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I am writing on behalf of the Norwalk River Watershed Association and its more than 1500 active participants and members to comment on proposed draft modifications to the General Permit for the Discharge of Stormwater and Dewatering Wastewaters from Construction Activities.

Thank you for addressing large-scale solar installations in this permit. Achieving renewable energy goals must not be at odds with goals for protecting water quality, core forests and prime farmland. The addition of “Appendix I- Stormwater Management at Solar Array Construction Projects” is critical in making sure the right conditions are put in place to address the large amount of impervious surface created by large-scale solar installations as well as the large area of land disturbance during construction and installation.

Addressing the runoff issues that have been observed at several solar project sites, both during installation and post-installation, is of vital concern to those of us working to protect our local rivers and wetlands from construction runoff. NRWA concurs with the comments submitted by Rivers Alliance (Feb 13) and with the “Proposed Stormwater Standards for Ground Mounted Solar Arrays” submitted by Steve Trinkaus and would like to reinforce the following:

- Roadways, gravel surfaces and transformer pads within the solar array should be considered 100% impervious for all stormwater calculations, not just for Water Quality Volume.
- Requiring the utilization of native plants for post-construction planting and prohibition of the unnecessary use of chemical fertilizers, herbicides and pesticides. Additionally, the standards need to specifically address the challenges presented during construction, not just post-construction. A critical component of controlling erosion throughout the installation is managing how water flows across the site once construction activities start. Although it may be possible to design for sheet flow conditions post-construction, achieving adequate protection is especially difficult during construction given the natural contours of a property, the use of heavy equipment, extent of vegetation removal, and the extreme storm events resulting from global climate change. We need to consider requiring “worst case scenario” analysis, frequent site inspections during construction, and third-party peer review and oversight paid for by the developers during the construction phase to ensure the integrity of the stormwater management systems. Finally, it is essential that (1)(e) under “Design and construction requirements” remains as a condition in this section of the permit or, perhaps, further improved. This condition requires that a 100-foot buffer be maintained between any part of the solar array and any wetlands or waters. To improve this condition, the buffer should be vegetated and a 150 foot buffer would be even better.

In addition, the General Permit Stormwater Pollution and Control Plan must specifically state that a certified Erosion and Sediment Control Plan—one that addresses erosion and sediment control during construction as well as postconstruction--must be part of the Stormwater Control Plan. Independent, third party inspections by a qualified professional are critical. An opportunity to protect high quality waters to protect cold-water species NRWA agrees with Rivers Alliance and the comments of the Connecticut Council of Trout Unlimited (submitted by John Kovach and Sal DeCari on Feb 7th) on adding conditions to protect Coldwater Fish Resources (CFRs).

NRWA agrees with Rivers Alliance that high quality headwater streams and tributaries not under the protection of public water supply are at the mercy of the strength or weakness of inland wetland and zoning ordinances that vary greatly across our 169 cities and towns, as does the rigor of stormwater permitting. We see such variations in our 6 CT watershed towns every year. This is an opportunity to provide protections for habitat for CFRs.

It is vital that the Conservation Districts have a role in providing technical assistance on erosion and sediment control for construction projects. The Districts are a neutral third party with the expertise to assist with review of E&S plans and conduct inspections during construction and through final stabilization.

Thank you again for the opportunity to comment.

Sincerely,

Louise Washer  
President, Norwalk River Watershed Association