



STATE OF CONNECTICUT
DEPARTMENT OF AGRICULTURE
Office of the Commissioner

Bryan P. Hurlburt
Commissioner



860-713-2501
www.CTGrown.gov

August 15, 2019

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

Re: Greenskies Renewable Energy LLC ("Greenskies")
Proposed Solar Photovoltaic Development
35 Taugwonk Spur Road, Stonington, CT

Dear Ms. Bachman,

Greenskies Renewable Energy, LLC has contacted the Connecticut Department of Agriculture ("Department") and informed us of their imminent filing of a petition for a declaratory ruling with the Connecticut Siting Council ("Council"). Greenskies proposes to construct a solar photovoltaic facility with a capacity of 5.0 megawatts, to be located at 35 Taugwonk Spur Road, Stonington, CT.

Section 16-50k(a) of the Connecticut General Statutes requires that for a solar photovoltaic facility with a capacity of two or more megawatts, to be located on prime farmland, "excluding any such facility that was selected by the Department of Energy and Environmental Protection in any solicitation issued prior to July 1, 2017, pursuant to section 16a-3f, 16a-3g or 16a-3j", the Department of Agriculture must represent, in writing, to the Connecticut Siting Council (CSC) that such project will not materially affect the status of such land as prime farmland.

Approximately 16 acres of prime farmland would be impacted by the installation of the solar panels, racking systems, equipment pads, access road, and the associated site work involved with this project. Our Department has reviewed documents submitted by the petitioner concerning this project, which include the following:

- 1) Preliminary site layout plan, dated July 15, 2019, prepared by Milone & MacBroom;
- 2) Site layout & grading plan, dated July 15, 2019, prepared by Milone & MacBroom;
- 3) USDA-NRCS farmland and hydrologic soils report, provided by Milone & MacBroom; and
- 4) Greenskies Renewable Energy, LLC Permit Drawings for the Stonington PV Solar Facility, dated August 9, 2019.

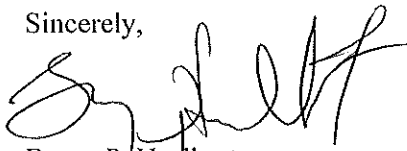
Department staff also met with Greenskies representatives to discuss the project background, proposed site plan, existing site conditions, how Greenskies intends to handle and manage the prime farmland soils, and how Greenskies would incorporate agricultural dual uses on the site.

Based on the above submittals and discussions, and pursuant to Section 16-50k(a) of the Connecticut General Statutes, the Department hereby represents to the Council that this project, as proposed, will not materially affect the status of such land as prime farmland provided that the following minimum conditions are met:

1. The handling and management of any/all prime farmland soils disturbed by construction activities is in accordance with energy industry best management practices, adhering to the most current Federal Energy Regulatory Commission (FERC) guidelines;
2. Any/all prime farmland soils are separated and stored on the farm site, and shall be used and applied solely for agricultural purposes;
3. In consultation with the farmland owner(s), a Farmland Restoration Plan shall be developed for the property to restore, at a minimum, an amount of acreage equivalent to the area disturbed, throughout the farm property for current and future agricultural purposes;
4. The Department shall administer the Farmland Restoration Plan. Such Farmland Restoration Plan shall be prepared by a soil scientist who is approved by the Department of Agriculture, and is currently on contract with a Conservation District located in Connecticut, for the purposes of preparation and review of Farmland Restoration Plans;
5. Greenskies shall be responsible for the costs of the farmland restoration work;
6. In consultation with the Department of Agriculture, Greenskies shall conduct at least two co-location or dual-use agricultural activities on the site. Such co-location or dual-use activities shall include but are not limited to, creating native pollinator habitat, beekeeping, small livestock grazing, and select crop propagation; and
7. Any/all agricultural research reports by the University of Connecticut, University of Connecticut Cooperative Extension, and/or the Connecticut Agricultural Experiment Station of the dual-use agricultural activities conducted on the site shall be submitted to the Department.

While the Department of Agriculture believes any loss of prime farmland is of concern, we also fully appreciate that agricultural producers need to have the ability to make business decisions that are in the best interest of their farms and their families. With these reasonable mitigation steps, this project should be allowed to proceed with the Council's declaratory ruling process. Please contact Stephen Anderson if you have any questions or concerns regarding this letter.

Sincerely,



Bryan P. Hurlburt
Commissioner

cc: *Lee D. Hoffman, Esq., Pullman & Comley, LLC*
Gina Wolfman, Greenskies Renewable Energy, LLC
Stephen Anderson, Connecticut Department of Agriculture
Cameron Weimar, Connecticut Department of Agriculture

+

GREENSKIES RENEWABLE ENERGY, LLC
STONINGTON
CERTIFICATION OF SERVICE TO GOVERNMENT ENTITIES
CT SITING COUNCIL

<u>GOVERNMENT NAME / ENTITY</u>	MAILED From P & C via Certified Mail	RETURN RECEIPT BACK [Green Card]
<u>TOWN OF STONINGTON</u>	08/15/19	
Robert Simmons, First Selectman 152 Elm Street Stonington, CT 06378		
Cynthia Ladwig, Town Clerk 152 Elm Street Stonington, CT 06378	08/15/19	
Stuart Cole, Chair Conservation Commission 173 South Broad St. Pawcatuck, CT 06379	08/15/19	
David Rathbun, Chairman Planning and Zoning Commission 152 Elm Street Stonington, CT 06378	08/15/19	
Dave Hammond, Chairman Economic Development Commission 166 So. Broad St. Pawcatuck, CT 06379	08/15/19	
Howard Reichart, Member Inland Wetlands & Water Courses Commission 152 Elm Street Stonington, CT 06378	08/15/19	
Jason Vincent, AICP, Director of Planning 152 Elm Street Stonington, CT 06378	08/15/19	
Candace Palmer Zoning/Inland Wetland Enforcement Officer 152 Elm Street Stonington, CT 06378	08/15/19	

GREENSKIES RENEWABLE ENERGY, LLC
STONINGTON
CERTIFICATION OF SERVICE TO GOVERNMENT ENTITIES
CT SITING COUNCIL

<u>GOVERNMENT NAME / ENTITY</u>	MAILED From P & C via Certified Mail	RETURN RECEIPT BACK [Green Card]
Lawrence Stannard, Building Official 152 Elm Street Stonington, CT 06378	08/15/19	
SOUTHEASTERN CONNECTICUT COUNCIL OF GOVERNMENTS Attn: Chairman Tom Sparkman, Lisbon 5 Connecticut Avenue Norwich, CT 06360-4592	08/15/19	
<u>STATE GOVERNMENT</u>		
Office of the Attorney General State of Connecticut Attorney General William Tong 55 Elm Street Hartford, CT 06106	08/15/19	
Senator Richard Blumenthal 90 State House Square, 10 th Floor Hartford, CT 06103	08/15/19	
Senator Christopher Murphy Colt Gateway 120 Huyshope Avenue Suite 401 Hartford, CT 06106	08/15/19	
Joe Courtney 101 Water Street Suite 301 Norwich, CT 06360	08/15/19	
State Senator Heather Somers Room 3104 Legislative Office Building 300 Capitol Avenue Hartford, CT 06106	08/15/19	

GREENSKIES RENEWABLE ENERGY, LLC
STONINGTON
CERTIFICATION OF SERVICE TO GOVERNMENT ENTITIES
CT SITING COUNCIL

<u>GOVERNMENT NAME / ENTITY</u>	MAILED From P & C via Certified Mail	RETURN RECEIPT BACK [Green Card]
State Representative Kate Rotella Room 4000 Legislative Office Building 300 Capitol Avenue Hartford, CT 06106	08/15/19	
<u>STATE AGENCIES</u>		
State of Connecticut Department of Energy and Environmental Protection Katie Dykes, Commissioner 79 Elm Street Hartford, CT 06106	08/15/19	
State of Connecticut Department of Public Health c/o Renee D. Coleman-Michell, Commissioner 410 Capitol Avenue Hartford, CT 06134	08/15/19	
State of Connecticut Council on Environmental Quality c/o Susan D. Merrow, Chair 79 Elm Street Hartford, CT 06106	08/15/19	
State of Connecticut Department of Agriculture c/o Bryan P. Hurlburt, Commissioner Department of Agriculture 450 Columbus Blvd, Suite 701 Hartford, CT 06103	08/15/19	
State of Connecticut Public Utility Regulatory Authority c/o Miachael Caron, Commissioner Ten Franklin Square New Britain, CT 06051	08/15/19	

GREENSKIES RENEWABLE ENERGY, LLC
STONINGTON
CERTIFICATION OF SERVICE TO GOVERNMENT ENTITIES
CT SITING COUNCIL

<u>GOVERNMENT NAME / ENTITY</u>	MAILED From P & C via Certified Mail	RETURN RECEIPT BACK [Green Card]
State of Connecticut Office of Policy and Management Melissa McCaw, Secretary Office of Policy and Management 450 Capitol Avenue Hartford, CT 06106	08/15/19	
State of Connecticut Department of Economic and Community Development David Lehman, DECD Commissioner 450 Columbus Boulevard Hartford, CT 06103	08/15/19	
State of Connecticut Department of Transportation c/o Joseph Giuletti, Commissioner 2800 Berlin Turnpike Newington, CT 06111	08/15/19	
Connecticut Department of Emergency Services and Public Protection James Rovella, Commissioner 1111 Country Club Road Middletown, CT 06457	08/15/19	
State of Connecticut Department of Consumer Protection Michelle Seagull, Commissioner 450 Columbus Boulevard, Suite 901 Hartford, Connecticut 06103-1840	08/15/19	
Connecticut Department of Administrative Services Josh Geballe, Commissioner Department of Administrative Services 450 Columbus Boulevard Hartford CT, 06103	08/15/19	

GREENSKIES RENEWABLE ENERGY, LLC
STONINGTON
CERTIFICATION OF SERVICE TO GOVERNMENT ENTITIES
CT SITING COUNCIL

<u>GOVERNMENT NAME / ENTITY</u>	MAILED From P & C via Certified Mail	RETURN RECEIPT BACK [Green Card]
State of Connecticut Department of Labor Kurt Westby, Commissioner 200 Folly Brook Boulevard Wethersfield, CT 06109	08/15/19	

**35 TAUGWONK SPUR, STONINGTON
GREENSKIES
ABUTTER NOTIFICATION VIA CERTIFIED MAIL**

<u>SITE ADDRESS</u>	ABUTTERS: ADDRESS PROPERTY ID	ABUTTING PROPERTY OWNER (MAILING ADDRESS FOR NOTIFICATION)	MAILED From P & C via Certified Mail	RETURN RECEIPT BACK [Green Card]	<u>NOTES:</u>
35 TAUGWONK SPUR ROAD. STONINGTON CT MBLU 84-1-2A PID : ACCT# 00707301 7.67 acres Zone – LI-130	OWNER OF SITE PROPERTY: WAYNE & SUZANNE ROBINSON 35 TAUGWONK SPUR ROAD STONINGTON, CT 06378	Current assessor card = WAYNE & SUZANNE ROBINSON 35 TAUGWONK SPUR ROAD STONINGTON, CT 06378	08/15/19		OWN TWO PARCELS
MBLU 84-1-2 PID : ACCT# 00707300 86.78 acres Zone – LI-130	TAUGWONK SPUR ROAD STONINGTON	WAYNE & SUZANNE ROBINSON 35 TAUGWONK SPUR ROAD STONINGTON, CT 06378			
	TAUGWONK ROAD STONINGTON MBLU 85-2-1 PID : ACCT# 00850500 38.2 acres Zone – LI-130	ISOBEL SCHULTZ & SUZANNE TOCZKO 3 BEECHWOOD HOLLOW BRADFORD, RI 02808	08/15/19		
	9 TAUGWONK SPUR ROAD. STONINGTON MBLU 84-1-1A PID : ACCT# 00833000 4.6 acres Zone – LI-130	ROBERT J. JR. & LOUISE ANN TIRRELL 9 TAUGWONK SPUR ROAD STONINGTON, CT 06378	08/15/19		

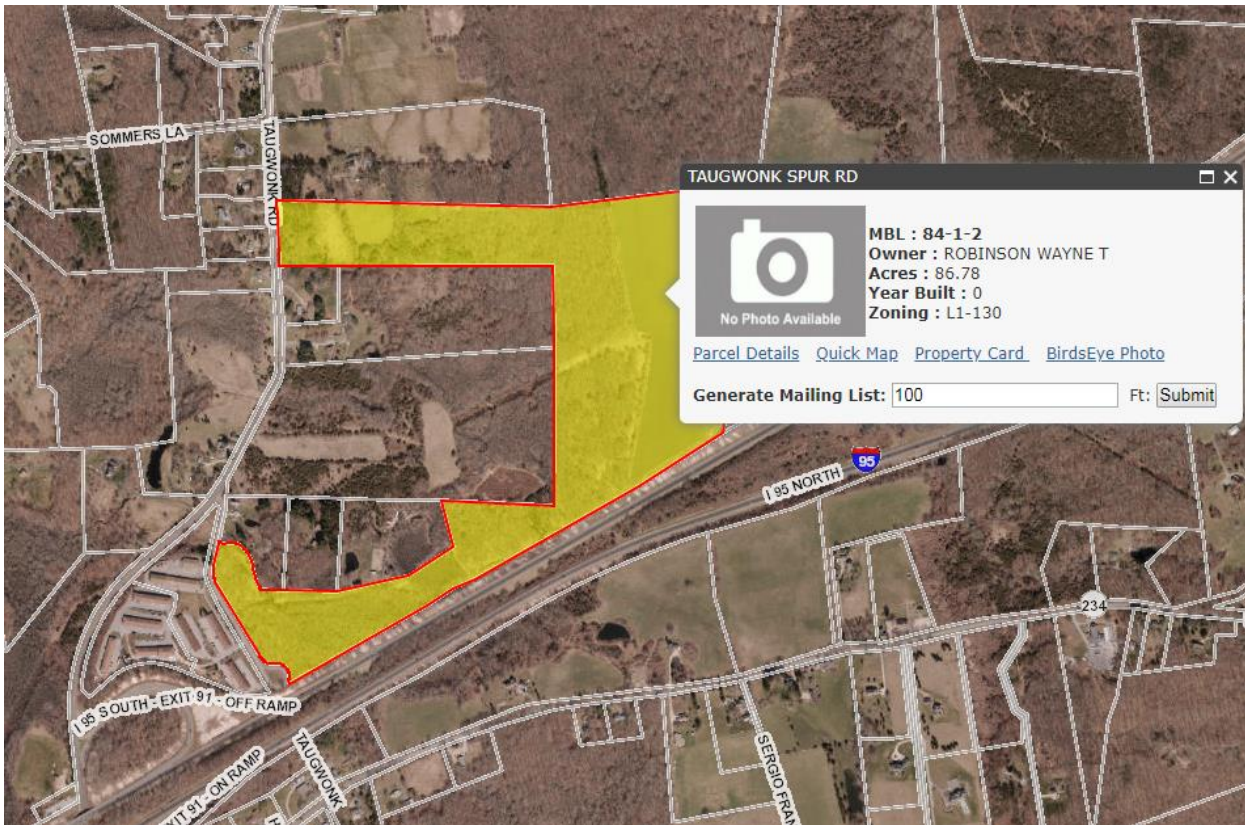
<u>SITE ADDRESS</u>	ABUTTERS: ADDRESS PROPERTY ID	ABUTTING PROPERTY OWNER (MAILING ADDRESS FOR NOTIFICATION)	MAILED From P & C via Certified Mail	RETURN RECEIPT BACK [Green Card]	<u>NOTES:</u>
	5 TAUGWONK SPUR ROAD. STONINGTON MBLU 84-1-1 PID : ACCT# 00832900 4.32 acres Zone – LI-130	KENNETH & LISA TIRRELL 258 ELM RIDGE RD PAWCATUCK CT 06379	08/15/19		
	166 TAUGWONK ROAD STONINGTON MBLU 71-1-1A PID : ACCT# 00875600 19.7 acres Zone – LI-130	BURT & DIANE McKINLEY 166 TAUGWONK ROAD STONINGTON, CT 06378	08/15/19		OWN TWO PARCELS
	182 TAUGWONK ROAD STONINGTON MBLU 71-1-1 PID : ACCT# 00876800 3 acres Zone – LI-130				
	212 TAUGWONK ROAD STONINGTON MBLU 70-1-5 PID : ACCT# 00673500 23.81 acres Zone – LI-130	ROGER & CHERYL PRESTON 9 LOCKE HILL LA AMESBURY MA 01913-5609	08/15/19		

<u>SITE ADDRESS</u>	<u>ABUTTERS:</u> ADDRESS PROPERTY ID	ABUTTING PROPERTY OWNER (MAILING ADDRESS FOR NOTIFICATION)	MAILED From P & C via Certified Mail	RETURN RECEIPT BACK [Green Card]	<u>NOTES:</u>
	236 TAUGWONK ROAD STONINGTON MBLU 70-1-4 PID : ACCT# 00657300 82.61 acres Zone – LI-130	STONINGTON LAND TRUST INC. P O BOX 812 STONINGTON CT 06378	08/15/19		
	PEQUOT TRAIL STONINGTON MBLU 61-1-1 PID : ACCT# 00608900 4.6 acres Zone – GB-130	STEPHEN NICHOLS IRREVOCABLE TRUST 340 COLONEL LEDYARD HWY LEDYARD CT 06339	08/15/19		OWN TWO PARCELS
	PEQUOT TRAIL STONINGTON MBLU 62-1-1 PID : ACCT# 00608901 69 acres Zone – GB-130	STEPHEN NICHOLS IRREVOCABLE TRUST 340 COLONEL LEDYARD HWY LEDYARD CT 06339			
	INTERSTATE 95	CT DOT 2800 Berlin Turnpike, Newington, CT 06111	08/15/19		



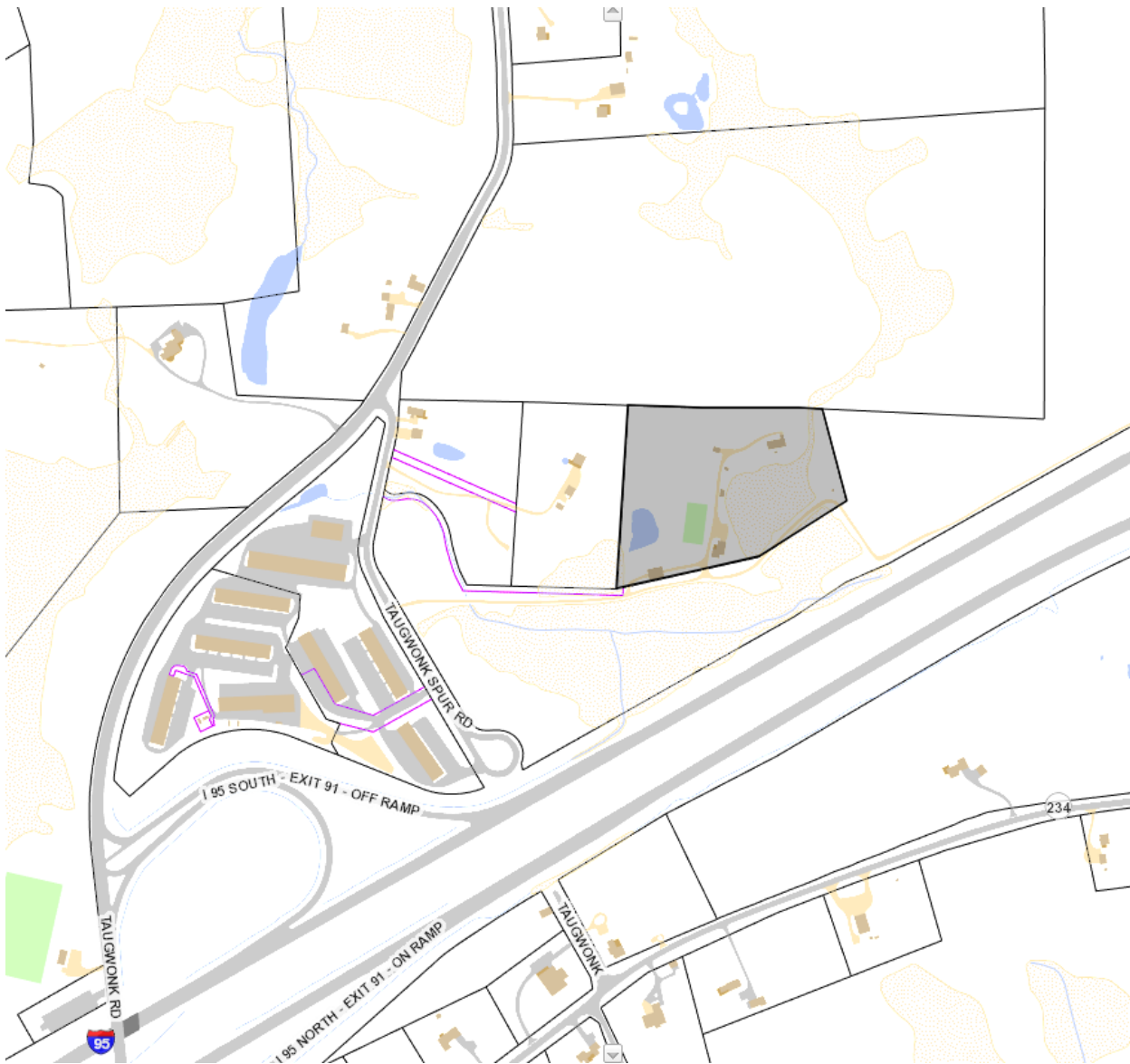
**35 TAUGWONK SPUR ROAD, STONINGTON, CT
84-1-2A (7.67 acres)**

SITE PROPERTY 1 (2016 AIRPHOTO)



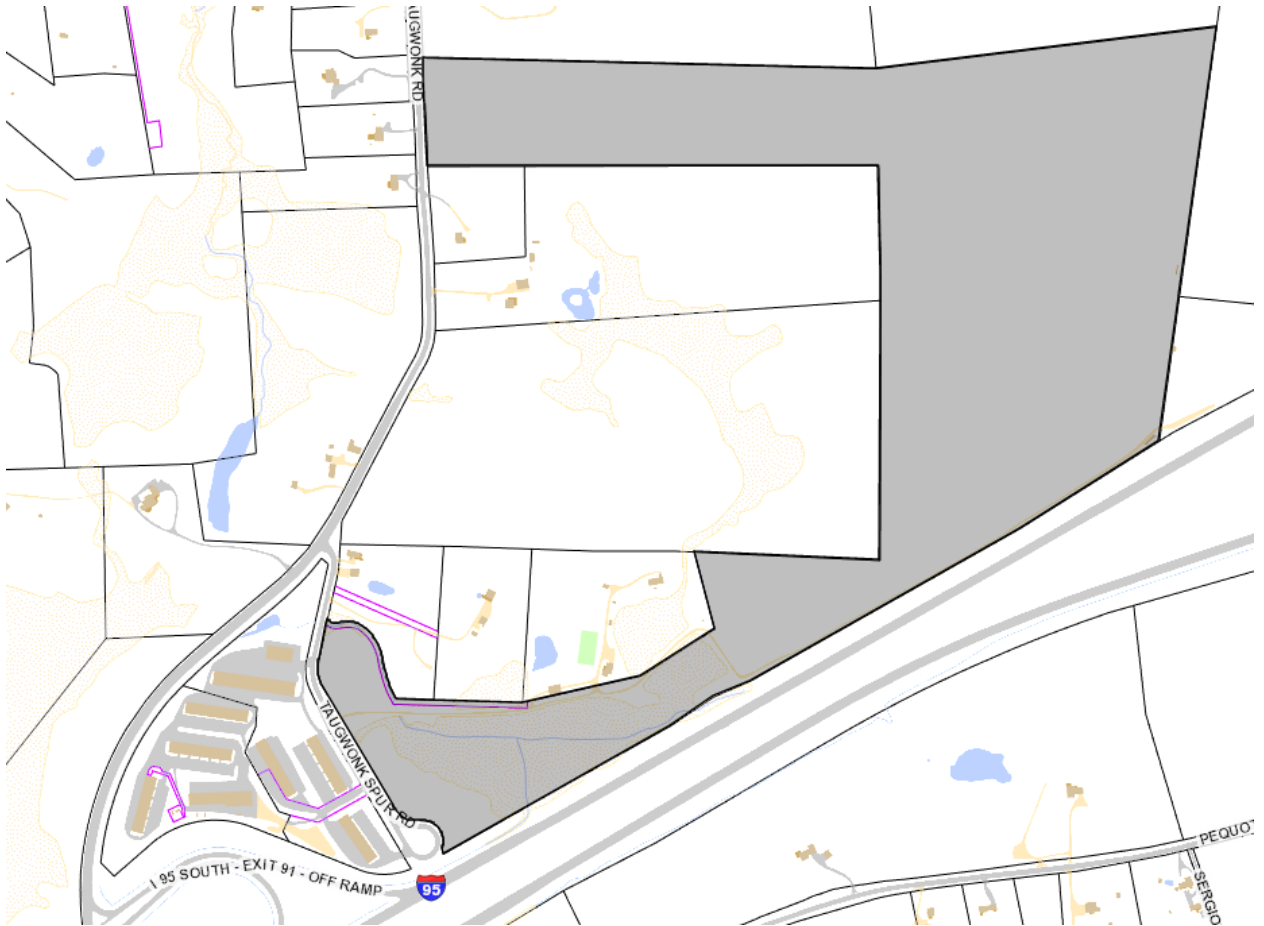
TAUGWONK SPUR ROAD, STONINGTON, CT
84-1-2 (86.78 acres)

SITE PROPERTY 2 (2016 AIRPHOTO)



35 TAUGWONK SPUR ROAD, STONINGTON, CT
84-1-2A (7.67 acres)

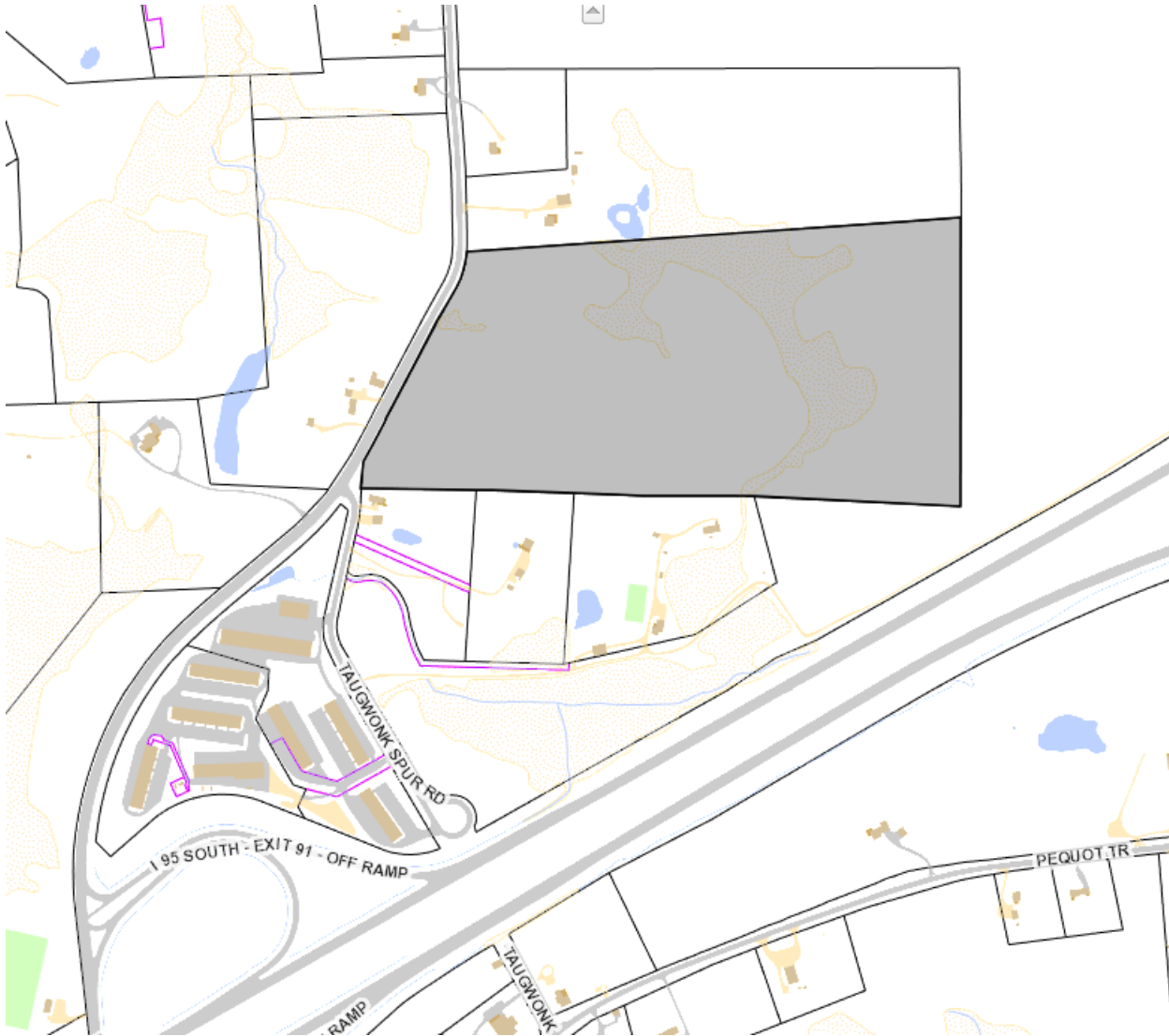
SITE PROPERTY 1 (TOWN GIS)



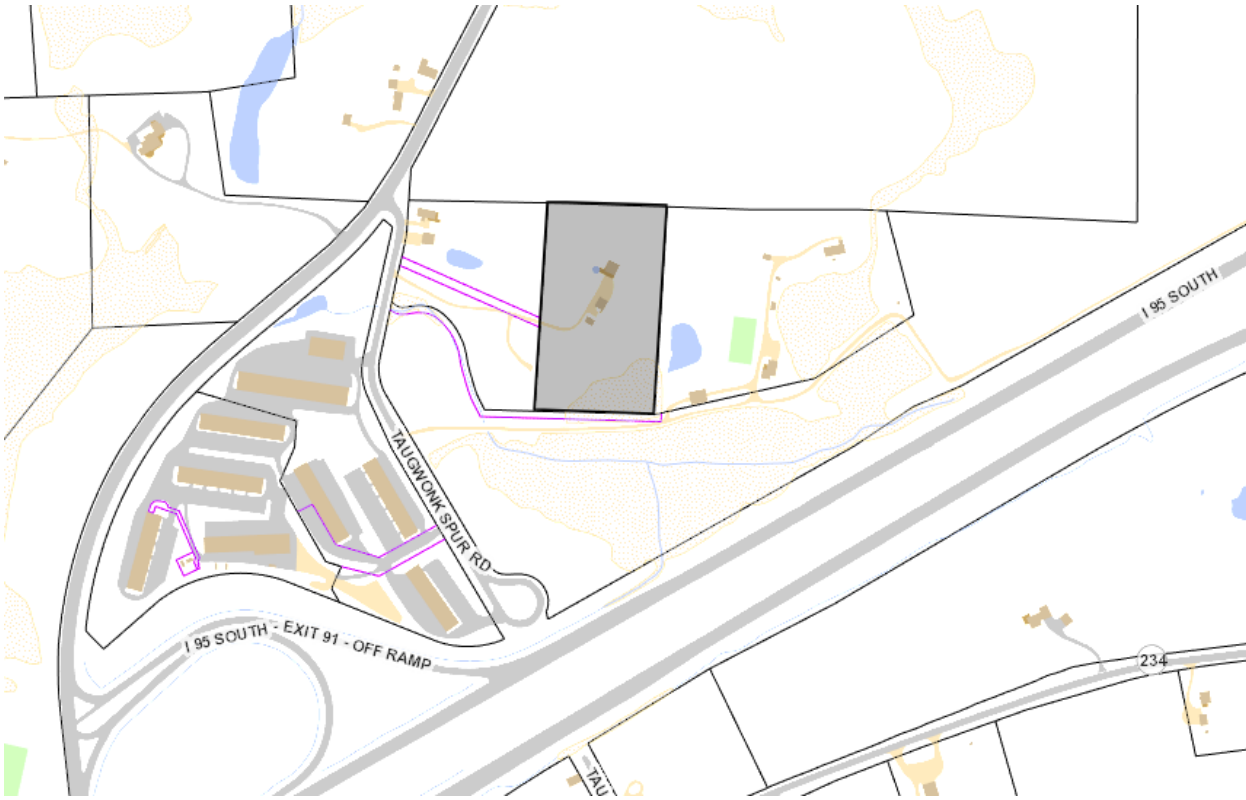
TAUGWONK SPUR ROAD, STONINGTON, CT
84-1-2 (86.78 acres)

SITE PROPERTY 2 (TOWN GIS)

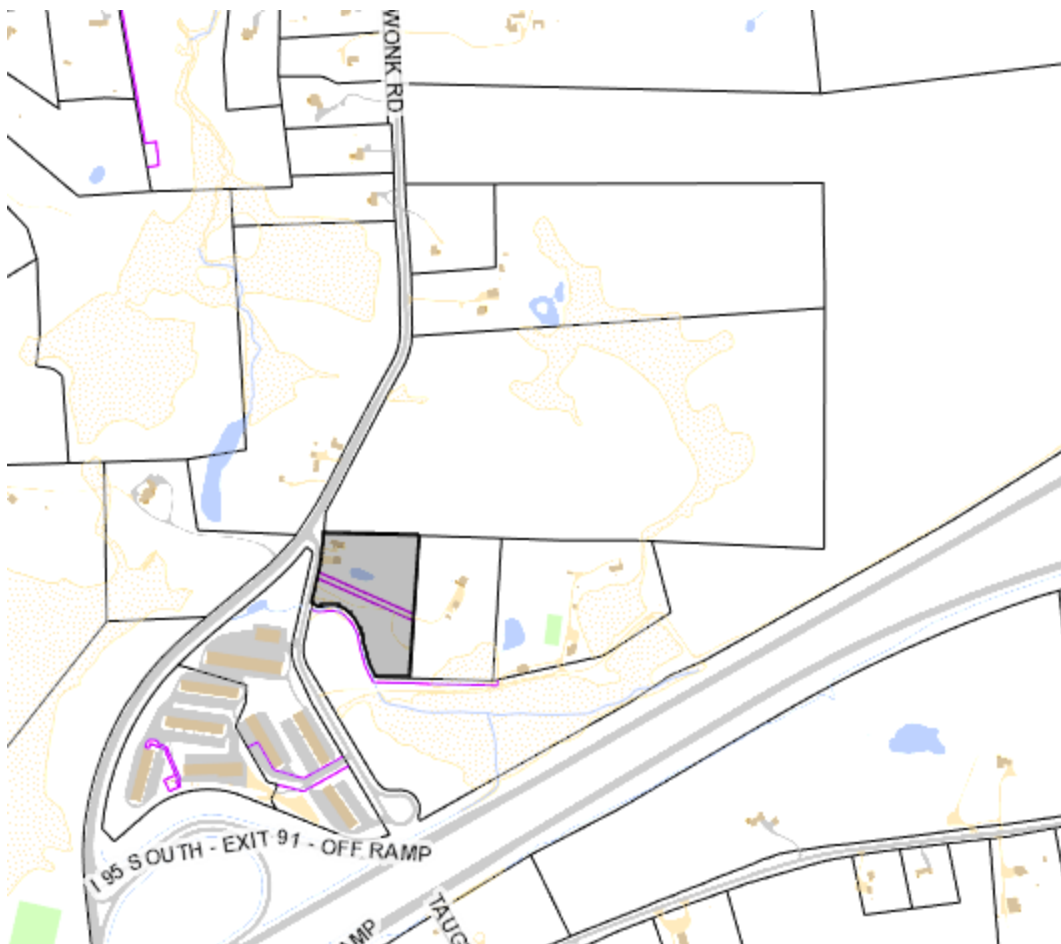
ABUTTING PROPERTIES



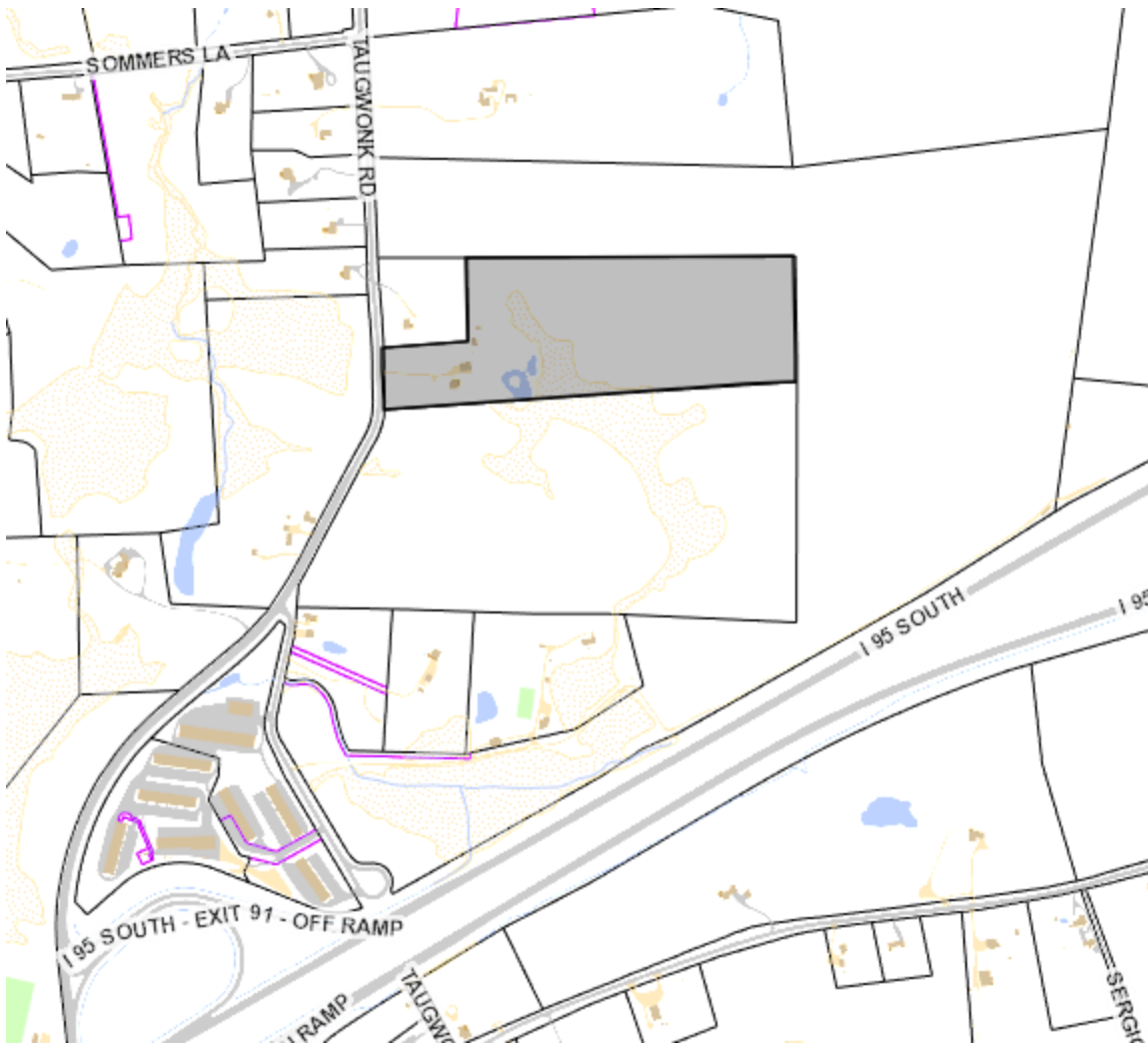
TAUGWONK ROAD, STONINGTON, CT
85-2-1 (38.2 acres)



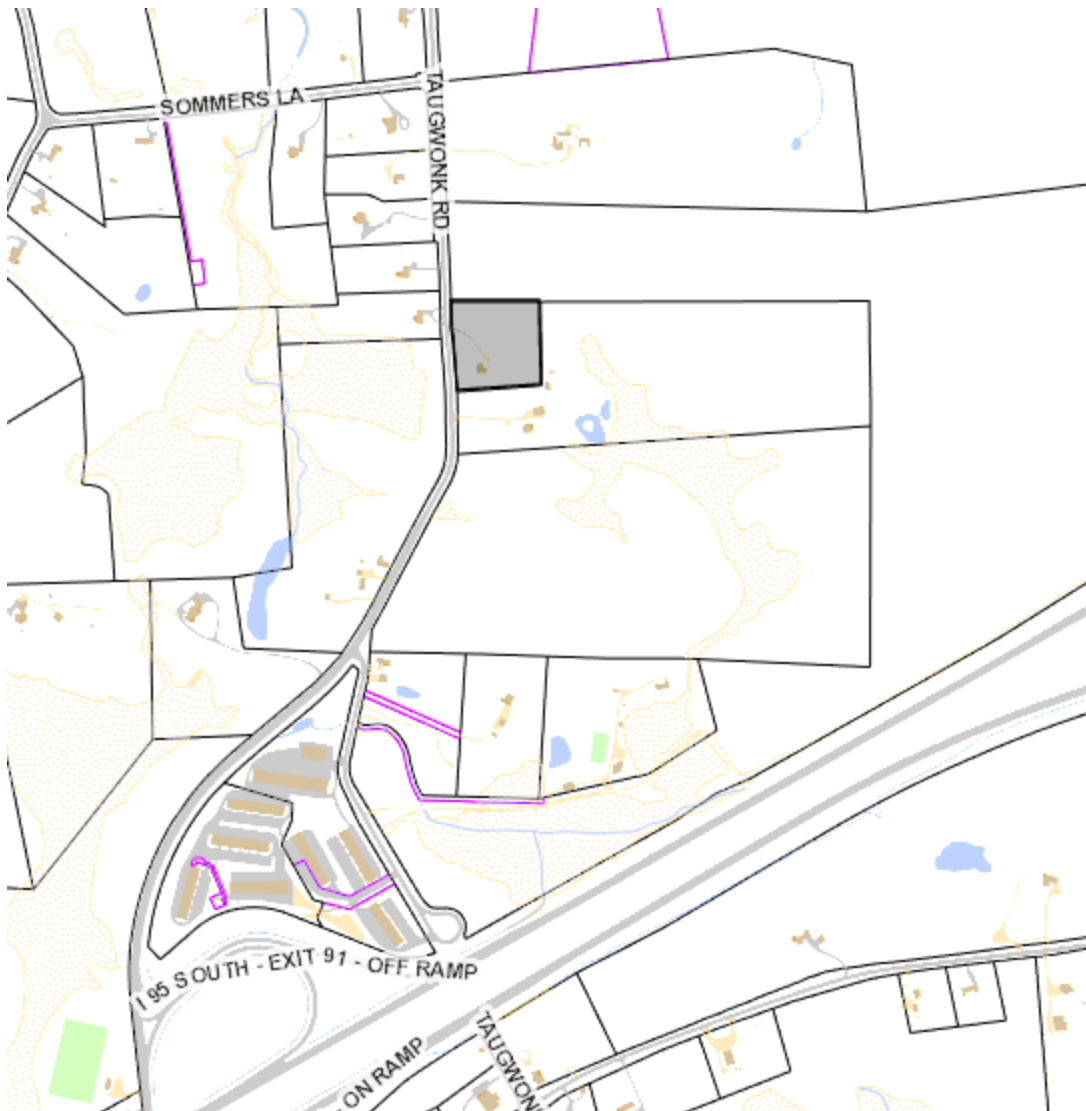
9 TAUGWONK SPUR ROAD. STONINGTON, CT
84-1-1A (4.6 acres)



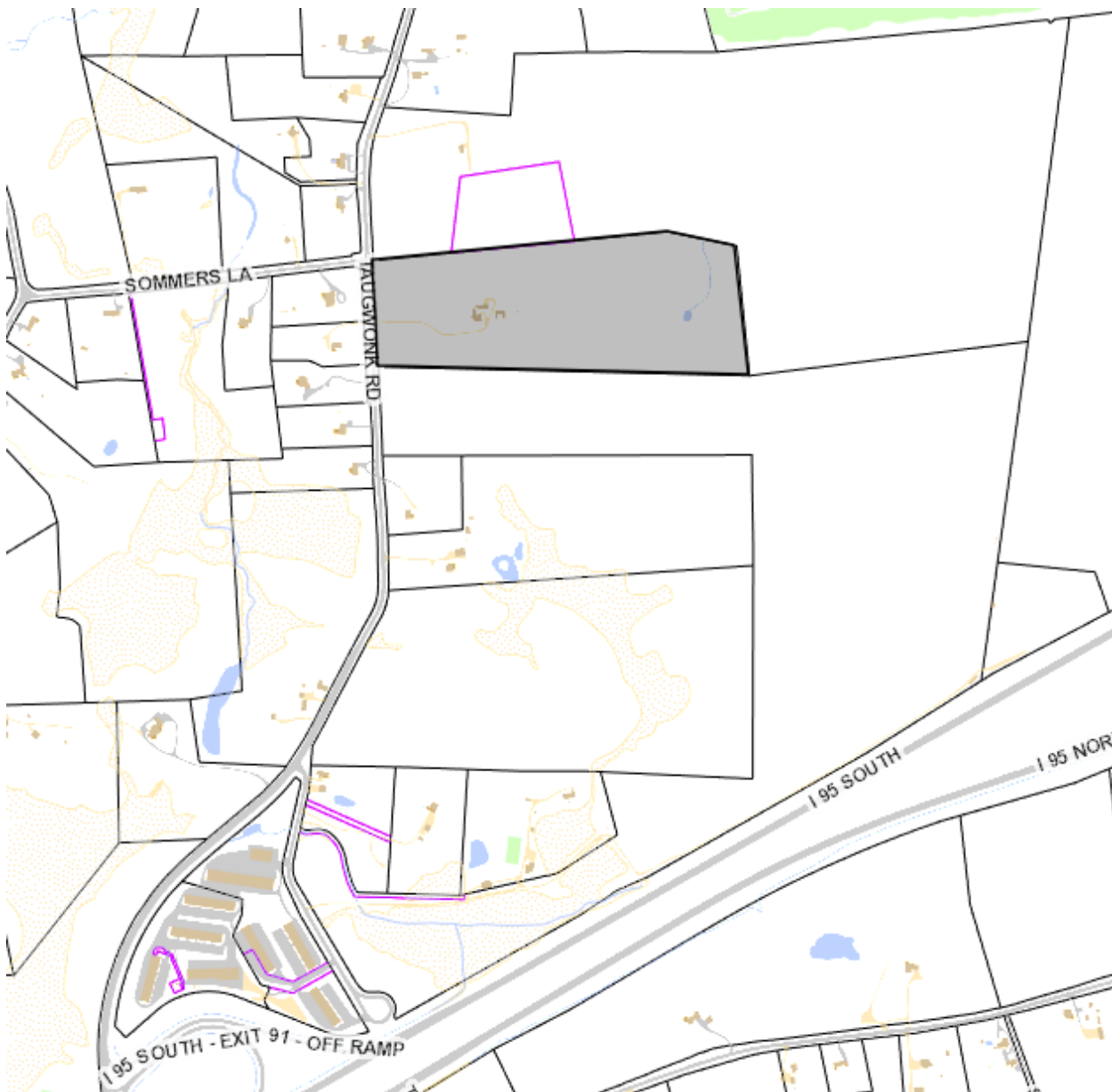
5 TAUGWONK SPUR ROAD. STONINGTON, CT
84-1-1 (4.32 acres)



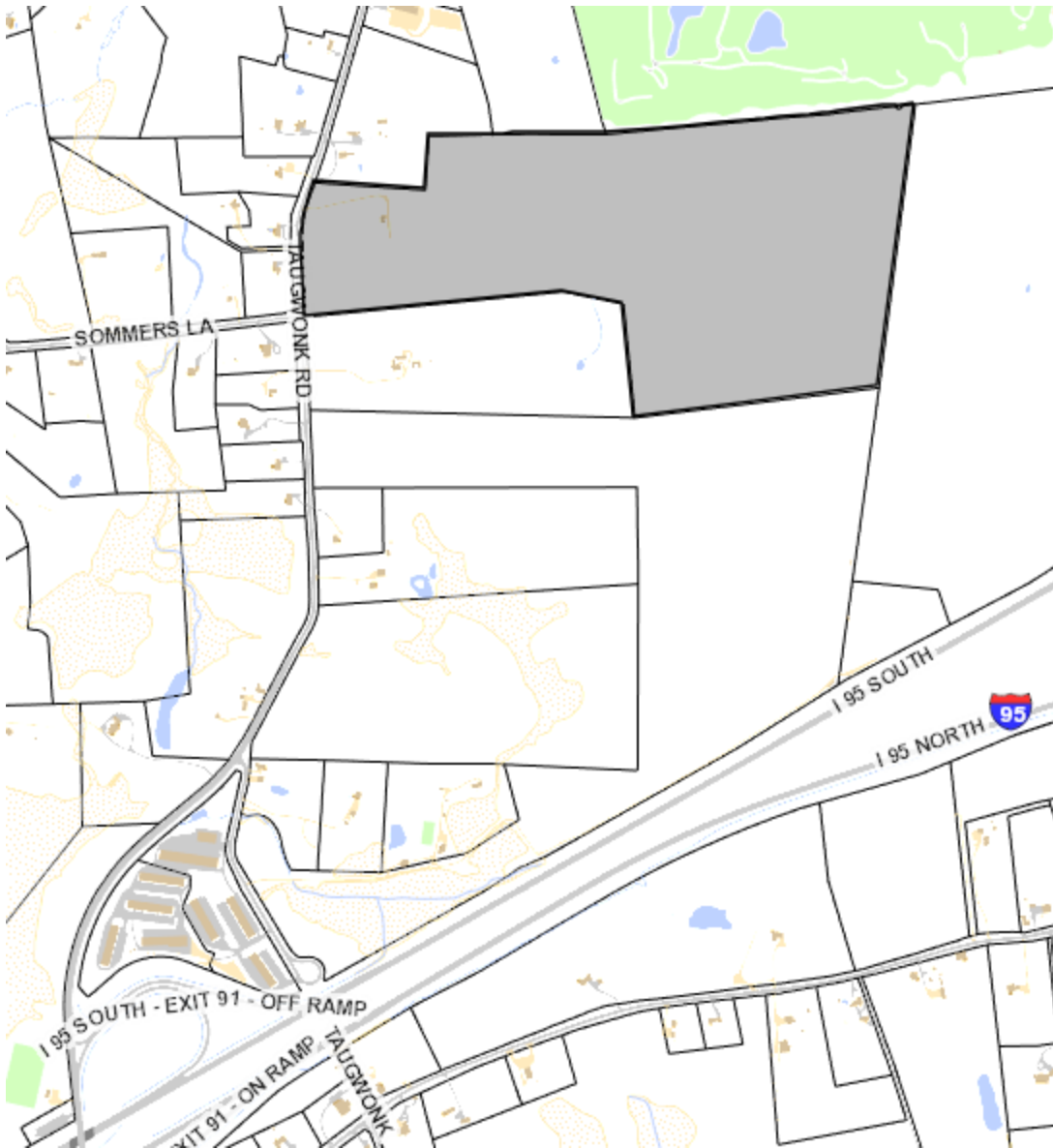
166 TAUGWONK ROAD, STONINGTON, CT
71-1-1A (19.7 acres)



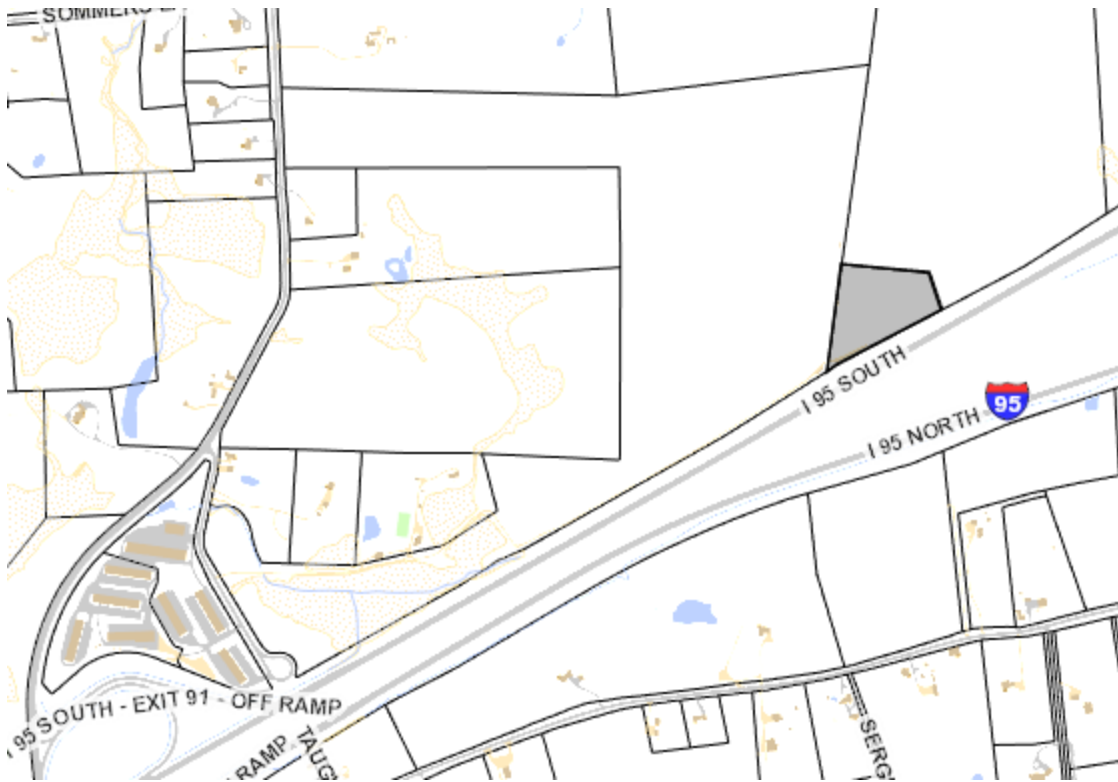
182 TAUGWONK ROAD, STONINGTON, CT
71-1-1 (3 acres)



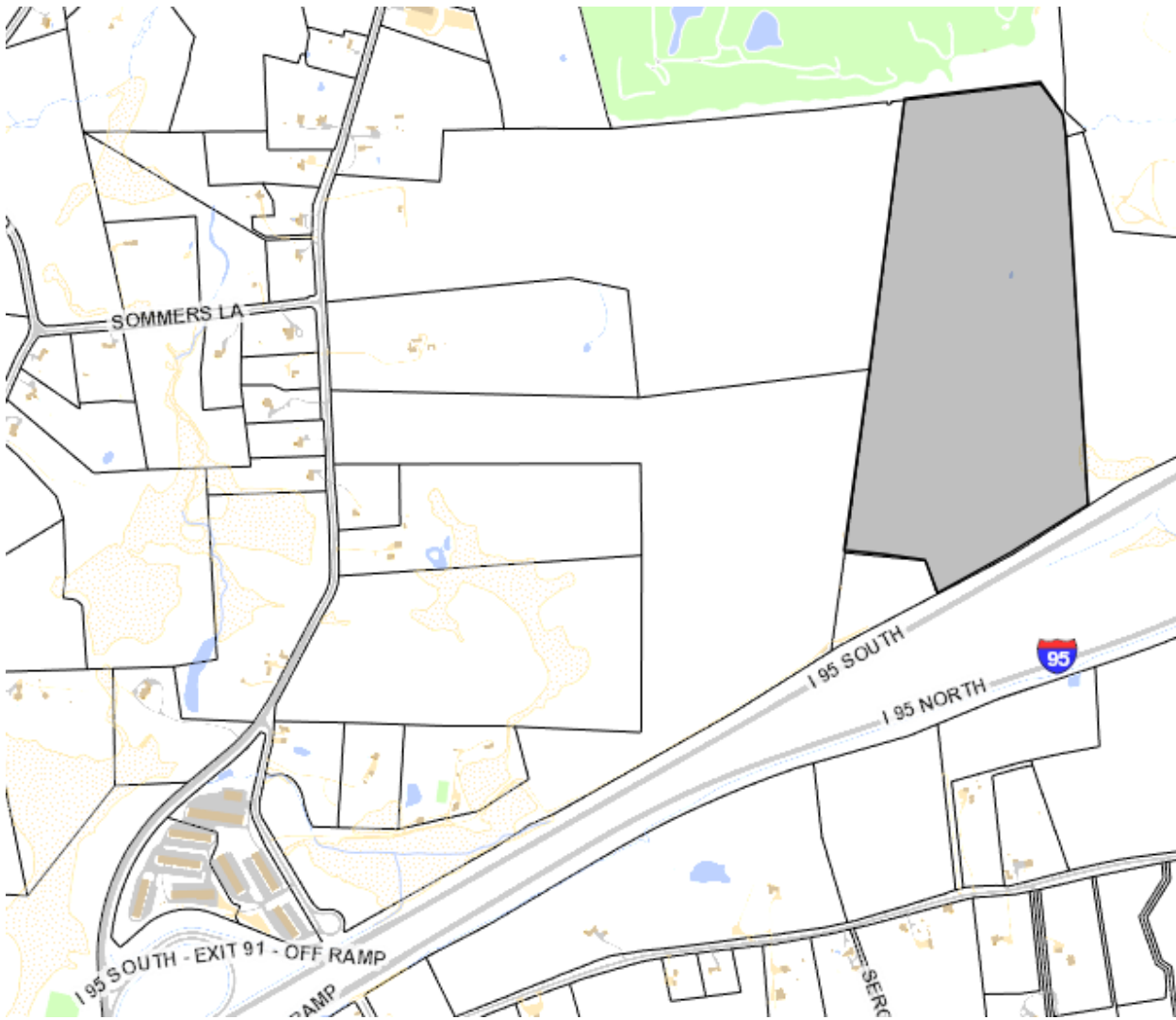
212 TAUGWONK ROAD, STONINGTON, CT
70-1-5 (23.81 acres)



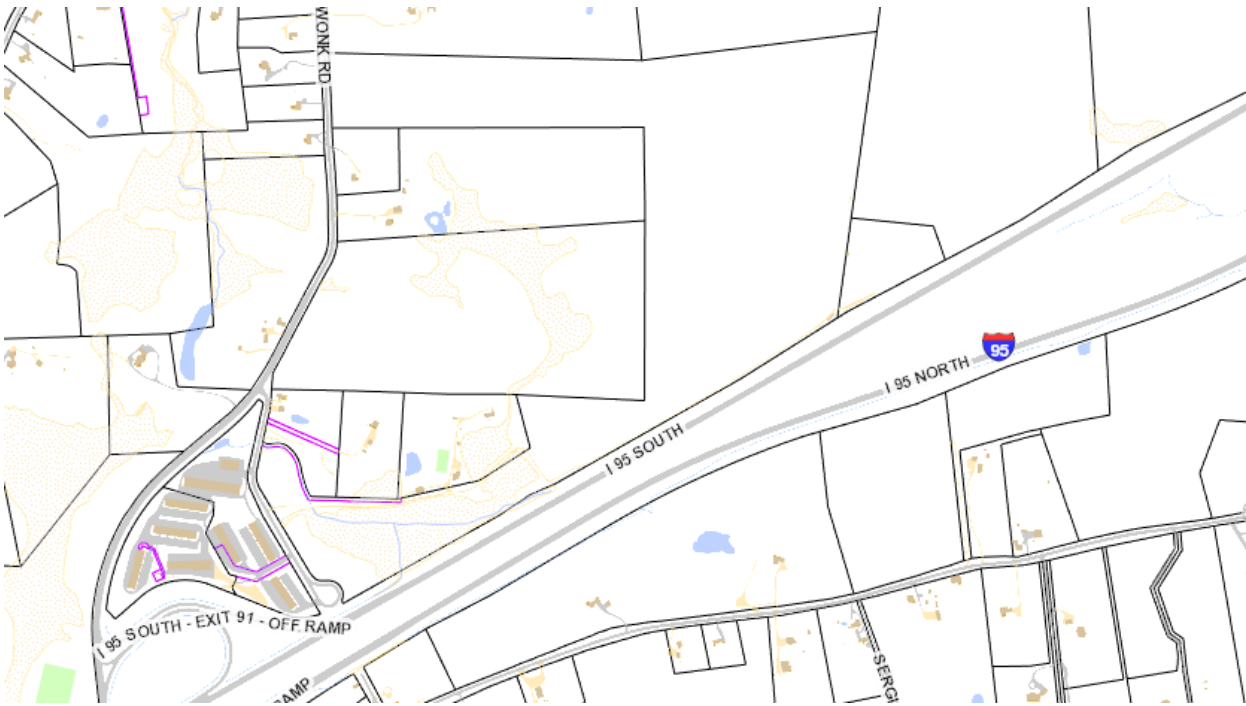
236 TAUGWONK ROAD, STONINGTON, CT
70-1-4 (82.61 acres)



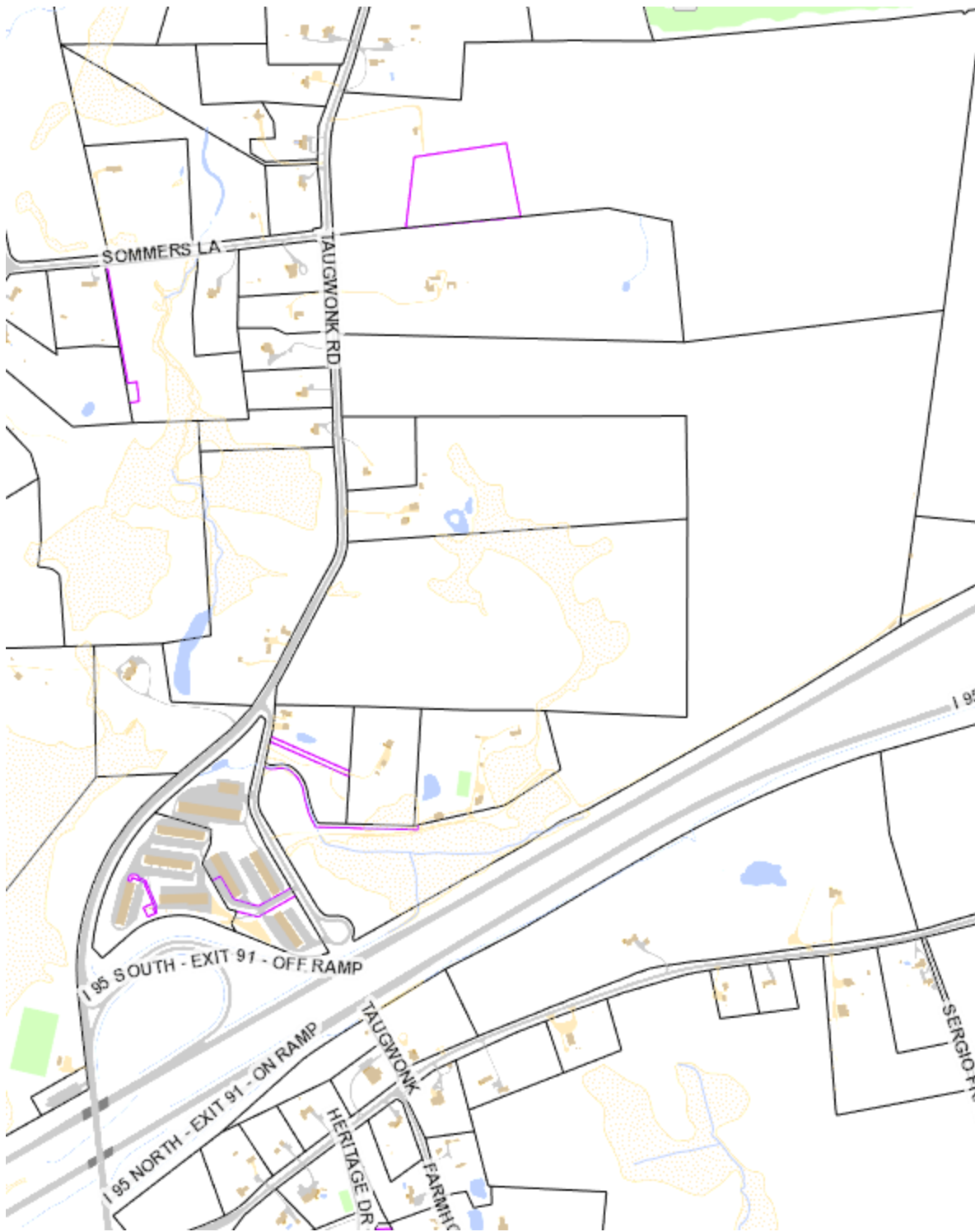
PEQUOT TRAIL, STONINGTON, CT
61-1-1 (4.6 acres)



PEQUOT TRAIL, STONINGTON, CT
62-1-1 (69 acres)



INTERSTATE 95, STONINGTON, CT (CT DOT)



ACTIVE/74725.52/KSHEATHELM/8295090v1

Gina Wolfman

Subject: FW: Stonington Project

From: Hoffman, Lee D. [mailto:LHoffman@PULLCOM.COM]

Sent: Wednesday, July 31, 2019 6:52 PM

To: Christopher Ross (cross@greenskies.com) <cross@greenskies.com>; Gina Wolfman <gina.wolfman@cleanfocus.us>; Jean-Paul La Marche <jean-paul.lamarche@cleanfocus.us>

Subject: FW: Stonington Project

Please see below. I have been assured that this e-mail is sufficient for us to file a Petition, rather than an Application, at least as far as the DEEP is concerned.....

Lee D. Hoffman, Esq.
Pullman & Comley LLC

T 860 424 4315 • lhoffman@pullcom.com

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From: Martin, Christopher [mailto:Christopher.Martin@ct.gov]

Sent: Wednesday, July 31, 2019 1:28 PM

To: Hoffman, Lee D.

Subject: RE: Stonington Project

Thanks for the additional details. Based upon the current plans a field review is not necessary for the core forest determination. You may wish to contact storm water general permit staff for a pre submission consultation though.

Once a petition has been submitted to the Siting Council with the final plans we will look again if there are any core forest material impact concerns.

From: Hoffman, Lee D. <LHoffman@PULLCOM.COM>

Sent: Tuesday, July 30, 2019 10:54 AM

To: Martin, Christopher <Christopher.Martin@ct.gov>

Subject: RE: Stonington Project

Chris,

Thank you very much for the quick turnaround and feedback on this matter. It is greatly appreciated.

What I sent you were preliminary designs that were close to being final Siting Council submissions. I do expect some minor changes to these designs, however, I do not expect significant changes from what was sent, at least as far as forest issues are concerned.

Given the Department's findings, along with the draft findings of the Department of Agriculture, it is Greenskies' intention to file a petition with the Siting Council in early to mid-August. In order for Greenskies to do that, pursuant to Public Act 17-218, Greenskies would require a letter from the Department saying that there is no material impact to

core forest as presented. That letter can go to us for incorporation into the petition or be sent to the Siting Council directly.

Please let me know what the Department would require before it would be willing to submit such a letter. If the Department requires a field review, let's schedule that for as soon as is convenient for you.

Give me a call at your convenience if you wish to discuss this further.

Best regards,
Lee

Lee D. Hoffman
Attorney

Pullman & Comley LLC
90 State House Square
Hartford, CT 06103-3702
T 860 424 4315 • M 860-306-9843 • F 860 424 4370
lhoffman@pullcom.com • www.pullcom.com

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BRIDGEPORT HARTFORD SPRINGFIELD STAMFORD WATERBURY WESTPORT WHITE PLAINS

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From: Martin, Christopher [<mailto:Christopher.Martin@ct.gov>]
Sent: Monday, July 29, 2019 1:00 PM
To: Hoffman, Lee D.
Subject: RE: Stonington Project

Hi Lee,

Our DEEP Wildlife Division reviewed the provided map and found no material impact to core forest as presented. If this project results in an application to the Siting Council another review will be necessary but if no changes are proposed as currently presented the finding should remain the same.

Christopher R. Martin
Director/State Forester
Division of Forestry
Bureau of Natural Resources
Connecticut Department of Energy and Environmental Protection
79 Elm Street, Hartford, CT 06106-5127
P: 860.424-3630 | E: christopher.martin@ct.gov



Connecticut Department of
**ENERGY &
ENVIRONMENTAL
PROTECTION**

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*Conserving, improving and protecting our natural resources and environment;
Ensuring a clean, affordable, reliable, and sustainable energy supply.*

www.ct.gov/deep/forestry

From: Hoffman, Lee D. <LHoffman@PULLCOM.COM>
Sent: Wednesday, July 24, 2019 4:11 PM
To: Martin, Christopher <Christopher.Martin@ct.gov>
Subject: FW: Stonington Project

Chris,

Thank you for taking my call yesterday to discuss the project in Stonington. Attached is a map of the project site, with the core forest pieces overlain.

Please contact me at your convenience so we can discuss further.

Thank you.

Lee

Lee D. Hoffman
Attorney

Pullman & Comley LLC
90 State House Square
Hartford, CT 06103-3702
T 860 424 4315 • M 860-306-9843 • F 860 424 4370
lhoffman@pullcom.com • www.pullcom.com

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BRIDGEPORT HARTFORD STAMFORD WATERBURY WESTPORT WHITE PLAINS

Please consider the environment before printing this message.

Gina Wolfman

Subject: FW: Stonington Project
Attachments: Core Forest Map.pdf; 201908275-Stonington_Spur Rd_sitemap.pdf

----- Original message -----

From: "Martin, Christopher" <Christopher.Martin@ct.gov>
Date: 7/29/19 1:02 PM (GMT-05:00)
To: "Hoffman, Lee D." <LHoffman@PULLCOM.COM>
Subject: RE: Stonington Project

Hi Lee,

Our DEEP Wildlife Division reviewed the provided map and found no material impact to core forest as presented. If this project results in an application to the Siting Council another review will be necessary but if no changes are proposed as currently presented the finding should remain the same.

Christopher R. Martin
Director/State Forester
Division of Forestry
Bureau of Natural Resources
Connecticut Department of Energy and Environmental Protection
79 Elm Street, Hartford, CT 06106-5127
P: 860.424-3630 | E: christopher.martin@ct.gov



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*Conserving, improving and protecting our natural resources and environment;
Ensuring a clean, affordable, reliable, and sustainable energy supply.*

www.ct.gov/deep/forestry

From: Hoffman, Lee D. <LHoffman@PULLCOM.COM>
Sent: Wednesday, July 24, 2019 4:11 PM
To: Martin, Christopher <Christopher.Martin@ct.gov>
Subject: FW: Stonington Project

Chris,

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Thank you.

Lee

Lee D. Hoffman
Attorney

Pullman & Comley LLC
90 State House Square
Hartford, CT 06103-3702
T 860 424 4315 • M 860-306-9843 • F 860 424 4370
lhoffman@pullcom.com • www.pullcom.com

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BRIDGEPORT HARTFORD STAMFORD WATERBURY WESTPORT WHITE PLAINS

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