

RIVERS ALLIANCE OF CONNECTICUT

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November 24, 2020

Katie S. Dykes, Commissioner
State of Connecticut
Department of Energy and Environmental Protection
79 Elm Street
Hartford, Ct 06106-5127

Re: Moratorium on Large Scale Solar Installations

Dear Commissioner Dykes,

As President of Rivers Alliance of Connecticut and on behalf of our Board of Directors, I respectfully request that you issue a moratorium on permitting for large scale solar installations impacting natural or working lands.

Given the number of applications before the Siting Council, the Rivers Alliance board voted unanimously to support a moratorium until the Siting Council reviews the recommendations from the Governor's Council on Climate Change (GC3) and, in coordination with DEEP, adopts new standards for review. We understand that PA 17-218 was enacted to protect prime farmland and core forests. It is evident, however, that we are still losing farm and forestland to solar development at an alarming rate. The GC3 working groups have identified critical ecosystem services provided by our natural and working lands that are not addressed by the legislation and are not being considered by DEEP or the Siting Council.

The GC3 is leading a new, bold effort that builds on our mitigation goals to reduce greenhouse gas emissions and create a clean energy future for our state. It also acknowledges that we are already experiencing impacts from climate change and the importance of adaptation planning for a resilient future. Additionally, the new GC3 recognizes the importance of the ecosystem services provided by our working and natural lands for mitigation and adaptation, something that previous climate change planning in Connecticut did not consider.

The GC3 planning effort promises to break down silos between mitigation, adaptation, and our natural and working land resources and incorporates social equity and environmental justice. Rivers Alliance applauds Connecticut for its leadership in this comprehensive climate

change planning effort. It is unfortunate, therefore, that we continue to lose farms and forests to large-scale solar installations even as the benefits of these resources are being identified by the GC3. In addition, continuing to support centralized generation in rural areas instead of distributed generation in our cities is an environmental injustice.

There are pending applications before the Siting Council for large-scale solar installations. The Connecticut Council on Environmental Quality, in a memo to the Siting Council dated August 28, 2020, concerning Petition 1421, expressed its justifiable concern for the loss of agricultural land:

Since June of 2020, this Council has reviewed six proposals to utilize farmland for renewable energy projects. The total farm acreage of active or potentially usable farmland in those five Petitions and one Application is over 330 acres of active or potentially usable farmland. Inclusion of the all (sic) projects reviewed by this Council in the past eight months brings the total to over 540 acres of Connecticut farmland that were the target for siting of solar energy facilities. By comparison, the total acreage acquired for preservation by the State for all of (sic) in 2019 was 773 acres.

Your Bureau of Natural Resources acknowledged the importance of Connecticut's forests in a letter dated May 20, 2020: "Connecticut is one of the most heavily forested states in America. Our forests clean our air and water, shelter our wildlife, sequester carbon, contribute tens of millions of dollars to our economy, and add immeasurably to the quality of our lives."

Public Act 17-218 required that prime farmland and core forests be considered when evaluating projects greater than 2 MW. Although these are not the only environmental considerations allowed, their inclusion was intended to protect farmland and forested open space. In practice, the impacts on natural and working lands, and the ecosystem services that they provide are still not adequately considered. [Siting Council Guidance for Renewable Energy](#) does not reflect the ecosystem services that have been identified in the GC3 draft reports. Specifically, prime farmland is defined primarily for crops and does not recognize the value of soil for carbon sequestration. Similarly, focusing on core forests only recognizes forest as habitat and does not recognize the value of smaller forest blocks and community forests in providing many ecosystem services including clean air, clean water, carbon sequestration, and temperature modification.

Siting Council Petition 1425 is an example of an especially troubling proposal when it comes to balancing ecosystem services and large-scale solar. The applicant attempts to demonstrate that there is no core forest on the site and that it is not in an Aquifer Protection Area. The fact is, however, the site is in a public drinking water supply watershed for the Regional Water Authority. Clear cutting a 12.3-acre site on steep slopes in the source water protection area is contrary to the best management practices for drinking water supply watersheds. Additionally, this is in a highly developed area of the state where forest resources provide additional, much-needed, ecosystem benefits. In short, PA 17-218 failed to adequately address concerns for balancing the protection of natural and working lands with solar installation.

The General Assembly and Public Utilities Regulatory Agency are both conducting hearings related to the resiliency of our utilities and our current electric grid. It is recognized that we need both centralized and distributed generation to build a modern grid with the resiliency needed to adapt to climate change. Current policies reward utilities and their stakeholders for large scale construction projects effectively steering utilities away from distributed generation. These same issues are being discussed at the GC3.

Unquestionably, environmental protection demands that we find a balance between competing resources. As is often stated, “there ain’t no such thing as a free lunch.” When we consider renewable energy, including large-scale solar, we need to balance the value of reduction in GHG with carbon storage/sequestration and other eco-system services of soil and forest resources. We need to look at an economic model for PV solar that takes all the externalities into account. See “Report: Is Bigger Best in Renewable Energy?” Institute for Local Self-Reliance (September 30, 2016), available at <https://ilsr.org/report-is-bigger-best/#Economics>.

We also need to look at policies that discourage and preclude bringing distributed generation and its many benefits including net metering to those who need it most and have been discriminated against in our infrastructure policies. Make no mistake about it, this is a matter of social and racial equity. See S. Welton and J. Eisen, Clean Energy Justice: Charting and Emerging Agenda,” 43 Harvard 307 (2019), available at <https://harvardelr.com/wp-content/uploads/sites/12/2019/08/43.2-Welton-Eisen.pdf>.

We strongly encourage you, as Commissioner, to place a moratorium on the permitting of large-scale solar on natural and working lands until March 2021, in order to review and implement the recommendations of the Governor’s Council on Climate Change. Following the release of the report in January 2021, we encourage DEEP to adopt policies that will better reflect the need to balance conflicts between large-scale solar, working, and natural lands, and the EEJ community.

Sincerely,

A handwritten signature in black ink that reads "Dwight H. Merriam". The signature is written in a cursive, flowing style.

Dwight H. Merriam
President