

PETITION NO. 1310A - Quinebaug Solar, LLC petition for a } Connecticut
 declaratory ruling, pursuant to Connecticut General Statutes §4-176 }
 and §16-50k, for the proposed construction, maintenance and } Siting
 operation of a 50 megawatt AC solar photovoltaic electric } Council
 generating facility on approximately 561 acres comprised of 29 }
 separate and abutting privately-owned parcels located generally }
 north of Wauregan Road in Canterbury and south of Rukstela Road }
 and Allen Hill Road in Brooklyn, Connecticut. Reopening of this }
 petition based on changed conditions pursuant to Connecticut }
 General Statutes §4-181a(b). } April 23, 2020

Decision and Order

Pursuant to Connecticut General Statutes (CGS) § 16-50k(a), CGS §4-176 and the foregoing Findings of Fact and Opinion, the Connecticut Siting Council (Council) finds that the construction, maintenance, and operation of a 49.36 MW solar photovoltaic electric generating facility on approximately 599 acres comprised of 30 separate parcels located generally north of Wauregan Road in Canterbury and near Rukstela Road and Allen Hill Road in Brooklyn, and associated electrical interconnection including the Quinebaug Collector Substation, Eversource’s Canterbury Switching Station, connections to existing transmission, and transmission upgrades in the City of Norwich, would meet all applicable U.S. Environmental Protection Agency and Connecticut Department of Energy and Environmental Protection (DEEP) Air and Water Quality Standards, and therefore, the Council will issue a declaratory ruling for the proposed solar photovoltaic electric generating facility.

Unless otherwise approved by the Council, the facility shall be constructed, operated, and maintained substantially as specified in the Council’s record in this matter, and is subject to the following conditions:

1. The Petitioner shall prepare a Development and Management Plan (D&M) for this site in compliance with Sections 16-50j-60 through 16-50j-62 of the Regulations of Connecticut State Agencies. The D&M Plan shall be submitted to and approved by the Council prior to the commencement of facility construction and shall include:
 - a. A final site plan including, but not limited to, the solar arrays, landscape plantings, fence design, location of locked indoor area for storage of fuel, oil, paint and other hazardous materials, and the electrical connection to and including the Quinebaug Collector Substation and Eversource Canterbury Switching Station;
 - b. Final construction hours and days of the week;
 - c. Construction traffic control plan;
 - d. Copies of DEEP General Permits from QS and Eversource;
 - e. Erosion and sedimentation control plan consistent with the *2002 Connecticut Guidelines for Erosion and Sedimentation Control* including, but not limited to, seeding the site for stabilization purposes prior to installation of racking systems and panels, and utilization of silt socks or similar manufactured product in conjunction with silt fence in areas of disturbance closest to wetlands;
 - f. Site clearing, grubbing, stabilization, and stormwater controls phasing plan including, but not limited to, delineation between cleared areas with grubbing and areas where stumps are to remain and elevations of all spillways for consistency with design details;
 - g. DEEP-approved stormwater management plan consistent with the *2004 Connecticut Stormwater Quality Manual*, including an analysis on the potential impact of driveways on stormwater flows, including but not limited to, potential diversion of stormwater away from wetlands;

- h. Final plans to comply with the March 5, 2020 DEEP NDDB Determination;
 - i. Plans to comply with the recommendations from DEEP outlined in “Stormwater Management at Solar Farm Construction Projects” dated September 8, 2017 and new DEEP Stormwater guidance on solar farm development, as applicable;
 - j. Final Vegetation Management Plan including, but not limited to, provisions for frequency of mowing and vegetation maintenance that incorporate any DEEP-required seasonal restrictions, post-construction site inspections, and removal of any accumulated sediment and debris that could affect stormwater patterns;
 - k. Invasive Species Management Plan; and
 - l. Final plans for pollinator species including landscape plantings and identification of the final seed mix under and around the solar panels.
2. No fly ash shall be used for soil stabilization. If fly ash is used in concrete blocks or other concrete products on site, a detailed analysis about leaching characteristics of the proposed product shall be submitted to the Council.
3. Unless otherwise approved by the Council, if the facility authorized herein is not fully constructed within three years from the date of the mailing of the Council’s decision, this decision shall be void, and the facility owner/operator shall dismantle the facility and remove all associated equipment or reapply for any continued or new use to the Council before any such use is made. The time between the filing and resolution of any appeals of the Council’s decision shall not be counted in calculating this deadline. Authority to monitor and modify this schedule, as necessary, is delegated to the Executive Director. The facility owner/operator shall provide written notice to the Executive Director of any schedule changes as soon as is practicable;
4. Any request for extension of the time period to fully construct the facility shall be filed with the Council not later than 60 days prior to the expiration date of this decision and shall be served on all parties and intervenors;
5. Within 45 days after completion of construction, the Council shall be notified in writing that construction has been completed;
6. The facility owner/operator shall remit timely payments associated with annual assessments and invoices submitted by the Council for expenses attributable to the facility under Conn. Gen. Stat. §16-50v;
7. This Declaratory Ruling may be transferred, provided the facility owner/operator/transferor is current with payments to the Council for annual assessments and invoices under Conn. Gen. Stat. §16-50v and the transferee provides written confirmation that the transferee agrees to comply with the terms, limitations and conditions contained in the Declaratory Ruling, including timely payments to the Council for annual assessments and invoices under Conn. Gen. Stat. §16-50v; and
8. If the facility owner/operator is a wholly owned subsidiary of a corporation or other entity and is sold/transferred to another corporation or other entity, the Council shall be notified of such sale and/or transfer and of any change in contact information for the individual or representative responsible for management and operations of the facility within 30 days of the sale and/or transfer.

We hereby direct that a copy of the Findings of Fact, Opinion, and Decision and Order be served on each person listed in the Service List, dated January 15, 2020, and notice of issuance published in The Bulletin.

By this Decision and Order, the Council disposes of the legal rights, duties, and privileges of each party named or admitted to the proceeding in accordance with Section 16-50j-17 of the Regulations of Connecticut State Agencies.