

OFFICE OF LEGISLATIVE RESEARCH
PUBLIC ACT SUMMARY



PA 23-163—HB 5608
Environment Committee

AN ACT CONCERNING CERTAIN SOLAR PHOTOVOLTAIC FACILITIES LOCATED ON PRIME FARMLAND, FARMLAND OF STATE-WIDE IMPORTANCE OR CORE FOREST LANDS

SUMMARY: This act prohibits the Connecticut Siting Council from approving a two-megawatt or more solar photovoltaic facility on prime farmland or forestland unless the project applicant provides a bond to cover the costs of decommissioning the facility and restoring the prime farmland. This includes the costs of an inspection by a qualified soil scientist or other agricultural soils professional to assess and assure the soils' restoration and its suitability for farming. A decommissioning bond is a way to secure payment for removing an abandoned solar panel system and remediating the land.

Under the act, the scientist's or soils professional's assessment must at least consider topsoil and subsoil depths, soil compaction, change in surface and subsurface drainage, erosion and sedimentation control measures, and soil fertility.

By law, "prime farmland" is soils defined by the U.S. Department of Agriculture as best suited to produce food, feed, forage, fiber, and oilseed crops. In general, these lands have an adequate and dependable water supply, a favorable temperature and growing season, acceptable acidity or alkalinity, acceptable salt and sodium content, and few or no rocks (CGS § 16a-3k, citing to 7 C.F.R. § 657.5).

EFFECTIVE DATE: Upon passage