



STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL

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VIA ELECTRONIC MAIL

February 7, 2022

TO: Service List, dated December 20, 2021

FROM: Melanie Bachman, Executive Director *MB*

RE: **PETITION NO. 1443A** - SR North Stonington, LLC petition for a declaratory ruling, pursuant to Connecticut General Statutes §4-176 and §16-50k, for the proposed construction, maintenance and operation of a 9.9-megawatt AC solar photovoltaic electric generating facility on five parcels located north and south of Providence New London Turnpike (State Route 184), west of Boombridge Road and north of Interstate 95 in North Stonington, Connecticut, and associated electrical interconnection. Reopening of this petition based on changed conditions pursuant to Connecticut General Statutes §4-181a(b).

Comments have been received from The Connecticut Department of Energy and Environmental Protection on February 7, 2022. A copy of the comments is attached for your review.

MB/MP/lm

c: Council Members

February 7, 2022

Melanie Bachman, Executive Director
Connecticut Siting Council
Ten Franklin Square
New Britain, Connecticut 06051

RE: Petition No. 1443a North Stonington LLC.
Silicon Ranch Corporation
8.35 MW Solar Photovoltaic Generating Facility

Dear Members of the Siting Council:

Staff of the Department of Energy and Environmental Protection (DEEP) reviewed the above reference petition for a declaratory ruling that no Certificate of Compatibility and Public Need will be required for the construction of an 8.35MW photovoltaic generating facility on three parcels located south of State Route 184, west of Boom Bridge Road, and north of Interstate 95.

In 2016 Connecticut solicited and selected renewable energy projects pursuant to Section 1(b) of Connecticut Public Act 15-107, *An Act Concerning Affordable and Reliable Energy* (P.A. 15-107) and Sections 6 and 7 of Connecticut Public Act 13-303, *An Act Concerning Connecticut's Clean Energy Goals*. Bringing grid-scale renewable energy projects online is an important step forward towards a cheaper, cleaner, and more reliable energy future for the ratepayers of Connecticut. Connecticut is committed to procuring 40% of its electricity from Class I renewable sources by 2030. Connecticut is also committed to a mid-point reduction of carbon emissions of 45% below 2001 levels by 2035 on the way to attaining the state's longer-term goal of an emissions reduction of 80% below 2001 levels by 2050. Grid scale renewable energy projects are essential to maintaining compliance with these statutory commitments.

The motion to reopen in the Petition's filings state the changes made from the original project encompassing five parcels, at 9.9MW, to the modified project of three parcels and 8.35MW. Modifications were based on the Siting Council's input, town input, and concerns from DEEP's Wildlife Division.

Location

This project site is in North Stonington off of Boom Bridge Road, south of the Providence New London Turnpike, and utilizes three parcels that were formally partially treed and agricultural land.

Stormwater Runoff

When applying for the *General Permit for Stormwater for the Discharge of Stormwater and Dewatering Wastewaters During Construction* (Stormwater GP), the Petitioner will need to follow DEEP's Stormwater GP effective December 31, 2020. Special attention must be given to Appendix I regarding the calculations for Water Quality Volume when sizing detention basins and determining proper erosion and sedimentation control measures.

This site consists of three contiguous parcels with slopes in the 5 to 10% range. Some tree clearing and limited grading are proposed. Site stabilization has been a concern in projects where large tracts of land are disturbed that contain slopes and wetlands. DEEP recommends allowing a growing season to establish vegetation after clearing and grubbing and prior to construction.

The site design shows the construction of four stormwater detention basins. As noted in the petition, dam safety permitting is required for the detention basins that exceed 3 acre-feet of storage, and/ or if there is a building or infrastructure located immediately downgradient of the new detention basins that could potentially become damaged during a 100-year storm event. DEEP's Dam Safety Division should be consulted for permitting requirements. A comprehensive long-term maintenance plan and inspection schedule for each of these basins and conveyance ditches should be a key component in any condition of approval by the Siting Council. A more detailed technical review of the proposed basins, conveyance ditches, and erosion and sedimentation control measures will be completed by the Water Permitting and Enforcement Division when the new Stormwater GP is submitted.

Wetlands and Watercourses

Wetlands are located throughout the site. In the southern portion of the site closest to the access from Cranberry Bog Road, wetlands and vernal pools will remain intact with 100 feet or greater buffers. Existing site conditions show that the various haul roads in the southern property, previously mined, cross wetlands in several areas and the site is subject to all-terrain vehicle usage. If these areas could be graded to smooth out the ruts and seeded, and the area closed off for ATV traffic, it could protect wildlife and prevent potential water quality issues from the eroding roads.

There are two locations where wetlands will be impacted for the construction of open bottom arched culverts to allow access to the array on Boom Bridge Road. Open bottom culverts will provide a natural bottom and minimize direct wetland impacts. There was no mention in the petition if the Army Corps of Engineers was consulted to determine jurisdiction, and if so, if the site would require an application to DEEP either for self-verification or 401 Water Quality Certification.

As stated in a pre-application meeting in May 2020, lesser buffer areas may be acceptable if the wetlands have had previous disturbance, as with the road crossing, and where wetland functions and values have been evaluated and found to be of low quality.

Wildlife

The Wildlife Division confirmed that an application was submitted in November 2021. Due to the sizeable application materials, which include surveys and proposed mitigation, the application is still under review.

Core Forest

No portion of this site is in the Habitat Impact Map developed by DEEP staff. The map is not primarily an indication of core forest but is useful in determining if there could be a material impact on habitats from development. It is noted that although there are tracts of forest throughout this area north of the site, there is also residential housing between these tracts, which break up the existing forest into segmented parts. Interstate 95 breaks up the landscape to the south of this site.

Thank you for the opportunity to review this petition and to submit these comments to the Siting Council.

Respectfully yours,



Linda Brunza
Senior Environmental Analyst