STATE OF CONNECTICUT
DEPARTMENT OF AGRICULTURE
Office of the Commissioner

DEPARTMENT OF AGRICULTURE
CTGrown.gov

Steven K. Reviczky
Commissioner

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August 30, 2017

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

ORIGINAL

Re: **Petition No. 1313** – DWW Solar II, LLC petition for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the proposed construction, maintenance and operation of a 26.4 megawatt AC solar photovoltaic electric generating facility on approximately 289 acres comprised of 5 separate and abutting privately-owned parcels located generally west of Hopmeadow Street (US 202/CT 10), north and south of Hoskins Road, and north and east of County Road and associated electrical interconnection to Eversource Energy's North Simsbury Substation west of Hopmeadow Street in Simsbury, Connecticut.

Dear Executive Director Bachman:

On July 25, 2017, the Siting Council solicited comments from the Department of Agriculture on the above-referenced petition for declaratory ruling. I want to be clear from the outset that it is the opinion of the Department that Public Act 17-218 applies to this project. Accordingly, for the project to proceed by declaratory ruling, a written representation from the Department that the project will not materially affect prime farmland is required. However, due to the impacts of this project on prime farmland, the Department will not be supplying such a letter here because the Department believes that this project will materially affect the status of prime farmland and as such, it is our opinion that the request for declaratory ruling should be denied by the Siting Council.

Notwithstanding our opinion on this matter, our comments on the above cited petition are attached in the event that the Siting Council moves forward with this process. If you have any questions regarding this letter or the attached comments, please feel free to contact me.

Sincerely,

Steven K. Reviczky
Commissioner

Cc: Commissioner Klee, Department of Energy and Environmental Protection
Service List

Comments of the Department of Agriculture on Petition No. 1313:

Prime and important farmland soils are recognized federal, state and locally significant natural resources. Therefore, it is imperative that the concerns of agriculture and the impacts of this development be fully considered by the Connecticut Siting Council.

Simsbury and nearby Granby and East Granby have active agricultural communities with considerable competition for prime farmland for growing vegetables and fruit as well as other agricultural crops including tobacco. Demand for a farmland parcel of this size and quality, totaling over 200 acres, is high and its loss will have a negative impact on agricultural growth and viability in this section of our state. Furthermore, prime and important farmland soils in the Connecticut Valley have additional importance from a regional perspective, since they have a longer growing season and unique microclimate compared to the rest of New England.

The State of Connecticut has made significant investment to protect farmland in this area, and has purchased agricultural development rights on several farms, comprising hundreds of acres in these communities. Additional farms have been protected through the efforts of the towns of Simsbury and Granby, both the Simsbury and Granby Land Trusts, and the United States Department of Agriculture's Natural Resources Conservation Service (USDA NRCS).

In general, the loss of Connecticut farms significantly impacts our efforts to combat food insecurity, results in the importation of human food and animal feed from outside of our state and nation, increases food waste, and increases the distance from which we bring in our food, thus increasing our carbon footprint. It is commonly held that well managed agricultural lands can store significant carbon and can play an important role in climate change mitigation and adaptation. Further, the loss of farms and available farmland also affects the region's economy from retailers of farm equipment and supplies, to feed and fertilizer dealers and tourism.

From a public policy standpoint, this project's conversion of significant agricultural land resources is incompatible with the goals of the State of Connecticut to keep agriculture viable and growing, to permanently protect farmland from conversion through the purchase of

agricultural easements and/or development rights, to improve land use planning, and to increase agriculturally based economic development and investment through grants and programs.

Prime and important farmland soils are a finite resource. In addition to taking agricultural lands out of production in the near term, the development of large solar facilities such as this one, and the associated construction techniques and placement of other infrastructure damages soil resources and has long term impacts on the potential for future agricultural productivity. The petition's assertion that the proposed large solar array is somehow a better land use than the alternative of other development is not necessarily true. For example, a clustered development (with roof top solar) on a portion of the property, with the remaining farmland, forest land, and wetlands protected with a conservation easement, would be a more preferable alternative.

As with other projects we have reviewed, the applicant's consultant minimizes the impacts of the installation of the solar array and its infrastructure on the soil resource. Specifically, we have the following comments on the petition with respect to agricultural resources:

1. *Throughout most of the petition, only the impact to prime farmland is mentioned.* The applicant should be considering all impacts, including those to statewide and locally important farmland soils (approximately115 additional acres);

2. *The petition asserts that the project would "enhance" farmland soils solely due to the applicant's plan to plant certain cover crops (ref. Section 4, page 13 – Project Benefits).* In our opinion, these would be semi-managed grasslands/forbs at best and would result in minimal improvement in soil health over the 25 year life of the project, certainly when compared to having the land remain available for a variety of agricultural uses which could provide substantially better soil health for agricultural production as well as other social, economic, and ecosystem benefits. Further, the claim in this section of "preservation of 133 acres of forest, wetlands, and open space" is somewhat misleading since the applicant provides no legal mechanism (i.e., an easement) to support this statement;

3. *The information necessary to develop a meaningful restoration plan upon decommissioning, including the determination of soil impacts during construction, has not been provided.* At a minimum, additional baseline soil testing is needed to know what the original physical, chemical and spatial characteristics of the soils are on the property, so that a target can be set for restoration upon decommissioning with a goal of meeting or exceeding existing conditions. The USDA NRCS soil survey maps and attributes information can serve as a guide but are not a replacement for a detailed, site specific analysis in the development of a restoration plan.

   While the petitioner provided more detailed information for areas with wetland soils, there is sufficient natural variability in the other soils laterally and vertically that would warrant additional mapping and sampling for the farmland soils as well. A baseline should include: mapping confirmation of the soil classification, map units, and map unit delineations, nutrients, pH, organic matter, bulk density, and transects of soil profile descriptive information, especially where there is grading, trenching and infrastructure is to be installed. These assessments are necessary to provide guidance during construction (i.e., depth/thickness of different soil layers to stockpile separately) and for reclamation if and when the project is decommissioned;

4. *The impacts from the use of heavy equipment, the holes from the installation of driven metal support posts, trenching for electrical conduit, surface grading, and the construction of access roads and equipment pads will significantly damage farmland soils and soil health.* Changes to surface and subsurface soil hydrology are likely due to grading, access roads, trenching and compaction. This will have negative consequences for agricultural productivity due to the resulting uneven movement of water over and through the soils.

   These manipulations and changes will have an adverse impact on the upper 24-48 inches of the soil, that portion of the soil which is critical to plant growth. The soils on the Simsbury property have variable thicknesses of topsoil, subsoil, and substratum with unique physical and chemical properties. The inversion of these soil horizons (layers) can

adversely affect their ability to grow and manage crops. Heavy equipment used in construction causes compaction and the destruction of soil structure which impacts a soil's ability to exchange air, water, nutrients, and biota. A lack of managing soil nutrients over 25 years will result in acidification and loss of fertility that will make it more difficult and expensive to bring into production.

While the restoration plan does recommend deep tillage (a suitable practice), it lacks sufficient details or commitment on how and when this would be done. Examples of information required for a baseline and for restoration of farmland soils can be found in the USDA NRCS Practice Standard 544 (available at the following web address: https://efotg.sc.egov.usda.gov/references/public/CO/CO544.pdf), and in the U.S. Dept. of Interior's Mine Land Reclamation Standards for Prime Farmland (available at the following web address: https://www.osmre.gov/programs/tdt/primeFarmland.shtm);

5. *The decommissioning plan does not provide adequate assurances that the site will be returned to its pre-construction condition.* First, due to the lack of baseline information cited above, and the absence of a commitment on the part of the petitioner to perform follow up soil quality and health evaluations at the time of decommissioning, it will be difficult to assess what actions need to be taken to mitigate the project's effect on farmland resources. Secondly, the decommissioning costs, by the petitioner's own admission are not known with any precision and the plan overall focuses more on recovery of salvageable components than it does on restoration of the farmland resources, which, in our opinion, should have dedicated bonded funds; and

6. *Other mitigation measures could have been proposed.* For example, consideration could have been given to the purchase of development rights/conservation easements on farmland in the community, paying to restore farmland in the area or some other farmland mitigation proposal.

In conclusion, while the Department supports properly scaled renewable energy on farms and farmland where such projects are in concert with Connecticut's farmland protection goals and

policies, we do not support this project due to its significant impact on farmland resources, and because it is counter to the State's goals of farmland protection and the promotion of agricultural economic development both of which, like renewable energy, are components of sustainability and climate change adaptation and mitigation.

Energy companies, policy makers and decision makers should be mindful that there are substantial highway rights of way, brownfield sites, developed sites and gravel mines that would be much better suited to solar development, rather than relying on the conversion of finite farmland soil resources which provide significant agricultural goods and services for our State and the Region.

Certification of Service

I, Jason E. Bowsza hereby certify that a copy of the foregoing was sent on September 5, 2017, by e-mail and by first class mail, postage prepaid to the following parties on the Service List in this matter:

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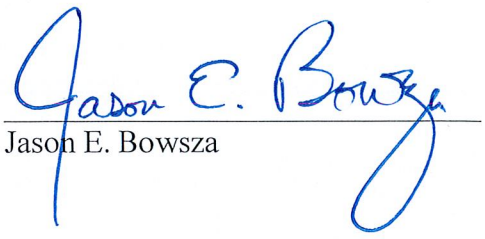

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