

-DRAFT MINUTES-

THESE DRAFT MINUTES HAVE BEEN PREPARED BY STAFF AS A RECORD OF WHAT OCCURRED AT THE MEETING. AT THE NEXT MEETING, COUNCIL MEMBERS WILL REVIEW THESE MINUTES AND MIGHT MAKE CORRECTIONS BEFORE APPROVING THEM. READERS SHOULD RELY ON THE APPROVED VERSION FOR A COMPLETELY ACCURATE RECORD.

Minutes of the July 27, 2022 meeting of the Council on Environmental Quality (Council) held in compliance with [Public Act 22-3](#).

MEMBERS PRESENT: Keith Ainsworth (Acting Chair), Matt Reiser, Charles Vidich, David Kalafa, William Warzecha, Alicea Charamut, and Kip Kolesinskas.

ALSO IN ATTENDANCE: Paul Aresta (Executive Director) and Bruce Wittchen (Office of Policy and Management (OPM)). Members of the public that spoke: Attorney David Sherwood, Dr. Michael Klemens, Brian Coleman, Louise Washer, Bruce Bennett, and Margaret Miner.

1. Call to Order: Establishment of a Quorum

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

2. Approval of Agenda

Ainsworth suggested adding Connecticut Siting Council (CSC) Petition 1532 to the agenda. Vidich made a motion to approve the revised agenda with the addition of Petition 1532; seconded by Warzecha. The motion passed.

3. Approval of Minutes of June 22, 2022

Reiser suggested adding the location of any project/action that the Council reviews/discusses on future meeting minutes. Kalafa made a motion to approve the draft minutes of June 22, 2022; seconded by Vidich. The motion passed with Charamut abstaining because she was not present at the previous meeting.

4. Citizen Comment Period

- Louise Washer commented on the Grupes Reservoir Dam Safety project in Norwalk. She noted that she is a member of the Norwalk River Watershed Association (NRWA) and is concerned about the proposed environmental impact of the Grupes Reservoir Dam Safety project. She stated that the First Taxing District of Norwalk and the Department of Energy and Environmental Protection (DEEP) did not fully assess the potential environmental impacts of the proposed project to nearby trees, wetlands, and riparian corridor during the permitting process.
- Charamut disclosed that she will recuse herself from any decisions or votes regarding the proposed Grupes Reservoir Dam Safety project because the organization that she works for, Rivers Alliance, assisted the NRWA in the adjudication proceeding before DEEP. She stated that the Scoping Notice for the Grupes Reservoir Dam Safety project was posted in recent publications of the Environmental Monitor and that provides the opportunity to request an evaluation of alternatives.
- Margaret Miner questioned 1) why the sponsoring agency for the Scoping of the Grupes Reservoir Dam Safety project is the Department of Public Health (DPH); 2) if there can be changes to a project after DEEP approves it or does it require reconsideration; and 3) if it is appropriate for DEEP to substitute its dam protection program in place of the water diversion policy act and program.
- Brian Coleman commented on the water quality at the Southeast School in Mansfield. He noted that a former landfill/transfer station is located approximately 2,500 feet from the Southeast School. He stated that the test results for recent drinking water samples from the Southeast School indicated that there might be lead in the water and he expressed a concern about water quality given the proximity of the school to the former landfill.

- Bruce Bennett thanked the Council for the comments submitted to DEEP regarding DEEP's Draft Hazard Tree Mitigation Policy (Draft Policy) and expressed concerns that DEEP's Draft Policy limits the use of arborists. He suggested that DEEP employees and/or the arborists, which would be used by DEEP, should have special training to better identify risks associated with potentially hazardous trees.
- Attorney Sherwood noted that he represents parties to CSC Docket 509. He reviewed the Council's comments to the CSC and suggested that the Council might want to provide additional comments. He also noted that a representative from Aquarion Water Company previously submitted comments to the Siting Council regarding water resources and that blasting might be needed to construct the proposed facility.
- Dr. Klemens expressed concerns about environmental policies and environmental reviews that are being undertaken by state agencies.
- Alicea Charamut noted her concern regarding the adjudication process at DEEP for the Grupes Reservoir Dam Safety project. She stated that DEEP did not appropriately evaluate alternatives and the cumulative impacts of the proposed project.

5. Citizen Complaints and Inquiries Received

- Aresta reported that he recently spoke with two residents of Westport who had contacted the Council last month regarding a noise complaint associated with the rehabilitation of a bridge by the Connecticut Department of Transportation (DOT).
- Aresta reported that he received a letter from Attorney Sherwood about the Council's comments to the Siting Council regarding Docket 509, which was distributed to Council members before the meeting.
- Aresta reported that he received a Freedom of Information Act (FOIA) request and he is in the process of collecting information that would be responsive to the FOIA request.
- Aresta reported that he received an inquiry from a prospective property owner that wanted information about the quality of the drinking water in the Simsbury area, which he referred to the DPH Drinking Water Section.
- Aresta reported that he received a few emails that contained suggestions for refinement of DEEP's Draft Hazard Tree Mitigation Policy.

Ainsworth asked Council members if additional comments were warranted regarding Docket 509. Vidich stated that he was impressed with the letter provided by Aquarion Water Company (Aquarion). Warzecha suggested that if blasting is needed, the Applicant should undertake a pre- and post-blasting survey and water testing to ensure that nearby wells are not affected. He added that if blasting is required, the uncovered rock has the potential to cause acid drainage, which could impact water resources in the area. Charamut agreed with Vidich and suggested that the Council highlight the letter provided by Aquarion. Warzecha made a motion to submit supplemental comments regarding Docket 509; seconded by Charamut. Vidich added that the Council should reiterate the recommendation that the Applicant evaluate alternative configurations for the proposed access road. Ainsworth suggested that the Council recommend that the Applicant ensure that there would be no adverse impacts to water quality resulting from erosion and sedimentation, acid drainage, or other pollutants associated with the proposed project. The motion passed.

6. Executive Director's Report

- Aresta stated that he reviewed the Record of Decision for the Mirror Lake Environmental Impact Evaluation (EIE) and he noted that no comments are recommended.
- Aresta reported that he collected and analyzed data for bird species for 2021. He added that the Council's index for mature and young/schrubland birds increased slightly in 2021 and the trend for warm-climate adapted birds increased, while the trend for cold-climate adapted birds decreased.

- Aresta noted that the Environmental Analyst position for the Council has been approved in Core and that the posting was going over to Talent Solutions, which is believed to be the recruitment tool for employment opportunities.
- Aresta reported that the Scoping Notice for the Grupes Reservoir Dam Safety project appeared in the most recent publication of the Environmental Monitor. He added that he will review the materials regarding the project and develop comments, if appropriate.
- Aresta stated that there were a few important environmental stories in the news this past month, including the end of incineration at the trash-to-energy facility in Hartford, the drought warning throughout the state, the availability of grants to support electric-drive vehicle charging/refueling, and the passage of the Connecticut Clean Air Act.

At 10:36 AM, Ainsworth paused the meeting for a break and resumed the meeting at 10:41 AM.

7. State Agency Actions

a. DEEP

- **Aquatic Invasive Species Grants – update** – Aresta reported that DEEP announced the recipients and grant awards for the second round of grant funding through the Aquatic Invasive Species Grant Program. He added that more grant funds for the control of aquatic invasive species were awarded (33% more) in 2022 compared to the 2021 grant cycle.
- **Draft Hazard Tree Mitigation Policy (Policy)** – Aresta reported that Council staff reviewed the Draft Policy and developed comments, which were distributed to Council members before and after submission to DEEP. He reviewed some of the key points that were included in the Council's comments to DEEP. He added that he confirmed that DEEP was following their Draft Policy for a hazard tree project at Satan's Kingdom Recreational Area in New Hartford.
- **Release-Based Remediation Program – update** – Aresta reported on the activities of the drafting team, which prepared a summary report of the second phase of Topical Subcommittee Concept papers. The revised summary report was provided to DEEP for their consideration. Aresta added that DEEP is expected to present a schedule and work plan for moving forward at the next meeting of the working group.

b. Connecticut Siting Council (CSC)

- **Docket 3B (energy, Shelton-Derby-Ansonia)** – Aresta reviewed the proposal by The United Illuminating Company to replace existing structures along a portion of the existing Derby – Shelton 115-kilovolt (kV) electric transmission line. He reported that he developed comments, as directed by Council members at the last meeting. He added that the draft comments, which were distributed to Council members in advance of the meeting, address the protection of wildlife, possible compensation for activities impacting Osbornedale State Park, invasive species control, and protection of groundwater resources within an aquifer protection area (APA). Aresta added that he received a comment from a Council member with a suggestion that the use of herbicides be limited within the APA. Kolesinskas noted that herbicides are often used to control invasive species and that the Council's comments might want to include provisions to allow for the use of appropriate herbicides by trained and certified personnel for invasive species control. Kolesinskas added that any compensation resulting from the expansion of the right-of-way in the state park should be directed to the local communities that would be most affected. Vidich suggested adding a comment to the draft letter that the Applicant should be in compliance with the local regulations for the APA.
- **Petition 1522 (fuel cell, Manchester)** – Aresta reported that he reviewed a proposal from Bloom Energy to install a 700-kilowatt (kW) fuel cell at a printing facility in Manchester. He added that the site is developed. There are wetlands approximately 275 feet from the proposed installation; however, no impacts to the wetlands are anticipated and the facility would not be located within a flood zone. The proposed fuel cells would be compliant with applicable noise standards.

- **Petition 1523 (telecom, Colchester)** – Aresta reported that he reviewed a proposal from DISH to install antennas at a height of approximately 40 feet above ground level (AGL) on an existing 60-foot tower. DISH would expand the fenced compound area to accommodate their equipment. The site does not contain a NDDDB buffer area, wetlands, or flood zone and no trees would be removed on the existing site.
- **Petition 1524 (telecom, Danbury)** – Aresta reported that he reviewed a proposal from DISH to install antennas at a height of approximately 68 feet AGL on an existing 83-foot flagpole tower. DISH proposes to expand the fence around the compound for its ground equipment. The site does not contain a NDDDB buffer area, wetlands, or flood zone and no trees would be removed on the existing site.
- **Petition 1525 (telecom, Waterford)** - Aresta reported that he reviewed a proposal from DISH to install antennas at a height of approximately 87 feet AGL on an existing 136-foot tower. DISH would also expand the fenced compound area to accommodate their equipment. The site does not contain a NDDDB buffer area, wetlands, or flood zone and no trees would be removed on the existing site.
- **Petition 1526 (telecom, Bloomfield)** - Aresta reported that he reviewed a proposal from Verizon to install antennas on an approximately 12-foot new steel lattice tower on the roof of an existing four-story commercial office building (the former Cigna Headquarters) in Bloomfield. Equipment associated with the antennas would be located on a steel platform on the roof of the building as well. The site does not contain a NDDDB buffer area, and there will be no ground disturbance.
- **Petition 1527 (energy, Monroe-Shelton)** – Aresta reported that he reviewed a proposal from Eversource for the replacement and reconductoring of electric transmission line structures along approximately eight miles for three existing 115- kV electric transmission line circuits within Eversource’s existing ROW. He added that draft comments were developed and distributed to Council members in advance of the meeting that address process and environmental issues, including: wildlife, soils, wetlands, water resources, invasive species control, and inspections. Kolesinskis noted that there might be farmland within the project area and he suggested including a comment that addresses soil health. He also suggested adding a comment regarding biosecurity of construction vehicles as part of the invasive species control plan.
- **Petition 1528 (telecom, Wilton)** - Aresta reported that he reviewed a proposal from DISH to install antennas at approximately 170 feet AGL on an existing 180-foot tower and expand the fence to enclose its ground equipment. The site does not contain a NDDDB buffer area, wetlands, or flood zone and no trees would be removed on the existing site.
- **Petition 1529 (telecom, Old Saybrook)** - Aresta reported that he reviewed a proposal from American Tower Corporation to expand the existing compound to accommodate the installation of an 80-kW diesel generator. There would be no modifications to the existing tower. The site does not contain a NDDDB buffer area, wetlands, or flood zone and only one tree would be removed on the existing site.
- **Petition 1530 (telecom, Beacon Falls)** - Aresta reported that he reviewed a proposal from American Tower Corporation to expand the existing compound to accommodate an 80-kW diesel generator that would be within an expanded fenced area. There would be no modifications to the existing tower. The site does not contain a NDDDB buffer area, wetlands, or flood zone and no trees would be removed on the existing site.
- **Petition No. 1531 (energy, Windsor Locks-East Windsor)** – Aresta reported that he reviewed a proposal from Eversource for the proposed replacement of existing structures and reconductoring of approximately 0.39 mile of its existing 115- kV electric transmission lines between Windsor Locks and East Windsor. He added that draft comments were developed and distributed to Council members in advance of the meeting that addresses process and environmental issues, including: wildlife, soils, invasive species control, and inspections. Aresta noted that he would add a provision to the draft comments regarding biosecurity of construction vehicles as part of the invasive species control plan.
- **Petition 1532 (telecom, Avon)** - Aresta reported that he reviewed a proposal from T-Mobile to install a new 48 kW diesel generator for emergency backup power on a concrete pad immediately adjacent to its existing equipment. He added that there would be no alteration to the existing tower; no trees would be removed; and no NDDDB buffer area, wetlands, or watercourses would be impacted by the proposed modifications.

Vidich made a motion to send revised comments for Docket 3B, Petition 1527, and Petition 1531 to the CSC for their consideration; seconded by Kalafa. The motion was approved.

8. Other Business

Ainsworth asked if there were any other items for discussion by Council members.

Kalafa noted that climate change continues to be a prominent issue and questioned how the Council can be more impactful. Kolesinskas suggested that any comments that the Council provides should tie back to mitigation, adaptation, and resiliency. He also questioned whether there are other data that the Council should be tracking as part of the Council's annual report. Charamut suggested that state agencies sometimes have a narrow focus and they should be looking at the impacts of certain projects on a larger scale. Vidich noted that the Council should advocate for greater water conservation and suggested the Council examine the consequences of reduced capacity for trash to energy projects and solid waste disposal in the state.

Kalafa noted that the Water Planning Council (WPC) should be addressing water conservation and suggested the Council get more information on the WPC's efforts. Charamut noted there is a potential conflict between the water utilities that need to sell water to raise revenues and the need to get consumers to conserve water. Kalafa suggested requesting that the WPC be invited to a future meeting of the Council. Kalafa made a motion to invite representatives of the WPC to provide information to the Council; seconded by Vidich. The motion passed.

Kolesinskas questioned whether the Council should assess whether existing state laws, regulations and policies appropriately address ecosystem services and climate change. There was general discussion regarding the roles and responsibilities of state agencies' employees and how they interact with the public. Charamut questioned if the Council's Executive Director would be able to undertake additional analysis of state laws, regulations, and policies, given that the Council has only one staff person. Aresta responded that Council staff is just beginning to collect and analyze data for the annual report, but there are day to day responsibilities that require attention, such as reviewing projects and policies and developing comments, if appropriate. He added that the Council could assess the potential environmental impacts of the Grupes Reservoir Dam Safety project and potentially develop comments for submittal during the scoping process. He noted that the DPH would then be obligated to respond to the issues raised in the comments and they could make a determination that an EIE is warranted, which would then give the public and the Council additional information regarding possible alternatives and environmental impacts of the proposed project.

Vidich made a motion to adjourn the meeting at 11:49 AM; seconded by Kalafa. The motion passed.

A recording of this meeting is available [here](#)¹ and by email request of the Council (email to: paul.aresta@ct.gov). (Disclaimer: The transcript associated with the meeting recording is computer-generated and may contain typos that have not been edited.)

¹ Passcode: FqRD!Y18