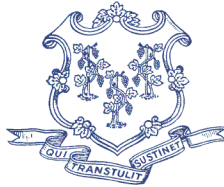


State of Connecticut
GENERAL ASSEMBLY



ENVIRONMENT COMMITTEE
LEGISLATIVE OFFICE BUILDING, ROOM 3200
HARTFORD, CT 06106-1591
TEL. 860-240-0440 FAX 860-240-0023
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March 7, 2018

Robert Stein, Chairman
Connecticut Siting Council
10 Franklin Square
New Britain, CT 06051

Robert Klee, Commissioner
Connecticut Department of Energy
and Environmental Protection
79 Elm Street,
Hartford, Ct 06106

Steven K. Reviczky, Commissioner
Connecticut Department of Agriculture
450 Columbus Boulevard, Suite 701
Hartford, CT 06103

RE: Environment Committee Informational Meeting in Regard to Solar Farm Petition
Determination Processes and Petition Nos. 1323.

Chairman Stein, Commissioner Klee, Commissioner Reviczky:

The Connecticut General Assembly's Committee on the Environment invites the Connecticut Siting Council (CSC), Connecticut Department of Energy and Environmental Protection (DEEP), and Connecticut Department of Agriculture (DoAg) to speak at an informational meeting in regards to the process for solar farm determination and the determination process in regards to an applicant's Certificate of Environmental Compatibility and Public Need. Please be prepared to speak on the CSC's process for determination, and the role of DEEP and DoAg in the determination process. Additionally, please be prepared to discuss the process for determination as it relates to Petition No. 1323, Windham Solar LLC and of the CSC's consideration, if any, of statutory requirements as amended by Public Act 17-218 during the determination process for Petition No. 1323. Enclosed with this letter is a list of questions that will be asked by members of the Environment Committee, additional questions may be asked by committee members.

The Environment Committee has scheduled this informational meeting for Friday, March 9th 2018 in Hearing Room 2B of the Legislative Office Building at 10:00 AM.

Should you have any questions, please contact the Environment Committee's clerk, Robin Bumpen, at (860) 240-0431 or at Robin.Bumpen@cga.ct.gov.

Sincerely,



Senator Ted Kennedy, Jr., Co-Chair
Environment Committee
12th Senate District



Senator Craig Miner, Co-Chair
Environment Committee
30th Senate District



Representative Mike Demicco, Co-Chair
Environment Committee
21st Assembly District

Enclosures:

Questions for the Environment Committee's Informational Meeting – Connecticut Siting Council's Process for Solar Farm and Certificate of Environmental Compatibility and Public Need.

Questions for the Environment Committee's Informational Meeting – Connecticut Siting Council's Process for Solar Farm and Certificate of Environmental Compatibility and Public Need.

1. When considering an application to construct a solar photovoltaic facility of more than 2 megawatts on prime farmland or core forest land, what is your agency's understanding of the role of DEEP and DoAG?
2. If DEEP or DoAG determine that an applicant's proposal will have a material affect on the status of the land as prime farmland or core forest land, how does this agency finding impact the Siting Council's analysis?
3. The Environment Committee is considering a change in the definition of potential land use impacts, from the current "materially" affect to the proposed "permanently" affect, that the Siting Council should consider when evaluating and approving the installation of solar facilities on prime farmland or core forest. What change do you expect that this will have on the application process? On the state's efforts to preserve and protect farms and forests?
4. The Environment Committee recently heard testimony regarding an application by Windham Solar (Petition No. 1323, filed 8/31/2017) to construct three 2-megawatt and two one-megawatt facilities on a 43 acre parcel, currently a farm located at 134 Bilton Road, Somers, Connecticut. According to testimony, the Siting Council determined on 1/22/18 that no Certificate of Environmental Compatibility was needed, even though the application was filed after the effective date of the new law that clearly requires the Council to seek the opinion of DoAG as to whether the proposed project would have a material affect on prime farmland. Please explain the process by which this determination was made.
5. How many applications has the Siting Council received since July 1, 2017, that propose a solar voltaic installation of 2 megawatts or more? How many of these applications have triggered a review of the new law because they would have a potential material impact on farmland or forest?
6. Does the Siting Council currently have the authority to require applicants to post a decommissioning bond to cover the expenses of removing the solar panel installation and restoring the affected property after the useful life of a solar farm? If so, what have been the circumstances that the Siting Council has considered in exercising this authority?
7. How do DEEP and DoAG receive timely notice of applications to the Siting Council that propose a solar farm installation?
8. For the Siting Council, since the 2017 law went into effect, have there been solar farm applications that have been filed where the Siting Council has determined that they would not have a "material affect" on prime farmland or core forest land? If so, how has the Siting Council made this determination? How many 2-megawatt or greater solar installations do you expect to be filed per year? How many of these are proposed for prime farmland or core forest?