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Via Hand Delivery and Electronic Mail (siting.council@ct.gov)

July 1, 2021

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

Re: **PETITION NO. 1442 - SR Litchfield, 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 19.8-megawatt AC solar photovoltaic electric generating facility on 6 contiguous parcels located both east and west of Wilson Road south of the intersection with Litchfield Town Farm Road in Litchfield, Connecticut, and both east and west of Rossi Road, south of the intersection with Highland Avenue in Torrington, Connecticut, and associated electrical interconnection**

Dear Attorney Bachman:

SR Litchfield, LLC hereby submits its responses to the Connecticut Siting Council's (Council) Interrogatories 81 through 94, issued on June 10, 2021 in connection with the above-referenced Petition.

Attachment 3 and Attachment 4 to these responses are being filed as bulk exhibits. As such, only two (2) full copies of these attachments are being provided in this filing. However, for the Councilmembers' ease of review, the Petitioner has included fourteen (14) copies of Appendix C to Attachment 6 (Site Civil Design) on 11 x 17 paper.

Due to the size of the Attachments to these responses (approximately 87 MB) a link¹ to download a copy of Attachments 1 through 5 is being provided to the Council in order to access an electronic version.

¹ <https://transfer.rc.com/message/571aN2cuI2neK9482dIL20>

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Robinson+Cole

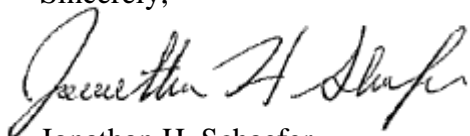
Melanie Bachman

July 1, 2021

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

Sincerely,

A handwritten signature in black ink, appearing to read "Jonathan H. Schaefer". The signature is fluid and cursive, with the first name being the most prominent.

Jonathan H. Schaefer

Enclosures (One original and fifteen copies of Responses to Interrogatories 81 through 94 and Attachments 1-2 and 5; Two copies of Attachments 3 and 4; Fourteen copies of Appendix C to Attachment 3)

STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL

IN RE: :
: :
A PETITION FOR A DECLARATORY : PETITION NO. 1442
RULING, PURSUANT TO CONNECTICUT :
GENERAL STATUTES §4-176 AND §16-50K, :
FOR THE PROPOSED CONSTRUCTION, :
MAINTENANCE AND OPERATION OF A :
19.8-MEGAWATT AC SOLAR :
PHOTOVOLTAIC ELECTRIC GENERATING :
FACILITY ON 6 CONTIGUOUS PARCELS :
LOCATED BOTH EAST AND WEST OF :
WILSON ROAD SOUTH OF THE :
INTERSECTION WITH LITCHFIELD TOWN :
FARM ROAD IN LITCHFIELD, :
CONNECTICUT, AND BOTH EAST AND :
WEST OF ROSSI ROAD, SOUTH OF THE :
INTERSECTION WITH HIGHLAND AVENUE :
IN TORRINGTON, CONNECTICUT, AND :
ASSOCIATED ELECTRICAL :
INTERCONNECTION. : JULY 1, 2021

**RESPONSES OF SR LITCHFIELD, LLC
TO CONNECTICUT SITING COUNCIL INTERROGATORIES – SET TWO**

On June 10, 2021, the Connecticut Siting Council (“Council”) issued Interrogatories – Set Two to SR Litchfield, LLC (“Petitioner”), relating to Petition No. 1442. Below are the Petitioner’s responses to the interrogatories.

In addition to these responses, the Petitioner is also providing as Attachment 1 a letter from the manufacturer of the new solar panels that the Petitioner intends to install at the Project regarding the TCLP report provided as Attachment S-2 (Toxicity Characteristic Leaching Procedure Report) to the Petitioner’s May 14, 2021 supplemental responses to the Council’s Interrogatories.

Question No. 81

Would the Petitioner be willing to install a 7-foot perimeter chain link fence with no barbed wire component? If not, why not?

Response

Yes.

Question No. 82

Can the fence be realigned in the following access road areas to eliminate barriers to large wildlife movement?

- a. Access road extending east from Wilson Road to “Area 2”.
- b. Access road extending from Highland Road to “Area 1”.

Response

- a. Yes, this fence has been moved back closer to the array area, and a bar gate has been proposed along the right of way.
- b. Yes, this fence has been moved back closer to the array area, and a bar gate has been proposed along the right of way.

Question No. 83

Referring to Revised Site Plan Sheet PV-100- the minimum distance between the fence and the solar modules is 4.5 feet. How does this distance comport with the clearance requirements of CT State Fire Prevention Code, Ground Mounted Photovoltaic System Installations section 11.12.3?

Response

CT State Fire Prevention Code, Ground Mounted Photovoltaic System Installations section 11.12.3 is specific to rooftop and building related solar projects, despite its reference to

ground mounted system applicability to sections 12.3.1, 12.3.2, and 12.3.3, which refer to rooftops and parapets.

Question No. 84

Referring to Revised Site Plan Sheet PV-100, the chart lists interrow spacing as 10.2 feet, however the schematic shows interrow spacing as 8.8 feet, please clarify.

Response

The interrow spacing is 8.8 feet. Please reference Attachment 2 (Preliminary Site Layout Plan – July 1, 2021) to these responses, which includes an updated Plan Sheet PV-100 to reflect the correct spacing.

Question No. 85

Referring to the Revised Site Plans - Legend, provide a value for the wetland setback designation.

Response

The wetland setback designations have been added to the Preliminary Site Plan Layout – July 1, 2021 (*See Attachment 2* to these responses).

Question No. 86

Referring to Revised Site Plan Sheet PV-101 - northeast solar array area, what is the distance of the solar panels to the eastern property line?

Response

There is currently a twenty-three foot (23) distance from the solar panels in the northeast solar array area to the eastern property line. This is an increase from the ten feet (10') distance in the original Project design. The Petitioner plans to install a landscape buffer along the property line in this area to screen views from the adjoining property.

Question No. 87

The revised site plans show underground utility lines through several wetland areas. Please explain the amount of disturbance, clearing and equipment necessary to install the lines.

Response

The utility lines will be installed by running overhead wiring to connect wiring between equipment pads. The Petitioner intends to span the length of the wetland and buffer area to avoid any wetland impacts with these crossings. Based on final design, the Petitioner will conduct the proper consultation with the US Army Corps of Engineers to ensure best practices are followed during the construction process.

The following equipment is expected to be utilized for the installation: bucket truck, track mounted rear of property machine, track mounted skid steer, line truck, service truck, reel truck, and hand tools.

Question No. 88

Have site plans been developed that show pre and post construction contours/elevation data. If so, please provide.

Response

Yes, full construction level grading plans are provided in Appendix C of Attachment 3 (Stormwater Pollution Control Plan – July 1, 2021) to these responses. The Drainage Calculations report is included in Attachment 4 (Drainage Calculations – July 1, 2021) to these responses (Drainage Calculations – July 1, 2021).

Question No. 89

Referring to the Interrogatory response 40, what Connecticut guidelines were used to support the adequacy of 25-foot and 50-foot undisturbed wetland buffers?

Response

The Connecticut Association of Conservation and Inland Wetlands Commissions resource page includes references that discuss regulated activity outside wetlands or watercourses and how they may impact or affect the physical characteristics of a wetland or watercourse (<https://www.caciwc.org/pages/main/resourUplandImpacts.html>). In particular, a document titled *Inland Wetland and Watercourse Review Areas* (MacBroom, J.G., November 2002) was reviewed. In addition, the Connecticut Association of Wetland Scientists' resource page includes a white paper which focuses on defining vegetative buffers, reviewing buffer functions and introducing design criteria as they relate to protecting or enhancing water quality, titled *Vegetative Buffers for Water Quality Protection: An Introduction and Guidance Document, Draft Version 1.0* (Jontos, R., February 25, 2004; <http://ctwetlands.org/downloads.html>).

Both of these documents refer to the first 25± feet of upland adjacent to a wetland or watercourse as being the most important. For example, this inner buffer zone can include stream banks that may be subject to periodic inundation and may convey and or store floodwaters. Bank vegetation provides root mass that stabilizes banks and the canopy reduces rainfall energy. This inner buffer zone also often supports an interface between aquatic and terrestrial habitat and its vegetation that provides shade to moderate water temperature fluctuations. Vegetative zones up to 50± feet serve important sources of coarse woody debris, detritus and organic matter that serves as the base of the food chain.

The first 50 feet adjacent to a wetland also serves important surface water runoff treatment through filtration, absorption, infiltrations and attenuation of runoff through vegetation. As the buffer zone expands beyond 50± feet, benefits to nearby wetlands and watercourses begin to diminish and are less focused on direct water resources protection. The

noted guidelines recognized by these Connecticut agencies, were used as the basis for the Petitioner's response to the Council's Interrogatory No. 40.

Question No. 90

Referring to the Petition Wetlands and Habitats Report Figure 2 and the Revised Site plans, provide a table that lists the wetlands/watercourses on-site, type, and the minimum wetland buffer to the Project Limit of Disturbance, and the rationale for such buffer.

Response

For Project Limits of Disturbance (LOD) that occur at or within approximately one hundred feet (100') of wetlands or watercourses, please refer to Attachment 5 (Wetland Buffer Table) to these responses, which lists the on-site wetlands/watercourses, the vegetative cover type, minimum buffer to the LOD, and rationale for the buffer being provided. Additional discussion on the rationale for the various buffer distances are noted in the Petitioner's response to Interrogatory No. 89 above and the Petitioner's response to the Council's Interrogatory No. 40.

Question No. 91

Referring to Interrogatory response 12(i) - depict the 38 acre area of the Project that would be used for livestock grazing. How would vegetation in the remaining, nongrazing Project areas be maintained?

Response

The 38-acre reference was a typographical error. The entire 70.42 acre Project fenced area will be utilized for livestock grazing. Mechanical means (mowing) of vegetation will be utilized outside the fenced area where necessary.

Question No. 92

Is the potential use of herbicides at the site a concern for the livestock co-use? How would the use of herbicides be communicated to the livestock manager?

Response

The Petitioner and its ranchers strictly follow the guidelines of the USDA for grazing restriction protocols. In the rare case that a herbicide is required, the product selected would target the specific weed species, and follow grazing restrictions set by USDA, which is the common practice in pasture livestock systems. These restrictions are identified on the specific product labels. The rancher selected for services at the Project will be required to develop an Animal Welfare Plan aligned with Animal Welfare Approved or Global Animal Partnership. Grazing vendors are responsible for all aspects of vegetation management, including identifying noxious/invasive weeds and alerting the Petitioner; therefore, grazing vendors will be aware of any required herbicide application and the application schedule.

Question No. 93

What are the revised estimates of cut and fill for the Project. If there is excess cut, where will this material be disposed of?

Response

The current estimates show approximately 55,000 cubic yards of cut and approximately 20,000 cubic yards of fill. While the Petitioner is actively working with DEEP to finalize the stormwater permitting efforts and as part of those efforts is trying to make this a more balanced site in terms of cut and fill ratio, it is likely that due to the topography on the site, this will remain a net cut site. The excess cut material will be trucked off-site.

Question No. 94

What is the estimated total cost of the proposed project?

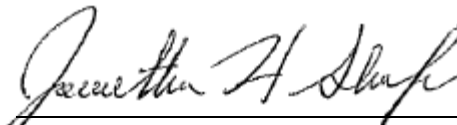
Response

The Project, as currently redesigned, is estimated to be a total capital investment of between \$30 million and \$40 million, which includes project costs, land acquisition, and interconnection grid improvements.

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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djt@cohen-thomas.com



Jonathan H. Schaefer