



STATE OF CONNECTICUT

COUNCIL ON ENVIRONMENTAL QUALITY

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VIA ELECTRONIC MAIL

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Melanie Bachman, Executive Director
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PETITION NO. 1674 – Greenskies Clean Energy (Petitioner) petition for a declaratory ruling for the proposed construction, maintenance and operation of a 1.99-megawatt solar photovoltaic electric generating facility and associated equipment located at 16 Soundview Drive, Woodbridge, Connecticut, and associated electrical interconnection

Dear Attorney Bachman,

The Council on Environmental Quality (Council) offers the following comments regarding Petition 1674.

Drinking Water and Ground Water

The Council notes that the proposed project site is located in a drinking water supply watershed of the Regional Water Authority (RWA) and within a GAA groundwater classification area, which is a groundwater designation for use as existing or potential public supply of water suitable for drinking without treatment. The Council recommends that the Petitioner review and incorporate the protective measures identified in the Department of Public Health (DPH)'s "General Construction Best Management Practices for Sites within a Public Drinking Water Supply Area" guidance document¹, and notify the RWA and local health department prior to the commencement of construction.

Farmland Soils

The Petitioner states that "a review of the USDA's soil mapping for the area indicates that the Project will be placed on approximately 8.7 acres of prime farmland. While this Project does not need approval from the Department of Agriculture because it is less than 2MW AC, GCE is still taking steps to minimize disruption to prime agricultural soils by limiting regrading and planting deep-rooted grasses underneath the panels to keep the soils intact." The Council wants to emphasize the importance of agricultural land in Connecticut and to note that the continuing accretion of multiple individual decisions to site solar facilities on agricultural land has cumulative regional economic and ecological implications. Given the effects of climate change, the importance of preserving farmland cannot be overstated. The Council recommends that best management practices be employed during construction that might allow for the future restoration of farmland soils to more productive agricultural use by retaining the topsoil on the proposed site and minimizing grading, trenching, and compaction of farmland soils.

¹ https://portal.ct.gov/-/media/departments-and-agencies/dph/dph/drinking_water/pdf/bmpfactsheetpdf.pdf

Wildlife

The Petitioner states that “the State listed species of Eastern Box Turtles (*Terrapene carolina carolina*) are documented near the proposed Project Area. In accordance with protective measures outlined in the letter, the contractor will not disturb suitable habitat areas during hibernation periods, they will perform reptile sweeps around equipment and stockpiles prior to starting activities for the day and ensure silt fencing is secure to the ground to create an exclusionary barrier around the site.” While the Council supports the measures identified by the Petitioner to prevent impacts to Eastern Box Turtles on or near the proposed site, the Council recommends that the Petitioner adhere to all the recommended protective measures identified in the Connecticut Department of Energy and Environmental Protection (DEEP) Natural Diversity Database (NDDDB) Determination letter dated September 6, 2024, including but not limited to: consulting “with a herpetologist familiar with preferred habitats to assist you with proper techniques to ensure the best protection strategies are employed for your site and the scope of your project.” The Council notes that plastic netting used in a variety of erosion control products has been found to entangle wildlife, including reptiles, amphibians, birds and small mammals. The Council recommends that the Petitioner use erosion control products that avoid/minimize the potential for wildlife entanglement.

The United States Fish and Wildlife Service (USFWS), Information for Planning and Conservation (IPAC) tool indicates that there is the possibility that the northern long-eared bat (NLEB), a species that has recently been reclassified as “endangered” under the Endangered Species Act might occur in the vicinity of the proposed project area. Since the Petitioner states that “approximately 7.4 acres of tree clearing is proposed within the limit of work area”, the Council recommends that the Petitioner consult with the DEEP’s Wildlife Division regarding protective measures, such as time of year restrictions on tree removal, to minimize any potential impacts on NLEB. The Council also recommends that the Petitioner utilize the USFWS Northern Long-eared Bat and Tricolored bat Range-wide determination key (Dkey)², available through the IPaC website, to confirm that the proposed project would not adversely affect NLEB.

The Council’s comments above address only certain elements of the materials provided by the Petitioner at the time of the filing. Additional information can become evident through comments offered by other parties and during the Siting Council’s administrative hearing process. The absence of comments by this Council about any Petition or Application, or any aspects thereof, may not be interpreted as an endorsement of a proposed project, or its components or that this Council might not have comments or concerns on more specific issues raised during the hearing process.

Thank you for your consideration of the Council’s comments.

Sincerely,



Paul Aresta
Executive Director

² <https://www.fws.gov/library/collections/northern-long-eared-bat-and-tricolored-bat-range-wide-determination-key>