

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 24, 2024, meeting of the Council on Environmental Quality (Council) held via Zoom.

MEMBERS PRESENT: Keith Ainsworth (Acting Chair), Charles Vidich, Christopher Donnelly, Derek Phelps, David Kalafa, Denise Rodosevich, and William Warzecha (remote).

ALSO IN ATTENDANCE: Paul Aresta (Council - Executive Director), Ryan Carboni (Council - Environmental Analyst), Eric Hammerling (Department of Energy and Environmental Protection (DEEP)), Justine Phillips-Gallucci (Office of Policy and Management (OPM)), and Becca Dahl (OPM). Members of the public that spoke: Mike Kaplan, Rachael Briggs, and Dr. Mark Mitchell.

1. Call to Order: Establishment of a Quorum

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

Rodosevich made a motion to add Connecticut Siting Council (CSC) Petition 1635 to the agenda; seconded by Warzecha. The motion was approved unanimously.

2. Approval of Minutes from June 26, 2024

Warzecha made a motion to approve the draft meeting minutes from June 26, 2024; seconded by Ainsworth. The motion was approved unanimously with Kalafa and Phelps abstaining because they were not present at the previous meeting.

3. Citizen Comment Period

Mike Kaplan questioned if the notice for additional time published in the Environmental Monitor for the AB Eco Park project required approval. Aresta replied that state agencies are required to submit a notice for additional time if a Post-Scoping Notice is not ready within six-month periods, consistent with the requirements of the Regulations of Connecticut State Agencies (RCSA). Kaplan also questioned if a new scoping process is required if a project has changed during the initial scoping process. Aresta replied that the sponsoring agency would make that determination and Kalafa suggested that Kaplan could also contact OPM.

Rachel Briggs commented on the study being developed regarding the CSC and requested that when the draft study is released for public comment, it be done earlier than November 30th and that the public comment process be made clear and publicized early. Briggs added that there is high interest in the study and in broader CSC reform in Connecticut. Aresta responded that the study is being conducted by DEEP.

Dr. Mark Mitchell requested that environmental justice considerations be included in the CSC study and that the CSC be required to consider and minimize cumulative risk impacts to environmental justice (EJ) communities. He added that the CSC should establish a fund for EJ communities to engage in the CSC process because EJ communities seldom have access to the kinds of resources that might be needed to engage in the CSC process. Dr. Mitchell requested that the Council include in its comments to DEEP that the CSC 1) consider the impacts to EJ communities, including cumulative risk impacts, and 2) increase the participation and engagement of EJ communities in the CSC process. Ainsworth suggested that Dr. Mitchell provide written comments to the Council, which would be forwarded to DEEP and/or incorporated into the Council's

comments to DEEP. Ainsworth added that this study is an opportunity to potentially influence and reform the CSC to make its processes more friendly to public participation.

4. Citizen Complaints and Inquiries Received

- Carboni reported that the Council received a complaint of dust that was being created by the removal of a parking garage in Stamford. The Council referred the complaint to the DEEP Air Bureau who indicated that the local municipality usually investigates and addresses such complaints.
- Carboni reported that the Council received an inquiry about the status of Connecticut's environment. He added that the Council responded by providing information for the 2023 annual report.
- Aresta reported that the Council received an inquiry regarding the status of a 2019 Southbury Training Farm Adaptive Reuse Study for the Southbury Training School farmlands. He noted that the Department of Administrative Services (DAS) was responsible for administering the study on behalf of the Department of Agriculture (DOAG), and the DOAG is responsible for any of the actions identified in the study. DAS informed the Council that a representative from DOAG would be contacting the resident. Aresta added that he also provided the contact information for a DOAG representative that was listed in a Post-Scoping Notice for that project area.

5. Executive Director's Report

- **Annual Report**

Aresta noted that a subcommittee of Council members met last week to discuss the printing and distribution of the 2023 annual report. He added that it was the consensus of the Council members present that 200 full size color copies of the annual report be printed and distributed to legislators and a few state agencies prior to the 2025 legislative session. Phelps suggested also providing copies to the constitutional officers, the Office of Legislative Research, and other agencies.

- **Beverage container redemption**

Aresta noted that on January 1, 2024, the deposit value for some beverage containers increased from 5 cents to 10 cents and it was anticipated that the increase in the redemption deposit would significantly increase the redemption rate. He added that the redemption rate increased to 53.5 percent for the first quarter 2024 from 50.4 percent the previous quarter. He added that other states with a similar deposit had significantly higher redemption rates in 2022.

- **Federal Local Bridge Program (Day Road Bridge, Pomfret)**

Aresta reported that Council staff reviewed the environmental conditions at three proposed bridge replacement projects in Killingly, and he summarized the environmental conditions near the Cotton Bridge Road Bridge over the Quinebaug River. He added that draft comments have been developed for the Cotton Bridge Road Bridge that address potential impacts to state-listed species and trout stocking activities; the flood hazard area; and wetlands. Warzecha noted that the Cotton Bridge Road Bridge might be near a remediation site and suggested providing information of the bridge projects to the Remediation Division at DEEP.

Ainsworth made a motion to approve the draft comments regarding the Cotton Bridge Road Bridge in Killingly; seconded by Rodosevich. The motion was approved unanimously.

6. State Agency Actions

- a. **DEEP**

- **Release-Based Remediation Program – Update**

Carboni reported that DEEP held a working group meeting on July 9, and the meeting primarily discussed releases and site characteristics that would be fully exempt, be easily dealt with, or have direct

paths to closure in the regulations. Vidich questioned how road salts would be addressed. Carboni responded that for incidental public roadway releases from passenger vehicles and road salts, the entity maintaining a public roadway would not be considered a “maintainer”. There were additional comments regarding the contamination of potable water sources. Ainsworth noted that the revised draft regulations were recently released and suggested that Council members review the draft regulations and identify any issues of concern. It was suggested that a special meeting of the Council might be warranted if the comment period for DEEP’s draft regulations closes before the Council’s next regularly scheduled meeting.

- **Study of Siting Council per Public Act 24-144, Section 12**

Aresta reported again that DEEP is conducting a study of the CSC and their processes and Council staff will meet with DEEP on July 30 to discuss the Council’s interaction with the CSC.

b. Connecticut Siting Council (CSC)

Comments recommended:

- **Docket 523 (telecom, Orange)**

Aresta reported that Council staff reviewed a proposal from Towers LLC to construct a telecommunications facility consisting of a 120-foot-tall monopole tower and associated equipment in Orange. He summarized the environmental characteristics of the proposed facility and noted that draft comments have been developed that address wetlands and the site search for the proposed facility.

- **Docket 524 (solar, Woodbury)**

Aresta reported that Council staff reviewed a proposal from Greenskies Clean Energy to construct and operate a 4.625-megawatt (MW) solar photovoltaic (PV) facility in Woodbury. He noted that Council staff conducted an inspection of the proposed access road to confirm the location of the proposed access road, wetlands and the potential vernal pool. He summarized the environmental characteristics of the proposed facility and noted that draft comments have been developed that address farmland soils, wildlife, erosion and sedimentation (E&S) controls, and spill prevention. There was general discussion regarding the draft comments and the CSC administrative record and process, and it was suggested that the Council’s comments also be provided to the Town of Woodbury’s Conservation Commission and/or the Town’s Inland Wetlands agency.

- **Petition 1635 (fuel cell, Watertown)**

Aresta reported that Council staff reviewed a proposal from VFS, Inc. to construct and operate one Bloom Energy fuel cell with a capacity of 195 kilowatts (KW) in Watertown. He summarized the environmental characteristics of the proposed facility and noted that draft comments have been developed that address noise. Ainsworth and Warzecha noted that the proposed fuel cell is proposed to be located closer to the neighboring properties than the school, and there should be a special sensitivity to the potential impacts of the proposed facility on the neighbors.

No comments recommended:

- **Petition 1634 (fuel cell, Mansfield)**

Aresta reported that Council staff reviewed a proposal from FuelCell Energy, Inc. to construct and operate a customer-side 1.0-megawatt (MW) fuel cell facility and associated equipment at the University of Connecticut campus in Mansfield. He summarized the proposed project and some of the environmental characteristics of the proposed site.

Rodosevich made a motion to approve the comments for Docket 523 and Petition 1635 as drafted, and to approve the comments for Docket 524 with amendments to include “as a condition of approval” for the Council’s recommendations for agriculture and wildlife; seconded by Ainsworth. The motion was approved unanimously.

c. Department of Agriculture (DOAG)

- **Recommended requirements for clean energy projects sited on Prime Farmland**

Aresta noted that the Council approved a motion to develop comments regarding DOAG's draft requirements for clean energy projects sited on Prime Farmland at the Council meeting on June 26. He added that draft comments have been developed that recommend that 1) "continuously farmed" be better defined with minimum standards and provisions or mechanisms to ensure compliance, and 2) "lifetime of the Project" also be better defined to include the period of decommissioning and soil restoration. There was general discussion regarding DOAG's review and consideration of projects that could have a material affect on prime farmland.

Warzecha made a motion to approve the comments regarding DOAG's requirements for clean energy projects sited on prime farmland; seconded by Rodosevich. The motion was approved unanimously.

7. Other Business

Aresta noted that the next meeting is scheduled for August 28, 2024, at 9:30 AM and it will be a remote meeting.

Ainsworth made a motion to adjourn the meeting at 11:01 AM; seconded by Warzecha. The motion was approved unanimously. The meeting was concluded.

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

¹ Passcode: p.GV%5t0