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July 1, 2021

Melanie Bachman
Executive Director
Connecticut Siting Council
10 Franklin Square
New Britain, CT 06051

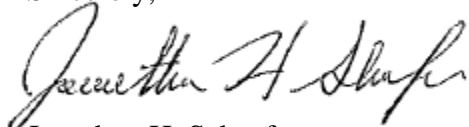
Re: **PETITION NO. 1443 - SR North Stonington, LLC petition for a declaratory ruling, pursuant to Connecticut General Statutes §4-176 and §16-50k, for the proposed construction, maintenance and operation of a 9.9-megawatt AC solar photovoltaic electric generating facility on five parcels located north and south of Providence New London Turnpike (State Route 184), west of Boombridge Road and north of Interstate 95 in North Stonington, Connecticut, and associated electrical interconnection**

Dear Attorney Bachman:

SR North Stonington, LLC hereby submits its responses to the Town of North Stonington's Interrogatories, issued on June 25, 2021 in connection with the above-referenced Petition.

If you have any questions concerning this submittal, please contact me at your convenience.

Sincerely,



Jonathan H. Schaefer

Enclosures (One original and fifteen copies of Responses to Town's Interrogatories)

STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL

IN RE: :
 :
 :
 A PETITION FOR A DECLARATORY : PETITION NO. 1443
 RULING, PURSUANT TO CONNECTICUT :
 GENERAL STATUTES §4-176 AND §16-50K, :
 FOR THE PROPOSED CONSTRUCTION, :
 MAINTENANCE AND OPERATION OF A 9.9- :
 MEGAWATT AC SOLAR PHOTOVOLTAIC :
 ELECTRIC GENERATING FACILITY ON :
 FIVE PARCELS LOCATED NORTH AND :
 SOUTH OF PROVIDENCE NEW LONDON :
 TURNPIKE (STATE ROUTE 184), WEST OF :
 BOOMBRIDGE ROAD AND NORTH OF :
 INTERSTATE 95 IN NORTH STONINGTON, :
 CONNECTICUT, AND ASSOCIATED :
 ELECTRICAL INTERCONNECTION : JULY 1, 2021

**RESPONSES OF SR NORTH STONINGTON, LLC
TO TOWN OF NORTH STONINGTON INTERROGATORIES**

On June 25, 2021, the Town of North Stonington (“Town”) issued Interrogatories to SR North Stonington, LLC (“Petitioner”), related to Petition No. 1443. These Interrogatories were in the form of a letter, which stated that it included both comments and questions. The Petitioner has undertaken a good faith effort to discern the questions in the Town’s letter that were intended to be interrogatories to which the Petitioner should provide a response. To the extent the following does not represent all of the interrogatories that the Town believes it included in its letter dated June 24, 2021, the Petitioner’s witness panel will be available to answer additional questions presented during the Town’s cross-examination at the July 8, 2021 evidentiary hearing.

Neighborhood Concerns

Question No. 1

What analysis was done to determine that the topography was such that re-grading or other site work was possible to eliminate the constraint to panel location. How specifically did topography constrain the project design? What is constraining the location of panels in the areas outside the 100ft buffers of the southern wetlands and watercourse areas?

Response

Typically, slopes underneath solar panels are kept under fifteen percent (15%), which, in certain instances, would necessitate grading in areas that maintain slopes that are greater than fifteen percent (15%). With the redesign efforts, the Petitioner has upgraded, at additional cost to the Petitioner, the racking system used for mounting the solar panels. The upgraded racking system will allow for the installation of solar panels on slopes greater than the fifteen percent (15%). This has allowed for areas of the Site to be used without the need for any regrading. However, the most significant development constraints on the Site relates to the setbacks associated with the sensitive environmental resources identified by the Petitioner and documented in the Petition and related exhibits. There are currently very few areas that could be used after additional grading that are not already being utilized and are outside of the setbacks needed from the environmental resources referenced above.

Question No. 2

Has a waiver from DEEP been requested to reduce the 100ft buffer to the proposed 50ft in Areas 1, 3 and 4?

Response

The Petitioner is not aware of such a “waiver”. As explained in Petitioner’s response to the Council’s Interrogatories No. 2, 26, and 46, the current Project design will comply with the requirements of Appendix I. However, the Petitioner has not yet submitted its registration with DEEP. In addition, the Council is not involved with the DEEP General Permit.

Question No. 3

How will the removal of over 3,000 trees impact the temperature, humidity and wind speeds on the parcels and for abutting residential parcels. Will the removal of trees lead to increase tree-fall along the edge of clearing?

Response

The Petitioner has not yet reviewed whether the removal of trees impacts temperature, humidity, and wind speeds on the Site or abutting parcels. However, over the Petitioner’s ten years of experience developing more than 140 large-scale solar projects across 14 states, the Petitioner is not aware of material temperature, humidity, or wind speed impacts on the project site or surrounding properties.

Question No. 4

How has the Petitioner determined compliance with Appendix I?

Response

The Petitioner has engaged a number of qualified consultants, including several Professional Engineers, who have reviewed the current Project design and the requirements of Appendix I and confirmed compliance with Appendix I.

Town of North Stonington Comments

Question No. 5

What data was used to support the statement that “Trees are assumed to be acoustically transparent”?

Response

The Noise Impact Assessment (NIA) was conducted by Urban Solution Group. The NIA takes into account effects of ground, topography, atmospheric absorption, and environmental conditions (*e.g.*, humidity, temperature, wind, etc.), but excludes any excess attenuation from trees. This adds conservatism to the Project’s predicted contribution to noise levels at each receiver (*i.e.*, the predicted noise levels would be slightly higher with the assumption of trees that are acoustically transparent). Seasonal changes to undergrowth and deciduous trees (*e.g.*, leaves lost for half of the year) make accurate estimates of this attenuation somewhat problematic given that it is always changing. The testimony of USG’s Vince Ginter on the NIA is available on pages 28 to 30 of the June 8, 2021 Evidentiary Hearing Transcript.

Question No. 6

Did the petitioner request permission to access private property (abutters) to assess the visual impact? If not, why not?

Response

The Petitioner did not request permission to access the private property of all abutting property owners. Rather, several abutting property owners have requested the Petitioner visit their property for discussions regarding visual impact and mitigation. A representative of the Petitioner visited those abutting properties.

Question No. 7

Why can't aesthetically pleasing landscaping be provided that would help protect the character of the residential neighborhood and be in keeping with the town regulations without causing shading for the panels?

Response

See the Petitioner's responses to Late-Filed Exhibit (g) and (p).

Question No. 8

Was notice given to the Town and/or abutters when CEP filed the motion with PURA to amend the existing PPA to add the additional parcel north of Rte. 184. If so, when was it sent and to whom?

Response

The Petitioner was not involved at the time Connecticut Energy Parks, LLC filed the motion with the Public Utilities Regulatory Authority to amend the existing Power Purchase Agreement.

Question No. 9

Where are the overhead lines proposed?

Response

As depicted in Attachment 1 (Preliminary Site Layout Plan), Attachment 3 (Overall Civil Plan of Redesigned Project), and Appendix C to Attachment 4 (Stormwater Control Plan and Revised Site Civil Design (bulk) to the Petitioner's June 1, 2021 responses to the Council's Interrogatories, the only overhead lines proposed as a part of the Project will be located on three (3) new poles located to the west of the access roadway to the southern parcels off Providence-

New London Turnpike. These overhead lines will connect to Eversource's existing overhead distribution service that runs along Providence-New London Turnpike.

Question No. 10

Is the Project, as currently designed, exempt from the requirements of CGS § 16-50k(a)(iii) as established through Public Act No. 17-128?

Response

Yes, because the project was awarded a Power Purchase Agreement pursuant to the Connecticut Department of Energy and Environmental Protection's 2015 Request For Proposal for small-scale clean energy projects.

Question No. 11

Who evaluated and approved the use of additional parcels?

Response

As the Petitioner was not involved at the time the additional parcels (*i.e.*, the two parcels north of Providence-New London Turnpike) were added, the Petitioner cannot speak to who evaluated the use of the additional parcels. As indicated in the Petitioner's responses to the Council's Interrogatories, the Public Utilities Regulatory Authority approved the addition of these parcels to the project through an amendment to the Power Purchase Agreement.

Question No. 12

What was the process to amend the original "Project" as described and presented in the 2016 RFP response upon which the award was based?

Response

As indicated in the Petitioner's responses to the Council's Interrogatories, the Power Purchase Agreement entered into as part of the Connecticut Department of Energy and

Environmental Protection's Request for Proposals for small-scale clean energy projects was amended by a motion to the Public Utilities Regulatory Authority and approved by the same in Docket No. 17-01-11.

Environmental

Question No. 13

What specific design elements will be incorporated to minimize the potential stream crossing in Wetland Area A-2?

Response

See June 8, 2021 Evidentiary Hearing Transcript at page 74, lines 1 through 21.

Question No. 14

In light of the aquifer protection zone, can the applicant specify that there be no fuel storage on the site?

Response

See the Petitioner's response to Late-Filed Exhibit request (n) filed this same day.

Project Design and Environmental Concerns

Question No. 15

The town of North Stonington has a 100-foot upland review zone around inland wetlands, why isn't this being honored throughout the project?

Response

See the Petitioner's response to the Council's Interrogatory No. 3(a).

Question No. 16

In light of the presence of nearby private drinking water wells, can the applicant specify that herbicides and pesticides use will be preceded by well sampling and followed by monitoring for neighbors?

Response

As indicated in the Petitioner's responses to the Council's Interrogatories (*see* responses to Interrogatories 3(b) and 32) and during the June 8, 2021 evidentiary hearing (*see* June 8, 2021 Evidentiary Hearing Transcript at pages 102 to 103 and 115), the Petitioner will only use herbicides or pesticides when required to control invasive plants and such use will be focused low-volume spot applications in strict compliance with the instructions on the products label. The Petitioner does not believe nearby private drinking water wells would be impacted by such limited application, if it were to occur, and thus does not believe well sampling or monitoring is necessary or appropriate.

Question No. 17

Why does the geotechnical study only encompass the land south of Route 184? Has the area north of Route 184 had a geotechnical study?

Response

The Geotechnical Study (Attachment 15 to the Petitioner's response to the Council's Interrogatories) covers all seven (7) parcels, including the parcels north of Providence-New London Turnpike. There is a typographical error on page 1 of the Geotechnical Study. The text in the "Description" box at the bottom of page 1 should read "The site consists of seven (7) solar arrays located north and south of Route 184 totaling 48.5 acres in size." As the Geotechnical

Study was issued in January 2021, the number of solar arrays and acres in size referenced is to the original Project design as submitted to the Council on February 25, 2021.

Question No. 18

The Geotechnical Engineering Study (Attachment 15) mentions the application of fertilizers to raise the pH of the soils to reduce potential for corrosion of metal racking system components. How will run-off from treated areas be contained so as not to impact nearby wells?

Response

Geotechnical studies related to proposed photovoltaic development frequently report soil characteristics, which can reduce the lifespan of steel structures and other installed components. These concerns are typical and the Petitioner often encounters similar conditions at many projects across the country.

Rather than attempt to alter the soil conditions over the entire site to the embedment depth of the supportive structures, the Petitioner's standard is to invest in higher grade materials that adjust the size and properties of the steel used for structure. The structural engineer performs calculations which consider the soil conditions to set the life expectancy of the structural components and designs the foundations to survive these conditions.

Question No. 19

How will the panels be cleaned? What chemicals are used and how often will they be cleaned?

Response

The solar panels are not cleaned on a routine basis due to the sufficient frequency of rain and snow. In the rare event that panels need to be cleaned, water is used.

Question No. 20

If there is no history of Trespass on the Northern Parcel, why is a 6ft fence topped with barbed wire needed?

Response

A security fence is required around all the proposed solar arrays to limit access and secure the facility improvements for the life of the Project. A security fence is also a requirement of the National Electric Code. History of trespass on the currently undeveloped northern parcel has no bearing on the Petitioner's need to secure the Project following construction. *See also* June 8, 2021 Evidentiary Hearing Transcript at page 107, lines 4 through 13.

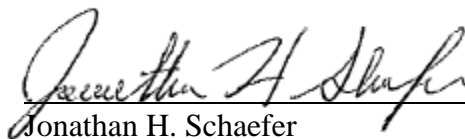
The Petitioner has also updated the fencing design to remove 470 linear feet of fence from Area 1, 690 linear feet from Area 2, and 1,680 linear feet from Area 4 along their respective access roadways. The gates for these access roadways have been relocated to the new locations identified in Attachment 4 to the Petitioner's responses to the Council's Late-Filed Exhibit requests. A bar gate will be installed at the two access road entrances north of Route 184, as identified in Attachment 4. These changes should substantially reduce the general public's view of the fence while travelling along Route 184.

CERTIFICATE OF SERVICE

I hereby certify that on the 1st day of July 2021, a copy of the foregoing was sent, via electronic mail, to:

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