



STATE OF CONNECTICUT

CONNECTICUT SITING COUNCIL

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VIA ELECTRONIC MAIL

December 1, 2021

Carrie Larson Ortolano, Esq.

General Counsel

LSE Indus LLC

c/o Lodestar Energy LLC

40 Tower Lane, Suite 201

Avon, CT 06001

cortolano@lodestarenergy.com

RE: **PETITION NO. 1469** – LSE Indus, 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 1.99-megawatt AC solar photovoltaic electric generating facility located at 81 East Main Street, North Canaan, Connecticut and associated electrical interconnection.

Dear Attorney Ortolano:

The Connecticut Siting Council (Council) requests your responses to the enclosed questions no later than December 22, 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 December 22, 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,

Melanie Bachman
Executive Director

MB/RM

c: Service List dated October 29, 2021

Petition No. 1469
Interrogatories - Set One

Notice

1. Referring to Petition Appendix 5, did the Petitioner receive any comments from the mailers sent out on October 21, 2021? If so, how many abutters responded and how were their 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. Referencing page 3 of the Petition, would all 1.99 megawatts (MW) alternating current (AC) be dedicated to VNM?
4. Referencing page 3 of the Petition, can the ZREC 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?
5. Would the Petitioner participate in the ISO-NE Forward Capacity Auction? If yes, which auction(s) and capacity commitment period(s)?
6. What is the estimated cost of the project?

Proposed Site

7. 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.
8. Referencing page 6 of the Petition, what portions of the host properties may be purchased by LSE?
9. 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?
10. Referencing page 7 of the Petition, what specific upgrades to the existing gravel drive are proposed? How will stormwater runoff along the access drive be controlled? How was the access road designed to accommodate emergency vehicles?

Energy Output

11. 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?

12. 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 VNM.
13. Could the project be designed to serve as a microgrid?
14. 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

15. 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?

Interconnection

16. Is the project interconnection required to be reviewed by ISO-NE?
17. Would any off-site upgrades to the electrical distribution system be required? If so, describe.
18. Page 11 of the Petition states the interconnection extension will follow the path of the access road with poles installed adjacent to the access road on its east side. How many utility-side interconnection poles will be installed? How many customer side poles will be installed?

Public Safety

19. 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.
20. What and where is the nearest federally-obligated airport from the site? Is a glare analysis required to comply with FAA policy?
21. Is the on-site airstrip still active? Would glare from the proposed facility present a hazard to aircraft using the airstrip?
22. With regard to emergency response:
 - a. Is outreach and/or training proposed for local emergency responders in the event of a fire or other emergency at the site?
 - b. How would site access be ensured for emergency responders?
 - c. 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?
 - d. Could the entire facility be shut down and de-energized in the event of a fire? If so, how?

Environmental

23. The Petition Exhibit 8, Environmental Assessment Attachments were not included with the submitted Petition. Provide the attachments as a bulk file.
24. Would the solar field areas be visible from Route 44?
25. The selected grass mix for the site is composed of more than 90% lawn grass species. Can a seed mix be used that provides a larger component of flowering pollinator species?
26. Does the property owner currently use the parcel for agriculture? If so, what specific crops/agricultural use would be lost due to development of the Project?
27. Petition Exhibit 8, Table 4 indicates there is 2.8 acres of prime farmland soil within the project footprint. How many acres of mapped prime farmland soil within the Project footprint are forested and how many acres are within existing fields?
28. Has the Petitioner considered an agricultural co-use of the property?
29. Due to the presence of the Eddy Aquifer Protection Area adjacent to the site, submit a detailed Fuel Storage and Spill Prevention Control Plan.
30. Would groundwater quality be affected by racking post driving/drilling?
31. Did the State Historic Preservation Office comment on the project? If so, provide such correspondence.
32. Referring to Petition Exhibit 8 Figure 2, it appears there is forestland marked as developed in the eastern portion of the parcel (northeast of the on-site building)? If forest is present, revise Table 1 and the Figure 4 tables to account for forested areas marked as developed. How many acres of forest in this area will be cleared?
33. Is it possible to shift the project to avoid clearing the mature forest northeast of the on-site building and south of the vernal pool?
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:

- a. wetlands, watercourses and vernal pools;
- b. forest/forest edge areas,
- c. the eastern area marked in Petition Exhibit 8 Figure 2 as developed ;
- d. agricultural soil areas;
- e. sloping terrain;
- f. proposed stormwater control features;
- g. nearest residences;
- h. Site access and interior access road(s);
- i. utility pads/electrical interconnection(s);

- j. clearing limits/property lines;
- k. mitigation areas; and
- l. 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

- 35. Would any fuels be stored on site during construction? If so, provide fuel storage/spill prevention control details.
- 36. What is the size (in acres) of the fenced area for each of the four project sections?
- 37. Provide the distance, direction and address of the nearest property line and nearest residence from the perimeter fence.
- 38. Referring to Site Plan EC-1, Phase 1 Notes, why is Basin B-3 referred to as a permanent basin at the time of construction rather than as a temporary sediment trap (TST) similar to TST-1A and TST-1B? If B-3 is not intended to be a TST, how would it be protected from potential sediment accumulation during construction?
- 39. Referring to Site Plan EC-1, the construction phasing notes do not refer to Basins B-2 and B-4 – during what phase would these basins be constructed? Would these basins be used as a TST during construction? If not, how would they be protected from potential sediment accumulation during construction? At what point would they be cleaned? (note 17 does not refer to cleaning of permanent basins)
- 40. Referring to the Site Plans, what do the gray shaded areas on the downgradient sides of Basins B-1A and B-1B represent?
- 41. Referring to Petition p. 5, how did DEEP define a “full growing season”?
- 42. Which sediment traps/permanent basins would be constructed prior to the commencement of the “full growing season”?

Maintenance Questions

- 43. Would pesticides/herbicides be used during maintenance at the site? If so, is there a recommended distance to water resources such as wetlands and stormwater basins?
- 44. Would the Petitioner store any replacement modules on-site? If so, indicate where the modules would be stored.

45. Has the manufacturer of the proposed 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? If so, submit information that indicates the proposed solar modules would not be characterized as hazardous waste. If not, would the Petitioner agree to install solar panels that are not classified as hazardous waste through TCLP testing?