



**STATE OF CONNECTICUT  
CONNECTICUT SITING COUNCIL**

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**VIA ELECTRONIC MAIL**

November 23, 2021

TO: Service List dated October 29, 2021

FROM: Melanie Bachman, Executive Director *MB*

RE: **PETITION NO. 1469** – LSE Indus, 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 1.99-megawatt AC solar photovoltaic electric generating facility located at 81 East Main Street, North Canaan, Connecticut and associated electrical interconnection.

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Comments have been received from the State of Connecticut Department of Agriculture on November 22, 2021. A copy of the comments is attached for your review.

MB/RDM/Im

c: Council Members



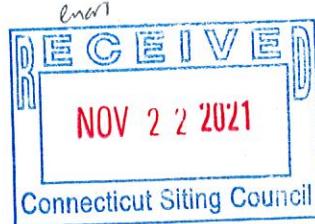
STATE OF CONNECTICUT  
DEPARTMENT OF AGRICULTURE  
Office of the Commissioner



Bryan P. Hurlburt  
Commissioner

November 22, 2021

Melanie A. Bachman  
Executive Director  
Connecticut Siting Council  
10 Franklin Square  
New Britain, CT 06051



860-713-2501  
[www.CTGrown.gov](http://www.CTGrown.gov)

Re: PETITION NO. 1469 – LSE Indus, 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 1.99-megawatt AC solar photovoltaic electric generating facility located at 81 East Main Street, North Canaan, Connecticut and associated electrical interconnection.

Dear Executive Director Bachman:

Thank you for the opportunity to comment on the above referenced Petition for Declaratory Ruling. This project is to be located on an approximately sixty-seven (67 +/-) acre parcel of land, at 81 East Main Street in North Canaan. The applicant states that the total development area is 11.6 acres, with about 7.6 acres being occupied by solar panels. The parcel contains about 5.6 acres of prime farmland, with 2.8 acres (50% of the prime farmland) to be located within the project area.

Prime and important farmland, including the soils, are recognized as federal, state and locally significant natural resources, and through its adoption of Public Act 17-218, our legislature has formally acknowledged the importance of these resources. While aspects of this Public Act may not directly affect this petition, the Department of Agriculture thinks it important to document the negative impacts this project has on prime farmland soils contained within the project area.

The loss of Connecticut farms significantly impacts our effort to combat food insecurity, results in the importation of human food and animal feed from outside Connecticut, increases food waste, and increases the distance from which we bring in our food, thus increasing our carbon footprint. Well managed agricultural lands can store significant carbon and can play an important role in climate change mitigation.

In addition to taking agricultural lands out of production in the near term, this project's negative impacts include dislocation of prime and important farmland soils, disturbances from the use of heavy equipment, holes from the installation of driven metal support posts, trenching for electrical conduit, surface grading, and the construction of access roads and equipment pads. These manipulations and changes will have an adverse impact on the upper 24 inches of the soil which are critical to plant growth, and will have negative consequences for agricultural productivity.

With respect to this project specifically, the Department of Agriculture has the following recommendations to the Siting Council:

- 1) Investigate relocation of this project (in whole or in part) to minimize or eliminate impacts to prime farmland. For example, the applicant could have utilized some of the landowner's personal air strip on the property, rather than avoiding the air strip at the expense of the prime farmland soils. The parcel is approximately 67 acres in size, and the disturbance limits of the proposed project are reported to be 11.6 acres (about 17% of the parcel size), which suggests that the applicant could provide an alternative configuration that would avoid the prime farmland soils.
- 2) Require that the applicant implement alternatives that would lessen the project's impacts to agricultural resources. Examples of these alternatives, some of which are being deployed on projects in a similar 2-to-5-megawatt size range, include:
  - a. Plan the project's structural design in a way that would allow for cultivation of crops within the project footprint. For example, applicant could raise the panels to a height that allows cultivation of crops, or provide space between the panels to cultivate crops;
  - b. Introduce grazing animals in and around the solar project area;
  - c. Provide pollinator habitat and/or apiary provisions;
  - d. Provide space for a community garden area;
  - e. Provide dedicated acreage for use by new and beginning farmer(s);
  - f. Purchase conservation easements on farmland in the community or paying to restore farmland in the area to lessen the impact of the project on agricultural resources; and
  - g. Reduce the overall footprint of the project through a more efficient design, or a reduction in overall capacity.

The Department understands the value this project provides to our environment and the City of Hartford through Virtual Net Metering. However, we are greatly concerned by the loss of this quality farmland without consideration of alternatives to offset that loss.

Thank you for the opportunity to comment on this project. If you have any questions, please feel free to contact either myself, or Stephen Anderson in our Resource Conservation Unit. Steve can be reached at (860) 713-2592.

Sincerely,



Bryan P. Hurlburt  
Commissioner

Cc: Katie Dykes, Commissioner  
Department of Energy and Environmental Protection