

# COUNCIL ON ENVIRONMENTAL QUALITY



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November 20, 2019

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

RE: PETITION NO. 1387 – Bloom Energy Corporation petition for a declaratory ruling for the proposed construction, maintenance and operation of a grid-side 10-megawatt (MW) fuel cell facility and associated equipment at 160 Old Amston Road in Colchester.

Dear Ms. Bachman:

The Council on Environmental Quality (“the Council”) has reviewed the Petition for Declaratory Ruling noted above and offers the following comments for consideration by the Connecticut Siting Council. The Council supports the deployment of clean, distributed generation technologies at appropriate sites in Connecticut to reduce energy costs to consumers, increase energy reliability, and enhance environmental quality.

## 1. State Listed Species

The Petitioner, Bloom Energy Corporation, indicated that they reviewed the publicly available Natural Diversity Database (“NDDB”) mapping for the proposed site and the area along the Air Line Trail Colchester Spur. The Council wishes to make it clear, as it has with prior petitions that the NDDB only contains information on state-listed species that have been found and reported and it is not a substitute for an on-site survey. In this case, the Petitioner leaves unanswered the question of whether any state-listed species are present on the proposed site and, if so, what appropriate mitigation measures are necessary to protect them. The Council recommends that all petitioners and applicants conduct biological surveys for state-listed species that may be present on a proposed site. In cases where none are found, an indication of what was looked for would serve to indicate that a survey was conducted based on the habitats present.

## 2. Vernal Pool Habitats

The Petitioner notes that vernal pools were identified within the wetland on the proposed site, that obligate vernal pool species were observed in proximity to the wetland, and that the proposed site would minimally impact the adjacent habitat within 750 feet of the vernal pools. As such, the Council recommends that the Petitioner provide additional details regarding the sedimentation and erosion control measures that would be employed on the proposed site, and that efforts be made to minimize the potential impact of the proposed facility (construction and operation) on the obligate vernal pool species.

### **3. Recreational Impact**

The Petition states that the “nearest public recreational area is the Colchester Dog Park located approximately 500 feet to the northeast across Old Amston Road. Additional public recreation areas are located within a one-mile radius but are not near enough to be visually impacted by the proposed Facility”. However, the Petitioner does identify “a multi-use recreational path” that abuts the proposed site and it is clearly the nearest public recreation area to the proposed project. This path, known as the “Colchester Spur” of the Airline Trail is heavily used. As such, the Council recommends that the Siting Council assess the potential impact the proposed facility would have, including noise and visibility, on its recreational value.

### **4. Water and Gas Supply**

The Petitioner states that the Facility would use no water during normal operation beyond a 3,456-gallon injection at start up. The Council recommends that the Siting Council confirm the necessity of installing a new public water supply along the Air Line Trail Colchester Spur from the point approximately 950 feet north of State Route 16 to the proposed site. In addition, the Petitioner states that “the Facility is designed to operate without water discharge under normal operating conditions”. The presence of this water supply raises a number of questions:

- What atypical conditions would result in the proposed facility discharging wastewater?
- How much wastewater would be discharged under those atypical conditions?
- Where would the wastewater be discharged?

The town is pleased at the prospect of gas service to portions of town that are not served by natural gas. The presence of new gas service and water supply begs the question of whether the lines supplying the water and gas would be sized to only provide adequate supply for the facility, or would they be oversized and consequently spur secondary development that would detract from views from this recreational trail that has state-wide and regional importance?

5. Lastly, since the developer plans to maintain the vegetated area between the proposed fuel cells and the perimeter fence, consideration of plantings of native, non-invasive species and those that support pollinators is encouraged.

Thank you for your consideration of these comments. Please do not hesitate to contact the Council if you have any questions.

Sincerely,



Peter Hearn,  
Executive Director