

To: Michael Barrera, Department of Administrative Services
450 Columbus Blvd, Suite 1501, Hartford CT 06103

From: Linda Brunza- Environmental Analyst

Telephone: 860-424-3739

Date: 1/5/2022

Email: Linda.Brunza@ct.gov

Subject: Kensington Fish Hatchery Solar Project, Berlin

Staff at the Department of Energy and Environmental Protection (DEEP) have reviewed the scoping notice for the proposed solar project at the DEEP owned Kensington State Fish Hatchery.

Renewable Energy

The Department of Energy and Environmental Protection supports the Kensington State Fish Hatchery Solar Project which involves the installment of a ground mounted PV system that consists of 288 solar panels with a capacity of approximately 124 kilowatts (kW). This will generate an estimated 163 MWh of zero carbon energy for the fish hatchery annually. This will help offset energy costs for the fish hatchery by reducing operating costs and saves money for the state and taxpayers.

The approval and deployment of the DOC solar project will reflect continued progress in reducing emissions from the state's electric supply and is in direct support of three Connecticut state policy goals: (1) Governor Lamont's Executive Order 1 (EO 1) which requires executive agencies to reduce greenhouse gas emissions by 45% below 2001 levels; (2) the newly-released Executive Order No. 21-3, which directs the state to deploy an average of 10,000 kW of new solar capacity annually for the next 10 years, primarily sited on state buildings or property; and (3) the state's overarching greenhouse gas emission reduction goals to reduce the level of economy wide greenhouse gas (GHG) emissions 45 percent below 2001 levels by 2030, and 80 percent below 2001 levels by 2050.

Fisheries

The Kensington Fish Hatchery Supervisor and Fisheries Division support this solar project and the larger goal of one day having a "green" hatchery. This location was chosen because it is a large piece of open space property, no tree clearing is needed, and it will not have an impact on wetlands or watercourses.

Wildlife

Natural Diversity Database (NDDDB) maps represent the approximate locations of species listed by the State, pursuant to section 26-306 of the Connecticut General Statutes, as endangered, threatened or of special concern. The maps are a pre-screening tool to identify potential impacts

to state listed species. The application was filed and the NDDDB Determination letter has been issued for this project from the DEEP Wildlife Division.

Stormwater During Construction

Stormwater discharges from construction sites where one or more acres are to be disturbed, regardless of project phasing, are subject to the requirements of the *General Permit for the Discharge of Stormwater and Dewatering Wastewaters Associated with Construction Activities* (DEEP-WPED-GP-015). For locally exempt projects disturbing one or more acres, a registration describing the site and the construction activity must be submitted to DEEP prior to the initiation of construction within timeframes specified in the general permit. A stormwater pollution control plan, including measures such as erosion and sediment controls and post construction stormwater management, must be prepared. A goal of eighty (80) percent removal of total suspended solids from the stormwater discharge shall be used in designing and installing post-construction stormwater management measures. The general permit also requires that post-construction control measures incorporate runoff reduction practices, such as LID techniques, to meet performance standards specified in the permit. For further information, contact the division at 860-424-3025. A copy of the general permit as well as registration forms may be downloaded at: [Construction Stormwater GP](#).

Please note that the [Stormwater General Permit for Construction](#) contains an appendix for solar development, Appendix I. This appendix should be utilized while designing the arrays to minimize grading, avoid wetland and buffer areas, and maximize vegetative growth.

DEEP staff noted there were no concerns in watershed management and that the sites are not in aquifer protection areas.

Air Management

DEEP Bureau of Air Management typically recommends the use of newer off-road construction equipment that meets the latest EPA or California Air Resources Board (CARB) standards. If newer equipment cannot be used, equipment with the best available controls on diesel emissions including retrofitting with diesel oxidation catalysts or particulate filters in addition to the use of ultra-low sulfur fuel would be the second choice that can be effective in reducing exhaust emissions. The use of newer equipment that meets EPA standards would obviate the need for retrofits.

DEEP also recommends the use of newer on-road vehicles that meet either the latest EPA or California Air Resources Board (CARB) standards for construction projects. These on-road vehicles include dump trucks, fuel delivery trucks and other vehicles typically found at construction sites. On-road vehicles older than the 2007-model year typically should be retrofitted with diesel oxidation catalysts or diesel particulate filters for projects. Again, the use of newer vehicles that meet EPA standards would eliminate the need for retrofits.

Additionally, Section 22a-174-18(b)(3)(C) of the Regulations of Connecticut State Agencies (RCSA) limits the idling of mobile sources to 3 minutes. This regulation applies to most vehicles such as trucks and other diesel engine-powered vehicles commonly used on construction sites. Adhering to the regulation will reduce unnecessary idling at truck staging zones, delivery or truck dumping areas and further reduce on-road and construction equipment emissions. Use of posted signs indicating the three-minute idling limit is recommended. It should be noted that only DEEP can enforce Section 22a-174-18(b)(3)(C) of the RCSA. Therefore, it is recommended that the

project sponsor include language similar to the anti-idling regulations in the contract specifications for construction in order to allow them to enforce idling restrictions at the project site without the involvement of DEEP.

Thank you for the opportunity to review this project. These comments are based on the reviews provided by relevant staff and offices within DEEP during the designated comment period and may not represent all applicable programs within DEEP. Feel free to contact me if you have any questions concerning these comments.

cc: Andrew Hoskins/ DEEP
Nicole Lugli/ DEEP



6/2/2023

Christina Tsitso
CEFIA SOLAR SERVICES INC.
75 Charter Oak Ave
Hartford, CT 06106
christina.tsitso@ctgreenbank.com

Subject: Kensington Fish Hatchery
Filing #: 98185
NDDB - New Determination Number: 202304699

Expiration Date: 6/2/2025

Location: Kensington Fish Hatchery, 120 Old Hatchery Rd, Berling, CT

I have reviewed Natural Diversity Data Base (NDDB) maps and files regarding this project. According to our records, the following State-listed species (RCSA Sec. 26-306) are documented nearby and may occur in the project area.

- **Eastern box turtle (*Terrapene carolina carolina*)- State Special Concern**
- **Bald Eagle (*Haliaeetus leucocephalus*) State Threatened**

Construction Protection measures:

Eastern box turtle:

In Connecticut, these turtles are found in well-drained forest bottomlands and a matrix of open deciduous forests, early successional habitat, fields, gravel pits, and or powerlines. Turtles are dormant between November 1 and April 1 and hibernate in only a few inches from the surface in forested habitat.

The greatest threat to this species is habitat loss, fragmentation, and degradation due to development. This species is very sensitive to adult mortality because of late maturity (10 years old) and long life span (50-100years). Vehicular traffic, heavy equipment used for farming, and ATV use in natural areas are implicated specifically in adult mortality through collisions. Illegal collection by the pet trade and unknowing public for home pets exacerbates mortality rates and removes important individuals from the population.

- Protect box turtle from accidental crushing under heavy equipment.
 - If you are using heavy equipment when the species is active (April 1-Nov 1):
 - The crew be made aware of the species description and possible presence

- The immediate area where heavy equipment will be used each day should be searched for turtles before starting work
- Any turtles found should be moved out of the way, just outside of the work area. This animal is protected by law and should never be taken off site.
- Work conducted during the early morning and evening hours should occur with special care not to harm basking or foraging individuals

Bald Eagle:

Bald Eagles are currently listed as a state threatened species as well as protected under both the Federal Bald and Golden Eagle Protection Act and the Migratory Bird Treaty Act. It is illegal pursuant to section 26-93 of the Connecticut General Statutes to disturb Bald eagles. These laws prohibit disturbing the birds while they are roosting, feeding, or nesting. The wildlife division recommends a 660' setback with no public access from a bald eagle nest or critical roosting site. To determine if nest in your area is active and if your activities will impact the nest at the time of your construction, contact the DEEP Wildlife Biologist coordinating eagle monitoring (Brian.hess@ct.gov).

Between Feb 1- July 31:

1. Work activities and staging areas are prohibited within 330 feet (approximately 100 meters) of active nests that are out of line of sight, or within 660 feet (approximately 200 meters) from nests that are in the line of sight during periods of eagle use, unless surveys demonstrate that the nest or roost is not being used.
2. Minimize cutting of large trees. No known bald eagle nest trees, perch trees, or roost trees will be felled or modified.

The work area boundary delimited in the plans is more than 660' away from the nest location, and I do not anticipate that activities within this area will affect the nest.

Site Design Protection Measures:

This facility will be built in a field that supports multiple state listed bird species. If planned properly, you can minimize the impacts of habitat loss from your development.

- **Create a site management plan to promote native vegetation growth in the area under the solar panels.** Restoring native vegetation that will attract pollinators and avoid the need for constant mowing will benefit state listed species at this site.

Your submission information indicates that your project requires a state permit, license, registration, or authorization, or utilizes state funding or involves state agency action. This NDDDB - New determination may be utilized to fulfill the Endangered and Threatened Species requirements for state-issued permit applications, licenses, registration submissions, and authorizations.

Please be aware of the following limitations and conditions:

Natural Diversity Database information includes all information regarding listed species available to us at the time of the request. This information is a compilation of data collected over the years by the Department of Energy and Environmental Protection's Natural History Survey and cooperating units of DEEP, land owners, private conservation groups and the scientific community. This information is not necessarily the result of

comprehensive or site-specific field investigations. Current research projects and new contributors continue to identify additional populations of species and locations of habitats of concern, as well as enhance existing data. Such new information is incorporated into the Database and accessed through the ezFile portal as it becomes available. New information may result in additional review, and new or modified restrictions or conditions may be necessary to remain in compliance with certain state permits.

- During your work listed species may be encountered on site. A report must be submitted by the observer to the Natural Diversity Database promptly and additional review and restrictions or conditions may be necessary to remain in compliance with certain state permits. Please fill out the [appropriate survey form](#) and follow the instructions for submittal.
- Your project involves the state permit application process or other state involvement, including state funding or state agency actions; please note that consultations with your permit analyst or the agency may result in additional requirements. In this situation, additional evaluation of the proposal by the DEEP Wildlife Division may be necessary and additional information, including but not limited to species-specific site surveys, may be required. Any additional review may result in specific restrictions or conditions relating to listed species that may be found at or in the vicinity of the site.
- If your project involves preparing an Environmental Impact Assessment, this NDDDB consultation and determination should not be substituted for biological field surveys assessing on-site habitat and species presence.
- The NDDDB - New determination for the Kensington Fish Hatchery as described in the submitted information and summarized at the end of this document is valid until 6/2/2025. This determination applies only to the project as described in the submission and summarized at the end of this letter. Please re-submit an updated Request for Review if the project's scope of work and/or timeframe changes, including if work has not begun by 6/2/2025.

If you have further questions, please contact me at the following:

Shannon Kearney
CT DEEP Bureau of Natural Resources
Wildlife Division
Natural Diversity Database
79 Elm Street
Hartford, CT 06106-5127
(860) 424-3170
Shannon.Kearney@ct.gov

Please reference the Determination Number 202304699 when you e-mail or write. Thank you for consulting the Natural Diversity Data Base.

Shannon Kearney
Wildlife Division- Natural Diversity Data Base
79 Elm Street
Hartford, CT 06106-5127
(860) 424-3170
Shannon.Kearney@ct.gov

Application Details:

Project involves federal funds or federal permit:	No
Project involves state funds, state agency action, or relates to CEPA request:	Yes
Project requires state permit, license, registration, or authorization:	Yes
DEEP enforcement action related to project:	
Project Type:	Energy and Utility Production Facilities and Distribution Infrastructure
Project Sub-type:	Solar Energy
Project Name:	Kensington Fish Hatchery
Project Description:	

July 15, 2020

Dean Gustafson
All-Points Technology Corporation, PC
567 Vauxhall Street Ext, Suite 311
Waterford, CT 06385
dgustafson@allpointstech.com

NDDDB DETERMINATION NUMBER: 202008061

Project: CT Green Bank Sun Power Solar Installation at CT DEEP Kensington Fish Hatchery Property Located at 120 Old Hatchery Road in Berlin, CT

Expiration: July 15, 2022

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- **Create a site management plan to promote native vegetation growth in the area under the solar panels.** Restoring native vegetation that will attract pollinators and avoid the need for constant mowing will benefit state listed species at this site.

This is determination is valid for two years.

Natural Diversity Data Base information includes all information regarding critical biological resources available to us at the time of the request. This information is a compilation of data collected over the years by the Department of Energy and Environmental Protection's Bureau of Natural Resources and cooperating units of DEEP, independent conservation groups, and the scientific community. This information is not necessarily the result of comprehensive or site-specific field investigations. Consultations with the NDDDB should not be substituted for on-site surveys required for environmental assessments. Current research projects and new contributors continue to identify additional populations of species and locations of habitats of concern, as well as, enhance existing data. Such new information is incorporated in the NDDDB as it becomes available.

Please contact me if you have any questions (shannon.kearney@ct.gov). Thank you for consulting with the Natural Diversity Data Base and continuing to work with us to protect State-listed species.

Sincerely,

/s/ Shannon B. Kearney
Wildlife Biologist

CC: Evan Mazzaglia (Sunpower Corporation)