



STATE OF CONNECTICUT

CONNECTICUT SITING COUNCIL

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VIA ELECTRONIC MAIL

October 24, 2019

TO: Parties and Intervenors

FROM: Melanie Bachman, Executive Director **UAB**

RE: **PETITION NO. 1278A** - Bloom Energy Corporation, as an agent for Medtronic Inc., request to amend its declaratory ruling, pursuant to Connecticut General Statutes §4-176 and §16-50k, for the proposed Phase II construction, operation and maintenance of a Customer-Side 2000-Kilowatt fuel cell facility to be located at 86 Middletown Road and a second Customer-Side 2000-Kilowatt Fuel Cell Facility to be located at 195 McDermott Road, both located at the Medtronic campus in North Haven, Connecticut.

Comments have been received from the State of Connecticut Council on Environmental Quality, dated October 23, 2019. A copy of the comments is attached for your review.

MB/RDM/emr

c: Council Members



COUNCIL ON ENVIRONMENTAL QUALITY

Susan D. Merrow
Chair

Keith Ainsworth

Alicea Charamut

David Kalafa

Lee E. Dunbar

Alison Hilding

Kip Kolesinskas

Matthew Reiser

Charles Vidich

Peter Hearn
Executive Director

October 23, 2019

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

RE: PETITION NO. 1278A - Bloom Energy Corporation request to amend its declaratory ruling for the proposed Phase II construction, operation and maintenance of a Customer-Side 2000-Kilowatt fuel cell facility to be located at 86 Middletown Road and a second Customer-Side 2000-Kilowatt Fuel Cell Facility to be located at 195 McDermott Road, both located at the Medtronic campus in North Haven, Connecticut.

Dear Ms. Bachman:

The Council on Environmental Quality ("the Council") has reviewed the Petition for Declaratory Ruling noted above and offers the following comments for consideration by the Connecticut Siting Council. The Council supports the deployment of clean, distributed generation technologies at appropriate sites in Connecticut to reduce energy costs to consumers, increase energy reliability, and enhance environmental quality.

1. State Listed Species

The Petitioner, Bloom Energy Corporation, has appropriately reviewed the Connecticut Department of Energy and Environmental Protection (DEEP) Natural Diversity Database (NDDDB) pre-screening tool to identify any known state listed species on or near the proposed site. Given the fact that the NDDDB pre-screening tool indicates the possible presence of box turtle, a State Special Concern species, the Council recommends that the Siting Council defer a decision regarding the proposed project until DEEP is able issue a determination regarding appropriate protection measures for any box turtles in the vicinity of the proposed project at Site 2.

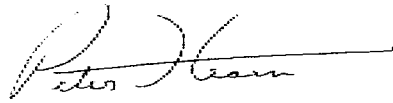
2. Wetlands and Watercourses (195 McDermott Road)

The Petitioner notes that "There are no identified wetlands or watercourses within the proposed location of the Facility. The Little River runs to the north of Site 2; however, Site 2 is located within a paved trailer storage yard and no additional clearing is required for development of Site 2." Site 2 appears to be paved; however, the Petitioner has failed to identify if there are wetlands associated with the Little River, which based on the aerial image, could be as close as 25 feet to the proposed facility at Site 2. The Overall Site Plan, sheet 1 of 3, makes no notation of wetlands near the proposed Site 2. There is no detail regarding the proposed erosion and sedimentation (E&S) control

measures that the Petitioner would employ to protect the Little River and any associated wetlands. The Council recommends that the Siting Council require that the Petitioner provide additional details regarding 1) the potential presence of any identified wetlands and watercourses that may be proximate to the proposed facility on Site 2, and 2) the methods and manner in which the E&S measures would be employed to minimize, if necessary, potential impacts on wetlands and watercourses.

Thank you for your consideration of these comments. Please do not hesitate to contact the Council if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Peter Hearn", with a long horizontal line extending to the right.

Peter Hearn
Executive Director