



STATE OF CONNECTICUT  
*CONNECTICUT SITING COUNCIL*

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Hearing Program

Docket No. 492

Tuesday, December 1, 2020

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](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](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>
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9. UNITED STATES ENERGY INFORMATION ADMINISTRATION, *Annual Energy Outlook 2019, January 24, 2019*, available at <https://www.eia.gov/outlooks/aeo/>
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11. UNITED STATES ENERGY INFORMATION ADMINISTRATION, *Annual Energy Outlook 2020, January 29, 2020*, available at <https://www.eia.gov/outlooks/aeo/>
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](https://www.epa.gov/sites/production/files/2015-04/documents/handbook_siting_repowering_projects.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 (2<sup>nd</sup> Cir. 2015)

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22. ISO-NEW ENGLAND, INC., *New England's Wholesale Electricity Prices in 2017 Were the Second-Lowest Since 2003*, March 6, 2018, available at [https://www.iso-ne.com/static-assets/documents/2018/03/20180306\\_pr\\_2017prices.pdf](https://www.iso-ne.com/static-assets/documents/2018/03/20180306_pr_2017prices.pdf)
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24. ISO-NEW ENGLAND, INC., *2019 Regional System Plan Project List*, October 2019, available at <http://www.iso-ne.com/system-planning/system-plans-studies/rsp>
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30. ISO-NEW ENGLAND, INC., *The Challenge of Ensuring System Reliability Through Wholesale Markets as the Resource Mix Evolves*, November 17, 2016, available at [http://www.necbc.org/content/pages/Gordon-van-Welie\\_ISO-NE\\_NECBC\\_11\\_17\\_2016\\_final.pptx.pdf](http://www.necbc.org/content/pages/Gordon-van-Welie_ISO-NE_NECBC_11_17_2016_final.pptx.pdf)
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## **STATE**

### **Connecticut Siting Council**

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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-Pending-Matters/Applications/3\\_DocketNos400s/Docket-No-470B-NTEKillingly](https://portal.ct.gov/CSC/1_Applications-and-Other-Pending-Matters/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](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](https://portal.ct.gov/CSC/3_Petitions/Petition-Nos-1311-1320/Petition-No-1313-Simsbury)

**Department of Energy and Environmental Protection**

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#### **Department of Public Health**

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#### **Department of Transportation**

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**Other State Agencies**

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### **TECHNICAL**

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## **MAPS**

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## **C. State Agency comments**

1. Comments from the Connecticut Council on Environmental Quality, dated October 2, 2020
2. Comments from the Connecticut Department of Transportation, dated October 16, 2020
3. Comments from the Connecticut Department of Energy and Environmental Protection, dated November 2, 2020
4. Comments from the Department of Agriculture, dated November 4, 2020

D. Municipal Comments

1. **Town of East Windsor Comments, dated November 12, 2020**
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II. Appearance by Applicant

Applicant: Gravel Pit Solar  
Representative: Lee D. Hoffman, Esq.  
Pullman & Comley LLC

A. Administrative Notice.

- 1.

B. Exhibits for Identification.

1. Application for a Certificate of Environmental Compatibility and Public Need filed by Gravel Pit Solar, received July 31, 2020, and attachments and bulk file exhibits including:

Bulk file exhibits:

- a. Town of East Windsor Zoning Regulations
  - b. Town of East Windsor Zoning Map
  - c. Town of East Windsor Plan of Conservation and Development
  - d. Town of East Windsor Inland Wetlands and Watercourses Regulations
  - e. Municipal Consultation Documents
2. Gravel Pit Solar EMF Report Submission, dated September 1, 2020
  3. Gravel Pit Solar Publication Notification, dated September 8, 2020
  4. Gravel Pit Solar Affidavit of Publication, dated September 16, 2020
  5. Gravel Pit Solar Phase IB Archeological and Architectural Survey, dated October 8, 2020
  6. Gravel Pit Solar Responses to Council Interrogatories, Set One, dated October 28, 2020
  7. Correspondence from State Historic Preservation Office, dated November 6, 2020
  8. Gravel Pit Solar Response to Department of Agriculture Comments, dated November 6, 2020
  9. Gravel Pit Solar Detailed Switchyard Drawing, dated November 11, 2020
  10. **Gravel Pit Solar Late Filed Exhibits, dated November 24, 2020**

C. Swear Witnesses

1. Aaron Svedlow, North Light Energy, LLC
2. Sue Moberg, Vanasse Hangen Brustlin, Inc. (VHB)
3. Christopher L. Clevenger, D. E. Shaw Renewable Investments (DESRI)
4. Steve Kochis, VHB
5. Aileen Kenney, Bask Energy, LLC
6. Jonathan Gravel, North Light Energy, LLC
7. Jeff Peterson, VHB

8. Gordon Perkins, Environmental Design & Research, Landscape Architecture, Engineering & Environmental Services, D.P.C.
9. Adam Henry, GZA Geo Environmental Inc.
10. David George, Heritage Consultants
11. Ben Cotts, Exponent
12. Aaron DeJoia, Duraroot Environmental Consulting

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

E. Cross Examination.

1. Council

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III. Closing by Connecticut Siting Council.