

STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL

**GRE GACRUX LLC petition for a declaratory ruling
for the proposed construction, maintenance and
operation of a 16.78-megawatt AC solar photovoltaic
electric generating facility in Waterford, Connecticut.
Reopening of this petition based on changed conditions.**

Petition No. 1347A

June 18, 2020

**REQUEST FOR ADMINISTRATIVE NOTICE
OF SAVE THE RIVER-SAVE THE HILLS, INC.**

Pursuant to the Siting Council's pre-filing deadlines, Save the River-Save the Hills, Inc. ("STR-STH") submits this request for administrative notice of the following for the evidentiary hearing on June 25, 2010. This list is in addition to those administrative notice items already identified by the Siting Council in its pre-remote hearing memorandum dated May 21, 2020. STR-STH reserves the right to request administrative notice of additional documents and publications as deemed necessary or useful as this matter proceeds.

1. Beauchene, M., M. Becker, C. Bellucci, N. Hagstrom, and Y. Kanno. 2014. *Summer thresholds of fish community transitions in Connecticut streams*. N. Am. J. Fish. Man. 34:119-131. Available at: <https://afspubs.onlinelibrary.wiley.com/doi/abs/10.1080/02755947.2013.855280>
2. CEQ (Council on Environmental Quality). December 4, 2015. *Digging Connecticut...while Protecting Its Waters and History: Recommendations for Reducing Impacts of Earthmoving* (discussion draft). Available at: <https://portal.ct.gov/-/media/CEQ/Stormwater-and-Earthmoving-Report----Discussion-Draft-12-02-15.pdf>
3. CEQ. 2016. *Minutes of the Jan. 27, 2016 meeting*. Available at: <https://portal.ct.gov/CEQ/Meetings-and-Agendas/Minutes/January-27-2016-Minutes>.
4. CEQ. 2020. 2019 CEQ Annual report. Available at: <https://portal.ct.gov/-/media/CEQ/CEQ-Annual-Report-2019-Final.pdf?la=en>.

5. Cole Ecological, Inc. 2016. *2014-2015 Bioassessment of Streams in the Town of Waterford, CT. 2015 Summary Report.* 46 pp.
6. CT DEEP (Connecticut Department of Energy and Environmental Protection). *General Permit for the Discharge of Stormwater and Dewatering Wastewaters from Construction Activities.* Available at: <https://portal.ct.gov/DEEP/Water-Regulating-and-Discharges/Stormwater/Construction-Stormwater-GP>
7. CT DEEP. *Proposed Reissuance with Modifications of the General Permit for the Discharge of Stormwater and Dewatering Wastewaters from Construction Activities (GP).* Available at: <https://portal.ct.gov/DEEP/Water-Regulating-and-Discharges/Stormwater/Construction-Stormwater-GP>
8. CT DEEP. 1975. Office of Long Island Sound Programs. Niantic River Watershed Protection Plan. Watershed-wide Strategies to Prevent Nonpoint Source Pollution. Available at: <https://portal.ct.gov/DEEP/Water/Watershed-Management/Watershed-Management-Plans-and-Documents#nianticriver>
9. CT DEEP. 2019. 2018 Integrated Water Quality Report. Available at: <https://portal.ct.gov/DEEP/Water/Water-Quality/Water-Quality-305b-Report-to-Congress>
10. CT DEEP. 2019. 2018 Integrated Water Quality Report. Appendix A-3. Connecticut 305b Assessment Results for Estuaries. Available at: <https://portal.ct.gov/DEEP/Water/Water-Quality/Water-Quality-305b-Report-to-Congress>
11. CT DEEP. 2019. 2018 Integrated Water Quality Report. Appendix B-1. List of Impaired Waters for Connecticut. Available at: <https://portal.ct.gov/DEEP/Water/Water-Quality/Water-Quality-305b-Report-to-Congress>

12. CT DEEP. 2019. 2018 Integrated Water Quality Report. Appendix C-1. Priority List of Impaired Waters for Action Plan Development (including TMDL development). Available at: <https://portal.ct.gov/DEEP/Water/Water-Quality/Water-Quality-305b-Report-to-Congress>
13. CT DEEP. 2019. 2018 Integrated Water Quality Report. Appendix C-2. List of Waters for Action Plan Development by 2022 Identified in Integrated Water Resource Management Reports. Available at: <https://portal.ct.gov/DEEP/Water/Water-Quality/Water-Quality-305b-Report-to-Congress>
14. CT DEEP. 2020. *Construction Stormwater Permitting: Rain Happens!* Presentation by DEEP Stormwater Section, Jan. 8, 2020. Available at: <https://www.cbia.com/wp-content/uploads/2020/01/CBIA-CTDEEP-stormwater.pdf>
15. CT DEEP. May 12, 2020. *Letter and memorandum to Candlewood Solar LLC rejecting application for Construction General Permit*. Available at: <https://www.crameranderson.com/wp-content/uploads/2020/05/20200512-Candlewood-Solar-Registration-Registration-Application-No-202003778-Disapproval.pdf>
16. CT DEEP. Mar. 14, 2019. *Notice of rejection and memorandum to Candlewood Solar LLC rejecting application for Construction General Permit*. Available at: <https://www.crameranderson.com/wp-content/uploads/2019/03/Rejection-of-Registration.pdf>
17. CT DEEP. 2019. *Decision Not to Issue Declaratory Rulings in the Matter of the Town of New Milford, Petition for Declaratory Ruling*. Available at: https://portal.ct.gov/-/media/DEEP/declaratory_rulings_other_decisions/2019March14CandlewoodSolarRulingpdf.pdfhttps://
18. *Dunham v. Connecticut Siting Council et al.*, Docket No. HHB-CV-18-5021642-S. Record available at: <http://civilinquiry.jud.ct.gov/CaseDetail/PublicCaseDetail.aspx?DocketNo=HHBCV185021642S>

19. ECCD (Eastern Connecticut Conservation District). 2009. *Niantic River Watershed Protection Plan*. Available at: <https://www.waterfordct.org/planning-development/pages/land-use-studies-reports>
20. IER (Institute for Energy Research). 2016. *The Levelized Cost of Electricity from Existing Energy Sources*. Available at: https://www.instituteforenergyresearch.org/wp-content/uploads/2016/07/IER_LCOE_2016-2.pdf
21. IER. 2017. *Will Solar Power Be at Fault for the Next Environmental Crisis?* Available at: <https://www.instituteforenergyresearch.org/uncategorized/will-solar-power-fault-next-environmental-crisis/#:~:text=Regardless%2C%20the%20waste%20disposal%20issues%20regarding%20solar%20panels%20are%20enormous.&text=Further%2C%20while%20nuclear%20units%20can,in%20the%20next%20few%20decades>
22. Klemens, M.W. 1993. *Amphibians and Reptile of Connecticut and Adjacent Regions*. State Geological and Natural History Survey of Connecticut. Bull. No. 112.
23. Milone & MacBroom, Inc. 2009. *Stony Brook Watershed Management Plan*. Accessed at: https://portal.ct.gov//media/DEEP/water/watershed_management/wm_plans/stonybrookwsplanpdf.pdf?la=en
24. Minnesota Stormwater Manual, *Stormwater management for solar projects and determining compliance with the NPDES construction stormwater permit*, available at: https://stormwater.pca.state.mn.us/index.php?title=Stormwater_management_for_solar_projects_and_determining_compliance_with_the_NPDES_construction_stormwater_permit
25. National Fire Protection Association
26. *Petition by Town of New Milford for Declaratory Ruling in the Matter of Candlewood Solar, LLC (directed to DEEP)*. Feb. 2020. Available at: <https://www.crameranderson.com/wp-content/uploads/2020/03/2.27.20-Final-Petition-for-Declaratory-Ruling.pdf>

27. Petition No. 1312. *Town of New Milford petition for a declaratory ruling, pursuant to Connecticut General Statutes §4-176, for a determination that the January 28, 2019 Development and Management Plan submitted by Candlewood Solar, LLC in Petition No. 1312 conflicts and/or is inconsistent with the Connecticut Siting Council's December 21, 2017 final decision on Petition No. 1312.* Record and decision. Available at: <https://www.ct.gov/csc/cwp/view.asp?a=2397&Q=594294&PM=1>

28. Petition No. 1347A. *GRE GACRUX LLC petition for a declaratory ruling, pursuant to Connecticut General Statutes §4-176 and §16-50k, for the proposed construction, maintenance and operation of a 16.78-megawatt AC solar photovoltaic electric generating facility located at 117 Oil Mill Road and associated electrical interconnection to Eversource Energy's existing substation at 325 Waterford Parkway North in Waterford, Connecticut. Reopening of this petition based on changed conditions pursuant to Connecticut General Statutes §4-181a(b).* Record. Available at: <https://www.ct.gov/csc/cwp/view.asp?a=2397&q=611294>

29. Petition No. 1398. *LSE Pictor, LLC petition for a declaratory ruling, pursuant to Connecticut General Statutes §4-176 and §16-50k, for the proposed construction, maintenance and operation of a 1.99-megawatt AC solar photovoltaic electric generating facility on an approximately 104 acre parcel located off of Platt Hill Road, Winchester, Connecticut and associated electrical interconnection.* Record. Available at: <https://www.ct.gov/csc/cwp/view.asp?a=2397&q=611486>

30. Preston, J. 2018. *It takes a watershed to save a bay.* Wrack Lines. Fall/Winter 2018-19. Available at: <https://seagrant.uconn.edu/wp-content/uploads/sites/1985/2018/12/wracklines-Fall-2018-Niantic-small.pdf>

31. Prume, K., J. Viehweg et al. 2018. *Guideline. Assessing Fire Safety Risks in Photovoltaic Systems and Developing Safety Concepts for Risk Minimization.* (Translated from the German Second

Ed. of July 2015). Available at: https://www.energy.gov/sites/prod/files/2018/10/f56/PV%20Fire%20Safety%20Fire%20Guideline_Translation_V04%2020180614_FINAL.pdf

32. *Rescue Candlewood Mountain et al. v. Connecticut Siting Council et al.*, Docket No. HHB-CV-18-6042335-S. Record available at: <http://civilinquiry.jud.ct.gov/CaseDetail/PublicCaseDetail.aspx?DocketNo=HHBCV186042335S>

33. Robinson, S.A., and G.A. Meindl. 2019. *Potential for leaching of heavy metals and metalloids from crystalline silicon photovoltaic systems*. J. Nat. Res. Dev. 2019, 09:19-24. Available at: <https://www.jnrd.info/2019/05/10-5027-jnrd-v9i0-02/>

34. Schauffler, M. *Siting Solar Projects: The Right Power in the Right Place*. Saving Land Fall 2019:14-17. Available at: <https://www.landtrustalliance.org/news/harnessing-power-sun#:~:text=Siting%20Solar%20Projects%3A%20The%20Right%20Power%20in%20the%20Right%20Place&text=Drawing%20on%20their%20ecological%20expertise,wetlands%20and%20productive%20agricultural%20areas.>

35. *State of Connecticut v. Woods Hill Solar, LLC et al.*, Consent Order #COWRSW18003, dated Nov. 27, 2018.

36. Town of East Lyme Inland Wetlands Agency. *Corrected letter to GRE re: Vote to Continue Cease, Desist and Restore Order issued to GRE*. June 11, 2015.

37. Town of East Lyme Inland Wetlands Agency. *Revised Cease, Desist and Correct Restore issued to GRE re: Antares solar field*. Apr. 7, 2014.

38. *Town of New Milford v. Connecticut Siting Council et al.*, Docket No. HHB-CV-19-6053213-S. Record available at: <http://civilinquiry.jud.ct.gov/CaseDetail/PublicCaseDetail.aspx?DocketNo=HHBCV196053213S>

39. Town of Waterford, 2012 Plan of Preservation, Conservation and Development.

Available at: https://www.waterfordct.org/sites/waterfordct/files/file/file/policy_guide_effective_010112_rfs.pdf

40. USFHA and CT DOT (United States Federal Highway Administration and Connecticut Department of Transportation). 2007. Final Environmental Impact Statement and Environmental Impact Evaluation. Route 82/85/11 Corridor. Salem, Montville, East Lyme and Waterford. Section 5.4. Biological Diversity. Accessed at: <https://portal.ct.gov/media/DOT/documents/ddotinfo/rt11final/Section54511Envimpactspdf.pdf?la=en>

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CERTIFICATION

I hereby certify that a copy of the foregoing document was delivered by first-class mail and e-mail to the following service list:

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