



STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL

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March 25, 2014

Joey Lee Miranda, Esq.
Robinson & Cole
280 Trumbull Street
Hartford, CT 06103-3597

RE: **PETITION NO. 1042** – Somers Solar Center, LLC Petition for a Declaratory Ruling that no Certificate of Environmental Compatibility and Public Need is required for the construction and operation of a 5.0 MW AC Solar Photovoltaic Project located at 458 & 488 South Road, Somers, Connecticut.

Dear Attorney Miranda:

The Connecticut Siting Council (Council) requests your responses to the enclosed questions no later than April 10, 2014. To help expedite the Council's review, please file individual responses as soon as they are available.

Please forward an original and 15 copies to this office and a pdf copy. In accordance with the State Solid Waste Management Plan, the Council is requesting that all filings be submitted on recyclable paper, primarily regular weight white office paper. Please avoid using heavy stock paper, colored paper, and metal or plastic binders and separators. Fewer copies of bulk material may be provided as appropriate.

Yours very truly,

Melanie Bachman
Acting Executive Director

c: Council Members

**Petition 1042: Somers Solar Center
Somers, Connecticut
Interrogatories – D&M Revision: Tree Cutting**

1. When was the “shading” study of the property on which SSC’s project is located completed? To what extent were the results of the “shading” study used to determine the layout of the project’s solar panels?
2. Provide a map showing how the shading patterns of the project property affect the solar panel arrays.
3. How many panels are affected by the shadowing? What percentage is this of the total number of panels? Has the position, number or type of panels been changed since the original D&M?
4. What is the decrease in total potential energy output caused by the shadowing?
5. Have alternative mitigation measures such as relocation of the solar arrays been investigated?
6. The “Technical Memorandum” includes drawing CE-101 entitled “Proposed Tree Removal Areas”, yet only one area is called out: a wetland entitled Area#1. Are other areas proposed for tree removal? (For instances, in the application and field review, and in Figures 2 and 4, other tall white pines can be seen in the vicinity of the four arrays.)
7. What is the size of the area depicted as Area #1 on CE-101?
8. Please provide a description of the vegetation currently growing in the wetland other than the trees to be removed. What is the extent of canopy associated with deciduous trees compared to that associated with the white pines?
9. Please describe in detail, per an accepted method, the functions and values of this wetland.
10. What biological data have been collected in the headwater wetlands of Abbey Brook where the tree cutting will occur? What alterations in the thermal characteristics of the headwater wetland can reasonably be anticipated by this proposed tree cutting? What downstream impacts to Abbey Brook can reasonably be anticipated by this tree cutting?
11. If no site-specific biological data have been collected in this wetland, how can it be concluded that this proposed tree cutting will provide improved or important wildlife habitat?
12. Given the proximity of State-listed amphibians, spadefoot toad and blue-spotted salamander, just to the north of the subject property, please discuss the potential impacts to these State-listed wetland dependent species by the cutting of trees within this forested wetland should they breed within this wetland.
13. What changes to the wetland values will occur as a result of the proposed tree cutting?
14. What downstream impacts to Abbey Brook can reasonably be anticipated by this tree cutting?
15. Does Abbey Brook support biodiversity dependent on cool water (e.g., native brook trout, dusky salamanders)?

16. Is Abbey Brook and its headwaters wetlands considered jurisdictional wetlands administered by the ACOE under provisions (Section 404) of the Clean Water Act?
17. As the D and M plan is now proposing wetlands impacts where there were none before, what additional consultations may now be required with the ACOE, DEEP and the Town of Somers?
18. What proportion of the wetland would be filled by the debris field (i.e., the trunks of 20 trees and the branches of 25)? Would the debris field block the watercourse? Please describe any methods proposed for distributing the debris field, if any.
19. Was avoidance (i.e. not cutting the trees or otherwise disturbing the wetland/watercourse) considered as mitigation? If so, what were the reasons avoidance was rejected?
20. Section 1.3.2 of Appendix A, the Invasive and Noxious Species Management Plan, lists several treatment strategies, by species, for controlling the invasives known or likely to occur in the wetland. Explain which particular method of control for each species, relevant to the conditions in this particular wetland, will be selected from among the options listed?
21. In the plans for monitoring and/or controlling the potential invasive species, was any consideration given to the changed conditions that would be created in the wetland by the proposed tree-cutting (e.g. the debris field)?