in receipt of correspondence from BNE Energy, Inc. (BNE) dated October 7, 2019, a copy of which is enclosed for your convenience, regarding compliance with Condition No. 4 of the Council's Declaratory Ruling of June 2, 2011 for the above-referenced land-based wind electric generating facility and seeking a determination from the Council, in coordination with DEEP, as to whether or not any mitigation measures should be employed at the site to reduce bat and/or bird mortality.

Condition No. 4 of the Council's June 2, 2011 Declaratory Ruling states:

4. The Petitioner shall continue and submit ongoing bird and bat studies and perform post-construction monitoring of bats and birds to document any mortality from project operations. The extent of monitoring shall be coordinated with the DEP Wildlife Division. An annual summary of the study results shall be submitted to the Council and DEP for a period of three years with the first report due one year after commencement of operation. At the end of the three-year study period, the Council, in coordination with the DEP, will evaluate and determine if any mitigation measures should be employed to reduce bat and/or bird mortality.

The Council acknowledges that BNE submitted Bird and Bat Fatality Monitoring Reports for a period of three years (2016, 2017 and 2018) with the first report submitted one year after commencement of facility operation in compliance with Condition No. 4 of the Council's June 2, 2011 Declaratory Ruling, copies of which are enclosed, as well as posted on the Council's project webpage for Petition No. 983.



Consistent with the directive in Condition No. 4, the Council hereby respectfully requests a written response from the DEEP Wildlife Division as to whether or not any mitigation measures should be employed at the site to reduce bat and/or bird mortality. A written response by **October 29, 2019** would be greatly appreciated.

Thank you for your attention to this important matter.

Sincerely,



Melanie A. Bachman
Executive Director

c: Council Members
Robin Blum, DEEP Wildlife Division
Paul Corey, BNE Energy, Inc.

Enc. October 7, 2019 Correspondence from BNE Energy, Inc.
2016 Bird and Bat Monitoring Report
2017 Bird and Bat Monitoring Report
2018 Bird and Bat Monitoring Report