



Petition No. 1442 - SR Litchfield, LLC

DEVELOPMENT AND MANAGEMENT PLAN – PHASE I

1. Introduction

SR Litchfield LLC (“SRL”) hereby submits its Development and Management Plan – Phase I (the “Phase I D&M Plan”) for the SRL solar facility in Litchfield and Torrington, Connecticut (the “Project”). The Connecticut Siting Council (the “Council”) approved the Project by Decision and Order on September 23, 2021 (“Decision”) in Petition No. 1442 (“Petition”). The Phase I D&M Plan is specific to tree clearing and associated activities that must be completed prior to May 1, 2022 to avoid conflicts with the Department of Energy and Environmental Protection (“DEEP”), Natural Diversity Data Base (“NDDB”) clearing restriction associated with the red bat and hoary bat, which may occur in the forested areas of the Project site. The tree clearing restriction applicable to the Project is from May 1st to August 14th.

Due to the nature of the Project, seasonal development restrictions imposed by the DEEP NDDB, and SRL’s obligations under its Power Purchase Agreement, SRL intends to seek D&M Plan approval in a minimum of three (3) phases.

- I. The Phase I D&M Plan includes the:
 - a. cutting down of all trees required for the Project, as designated on the Tree Clearing Plan 1 (Sheet C301) and Tree Clearing Plan 2 (Sheet C302), attached hereto and made a part hereof as **Exhibit A** (the “Tree Clearing Plan”);
 - b. clearing of scrub and brush from certain portions of the Project area as designated on Tree Clearing Plan;
 - c. installation (including limited stump removal) of certain soil erosion and sedimentation controls (“SESC”) necessary to complete the preceding tasks in compliance with a DEEP-issued Stormwater Permit (“Stormwater Permit”);
 - d. implementation of NDDB species protective measures consistent with SRL’s Resources Protection Measures Plan, as approved by a final NDDB determination letter; and
 - e. implementation of a Spill Prevention and Response Plan.

- II. The Phase II D&M Plan will include the:
 - a. installation of security fencing and gates;

- b. completion of stump removal and clearing of scrub and brush within the Project areas previously cleared in accordance with Phase I;
- c. site grading and fill within the Project area in preparation for construction and installation of the solar arrays;
- d. installation of temporary and permeant stormwater controls in accordance with plans approved by the DEEP Stormwater Bureau (and if applicable, consistent with DEEP Dam Safety Division permitting requirements) for proposed stormwater basins; and
- e. the installation of additional SESC measures as required under a Stormwater Permit.

III. The Phase III D&M Plan will include:

- a. the installation of all solar panels, framing, and racking structures consistent with a final structural design stamped by a Professional Engineer duly licensed in the State of Connecticut;
- b. the installation of all electrical equipment associated with the solar arrays;
- c. the installation and connection of all electrical interconnection equipment;
- d. all final grading, fill, and stabilization activities;
- e. the implementation of a final Landscaping Plan;
- f. the consultation with the state and local fire marshals regarding compliance with the CT State Fire Prevention Code, Section 11.12.3; and
- g. the implementation of a livestock co-use plan, as appropriate.

Prior to commencing each phase, SRL will provide the Council with final versions of the relevant documents required under Sections 1 and 2 of the Decision. For example, a final Landscaping Plan will be submitted to the Council prior to commencement of Phase III activities.

SRL hereby requests that the Council approve this Phase I D&M Plan to allow SRL to complete the Phase I activities prior to April 30, 2022.

2. Phase I D&M Plan Scope

The cutting of these trees to at least 2' to 3' feet above the ground is necessary well in advance of the seasonal restriction period for the red bat and hoary bat. Construction of the Project will require the clearing of approximately 15 acres of deciduous and mixed deciduous-evergreen second-growth trees, ruderal woods, scrub shrub thickets, and tangles. In total, approximately 990 trees with at least a 6" diameter at breast height will be cleared as part of Project construction. All tree clearing for the Project will be completed by a professional tree removal company that has experience in Connecticut.

All trees within in the cross-hatched areas shown on the attached Tree Clearing Plan will be cut down. If a tree clearing area has smaller sapling growth at the time the clearing commences, then it would be mowed with a track mower.

A. Types of Clearing

Shading Clearing

Of the approximately 15 acres of tree clearing, approximately 4.8 acres will be cleared to prevent shading of the solar panels. The trees in these areas will be cut to a height of approximately 2' to 3' above the ground. The tree stumps will be left in place throughout construction and operation of the Project. Where appropriate and possible, a suitable number of snags will be created to enhance wildlife habitat by selecting trees that are a minimum 6" in diameter at breast height and cutting the tree at a height of 6' to 8' from the ground. This area will also be restricted from grubbing activities to maintain the woody understory.

Wetland Clearing

The only tree clearing for the Project that will take place in a wetland will be associated with updating the existing access roadway through Wetland N/N1 in the northwest corner of the Project. To the extent any selective tree removal in wetlands is required such removal will be accomplished with the use of equipment intended to minimize disturbance to the remaining wetland vegetation and minimize compaction of wetland soils. To accomplish these goals, a combination of hand cutting and forwarders, feller-bunchers with cutting heads, harvester-processor, and other similar logging equipment will be utilized.

Any equipment entering into the wetland, not including the access roadway, will use truck mats or swamp mats to minimize disturbance to the wetland, resulting in only temporary wetland impacts, if any. Where appropriate to do so, mats would be placed directly over shrubs to minimize impact to the wetland understory vegetative cover. Most treetops and logs would be removed from the wetland; however, some slash would be allowed to remain to provide temporary cover for wildlife.

General Clearing

Approximately 10-acres of trees will be cleared in order to prepare the site for construction of the Project. These trees will be cut 2' to 3' off the ground and then the stumps will be removed.

Access Roadway Clearing

When trees are located where an access roadway will be installed, those trees will be cut and the stumps will be removed in order to allow for equipment to access the Project areas. SRL will not be installing any new access roadways during Phase I. Other than removal of the trees, access roadway areas will remain unimproved during this phase, with the exception of the existing access roadway in Area 3 off Highland Avenue, which will be improved to allow equipment to access Area 3.

B. Phasing

SRL plans to undertake the Phase I activities using a phased approach, working in one area of the Project site at a time. Areas 1 through 5 are designated on the Tree Clearing Plan. The Landing Areas are also labeled using arrows.

Area 1

Phase I will begin by cutting the trees along the boundary of Area 1 (southeast Project area) in order to allow the installation of silt fencing and erosion control measures. As cutting begins, the access roadway from the east side of Wilson Road and the Landing Area off of Wilson Road will be installed.

The trees in Area 1 will be cut and the stumps removed, consistent with the parameters set forth above. Cut trees and stumps will be moved to the Area 1 Landing Area and chipped and removed from the Project site.

Area 2

Once the cutting is completed in Area 1, the equipment will be moved to Area 2 (southwest Project area). The trees in Area 2 will be cut and the stumps removed, consistent with the parameters set forth above. Due to the proximity to wetlands and running water, cutting in some portions of Area 2 will not involve stump removal. The trees and stumps that are removed will be moved to the Landing Area that will be installed off the west side of Wilson Road. Chipping will occur at this Landing Area and removed from the Project site.

Area 3

Once the cutting is completed in Area 2, the equipment will be moved to Area 3 (northeast Project area). The existing access roadway from Highland Avenue will be improved consistent with the Council's Decision. Once the access roadway is improved, the trees in Area 3 will be cut and the stumps removed, consistent with the parameters set forth above. The trees and stumps that are removed will be moved to the Landing Area south of Wetland N/N1. Chipping will occur at this Landing Area and the chips will be removed from the Project site.

Area 4

Once the cutting is completed in Area 3, clearing activities will begin in Area 4 (north central Project area). Because the 100' buffer with Gulf Stream is on the west side of Area 4, erosion control will be prioritized along the east side of Area 4. Area 4 contains lower growth than the other areas. As such, an attempt will be made to mow this area. If that is not possible, trees will be cut with a feller buncher and hitches will be placed at the highest possible elevations to avoid the wet areas.

Area 5

Once the cutting is completed in Area 4, clearing activities will begin in Area 5 (central Project area). The trees in Area 5 will be cut and the stumps removed, consistent with the parameters set forth above. The trees and stumps that are removed will be moved to the Landing Area for Area 3 (south of Wetland N/N1). Chipping will occur at this Landing Area and the chips will be removed from the Project site.

C. SESC

As noted above, Phase I activities will include the installation of limited SESC as required by the Stormwater Permit. Before commencing any Phase I activities, SRL will obtain a Stormwater Permit. The Stormwater Permit will require the installation of certain SESC in connection with the tree clearing and access roadway installation. SRL will submit a copy of the Stormwater Permit, along with a copy of the final NDDDB determination letter, to the Council prior to commencing any Phase I activities. SRL will comply with the SESC requirements of the Stormwater Permit.

D. Construction Schedule and Hours of Operation

SRL expects to receive the Stormwater Permit and commence Phase I activities following Council approval as early as February 1, 2022, but no later than March 15, 2022. All tree cutting must be completed prior May 1, 2022.

Once SRL has the Council's approval to commence Phase I activities, such activities will occur Monday through Saturday from 7:00 a.m. to 5:00 p.m. SRL expects the same schedule for Phase II and Phase III activities but will notify the Council prior to any changes to this schedule.

E. Management Contact Information

The tree clearing activities will be managed by Joe Marrone who can be reached at (610) 506-6111. Miller Brothers will be the site contractor and will be involved in all Phase I activities. Miller Brother's Construction Manager throughout Phase I will be Peter LaCamera who can be reached at (610) 246-1267. Dee Koehler is the SRL's Senior Project Manager overseeing Phase I and can be reached at 512-924-3595.

F. Spill Prevention and Response Plan

Consistent with Section 2(h) of the Decision, SRL hereby submits a draft final Spill Prevention and Response Plan ("SPRP") utilizing the U.S. Environmental Protection Agency's Tier I Qualified Facility SPCC Plan template, attached hereto as **Exhibit B**. SRL will submit a copy of the final SPRP, with all emergency contact names and numbers included, to the Council prior to commencing any Phase I activities.