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Working Lands Alliance Policy Statement
H.B. 6498 Environment Committee
Public Hearing March 19, 2021

Dear Co-Chairs Sen. Cohen and Rep. Gresko, Vice-Chairs Sen. Slap and Rep. Palm, Ranking Members Sen. Miner and Rep. Harding, and esteemed members of the Environment Committee:

The Working Lands Alliance appreciates this opportunity to submit testimony in support of H.B. 6498 with some suggested changes.

My name is Chelsea Gazillo, and I am American Farmland Trust's New England Policy Manager. In Connecticut, I direct the Working Lands Alliance, a broad-based, statewide coalition dedicated to preserving the state's farmland. WLA includes farmers and such organizations as CT Farmland Trust, the CT State Grange, New CT Farmer Alliance, City of New Haven Food Policy Division, CT Land Conservation Council, and the CT Farm Bureau Association, among many others. As an Alliance, we care deeply about saving the state's working farmland and ensuring a healthy agricultural sector and prosperous future for Connecticut's farmers.

WLA greatly appreciates the intent of H.B. 6498— to ensure that the state does not incentivize an activity that directly contradicts efforts to protect Connecticut's most valuable farmland. The state has long recognized the importance of permanently protecting its prime farmland (the most productive and resilient of our farmland) for future generations. In fact, solar array installations on farmland that are protected through the CT Department of Agriculture's farmland preservation programs are generally prohibited.

WLA also acknowledges that, in some cases, the lease payments from a solar developer on part of the farm may be key in keeping a farming operation in business and, without such additional income source, the entire farm may be in jeopardy of being sold for development.

Connecticut has ambitious climate goals. WLA recognizes that the need to increase the number of solar arrays will be paramount to the state's efforts to reduce greenhouse gas emissions by 45 percent by the year 2030.¹ According to American Farmland Trust's 2020 "[Farms Under Threat: The State of the States](#)," 23,000 acres of Connecticut farmland were converted to urban development or low-density residential land use between 2001 and 2016, putting Connecticut in the top four states nationally for the percent of farmland developed or compromised.² Additionally, the COVID-19 pandemic has shown that Connecticut and the regions

¹ <https://yaledailynews.com/blog/2019/09/05/lamont-sets-renewable-goal-for-ct/#:~:text=The%20first%20act%20set%20out,based%20on%20a%20GC3%20recommendation.>

² Freedgood, J., M. Hunter, J. Dempsey, A. Sorensen. 2020. *Farms Under Threat: The State of the States*. Washington, DC: American Farmland Trust.

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food system supply chains are fragile to market disruptions. Also, investing in a sustainable localized food system will aid in the state's efforts to become resilient in the face of climate change.³

Connecticut's working lands are at the heart of the food system. As such, we must be thoughtful and deliberate in how and where we site solar arrays. Acadia Center's Energy Vision 2030 projects that, in order to meet 2030 renewable energy targets, the state of CT will need to increase solar generation capacity to more than 4 GW.⁴ This includes almost 2 GW of installed ground-mounted solar, potentially impacting more than 10,000 acres of land.⁵ Unless the Connecticut General Assembly passes legislation to disincentive large scale solar arrays on the state's prime and important farmland and core forest the acceleration of large-scale solar arrays on farmland will continue to directly and irreparably undermine the state's efforts to protect farmland with conservation easements that keep agriculture viable.

Connecticut's farmland and core forest are a part of CT's green infrastructure and are critical elements of the state's efforts to address climate change. This new pressure of solar development on farmland and core forest compounds the severe "competition for land" in the state, underpinning the need to increase oversight of solar energy projects that impact our state's most precious natural resources. It should also be recognized that many of the developable parcels are not owned by farmers and are in jeopardy of being leased/sold to solar developers rather than to local agricultural producers. This can have negative consequences for land access and farm viability.

H.B. 6498 is a critical step that the Connecticut General Assembly can take to support a more rigorous and inclusive review of solar siting on farmland and core forest solicitation, approval, and construction of these projects with additional transparency. According to a recent letter by the State of CT's Council on Environmental Quality, from January to August of 2020, over 540 acres of Connecticut farmland were targeted for siting solar energy facilities.⁶ By implementing a lowered review threshold of 1MW for projects approved by declaratory ruling, and an additional review requirement of 65MW for projects not approved in such manner, WLA is confident that most projects that impact prime and statewide important farmland and core forest will be thoroughly vetted by Connecticut Department of Agriculture or the Connecticut Department of Energy and Environmental Protection. This will ensure continued agricultural production and provide necessary technical input on the CT Siting Council for decision making.

³ https://portal.ct.gov/-/media/DEEP/climatechange/GC3/GC3-working-group-reports/GC3_WNL_Agriculture_soils_draft_report_public_comment_092120.pdf

⁴ Acadia Center's Energy Vision 2030, <https://acadiacenter.org/resource/energyvision-2030/>

⁵ Acadia Center, New England Smart Solar Siting Partnership Project, <https://farmlandinfo.org/publications/meeting-new-englands-solar-needs-on-contaminated-sites-and-rooftops/>

⁶ <https://portal.ct.gov/-/media/CEO/Publications/Pet-1421-comments---revised-8-28-20-final.pdf>

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WLA recognizes that while some solar developers may agree to pay for the decommissioning of a solar array, this bill would ensure that landowners are protected (e.g. in the event of future solar company dissolution or bankruptcy) and will have appropriate recourse to recoup costs associated with the removal of the solar arrays and restoration of their farmland to agricultural production. This bill appropriately puts the onus of decommissioning on the developer, not the landowner.

WLA appreciates that H.B. 6498 calls for more transparency as to what projects are being reviewed by the CT DEEP and CT DOAG. Such transparency provides greater opportunities for municipalities, conservation organizations, and the agricultural sector to give public comments on best practices, potential impacts, and insights on the best use of the land in question. In addition, we request that the CT siting council create a listserv for the public to receive notifications when the council receives applications that will impact prime and important farmland or core forests.

While we support efforts to ensure that solar development does not have “material affect” on prime and important farmland and core forest. We also respectfully request that the language and definition of “substantial adverse environmental effect” be extended throughout this legislation.

WLA also respectfully ask that the Environment Committee add the following provisions to H.B. 6498:

1. The CT Siting Council have a representative from an agricultural organization that has knowledge of smart solar siting on farmland and core forests. This additional oversight will ensure the state is fully informed of the potential impacts of projects approved on farmland and core forest prior to decision making; including impacts on the agricultural sector; environmental and ecological impacts; and potential long-term impacts on our core forest and prime and important farmland.
2. Establish a Greenfields Conversion Solar Mitigation Fund within the CT DEEP to mitigate the loss of core forest, prime farmland, or farmland of statewide importance from solar development. Solar developers will be required to pay into the fund if the project they are proposing impacts farmland or core forest. Such funds should be used for the purchase of agricultural conservation easements, forestland or forest conservation easements, or fee simple purchases. Easements may be held in partnership with municipalities and/or qualified land trusts. A portion of the funds should also be used for DEEP and DOAG staff to review projects and assist with identifying appropriate easement or fee simple projects. Solar projects placed on prime farmland, core forest, or farmland of statewide importance would be required to provide a 2:1 acre compensation of land of equivalent productivity within the given community, or to contribute a sum of monies equivalent to the preservation purchase price. This should be for the same acreage of equivalently productive core forest, prime farmland, and farmland of



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statewide importance based on appraisals that meet the standards established by the CT Dept. of Agriculture's Farmland Preservation Program or the Department of Energy and Environmental Protection's --Recreation and Natural Heritage Trust program (DEEP may wish for this to be based upon their standards for the Recreation & Natural Heritage Trust Program which is used to acquire land for State Parks, Forests, etc.).

Finally, our recent comments on the CT DEEP draft Integrated Resources Plan (IRP) raised concerns about the accelerated loss of working and natural lands without consideration of the ecosystem benefits lost or degraded. Below is the recommendation we developed as part of a conservation coalition:

Conduct a stakeholder process to improve the transparency, predictability, and efficiency of solar siting and permitting in Connecticut. We support convening a stakeholder group that includes representatives of the environmental community who understand the extent and value of the multitude of ecosystem services provided by working and natural lands in Connecticut. We strongly recommend that the full reports generated by the GC3 Working and Natural Lands subgroups be utilized to inform this process. Prior efforts have relied on amending the Siting Council process, but any recommended policy/guidance needs to address the process prior to the submission of any permit application.

If passed, H.B. 6498 will be a crucial step in furthering efforts to protect farmland while simultaneously ensuring that the state is being cognizant of not displacing agriculture, core forests, and the eco-system services they provide while we increase our supply of renewable energy.

Thank you for the opportunity to submit testimony supporting H.B. 6498. Please contact me if you have any questions.

With sincere regards,

Chelsea Gazillo
Working Lands Alliance