

## **Council on Environmental Quality Meeting Minutes**

Minutes of the January 22, 2025, meeting of the Council on Environmental Quality (Council) held via Zoom.

**MEMBERS PRESENT:** (Remote) Christopher Donnelly (Acting Chair), Timothy Bishop, Linda Bowers, Aimee Petras, Derek Phelps, and William Warzecha.

**ALSO IN ATTENDANCE:** Paul Aresta (Council - Executive Director), Ryan Carboni (Council – Environmental Analyst), Christopher Martin (Department of Energy and Environmental Protection (DEEP), Matthew Pafford (Department of Administrative Services (DAS)), Eric Lindquist (Department of Public Health (DPH), Justine Phillips-Gallucci (Office of Policy and Management (OPM)), Bruce Wittchen (OPM), and Becca Dahl (OPM)). Members of the public that spoke: Chris Cryder.

### **1. Call to Order: Establishment of a Quorum**

At 9:30 AM, Donnelly called the meeting to order, took attendance, and confirmed that there was a quorum of Council members present.

### **2. Chair's Report**

Donnelly introduced Timothy Bishop as a newly appointed Council member. Bishop provided a brief summary of his education and experience.

### **3. Approval of Minutes from December 19, 2024**

Warzecha made a motion to approve the draft meeting minutes from December 19, 2024; seconded by Bowers. The motion was approved unanimously with Bishop and Bowers abstaining because they were not present at the December 19, 2024 meeting.

### **4. Citizen Comment Period**

Chris Cryder asked if any Council member had any questions regarding a letter that was submitted to the Council's Executive Director. Donnelly confirmed that the letter was distributed to Council members, and he added that the Council might have additional questions/comments following the discussion with Christopher Martin, the State Forester.

### **5. Citizen Complaints and Inquiries Received**

- Carboni reported that the Council received an inquiry regarding a Scoping Notice for the East Avenue Bridge in Norwalk that appeared in a prior publication of the Environmental Monitor. He added that Council staff contacted a representative from the Connecticut Department of Transportation, and he was able to provide the requested information.
- Carboni reported that the Council received an inquiry regarding the grant program for a solid waste facility that was proposed in Newington. He added that the caller was interested in obtaining more information regarding the proposal and Council staff provided the caller with the email address for DEEP's Grant Program.
- Carboni reported that the Council received comments regarding The Preserve State Forest (TPSF) with reference to vernal pools, rare and endangered plants, and bat(s) populations. He added that Council staff provided a link to the Council's comments regarding the draft forest management plan (FMP) for TPSF.
- Carboni reported that the Council received an inquiry regarding an appropriate contact to address potential impacts on local inland wetlands. He added that Council staff suggested that the caller contact the inland wetlands agency for the Town of Trumbull, and if there is no response/action, then the caller could contact DEEP via the electronic reporting/complaint application.

## 6. Executive Director's Report

- **Annual Report**

Aresta presented information for several indicators for the 2024 annual report, including climate data, good air days, shellfish beds, DEEP enforcement and inspections, eagles, water levels, drinking water, and state park visitation/staffing. Warzecha questioned if the data for drinking water for community water systems (CWS) included per- and polyfluoroalkyl substances (PFAS). Carboni and Aresta responded that the drinking water chart does not include data on PFAS since the federal requirements under the Unregulated Contaminant Monitoring Rule 5 (UCMR5) are for CWSs to test for PFAS over the three-year period from 2024 through 2026. Bowers questioned if it is known where and why there has been a reduction in "prohibited" area for shellfishing. Aresta indicated that Council staff would try to address that question in the annual report, and he provided a summary of the proposed schedule for the development and publication of the annual report for 2024.

- **Solid Waste Advisory Committee**

Aresta reported that the Council has been invited to present the preliminary findings of the miniature alcohol beverage container (Nips) survey at the next Solid Waste Advisory Committee meeting on January 28, 2025. He added that Carboni will present information on how the funds from the surcharge on Nips were used.

## 7. State Agency Actions

### a. Connecticut Siting Council (CSC)

**Comments recommended:**

- **Petition 1653 (energy storage, Middletown)**

Aresta reported that Council staff reviewed a proposal from East Point Energy to construct and operate a 20-megawatt (MW) battery energy storage facility to be located in Middletown. He reviewed the environmental characteristics of the proposed project and site, and noted that draft comments have been developed that address water protection, provision of documents (including a spill prevention plan), wildlife, and noise. Bishop questioned if the proposed site would be within an aquifer protection area. Carboni responded that the proposed site is not within a designated aquifer protection area. Petras questioned if the proposed facility would comply with applicable noise standards. Aresta responded that the Petitioner proposes to install a sound wall around most of the facility and the Council's draft comments include a recommendation for a post-construction noise survey to confirm compliance with the applicable noise standard.

- **Petition 1654 (energy Storage, Preston)**

Aresta reported that Council staff reviewed a proposal from Tunnel BESS, LLC to construct and operate a 16-MW battery energy storage facility to be located adjacent to FirstLight Power, Inc.'s Tunnel Hydroelectric Generating Station in Preston. He reviewed the environmental characteristics of the proposed project and site, and noted that draft comments have been developed that address core forest, stormwater and erosion control, spill prevention, and wildlife. Aresta added that since the Petitioner proposes to remove trees in an area designated as edge forest, it could have an indirect impact core forest and the Council's draft comments include a recommendation that a habitat assessment be completed on the remaining core forest.

- **Petition 1655 (solar, East Haven)**

Aresta reported that Council staff reviewed a proposal from Borrelli Solar LLC to construct a 1.99-MW solar photovoltaic facility to be located in East Haven. He reviewed the environmental characteristics of the proposed project and site, and noted that draft comments have been developed that address water protection and spill prevention, wetlands, noise, visibility and vegetation, soils, and wildlife. Aresta added that the Council's draft comments include recommendations that the Petitioner consult with DEEP regarding the soil remediation activities and proposed soil management plan, and that native deer-resistant vegetation be used for the proposed vegetative screen.

**No comments recommended at this time:**

- **Petition 1652 (solar, Madison)**

Aresta reported that Council staff reviewed a proposal from 391 Durham LLC proposes to construct and operate a 1.98 MW solar photovoltaic facility to be located in Madison. He summarized the environmental characteristics of the proposed project and site. Bishop questioned if it would be appropriate to recommend pollinator friendly habitat around the proposed solar panels. Aresta noted that the Petitioner proposes to convert the existing lawn habitat to pollinator friendly wet meadow habitat, and that it would be an appropriate recommendation if it were not already included in the project proposal.

- **Docket 528 (telecom, Andover)**

Aresta reported that Council staff reviewed a proposal from Tarpon Towers III, LLC, in cooperation with Verizon, to construct and operate a 120-foot-tall monopole tower and associated equipment to be located in Andover. He summarized the environmental characteristics of the proposed project and site, and noted that no comments are recommended at this time. Bishop questioned if the Applicant indicated a schedule for the proposed work since construction of the proposed facility could impact vernal pool obligate species. Aresta indicated that Council staff would review the application materials and any responses to interrogatories to identify the schedule and/or measures for the protection of vernal pool obligate species, and if none are identified, Council staff would develop comments for the Council's consideration at the next Council meeting.

Aresta reviewed a suggested revision to the Council's draft comments regarding Petition 1653 submitted by Council member Rodosevich.

Warzecha made a motion to approve the Council's comments regarding Petition 1653, Petition 1654, and Petition 1655 as drafted; seconded by Petras. The motion was approved unanimously.

**b. DEEP**

Petras made a motion to revise the agenda to address items identified on the agenda for DEEP, and then to invite Christopher Martin to speak with the Council when he joins the meeting; seconded by Warzecha. The motion was approved unanimously.

- **Release-Based Remediation Program (RBRP) – Update**

Aresta reported that DEEP held another working group meeting on January 14, and the topic was the recent posting of the revised Released Based Cleanup Regulations (RBCR) and other documents on the Connecticut eRegulations System website. He added that DEEP indicated that, subject to approval for legal sufficiency by the Attorney General and approval by the Legislative Regulation Review Committee, the final regulations should be effective on March 1, 2026.

- **James L. Goodwin State Forest (GSF) - Management Plan**

Aresta reported that DEEP recently released a draft forest management plan (FMP) for the GSF that identified various land management activities, consisting primarily of silviculture, but could also include herbicide treatments, forestry mowing and mulching projects, and prescribed burns. He noted that draft comments have been developed that address old forest management, wetlands and vernal pools, core forests, and wildlife. Aresta reviewed suggested revisions to the Council's draft comments submitted by Council member Rodosevich. Donnelly noted that decisions regarding certain forest management activities should be made by the professional foresters.

Warzecha made a motion to approve the draft comments for the FMP for the GSF as drafted; seconded by Bishop. The motion was approved unanimously.

- **Centennial Watershed State Forest - Lakeville Reservoir Block (LRB) - Management Plan**

Aresta reported that DEEP recently released a draft FMP for the LRB that identified various forest management activities including 1) treating invasive exotic plants, and 2) conducting selection harvests, thinning, and non-commercial Timber Stand Improvement. He noted that draft comments have been developed that address old forest management, wetlands, cultural sites, core forests, and wildlife. Aresta reviewed a suggested revision to the Council's draft comments submitted by Council member Rodosevich.

Bowers made a motion to approve the Council's draft comments for the FMP for the LRB; seconded by Warzecha. There was general discussion regarding the revision suggested by Rodosevich.

Warzecha made a motion to table the discussion on the motion until the Council finished speaking with Christopher Martin; seconded by Bowers. The motion was approved unanimously.

- **Core Forests and Forest Management Plans – Christopher Martin, State Forester**

Martin provided a brief description of core forests and DEEP's review of the impacts on core forests from solar development. Martin also discussed how core forests are identified and managed within state forests. He noted that, for a few solar projects, the removal of trees in areas identified as core forests did not change the designation of core forest. He also commented on land designated as "Old Forestland" or "Old Growth", invasive species, and how priorities are determined within the forest management program. Martin noted that land management/conservation-based activities are viewed by the Forestry Division as enhancing core forests, and would not pose an environmental risk that would make such activities subject to certain provisions of the Connecticut Environmental Policy Act (CEPA).

Bowers made a motion to take up the motion to approve the Council's draft comments for the FMP for the LRB; seconded by Bishop. The motion to resume discussion of that motion was approved unanimously. Aresta again reviewed a suggested revision to the Council's draft comments submitted by Council member Rodosevich. Donnelly suggested that the Council should defer the discussion regarding core forest to another meeting. The was approved unanimously.

- **General Permit for the Discharge of Stormwater Associated with Industrial Activities (General Permit)**

Carboni reviewed the major provisions of the draft General Permit and noted that many updates were made to bring the General Permit into consistency with the Environmental Protection Agency's (EPA) National Stormwater Permit. He added that the proposed updates would include a transition to electronic reporting, annual reports for permittees, industrial sector designations with specific permit requirements, and resilience requirements to address climate change.

### **c. Legislature**

Aresta reported that the legislative session started on January 8, and that Council staff are tracking a number of proposed bills.

## **8. Other Business**

Aresta noted that the Council's next meeting is scheduled for February 26, 2025.

Donnelly suggested that the Council take up discussion of Chris Cryder's letter at a future meeting of the Council.

Bowers made a motion to adjourn the meeting at 11:58 AM; seconded by Warzecha. The motion was approved unanimously. The meeting was concluded.

A [recording](#)<sup>1</sup> of the meeting is available online and by email request of the Council (email to: [CEQ@ct.gov](mailto:CEQ@ct.gov)). (Disclaimer: The transcript associated with the meeting recording is computer-generated and may contain typos that have not been edited.)

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<sup>1</sup> Passcode: q%3.G8wP

[https://ctdeep.zoom.us/rec/share/Yzz01eE4Bhn5wFxzUCaV9yk\\_K9vjFSWkf7mTw\\_e2kLd2faRFxHQS3fn9WdL2au1P.OisdEo-uStnZ-tK](https://ctdeep.zoom.us/rec/share/Yzz01eE4Bhn5wFxzUCaV9yk_K9vjFSWkf7mTw_e2kLd2faRFxHQS3fn9WdL2au1P.OisdEo-uStnZ-tK)