



STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL

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VIA ELECTRONIC MAIL

October 28, 2021

Lee D. Hoffman, Esq.
Pullman & Comley, LLC
90 State House Square
Hartford, CT 06103-3702
lhoffman@pullcom.com

RE: **PETITION NO. 1466** – Greenskies Clean Energy 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 2.5-megawatt AC solar photovoltaic electric generating facility located at Treat Farm, 361 Old Tavern Road, Orange, Connecticut, and associated electrical interconnection.

Dear Attorney Hoffman:

The Connecticut Siting Council (Council) requests your responses to the enclosed questions no later than November 18, 2021.

Please submit an original and 15 copies to the Council's office and an electronic copy to siting.council@ct.gov. In accordance with the State Solid Waste Management Plan and in accordance with Section 16-50j-12 of the Regulations of Connecticut State Agencies, the Council requests 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.

Please be advised that the original and 15 copies are required to be submitted to the Council's office on or before the November 18, 2021 deadline.

Copies of your responses are required to be provided to all parties and intervenors listed in the service list, which can be found on the Council's website under the "Pending Matters" link.

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,

A handwritten signature in black ink, appearing to read "Melanie Bachman".

Melanie Bachman
Executive Director

MB/RM

c: Service List dated October 8, 2021

**Petition No. 1466
Interrogatories - Set One
October 28, 2021**

Notice

1. Referring to Petition pp. 20-21, what were the concerns of the abutters that contacted GCE and how were these concerns addressed?

Project Development

2. If the project is approved, identify all permits necessary for construction and operation and which entity will hold the permit(s).
3. Page 4 of the Petition states the project participated and was selected in the “Renewable Energy Credit Program selling power to Connecticut State Colleges and Universities.” To which college or university would GCE sell the power from the project?
4. Referring to Appendix N, page 2 of the September 7, 2021 correspondence from GCE to the Department of Agriculture states under 2(b), “This project is a zero emissions renewable energy project and virtual net metering project. The energy will be used by the City of New London through a virtual net metering contract.” Is the project subject to a virtual net metering agreement? Would all 2.5 MW AC be dedicated to virtual net metering? Please explain.
5. The Petition states the ZREC contract is for a period of 15 years. Can this contract be extended/renewed? If not and the solar facility has not reached the end of its lifespan, will the Petitioner decommission the facility at that time or seek other revenue mechanisms for the power produced by the facility?
6. Page 17 of the Petition states “a portion of the project was successful in securing an LREC/ZREC contract at the end of 2020.” What portion of the project secured an LREC/ZREC contract?
7. Would the Petitioner participate in the ISO-NE Forward Capacity Auction? If yes, which auction(s) and capacity commitment period(s)?
8. What is the estimated cost of the project?

Proposed Site

9. Please submit a map clearly depicting the boundaries of the solar project site and the boundaries of the host parcel(s). Under RCSA §16-50j-2a(29), “Site” means a contiguous parcel of property with specified boundaries, including, but not limited to, the leased area, right-of-way, access and easements on which a facility and associated equipment is located, shall be located or is proposed to be located.
10. Is the site parcel, or any portions 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?

11. Has the State of Connecticut Department of Agriculture (DOAg) purchased any development rights for the project site or any portion of the project site as part of the State Program for the Preservation of Agricultural Land?
12. Referring to Petition Appendix G, the Phase 1A/1B Survey included a larger project footprint than what is now proposed. Please explain.
13. Would the construction, maintenance and operation of the solar facility interfere with the property owner's continued agricultural activities that are currently conducted on the site parcel and the host parcel?
14. Provide the distance, direction and address of the nearest property line from the perimeter fence.

Energy Output

15. What is the projected capacity factor (expressed as a percentage) for the proposed project? What electrical loss assumptions been factored into the output of the facility?
16. Could the project be 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 PPA.
17. Could the project be designed to serve as a microgrid?
18. If one section of the solar arrays experiences electrical problems causing the section to shut down, could other sections of the system still operate and transmit power to the grid? By what mechanism are sections electrically isolated from each other?

Site Components and Solar Equipment

19. Is the wiring from the panels to the inverters installed on the racking? If wiring is external, how would it be protected from potential damage from weather exposure, vegetation maintenance, or animals?
20. Would the power output of the solar panels decline as the panels age? If so, estimate the percent per year.

Interconnection

21. Referring to Petition p. 10, what is the status of the Distribution System Impact Study to be conducted by The United Illuminating Company?
22. What is the line voltage of the electrical interconnections?
23. Is the project interconnection required to be reviewed by ISO-NE?
24. Referring to Petition p. 10 and Petition Appendix B -Electrical Drawings- the drawings depict a solar facility layout that is different from the Site Plans provided in Appendix A. If available, provide revised electrical drawings.

25. Referring to page 10 of the Petition, would any off-site upgrades to electrical distribution from the proposed site to Woodmont Substation be required? Where would the demarcation points (of change of control/responsibility from Petitioner to UI) be located on the electrical interconnection for the project?

Public Safety

26. Would the project comply with the National Electrical Code, the National Electrical Safety Code and any applicable National Fire Protection Association (NFPA) codes and standards, including, but not limited to, NFPA Code Section 11.12.3.
27. What impacts would crop production within the fenced solar facility site have on fire safety?
28. Would the use of garden/crop equipment in close proximity to solar panels and inverters pose any hazard to farmers?
29. Please explain how the Farm Co-use Plan for areas within the fenced solar facility site is consistent with the Council's *White Paper on the Security of Siting Energy Facilities*, dated October 8, 2009.
30. What is the purpose the perimeter fence? Can fencing only be installed around the inverters and other high-voltage equipment?
31. Does the lease agreement with the landowner indemnify the landowner and/or GCE from liability resulting from accidents that could occur by allowing access to the secured solar facility site to third party farmers?
32. Who is responsible for ensuring the security gate to the fenced solar facility site is locked each night?
33. Referring to Petition p. 24, what is the projected noise level at the nearest residence?
34. Referring to Petition Appendix L, what is the nearest federally-obligated airport? Does the FAA notice screening tool include glare hazards? If not, explain if a glare analysis is necessary.
35. With regard to emergency response:
- Is outreach and/or training proposed for local emergency responders in the event of a fire or other emergency at the site?
 - How would site access be ensured for emergency responders?
 - 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

36. If there are private water wells on site or in the vicinity of the site, how would the petitioner protect the wells and/or water quality from construction impacts related to post driving/drilling?
37. Referring to Appendix E, the ESA Report found 2 areas of concern (AOC-1: Agricultural Use and AOC-2: Farm Equipment Area) within the study area. DEEP defines areas of concern as "locations or area at a site where hazardous waste and/or hazardous substances (including petroleum products) have been or may have been used, stored, treated, handled, disposed, spilled

and/or released to the environment.” AOC-1 is characterized as subject to historic pesticide use. AOC-2 is characterized as containing abandoned farm equipment and other related debris.

- a. Identify each AOC and its location in relation to the solar project site on a map; and
 - b. Explain how these areas will be managed/addressed during construction of the solar facility.
38. What effect would runoff from the drip edge of each row of solar panels have on the site drainage patterns? Would channelization below the drip edge be expected? If not, why not?
 39. Referring to Petition p. 19, what project changes, if any, were recommended by the DEEP Stormwater Program?
 40. Referring to petition p. 19, is the Project site located on a topographic mound which influences surface water drainage patterns to the surrounding wetlands? If so, what was DEEP’s concern about constructing the site on this feature?
 41. Due to the high water table at the site and the retention of water within the stormwater basins for extended periods, what measures can be deployed to prevent the stormwater basins from acting as decoy pools for vernal obligate species?
 42. Due to the presence of vernal pool species and state-listed turtles in adjacent wooded areas, can erosion control blankets composed of all natural fiber/jute be used at the site?
 43. Referring to Site Plan C-5.0 - Wildlife Protection notes, there is no provision for site work restrictions protective of the Brown Thrasher as recommended in the DEEP Natural Diversity Database letter dated November 7, 2020. Explain why this recommendation was not incorporated into the Wildlife Protection Plan.
 44. Referring to Petition pp. 30-31, has the DEEP Stormwater Program provided further information/recommendation concerning the buffer to Wetland 3?
 45. Referring to Appendix N, the Project Map dated June 16, 2021, shows Wetland 3 outside of the Project perimeter fence. The site plans in Appendix A dated September 29, 2021 shows Wetland 3 within the Project perimeter fence. What was the reason for this change? Can the perimeter fence be designed to exclude this wetland from the fenced solar array area?
 46. If Wetland 3 cannot be removed from the fenced solar array area, what type of restoration/vegetation management would occur within the 50-foot wetland buffer?
 47. Referring the Council on Environmental Quality comments dated October 27, 2021, can the Project be designed to include 100-foot wetland buffers from the limits of disturbance?
 48. The correspondence in Petition Appendix N states the aisles between the solar arrays have been widened to 14 feet to allow for crop production. What was the initial aisle row spacing for this project? If the narrower aisle width was used, by how many acres would the Project footprint be reduced?
 49. How was it determined that 14-foot wide aisles is the minimum space to support crop production? Is it anticipated crops would be grown across the 14-foot wide aisle or would there be offsets from the solar panel edges?

50. Would the larger project footprint to accommodate 14-foot wide aisles for crop production require additional stormwater detention when compared to a project with narrower aisles?
51. Referring to the Stormwater Report (Petition Appendix F), was the 8.5 acres of crop production within the project footprint accounted for within the post-construction calculations? Explain.
52. Why is the area within the fenced solar facility site designated for third party new farmers instead of an area outside of it? Can the Treat Farm owner use the area within the fenced solar array for their own agricultural production?
53. Have the details of the Farm Co-use Plan for areas within the fenced solar facility site been finalized? If so, please submit the plan. If not, when is the anticipated completion date?
54. Has the Petitioner developed details of the Farm Co-use Plan irrigation system mentioned in the Department of Agriculture correspondence dated October 6, 2021? If so, provide detail.
55. Referring the Council on Environmental Quality comments dated October 27, 2021, would the diversion of water from natural runoff affect the adjacent wetlands/vernal pools?
56. Does GCE intend to offer free use of the solar facility site to the third party new farmers or would there be a sub-lease with monetary terms? Does the lease agreement with the property owner permit sub-leasing?
57. Referring to Petition Appendix G, the SHPO correspondence of September 21, 2021 (which requested plantings behind the English barn on the site property) was based on a review of a Phase 1A/1B Survey that included a larger project footprint than what is now proposed and that was in close proximity to the barn. Due to a revised project layout that now includes a tree farm, larger trees, crops and outbuildings between the proposed solar array and the barn, is a landscape plan still necessary to screen the barn from the solar array?
58. Is the English barn within the leased site boundary?
59. Would the solar facility be visible from Old Tavern Road? Is Old Tavern Road a town-designated scenic road?
60. Petition Appendix K contains several sight line drawings from abutting properties. Would other developed residential properties on Old Tavern Road and Peck Lane that did not have a sight line analysis be able to view the proposed facility?
61. Referring to Petition p. 25, what is the status of the screening mitigation plan to reduce views of the facility from abutting properties? Which abutting properties would be incorporated into the screening mitigation plan?
62. 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:

- a. wetlands, watercourses and vernal pools;
- b. forest/forest edge areas;
- c. agricultural soil areas;
- d. sloping terrain;
- e. proposed stormwater control features;
- f. nearest residences;
- g. Site access and interior access road(s);
- h. utility pads/electrical interconnection(s);
- i. clearing limits/property lines;
- j. mitigation areas; and
- k. 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 show (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

63. What are the cut and fills for the proposed project? If there is excess cut, where would it be disposed of?
64. Would any fuels be stored on site during construction? If so, provide fuel storage/spill prevention control details.

Maintenance Questions

65. Would the Petitioner remove snow that accumulates on the panels? Would snow accumulation on the solar panels affect the output of the facility? Under what circumstances would snow be removed? Describe snow removal methods.
66. Would pesticides/herbicides be used within the crop production areas of the fenced solar facility? If so, is there a recommended distance to water resources such as wetlands and stormwater basins or to habitat supporting State-listed species where these substances should not be applied?
67. Would the Petitioner store any replacement modules on-site? If so, indicate where the modules would be stored.
68. In the lease agreement with the property owner, are there any provisions related to site restoration at the end of the project's useful life? If so, please provide any such provisions.

69. Referring to Petition Appendix D, submit the Toxicity Characteristic Leaching Procedure (TCLP) test information that indicates the selected solar modules would not be characterized as hazardous waste at the time of disposal under current regulatory criteria