

# COUNCIL ON ENVIRONMENTAL QUALITY



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Peter Hearn  
*Executive Director*

January 13, 2020

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

RE: PETITION NO. 1310A - Quinebaug Solar, LLC petition for a declaratory ruling for the proposed construction, maintenance and operation of a 50 megawatt AC solar photovoltaic electric generating facility on parcels located generally north of Wauregan Road in Canterbury and south of Rukstela Road and Allen Hill Road in Brooklyn, Connecticut.

Dear Ms. Bachman:

The Council on Environmental Quality (“the Council”) offers the following comments with regard to Petition No. 1310A (Petition).

## 1. Vegetative Management

The Petitioner, Quinebaug Solar, LLC, states that the disturbed areas in and around the work development area will be seeded with a native seed mixture to promote meadow habitat. The Council recommends that the Petitioner consider including species that are specifically identified as pollinator-friendly.

If efforts to reduce the spread of invasive species will include the application of herbicides, an attempt to avoid areas with pollinator-friendly plants is encouraged. Additionally, the Petitioner should identify what techniques, such as setbacks, will be employed to prevent pesticide overspray or runoff to sensitive receptors like aquatic plants.

## 2. State-Listed Species

The Council commends the Petitioner for establishing a herpetofauna protection area along the western side of the study area and for the detailed Herpetofauna Avoidance and Mitigation Plan. Absent, in the Petition filing, is a final determination from the Department of Energy and Environmental Protection (DEEP) Natural Diversity Database (NDDDB) as to whether the proposed measures adequately protect State-Listed Species that are, or are likely to occur, on portions of the proposed site. The Council recommends that the Siting Council defer any

decision on the proposed project until such time as the NDDDB final determination has been received and its recommendations incorporated into the plan.

Similarly, there are two areas identified as potential breeding pools for Eastern spadefoot toads (Pool A and Pool B) located within the proposed project site that were identified. They were not delineated as wetlands or vernal pools due to their short “hydroperiods”. The Petition stated that only a single year of data cannot rule out that these pools may contain breeding congresses in some years. The Council recommends that a buffer be established around both pools that is sufficient to protect those potentially vital breeding areas.

### **3. Inland Wetlands and Vernal Pools**

The proposed site contains significant areas of inland wetlands. The Wetland and Watercourse Buffers Map, dated 4/2019, and the proposed site plans depict areas adjacent to wetlands 1, 2, 18, and 20 as having less than a 100 foot buffer, whereas other wetland areas, even those not located within the study area, are depicted with a 100-foot buffer. The Council recommends that the Petitioner maintain a minimum 100-foot buffer around all wetland areas and vernal pools to reduce impacts on the amphibians and other species that are dependent on those ecosystems. As stated in the Vernal Pool survey and Herpetological Inventory, “conservation strategies that only focus on protecting breeding pools (and not the associated critical terrestrial habitat) will most likely fail to maintain a viable amphibian population.”

### **4. Construction Schedule and Phasing**

The Petition (Section 3.5) includes details on the proposed activities within each of the five phases of construction and a very general construction schedule (Exhibit J). The Council recommends that specific details on the proposed time of year and the proposed duration for each of the proposed construction phases be provided.

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 cursive script that reads "Peter Hearn". The signature is written in dark ink and is positioned above the printed name and title.

Peter Hearn  
Executive Director