



STATE OF CONNECTICUT

CONNECTICUT SITING COUNCIL

Ten Franklin Square, New Britain, CT 06051

Phone: (860) 827-2935 Fax: (860) 827-2950

E-Mail: siting.council@ct.gov

www.ct.gov/csc

VIA ELECTRONIC MAIL

October 15, 2019

TO: Parties and Intervenors

FROM: Melanie Bachman, Executive Director *MAB*

RE: **PETITION NO. 1380** – LSE Delphinus, 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 1.992-megawatt AC solar photovoltaic electric generating facility on approximately 9.86 acres located generally east of Powder Hill Road north of the intersection with Monroe Road and Abbe Road in Enfield, Connecticut and associated electrical interconnection.

Comments have been received from the Connecticut Department of Energy and Environmental Protection, dated October 11, 2019. A copy of the comments is attached for your review.

MAB/RDM/laf

c: Council Members



October 11, 2019

Connecticut Siting Council
10 Franklin Square
New Britain, Connecticut 06051

RE: 1.922 MW Solar Photovoltaic Facility
LSE Delphinus LLC (Lodestar Energy LLC)
Enfield, Connecticut
Petition No. 1380

Dear Members of the Connecticut Siting Council:

Staff of the Department of Energy and Environmental Protection (DEEP) reviewed the above referenced petition for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need will be required for the proposed construction, maintenance, and operation of a 1.922 MW AC solar photovoltaic electric generation facility. This project was submitted into the statewide competitive LREC/ ZREC solicitation and granted an award from Eversource on December 29, 2017. This location fits several criteria that DEEP has identified for solar production: re-use of a disturbed site, not located within a known Natural Diversity Database Area, no wetlands within the project footprint, minimal grading needed, and the manufactured topography of the site allows for no offsite drainage. The following comments regarding these measures are offered to the Connecticut Siting Council.

Site Location

A field review of the site was conducted on October 2, 2019. The project is located on a 24.42-acre parcel off Long Hollow Road and Powder Hill Road in Enfield. The parcel is currently owned and utilized by Powder Hill Sand and Gravel LLC., which will cease operations in that area after construction begins. The project will develop approximately 9.86 acres, which includes solar panels and associated equipment, and access roadways. An evaluation by staff using the Wildlife Division's guidance and habitat tool shows that this location is not in a Natural Diversity Database Area, and is not supporting of core forest habitat. The site is not in an aquifer protection area. One wetland area was identified on the southern end of the site, and a 100-foot buffer was maintained between the wetland and project disturbance. The 10 acres that will be utilized for a solar farm are not in the watershed of this wetland.

Activities

A small number of trees will be removed and grubbed around the perimeter of the site and for the new driveway, which is adjacent to the existing driveway. No additional grubbing or grading will take place on the site. The applicant is proposing to add 4 inches of topsoil over the existing base, which is primarily soils categorized as well and moderately draining.

Stormwater

Due to the manufactured topography of the site, stormwater drains to two low spots and infiltrates through the miscellaneous Udorthents-Pits soils. This soil classification is used for areas of sand and gravel mining operations that were active during the field survey of the area. These pits have steep sides and a level floor. Generally, gravel pit areas are permeable, unsuitable for agriculture, are variable in depth to water table and depth to bedrock, and typically do not consist of hydric (wetland) soils. The applicant calculated pre and post development runoff using three points of drainage for the site, a 10-acre area, 3-acre area and the site entrance area at 0.77 acres. The existing drainage pattern has been

preserved in post-development because there is no grading, clearing, grubbing or excavation proposed. Post Development peak flow rates at each of the three design points were lower than the pre-development rates because the bare soils will be covered with topsoil and seeded as grassland in post-development. The existing paved driveway will be removed, graded and seeded. The new driveway will be gravel to allow infiltration. Construction of driveway area will disturb about 0.25 acres.

The Petitioner will need to register for DEEP's General Permit for the Discharge of Stormwater and Dewatering Wastewaters from Construction Activities. Locally Exempt construction projects disturbing over one acre must submit a registration form and Stormwater Pollution Control Plan to DEEP. DEEP considers the installation of the posts for a racking system as disturbance. The petition states that a Stormwater Pollution Control Plan is in place. The applicant should confer with the Director of Water Permitting and Enforcement in the Bureau of Material and Management & Compliance Assurance, Oswald Ingles, to discuss the need for permitting without a discharge to surface waters.

The Siting Council should note that the General Permit for the Discharge of Stormwater had been set to expire and was extended without modifications for another year, effective October 1, 2019 and expires September 30, 2020; no renewal registration will be required.

This general permit authorizes the discharge of stormwater and dewatering wastewaters to surface waters from construction activities on a site, as defined in this general permit, with a total disturbance of one or more acres of land area on a site, regardless of project phasing.

Natural Diversity Database

A preliminary review dated September 5, 2019 includes a list of species of concern. The site itself is not in a known Natural Diversity Database Area. From the site visit, it is a disturbed site where any topsoil has been removed long ago. Some of the species on the list could be found in the Scantic River, which is over 600 feet away from the site. The species list is not intended to be site specific, but species of concern have been noted in the Town of Enfield. More discussion may be required to determine if species surveys should be conducted or if it is possible to rule out the presence of species due to the current condition of the site.

Mitigation

The petitioner states the project will cover what is currently bare land with 4" of topsoil and plant pollinator seed mixes. The application discussed the possibility of working with beekeepers to utilize the land after the solar field is developed. Currently the site has large piles of sand, gravel, stone, reclaimed millings, and equipment. After construction, the site will be seeded as a grassland and low vegetation will be maintained.

Due to the long-term use of this site as a sand and gravel operation, and the bowl-shaped topography created in the process, this site will not impact the wetland outside of the project or waterbodies offsite. Air quality is not a concern for this project. Thank you for the opportunity to review this petition and to submit these comments to the Siting Council. Should you, other Council members or Council staff have any questions, please contact me at Linda.Brunza@ct.gov or by telephone at 860-424-3739.

Sincerely,



Linda Brunza
Environmental Analyst II

CC:
Katie Dykes, Commissioner