



STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL

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VIA ELECTRONIC MAIL

December 30, 2020

Steve Broyer
Ecos Energy LLC
222 South 9th Street
Minneapolis, MN 55402
Steve.broyer@ecosrenewable.com

RE: **PETITION NO. 1222A** - Windham Solar LLC declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the proposed construction, maintenance and operation of three 2.0 Megawatt and four 1.0 Megawatt Solar Photovoltaic Electric Generating facilities located southeast of Hartford Turnpike and south of Fisk Road, Hampton, Connecticut. **Reopening of this petition based on changed conditions pursuant to Connecticut General Statutes §4-181a(b).**

Dear Mr. Broyer:

The Connecticut Siting Council (Council) requests your responses to the enclosed questions no later than January 18, 2021. To help expedite the Council's review, please file individual responses as soon as they are available. At this time, consistent with the Council's policy to prevent the spread of Coronavirus, please submit an electronic copy only to siting.council@ct.gov. However, please be advised that the Council may later request one or more hard copies for records retention purposes.

Any request for an extension of time to submit responses to interrogatories shall be submitted to the Council in writing pursuant to §16-50j-22a of the Regulations of Connecticut State Agencies.

Sincerely,

s/Melanie Bachman

Melanie Bachman
Executive Director

MB/MP

Attachment: Sheet 4

Petition No. 1222A
Interrogatories
December 30, 2020

Project Development

1. Referencing the Motion to Reopen received on October 22, 2020, please identify the changed conditions associated with the development of the 2 megawatt (MW) alternating current (AC) Future Projects (Future Projects).
2. Windham Solar, LLC (WS) noted that the Future Projects were denied by the Council. However, attached Sheet No. 4 dated June 15, 2018 indicates three 1 MW AC Future Projects array areas. Please provide a corrected Sheet No. 4 with array labeling consistent with Sheet No. 15 – Landscaping Plan.
3. Referencing attached Sheet No. 4 dated June 15, 2018, to the east of the access drive, WS depicts the 6 MW AC of solar arrays already approved by the Council. On August 16, 2019, the Council approved the Development and Management (D&M) Plan for the clearing of the 6 MW approved array area and construction of 4 MW of the approved arrays. What is the current status of the construction of the 4 MW of arrays? Indicate when WS plans to submit an additional D&M Plan for the remaining approved 2 MW array.
4. Referencing page 16 of the original Petition dated March 15, 2016, WS noted that it would participate in the state's LREC/ZREC Program. What is the status of such participation, and would the Future Projects be included?
5. Does WS have a contract (i.e. power purchase agreement) to sell the electricity and renewable energy certificates (RECs) it expects to generate from the Future Projects? If so, to which public utility? If the electricity is to be sold to more than one public utility, provide the percentage to be sold to each public utility.
6. What authority approves the power purchase agreement (PPA) for the Future Projects? Has a PPA with an electric distribution company been executed? If so, at what alternating current megawatt output? If not, when would the PPA be finalized?
7. What is the length of the power purchase agreement (PPA)? Are there provisions for any extension of time in the PPA? Is there an option to renew?
8. Is the alternating current megawatt capacity of the facility fixed at a certain amount per the PPA? Is there an option within the PPA to allow for changes in the total output of the facility based on unforeseen circumstances?
9. If the PPA expires and is not renewed and the solar facility has not reached the end of its lifespan, will WS decommission the facility or seek other revenue mechanisms for the power produced by the facility?
10. Would WS participate in the ISO-NE Forward Capacity Auction for the proposed 2 MW Future Projects (Future Projects)? If yes, which auction(s) and capacity commitment period(s)?

Proposed Site

11. In the lease agreement with the landowner PLH, LLC, are there any provisions related to decommissioning or site restoration at the end of the project's useful life? If so, please describe and/or provide any such provisions.
12. Would all components of the solar photovoltaic panels be recyclable? Could components of panels be reused to make photovoltaic cells or whole panels be used to make new solar panels at the end of the life of this project? Could the solar panels and/or associated components be repurposed for a different use or product?
13. Provide the distance, direction and address of the nearest property line and nearest off-site residence from the solar field perimeter fence for the Future Projects.

Energy Output

14. What is the proposed solar panel wattage in Watts direct current (W DC) for the Future Projects? Would it be the same as the already approved arrays?
15. Have electrical loss assumptions been factored into the output of the facility? What is the total output (MW AC) at the point of interconnection taking into account all approved solar panels and the Future Project?
16. Would the power output of the solar panels decline as the panels age? If so, estimate the percent per year.
17. If one section of the solar array experiences electrical problems causing the section to shut down, could other sections of the system still operate and transmit power to the grid?

Site Components and Solar Equipment

18. How many panels will each rack hold?
19. Is the wiring from the panels to the inverters installed on the racking? If wiring is external, how would it be protected from potential damage from weather exposure, vegetation maintenance, or animals?
20. What is the proposed aisle width (or spacing from panel edge to panel edge) for the Future Projects? What is the minimum aisle width at which the solar panel rows could be installed? How does this aisle width compare with the approved solar arrays?

Interconnection

21. Provide an update on any system impact studies, and indicate if the electrical distribution system can support the full megawatt output of the approved project plus the Future Projects (e.g. 8 MW AC).

Public Safety

22. Would the Future Projects comply with the National Electrical Code, the National Electrical Safety Code and any applicable National Fire Protection Association (NFPA) codes and standards, including, but not limited to, NFPA Code Section 11.12.3?
23. Would the proposed Future Projects meet the applicable DEEP noise standards at the property boundaries?
24. Please respond to the comments of the Connecticut Airport Authority dated December 16, 2020.
25. Would the Future Projects require a review/determination from the FAA regarding any potential hazard to air navigation?

Environmental

26. Provide the total tree clearing area that would be required for the Future Projects development area.
27. Under Connecticut General Statutes §16-50k, "Core forest" means unfragmented forest land that is three hundred feet or greater from the boundary between forest land and nonforest land, as determined by the Commissioner of Energy and Environmental Protection." Would any tree clearing associated with the development of the proposed Future Projects occur within core forest? If so, how many acres? How would tree clearing affect the acreage of core forest and core forest edge? Provide an aerial photograph that depicts pre- and post-construction acreage of core and edge forest.
28. Does the proposed Future Projects development area contain any Connecticut Prime Farmland Soils? If so, how many acres of Prime Farmland Soils would be impacted by the proposed Futures Projects?
29. Are there any wells on the site or in the vicinity of the Future Projects site? If so, how would WS protect the wells and/or water quality from construction impacts?
30. Would any fuels be stored on site during construction of the Future Projects? If so, provide Spill Prevention, Control and Countermeasure Plan.
31. Provide the pre-construction and post-construction percent development areas for the 100-foot to 750-foot Critical Terrestrial Habitat Areas for Vernal Pool #1 and Vernal Pool #2 which are identified on Sheet No. 15.
32. Would the proposed Future Projects be consistent with the 2015 U.S. Army Corps of Engineers Vernal Pool Best Management Practices?
33. What is the length of the posts and to what depth would the posts be driven into the ground to provide structural stability? Are any impacts to groundwater quality anticipated? If so, how would the Petitioner manage and/or mitigate these impacts?
34. Please submit photographic site documentation with notations linked to the site plans or a detailed aerial image that identify locations of site-specific and representative site features for the Future Projects area. The submission should include photographs of the site from public road(s) or

publicly accessible area(s) as well as Site-specific locations depicting site features including, but not necessarily limited to, the following locations as applicable:

For each photo, please indicate the photo viewpoint direction and stake or flag the locations of site-specific and representative site features. Site-specific and representative site features include, but are not limited to, as applicable:

1. wetlands, watercourses and vernal pools;
2. forest/forest edge areas;
3. agricultural soil areas;
4. sloping terrain;
5. proposed stormwater control features;
6. nearest residences;
7. Site access and interior access road(s);
8. utility pads/electrical interconnection(s);
9. clearing limits/property lines;
10. mitigation areas; and
11. any other noteworthy features relative to the Project.

A photolog graphic must accompany the submission, using a site plan or a detailed aerial image, depicting each numbered photograph for reference. For each photo, indicate the photo location number and viewpoint direction, and clearly identify the locations of site-specific and representative site features show (e.g., physical staking/flagging or other means of marking the subject area).

The submission shall be delivered electronically in a legible portable document format (PDF) with a maximum file size of <20MB. If necessary, multiple files may be submitted and clearly marked in terms of sequence.

Facility Construction

35. With regard to earthwork required to develop the Future Projects portion of the site, provide the following:
 - a) Will the site be graded? If so, in what areas?
 - b) What is the desired slope within the solar array areas?
 - c) Could the solar field areas be installed with minimal alteration to existing slopes?
 - d) If minimal alteration of slopes are proposed, can existing vegetation be maintained to provide ground cover during construction?
 - e) Estimate the amounts of cut and fill in cubic yards for any additional access road(s)
 - f) Estimate the amounts of cut and fill in cubic yards for solar field grading.
 - g) If there is excess cut, will this material be removed from the site property or deposited on the site property?
36. Would topsoil be stripped from the site prior to grading? If so, would the topsoil be spread over the disturbed areas once grading is complete? If not, how would growth of new vegetation/grasses be promoted within the graded areas if nutrient rich soils are not present?
37. For the future project would the posts (that support the racking system) be driven into the ground using the same methods as for the approved arrays? Explain. In the event that ledge is encountered, what methods would be utilized for installation?

38. Would a seasonal restriction (i.e. outside of June/July) for clearing of the Future Projects area be implemented to protect the northern long-eared bat?

