



STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL

Ten Franklin Square, New Britain, CT 06051

Phone: (860) 827-2935 Fax: (860) 827-2950

E-Mail: siting.council@ct.gov

Web Site: portal.ct.gov/csc

Hearing Program

Petition No. 1443

Thursday, July 8, 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
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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>
7. UNITED STATES DEPARTMENT OF ENERGY, FEDERAL ENERGY REGULATORY COMMISSION AND THE NORTH AMERICAN ELECTRIC RELIABILITY CORPORATION, *Report on Transmission Facility Outages During the Northeast Snowstorm of October 29-30, 2011 – Causes and Recommendations*, available at <http://ferc.gov/legal/staff-reports/05-31-2012-ne-outage-report.pdf>
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12. UNITED STATES FISH AND WILDLIFE SERVICE, Final 4(d) Rule for the Northern Long-eared Bat, January 14, 2016, available at <https://www.fws.gov/Midwest/endangered/mammals/nleb/pdf/FRnlebFinal4dRule14Jan2016.pdf>
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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46. **DOCKET NO. 470B** - NTE Connecticut, LLC Certificate of Environmental Compatibility and Public Need for the construction, maintenance, and operation of a 550-megawatt dual-fuel combined cycle electric generating facility and associated electrical interconnection switchyard located at 180 and 189 Lake Road, Killingly, Connecticut. Reopening of this application based on changed conditions pursuant to Connecticut General Statutes §4-181a(b). Record and Final Decision, available at https://portal.ct.gov/CSC/1_Applications-and-Other-PendingMatters/Applications/3_DocketNos400s/Docket-No-470B-NTEKillingly
47. **PETITION NO. 1310A** - Quinebaug Solar, LLC declaratory ruling, pursuant to Connecticut General Statutes §4-176 and §16-50k, for the proposed construction, maintenance and operation of a 50 megawatt AC solar photovoltaic electric 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). Record and Final Decision, available at https://portal.ct.gov/CSC/3_Petitions/Petition-Nos-1301-1310/Petition-No-1310A-CanterburyBrooklyn
48. **PETITION NO. 1313** - DWW Solar II, LLC declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the proposed construction, maintenance and operation of a 26.4 megawatt AC solar photovoltaic electric generating facility on approximately 289 acres comprised of 5 separate and abutting privately-owned parcels located generally west of Hopmeadow Street (US 202/CT 10), north and south of Hoskins Road, and north and east of County Road and associated electrical interconnection to Eversource Energy's North Simsbury Substation west of Hopmeadow Street in Simsbury, Connecticut. Record and Final Decision, available at https://portal.ct.gov/CSC/3_Petitions/Petition-Nos-1311-1320/Petition-No-1313-Simsbury

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MAPS

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101. MAIL-A-MAP STREET MAP, North Stonington, available at http://mailamap.com/street_maps
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C. State Agency comments

1. Council on Environmental Quality Comments, dated March 25, 2021
2. Department of Transportation Comments, dated March 29, 2021
3. Department of Agriculture Comments, dated April 6, 2021

II. Appearance by Petitioner: SR North Stonington, LLC

Representatives: Kenneth C. Baldwin, Esq.
Jonathan H. Schaefer, Esq.
Robinson & Cole, LLP

A. Administrative Notice.

B. Exhibits for Identification.

1. Petition for a Declaratory Ruling filed by SR North Stonington, LLC, received February 25, 2021, and attachments.
2. Petitioner Responses to Council's Interrogatories, Set One, dated June 1, 2021
3. Petitioner Sign Posting Affidavit, dated May 27, 2021
4. Petitioner Witness Resumes, dated June 1, 2021
5. Petitioner Responses to the Town of North Stonington Interrogatories, dated July 1, 2021
6. Petitioner Late Filed Exhibits, dated July 1, 2021

C. Swear Witnesses

1. Peter Candelaria, P.E., Chief Development Officer, Silicon Ranch
2. Ali Weaver, Director, Project Development, Silicon Ranch
3. Dean Gustafson, Manager, Natural Resources, All-Points Technology Corp. P.C.
4. Dennis Quinn, Owner, Quinn Ecological, LLC
5. Matt Brawley, Senior Civil Engineer, HDR
6. Vincent Ginter, P. Eng., Acoustic Engineer, Urban Solution Group

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

E. Cross Examination.

1. Council
2. Town of North Stonington

III. Appearance by Party:

Town of North Stonington

Representatives:

Robert A. Avena, Esq.
Suisman, Shapiro, Wool, Brennan,
Gray & Greenberg, P.C.

A. Administrative Notice.

B. Exhibits for Identification.

1. Town of North Stonington Request to Extend Public Comment Period and Request for a Hearing, dated March 24, 2021
2. Town of North Stonington Planning & Zoning Commission & Inland Wetland Commission Chairman Comments, dated March 25, 2021
3. Town of North Stonington Board of Selectman Comments, dated March 26, 2021
4. Town of North Stonington Additional Planning & Zoning Commission & Inland Wetlands Commission Comments, dated April 26, 2021
5. Town of Stonington's Request for Party Status, dated May 12, 2021
6. CLA Engineers, Inc. Letter (with attachment) to Juliet Hodge dated April 26, 2021
7. Resume of Robert Russo, C.S.S.

C. Swear Witnesses

1. Juliet Hodge, Planning, Development & Zoning Official, Town of North Stonington
2. Robert C. Russo, C.S.S., CLA Engineers, Inc.

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

E. Cross Examination.

1. Council

2. Petitioner

IV. Closing by Connecticut Siting Council.