



STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL

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April 7, 2014

Lee Hoffman, Esq.
Pullman & Comley, LLC
90 State House Square
Hartford, CT 06103-3702

RE: **PETITION NO. 1056** - GRE 314 East Lyme, LLC declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the proposed construction and operation of a 5.0 MW Solar Photovoltaic Renewable Energy Generating Project located on Grassy Hill Road and Walnut Hill Road, East Lyme, Connecticut.

Dear Attorney Hoffman:

In response to our conversation on March 31, 2014, regarding failure of the sedimentation control system at the above-referenced site, Connecticut Siting Council (Council) staff member Robert Mercier conducted a site inspection of the facility on April 4, 2014. The Council also received phone calls regarding this site on April 4, 2014 from the East Lyme Town Planner, Gary Goeschel and on April 3, 2014 from East Lyme Land Trust representative, Joe Mingo.

Mr. Mercier conducted a site walk of the perimeter of the facility with GRE representatives Travis Burton, Michael Lombardi, and Steven DeNino. The solar field itself consists of barren ground with rows of solar panels. The recent large rainfall on March 30, 2014 caused run-off to channelize between the rows of panels as it flowed downhill to the basin and berm system established at the east edge of the solar field.

Site conditions indicate the widespread failure of the erosion and sedimentation control system on the east side of the facility. All three detention basins failed, as well as multiple failures of the leaky berm between Basin #2 and #3. The system failure resulted in multiple areas of silt deposition in adjacent woodland and wetlands on East Lyme Land Trust property.

Failure of the erosion control fencing was also evident on the south side of the site in the area of the old farm road, and along a few sections of the west side, below the large berm. It appears water is channelizing along the silt fence at the base of the berm. No issues were noted along the utility corridor.

At the time of the site walk, a row of erosion and sedimentation control fencing has been established at the edge of the construction area. Excavators were also removing silt from the basins.

GRE stated at the site walk that they intend to continue with the repair of the damaged basins and berms. GRE intends to install a second row of silt fencing at previous basin/berm failure points along the perimeter of the solar field, as well as check dams along the southwest berm area and between the panel rows where heavy channelization has occurred.

GRE stated it has retained Freeman Engineering to independently review the design of the site's erosion and sedimentation control system. GRE has retained Michael Klein of Environmental Planning Services to review the environmental aspects of the silt deposition into the adjacent woodland and wetland areas. The Council requests that the erosion and sedimentation controls discussed during the site walk be installed as soon as possible.

Please submit copies of any correspondence from the Department of Energy and Environmental Protection, and all engineering and environmental reports regarding the failure of the erosion and sedimentation control system, including, but not limited to, plans for any redesign, and remediation of silt deposits from runoff onto adjacent property. Thank you for your attention and cooperation.

Very truly yours,



Melanie Bachman
Acting Executive Director

c: Council Members
Honorable Paul Formica, First Selectman, Town of East Lyme
Gary A. Goeschel, Town of East Lyme

MAB/RDM