



STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL

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Hearing Program

Petition No. 1425

Thursday, January 7, 2021

2:00 p.m.

Zoom Remote Public Hearing

I. Opening by Council

A. Statement read by Presiding Officer.

B. Administrative Notice taken by Council

FEDERAL

1. NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH SCIENCES, NATIONAL INSTITUTES OF HEALTH, *EMF, Electric and Magnetic Fields Associated with the Use of Electric Power*, June 2002, available at http://www.niehs.nih.gov/health/materials/electric_and_magnetic_fields_associated_with_the_use_of_electric_power_questions_and_answers_english_508.pdf
2. NATIONAL RESEARCH COUNCIL, *Research on Power-Frequency Fields Completed Under the Energy Policy Act of 1992*, National Academy of Sciences, 1999, available at <http://books.nap.edu/openbook.php?isbn=0309065437>
3. UNITED STATES DEPARTMENT OF TRANSPORTATION, FEDERAL AVIATION ADMINISTRATION, *Obstruction Marking and Lighting, Advisory Circular AC 70/7460-1L*, December 4, 2015, as amended, available at https://www.faa.gov/documentLibrary/media/Advisory_Circular/AC_70_7460-1L_.pdf
4. Presidential Proclamation No. 8460, Critical Infrastructure Month, 74 Fed. Reg. 234, December 8, 2009, available at <http://www.presidency.ucsb.edu/ws/index.php?pid=86954>
5. Presidential Executive Order No. 13636, Improving Critical Infrastructure Cybersecurity, 78 Fed. Reg. 11739, February 19, 2013, available at <http://www.archives.gov/federal-register/executive-orders/2013.html>
6. UNITED STATES DEPARTMENT OF THE INTERIOR, NATIONAL PARK SERVICE, *National Register of Historic Places*, July 2010, available at <https://www.nps.gov/subjects/nationalregister/index.htm>
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13. UNITED STATES ENVIRONMENTAL PROTECTION AGENCY, Office of Solid Waste and Emergency Response, *Handbook on Siting Renewable Energy Projects While Addressing Environmental Issues*, available at https://www.epa.gov/sites/production/files/2015-04/documents/handbook_siting_repowering_projects.pdf
14. UNITED STATES ENVIRONMENTAL PROTECTION AGENCY AND NATIONAL RENEWABLE ENERGY LABORATORY, *Best Practices for Siting Solar Photovoltaics on Municipal Solid Waste Landfills*, February 2013, available at https://www.epa.gov/sites/production/files/2015-03/documents/best_practices_siting_solar_photovoltaic_final.pdf
15. UNITED STATES DEPARTMENT OF AGRICULTURE, *Solar Energy Use in U.S. Agriculture Overview and Policy Issues*, April 2011, available at https://www.usda.gov/oce/reports/energy/Web_SolarEnergy_combined.pdf
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20. *Allco Fin. Ltd. v. Klee*, 2014 U.S. Dist. LEXIS 170674 (D. Conn. 2014), affirmed by *Allco Fin. Ltd. v. Klee*, 805 F.3d 89 (2nd Cir. 2015)

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21. ISO-NEW ENGLAND, INC., *Operational Fuel-Security Analysis*, January 17, 2018, available at https://www.iso-ne.com/static-assets/documents/2018/01/20180117_operational_fuel-security_analysis.pdf

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29. ISO-NEW ENGLAND, INC., *ISO New England Installed Capacity Requirement, Local Sourcing Requirements and Capacity Requirement Values for the System-Wide Capacity Demand Curve for the 2019/20 Capacity Commitment Period*, January 2016, available at https://www.iso-ne.com/static-assets/documents/2016/01/icr_values_2019_2020_report_final.pdf
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31. ISO-NEW ENGLAND, INC., *ISO New England's Internal Market Monitor 2018 Annual Markets Report*, May 23, 2019, available at <https://www.iso-ne.com/static-assets/documents/2019/05/2018-annual-markets-report.pdf>
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44. CONNECTICUT SITING COUNCIL, *White Paper on the Security of Siting Energy Facilities*, October 8, 2009, available at http://www.ct.gov/csc/lib/csc/docket_346/whiteppr_final.pdf
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Department of Transportation

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Other State Agencies

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MAPS

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D. State Agency Comments

1. Department of Public Health Comments, dated September 8, 2020
2. Department of Transportation Comments, dated September 17, 2020
3. Council on Environmental Quality Comments, dated September 18, 2020
4. Department of Energy and Environmental Protection Comments, dated November 12, 2020

E. Municipal Comments

1. Town of Hamden Request to Extend Public Comment Period and Request for Public Hearing and Site Visit, August 14, 2020
 2. Town of Hamden Inland Wetlands Commission Comments, dated August 28, 2020
 3. Town of Hamden Planning & Zoning Department Comments, dated September 9, 2020
 4. Town of Hamden Tree Commission Comments, dated October 2, 2020
-

F. Public Official Comments

1. State Representative Josh Elliot Comments, dated August 20, 2020
 2. State Senator Martin M. Looney and State Representative Josh Elliot Comments, dated December 16, 2020
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II. Appearance by Petitioner

Gaylord Mountain Solar Project 2019, LLC (GMS)

Representative:

Kenneth C. Baldwin, Esq.
Robinson & Cole LLP

A. Administrative Notice.

1.

B. Exhibits for Identification.

1. Petition for a Declaratory filed by Gaylord Mountain Solar Project 2019, LLC, received August 7, 2020, and attachments.
2. Petitioner's Responses to Interrogatories, Set One, dated October 20, 2020
3. Petitioner's Sign Posting Affidavit, dated November 3, 2020
4. Pre-Filed Testimony of John Bamman, dated November 10, 2020
5. Pre-Filed Testimony of Bradley J. Parsons, P.E., dated November 10, 2020
6. Resume of Amol Kapur, Senior Sales Manager, DSD Renewable LLC
7. Resume of Jenny R. Nicolas, Development Project Manager, DSD Renewable LLC
8. Resume of Matthew S. Gabor, P.E., Senior Project Engineer, DSD Renewable LLC
9. Stormwater Management Report, received November 17, 2020
10. Petitioner's Late-filed Exhibits, dated December 8, 2020
11. Petitioner's Late-filed Exhibits, dated December 30, 2020
12. Petitioner's Supplemental Late-filed Exhibit, dated January 5, 2021

C. Swear Witnesses

1. John Bamman, Senior Project Manager, Gaylord Mountain Solar 2019, LLC
2. Amol Kapur, Senior Sales Manager, Gaylord Mountain Solar 2019, LLC
3. Jenny R. Nicolas, Development Project Manager, Gaylord Mountain Solar 2019, LLC
4. Bradley J. Parsons, P.E., Project Engineer, All Points Technology Corp. P.C.
5. Michael Libertine, LEP, Director of Siting and Permitting, All Points Technology Corp. P.C.
6. Matthew Gustafson, Forester, Registered Soil Scientist, All Points Technology Corp. P.C.
7. Matthew S. Gabor, P.E., Senior Project Engineer, Gaylord Mountain Solar 2019, LLC

D. Full Exhibits - Verification of exhibits by witnesses and admission by the Council.

E. Cross Examination.

1. Council
 2. South Central CT Regional Water Authority (RWA)
 3. Shawn O'Sullivan
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III. Appearance by Intervenor: South Central Connecticut Regional Water Authority (RWA)

Representative: Bruce L. McDermott, Esq.
Murtha Cullina, LLP

A. Administrative Notice.

1.

B. Exhibits for Identification.

1. RWA Motion to Intervene, dated September 21, 2020
2. Pre-Filed Testimony of John Hudak, dated November 9, 2020

C. Swear Witnesses

1. John Hudak, Environmental Planning Manager, South Central CT Regional Water Authority

D. Full Exhibits - Verification of exhibits by witnesses and admission by the Council.

E. Cross Examination.

1. Council
2. Petitioner
3. Shawn O'Sullivan

IV. Appearance by Intervenor: Shawn O'Sullivan

A. Administrative Notice.

B. Exhibits for Identification.

1. O'Sullivan's Request for Intervenor Status, dated December 4, 2020
2. O'Sullivan's Pre-filed Testimony of Sigrun N. Gadwa, dated November 16, 2020
3. O'Sullivan's Pre-filed Testimony, dated November 20, 2020
4. O'Sullivan's Pre-filed Exhibits, dated December 15, 2020
 - a. Excerpts from the September 10, 2020 Draft Report for Public Comment by the Forests Sub-Group of the Working and Natural Lands Working Group, Governor's Council on Climate Change
 - b. Aerial Video, Gaylord Mountain Road
 - c. Driveway Drainage Video, 5 Hunting Ridge
5. O'Sullivan's Supplemental Pre-Filed Exhibit, Water Runoff at 360 Gaylord Mountain Road Video, received December 30, 2020

C. Swear Witnesses

1. Sigrun N. Gadwa, Plant Ecologist, Professional Wetland Scientist, Registered Soil Scientist, Carya Ecological Services, LLC

D. Full Exhibits - Verification of exhibits by witnesses and admission by the Council.

E. Cross Examination.

1. Council
2. Petitioner
3. South Central CT Regional Water Authority (RWA)

V. Closing by Connecticut Siting Council.