



STATE OF CONNECTICUT  
*CONNECTICUT SITING COUNCIL*

Ten Franklin Square, New Britain, CT 06051

Phone: (860) 827-2935 Fax: (860) 827-2950

E-Mail: [siting.council@ct.gov](mailto:siting.council@ct.gov)

Web Site: [portal.ct.gov/csc](http://portal.ct.gov/csc)

**VIA ELECTRONIC MAIL**

April 16, 2021

Jesse A. Langer, Esq.  
Updike, Kelly & Spellacy, PC  
8 Frontage Road  
East Haven, CT 06512

RE: **PETITION NO. 1444** - CP NB Solar I, LLC and CP NB Solar II, 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 1-megawatt AC solar photovoltaic electric generating facility and a 0.97-megawatt AC solar photovoltaic electric generating facility located at 127 Forest Road in North Branford, Connecticut, and associated electrical interconnection.

Dear Attorney Langer:

The Connecticut Siting Council (Council) requests your responses to the enclosed questions no later than May 7, 2021. To help expedite the Council's review, please file individual responses as soon as they are available. At this time, consistent with the Council's policy to prevent the spread of Coronavirus, please submit an electronic copy only to [siting.council@ct.gov](mailto:siting.council@ct.gov). However, please be advised that the Council may later request one or more hard copies for records retention purposes.

Any request for an extension of time to submit responses to interrogatories shall be submitted to the Council in writing pursuant to §16-50j-22a of the Regulations of Connecticut State Agencies.

Sincerely,

*s/Melanie Bachman*

Melanie Bachman  
Executive Director

MB/RM

**Petition No. 1444**  
**CP NB Solar I, LLC and CP NB Solar II, LLC**  
**North Branford**

**Interrogatories - Set One**  
**April 16, 2021**

**Project Development**

1. If the project is approved, identify all permits necessary for construction and operation, and indicate which entity will hold the permit(s).
2. What is the length of the lease agreement with the landowner? Is there an option for an extension?
3. Referring to Petition p. 6, approximately what percentage of the VNM credits are being allocated to Page Farm and the Town? What is the length of the agreements?
4. Referring to Petition p. 6, what is the term of the LREC contracts? Are there options for an extension?
5. What other revenue mechanisms are anticipated for the power produced by the facility in the event the VNM and or LREC agreements expire?
6. Would the Petitioner participate in the ISO-NE Forward Capacity Auction? If yes, which auction(s) and capacity commitment period(s)?
7. Approximately how many residents attended the February 17 and 18, 2021 virtual informational sessions and the March 4, 2021 information P&Z meeting? What were their concerns and how were these concerns addressed?

**Proposed Site**

8. Is the site parcel, or any portion thereof, part of the Public Act 490 Program? If so, how does the municipal land use code classify the parcel(s)? How would the project affect the use classification?
9. Is the entire 19.68 parcel under lease by the Petitioner or is the lease for a portion of the parcel? Provide details.
10. Are any portions of the "Project Area" under lease by another party? If yes, when does this lease expire?
11. Provide the distance, direction and address to the nearest off-site residence from the solar field perimeter fence.

**Energy Output**

12. Is the project being designed to accommodate a potential future battery storage system? If so, please indicate the anticipated size of the system, where it may be located on the site, and the impact it may have on the PPAs.
13. Does the design of the Project, including the method of interconnection, allow it to serve as a microgrid?
14. What is the projected capacity factor (expressed as a percentage) for the proposed project? Would the power output of the facility decline over time? If so, estimate the anticipated annual loss.
15. Do solar facilities present a challenge for the independent system operator for balancing loads and generation (to maintain the system frequency) due to the changing (but not controlled) megawatt output of a solar facility? What technology or operational protocols could be employed to mitigate such challenges?

### **Site Components and Solar Equipment**

16. Is the wiring from the panels to the inverters installed on the racking? If a portion of the wiring is external, how would it be protected from potential damage from weather exposure, vegetation maintenance, or animals?
17. Referring to Petition p. 8, does the remote monitoring system have the ability to fully and/or partially shut down facility operation?

### **Interconnection**

18. Is the project interconnection required to be reviewed by ISO-NE?
19. Is the existing distribution three-phase or would it have to be upgraded from single-phase to three-phase?
20. What is the status of the Interconnection Study referenced on p. 7 of the Petition?
21. Is it possible to install an underground feeder line rather than an overhead line supported on 5 new utility poles?

### **Public Safety**

22. Is the project designed to comply with CT State Fire Prevention Code, Ground Mounted Photovoltaic System Installations section 11.12.3? Has the Petitioner had any discussions with the local Fire Marshal regarding the site design?
23. Are there any drinking water wells on the site or in the vicinity of the site? If so, how would the Petitioner ensure wells and/or water quality are not impacted from construction activities?
24. What is the length of the racking support posts and to what depth would the posts be driven into the ground? Are any impacts to groundwater quality anticipated from the installation of the posts? If so, how would the Petitioner manage and/or mitigate these impacts?
25. Describe fluid leak/spill containment for the proposed transformer equipment.

26. Referring to the Petition Environmental Assessment pp. 24-25, what would be the calculated noise level at the nearest property line?
27. In the event of a brush or electrical fire, how would the Petitioner mitigate potential electric hazards that could be encountered by emergency response personnel? Could the entire facility be shut down and de-energized in the event of a fire? If so, how?

### **Environmental**

28. Petition p. 19 mentions tree clearing. In what areas of the site would trees be removed?
29. Referring to Petition p. 20, what is the status of the *Phase 1B Professional Cultural Resources Assessment and Reconnaissance Survey*?
30. Referring to Site Plan OP-1, can the proposed landscaping in the northwest corner of the site be extended further east and south?
31. What is the height of the proposed junipers at planting? At what height would the junipers be maintained?
32. Is it feasible to locate part of the facility in the western portion of the site to avoid disturbance to some of the prime farmland soils in the current proposed project footprint?
33. The Greenhouse Gas (GHG) Assessment in Appendix M of Council Petition No. 1352 compared the life cycle GHG emissions from a solar project to a scenario where the solar project is avoided and an equivalent amount of natural gas-fired electric generation operated for the estimated life of the solar facility. For the proposed project, how would the net GHG emissions (or reduction) over the life of the solar facility and carbon debt payback be affected under this natural gas-fired generation versus proposed solar generation scenario?
34. Please submit photographic site documentation with notations linked to the site plans or a detailed aerial image that identify locations of site-specific and representative site features. The submission should include photographs of the site from public road(s) or publicly accessible area(s) as well as Site-specific locations depicting site features including, but not necessarily limited to, the following locations as applicable:

For each photo, please indicate the photo viewpoint direction and stake or flag the locations of site-specific and representative site features. Site-specific and representative site features include, but are not limited to, as applicable:

1. wetlands, watercourses and vernal pools;
2. forest/forest edge areas;
3. agricultural soil areas;
4. sloping terrain;
5. proposed stormwater control features;
6. nearest residences;
7. Site access and interior access road(s);
8. utility pads/electrical interconnection(s);
9. clearing limits/property lines;
10. mitigation areas; and
11. any other noteworthy features relative to the Project.

A photolog graphic must accompany the submission, using a site plan or a detailed aerial image, depicting each numbered photograph for reference. For each photo, indicate the photo location number and viewpoint direction, and clearly identify the locations of site-specific and representative site features shown (e.g., physical staking/flagging or other means of marking the subject area).

The submission shall be delivered electronically in a legible portable document format (PDF) with a maximum file size of <20MB. If necessary, multiple files may be submitted and clearly marked in terms of sequence.

### **Facility Construction**

35. Site Plan EC-4 shows a soil stockpile adjacent to the excavated temporary sediment trap. Does this stockpile represent the 1,313 cubic yards of cut shown on Site Plan T-1?
36. The soil stockpile is shown immediately adjacent to the temporary sediment trap emergency outlet. Is there another location for the stockpile that is away from and upgradient of the emergency outlet?
37. Referring to Petition p. 5, Figure 1- Existing Conditions Map, a possible underground drainage pipe is shown extending into the project footprint. Is the pipe still functional? If so, how will the Project be constructed without disturbing the pipe? If not, would the pipe be removed from the Project area?
38. Referring to Petition p. 16, what was the result of the meeting with the DEEP Stormwater Program on March 11, 2021? Were there any recommended modifications to the proposed facility layout?
39. Referring to Petition p. 15, would the selected seed mix included pollinator species? If so, what seed mix is proposed?
40. Please respond to the Regional Water Authority comments to the Council dated March 31, 2021.

### **Maintenance/Decommissioning**

41. Would the Petitioner store any replacement modules on-site in the event solar panels are damaged or are not functioning properly? If so, identify the storage location.
42. In the lease agreement with the landowner, are there any provisions related to site restoration at the end of the project's useful life? If so, please provide such provisions.
43. Is a livestock/agricultural co-use plan proposed for the site? If so, submit details.
44. Has the manufacturer of the selected solar panels conducted Toxicity Characteristic Leaching Procedure (TCLP) testing to determine if the panels would be characterized as hazardous waste at the time of disposal under current regulatory criteria? Please submit information that indicates the proposed solar modules would not be characterized as hazardous waste.