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March 17, 2022

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

Melanie A. Bachman, Esq.
Executive Director/Staff Attorney
Connecticut Siting Council
10 Franklin Square
New Britain, CT 06051

Re: **Petition No. 1443A - 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:

On behalf of SR North Stonington, LLC (the “Petitioner”), please accept this letter in lieu of a Post-Hearing Brief, in support of the above-referenced modified petition for a declaratory ruling for the construction, maintenance, and operation of an approximately 8.35 megawatt alternating current (“MW(ac)”) ground-mounted solar photovoltaic electric generating facility south of Route 184 Providence-New London Turnpike in North Stonington, Connecticut (the “Modified Project”).

The Petitioner listened carefully to the concerns expressed by and the feedback received from the Connecticut Siting Council (“Council”), the Town of North Stonington (“Town”), and the general public provided during the Petition No. 1443 and 1443A proceedings. The Petitioner took to heart the guidance this feedback provided. Taking these and other factors into consideration the Petitioner made the decision to significantly modify the size and layout of the

proposed project. The Modified Project will now provide approximately 8.35 MW(ac) of energy at the point of interconnection under nominal conditions from two solar arrays located south of Providence-New London Turnpike. The Petitioner made these modifications through the elimination of the northern arrays and additional modifications to the two remaining solar arrays located south of Providence-New London Turnpike (former Area 3 and Area 4).

The Petitioner has spoken to and met with representatives of the Town on several occasions over the last several months and made a formal presentation to the Town's Board of Selectman and members of the public on November 30, 2021 outlining its plans to move forward with the Modified Project. Following the Petitioner's November 30, 2021 presentation, the Town's Board of Selectman voted to support the Modified Project. The Town submitted a letter of support for the Modified Project into the Petition No. 1443A record.¹

The Petitioner devoted significant time and resources to reevaluate its proposed project in order to address the Council's and the Town's concerns, while still complying with the Department of Energy and Environmental Protection's stormwater, soil erosion and sediment control, and Natural Diversity Data Base ("NDDB") requirements and recommendations.

The Modified Project eliminates all impacts associated with the parcels north of Providence-New London Turnpike and reduces the total limits of disturbance compared to the previously proposed version. The Modified Project also involves significantly less tree clearing, site grading and fill than the previously proposed version, as well as a reduction in wetland impacts and encroachments into wetland buffers. The Modified Project will have increased setbacks from and provide substantial visual mitigation measures along adjacent residential property boundaries.²

The Modified Project received a favorable NDDB Determination on March 7, 2022.³ The Petitioner will continue to have discussion with members of DEEP Stormwater Management Bureau and remains committed to fully complying with all of the requirements of the General Permit for the Discharge of Stormwater and Dewatering Wastewaters from Construction Activities ("Stormwater Permit"). The Modified Project will be in full compliance with Appendix I of the Stormwater Permit, including maintaining at least a 100-foot buffer from all wetlands and vernal pools on the Modified Project's site. The Petitioner has committed to work with the DEEP Dam Safety division to secure a Dam Safety Construction Permit for Stormwater Basin 5 prior to construction.⁴

¹ Correspondence, Town of North Stonington, December 14, 2021.

² Motion to Reopen and Modify, Petitioner, December 1, 2021 at 6-7, 10.

³ Correspondence, Petitioner, March 8, 2022.

⁴ Motion to Reopen and Modify, Petitioner, December 1, 2021 at 10-11.

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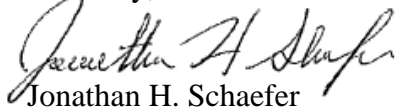
Pursuant to Conn. Gen. Stat. § 16-50k(a) the Council shall approve, by declaratory ruling, the construction or location of a grid-side distributed resources project or facility with a capacity of not more than 65 MW, as long as the project meets the DEEP air and water quality standards and will not have a substantial adverse impact on the environment.

The evidence in the record shows that the Modified Project meets these criteria and that Petitioner has made every effort to ensure that any significant environmental concerns have been addressed. Therefore, the Petitioner respectfully requests that the Council issue a declaratory ruling that the Modified Project will comply with the DEEP air and water quality standards, will not have a substantial adverse environmental effect, and does not require the issuance of a Certificate by the Council.

Please feel free to contact me if you have any questions or need any additional information.

I hereby certify that a copy of this document was sent via e-mail to the service list for the above-referenced document on this date.

Sincerely,



Jonathan H. Schaefer

Enclosures (15 copies)

CC: Service List