



STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL

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VIA ELECTRONIC MAIL

June 27, 2023

Kenneth C. Baldwin, Esq.
Robinson & Cole LLP
280 Trumbull Street
Hartford, CT 06103
kbaldwin@rc.com

RE: **PETITION NO. 1572** – East Windsor Solar Two, 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 4.0-megawatt AC solar photovoltaic electric generating facility located at 31 Thrall Road, East Windsor, Connecticut, and associated electrical interconnection.

Dear Attorney Baldwin:

The Connecticut Siting Council (Council) requests your responses to the enclosed questions no later than July 18, 2023. 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 July 18, 2023 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 cursive script, appearing to read "Melanie Bachman".

Melanie Bachman
Executive Director

MB/MP

c: Service List dated May 25, 2023

Petition No. 1572
East Windsor Solar Two, LLC and VCP, LLC d/b/a Verogy
31 Thrall Road, East Windsor, Connecticut

Interrogatories
June 27, 2023

Project Development

1. Has East Windsor Solar Two, LLC (EWST) received any comments since the petition was submitted to the Council? If yes, summarize the comments and how these comments were addressed.
2. Petition p. 13 states that EWST met with Town officials during the summer of 2021 with an update on April 7, 2023. Were there any subsequent meetings? If yes, when? What topics were discussed at such subsequent meeting(s)?
3. If the project is approved, identify all permits necessary for construction and operation and which entity will hold the permit(s)?
4. What is the estimated cost of the Project?
5. If the facility operates beyond the terms of the SCEF Agreement, will Petitioner decommission the facility or seek other revenue mechanisms for the power produced by the facility?
6. Is the project, or any portion of the project, proposed to be undertaken by state departments, institutions or agencies, or to be funded in whole or in part by the state through any contract or grant?
7. Referencing the Council's record of Petition 1426, if a Declaratory Ruling is issued for the proposed facility, does EWST plan to construct, or partially construct, the facility and transfer it to another entity?
8. If EWST transfers the facility to another entity, would EWST provide the Council with a written agreement as to the entity responsible for any outstanding conditions of the Declaratory Ruling and quarterly assessment charges under CGS §16-50v(b)(2) that may be associated with this facility, including contact information for the individual acting on behalf of the transferee?

Proposed Site

9. Submit a map clearly depicting the boundaries of the solar facility site and the boundaries of the host parcel(s). Under Regulations of Connecticut State Agencies (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. Referencing p. 3 of the petition, "There are existing structures located in the southwest corner of the Site... consisting of an unoccupied house, several barns and a shed." Are these features located on the facility site, as that term is defined under RCSA, or outside of the facility site?
11. Is the site, or any portion of the host parcel, part of the Public Act 490 Program? If so, how does the municipal land use code classify the parcel(s)? How would the facility affect the use classification?

12. Has the State of Connecticut Department of Agriculture (DOAg) purchased any development rights for the facility site or any portion of the facility site as part of the State Program for the Preservation of Agricultural Land?
13. Referencing Appendix J, under “Alternatives to Locating the Energy Project on Prime Farmland,” it states the property owner will retain land development rights to develop a cemetery in the future. What site restoration measures would be required at the end of the facility’s useful life to facilitate the property owner’s future intended use?
14. Referencing the property owner’s future intended use of the site as a cemetery, if the facility is approved, how would recent legislation to furnish a decommissioning bond and engage a qualified soil scientist to assess and assure the restoration and suitability of prime farmland apply to this site?
15. Provide the distance, direction and address of the nearest property line and nearest off-site residence from the solar field perimeter fence.

Energy Output

16. Have electrical loss assumptions been factored into the output of the facility?
17. 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 SCEF Agreement.
18. Would the Petitioner participate in an ISO-NE Forward Capacity Auction? If yes, which auction(s) and capacity commitment period(s)?
19. Would the power output of the solar panels decline as the panels age? If so, estimate the percentage per year.
20. If one section of the solar array 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

21. Referencing Partial Site Plan OP-2, list the equipment that would be installed on each electrical pad.
22. 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 chewing animals?
23. Would the single axis tracker system move along the north-south axis? Submit a specification sheet of the tracking system.

Interconnection

24. Referencing page 8 and Partial Site Plan OP-2, what is the height of the utility poles above ground level after installation?

25. Referencing page 8 and Partial Site Plan OP-2, the proposed poles are a single utility recloser pole; junction pole; two utility primary meter poles; two customer disconnect switch poles; and two customer recloser poles. Identify each of these poles on Partial Site Plan OP-2. What equipment is mounted on each pole? Can the number of poles be reduced by consolidating equipment?
26. Is the facility interconnection required to be reviewed by ISO-NE?
27. Petition p. 12 states "... at least 60% of the total capacity of the facility will be supplied to low-and-moderate-income customers..." Where will the remaining approximately 40% be supplied?
28. What are the industry Best Management Practices for Electric and Magnetic Fields at solar facilities?

Public Safety

29. Would the project comply with the current Connecticut State Building Code and National Electrical Code?
30. Would EWST be required to file a Federal Aviation Administration (FAA) Form 7460 for temporary equipment if a small crane, excavator, or other tall equipment is used at the site during construction?
31. Identify the distance/direction of the nearest federally-obligated airport from the proposed site. Is a glare analysis required to comply with FAA policy? Provide a hard copy of the FAA Notice Criteria Tool printout that is included in the electronic version of Appendix M of the Petition.
32. In the event of a fire or emergency, describe procedures that will allow emergency responders to shut down the facility.
33. In the event of a brush or electrical fire, how are potential electric hazards that could be encountered by emergency response personnel mitigated? What type media and/or specialized equipment would be necessary to extinguish a solar panel/electrical component fire?
34. Are there any private water wells on the site or in the vicinity of the site? If so, would the installation of racking posts affect well water quality from construction impacts, such as vibrations and sedimentation?
35. Referencing Petition Appendix L, would the results of the acoustical design study be impacted by cumulative noise from the transformers and the panel tracking system? Explain.
36. What noise-generating equipment would be installed at the site? Would operation of the proposed facility meet the applicable Department of Energy and Environmental Protection (DEEP) Noise Standards at the nearest property boundary?
37. Referencing Appendix J, describe infrastructure and water source(s) that would be installed to support livestock activities.
38. Referencing Appendix B, provide updated site plan(s) as necessary to identify any additional features that are proposed to accommodate sheep.
39. Does EWST allow livestock grazing in areas adjacent to residences? Were the abutting property owners notified of livestock grazing at the site?

40. If temporary electric fence is used at the site to create defined pasture areas within the solar field, what types of safety measures are in place to prevent electric fence shock hazards?
41. What type of media and/or specialized equipment would be necessary to extinguish a solar panel/electrical component fire?
42. Would the Petitioner conduct outreach/training to local emergency responders regarding safety, fire control and other emergencies that could occur at the site?

Environmental

43. Referencing Appendix J, EWST intends to introduce pollinator habitat within the "Project Area." Where would pollinator habitat be established and what is the intended seed mix to create pollinator habitat?
44. Does the proposed fence design include a 4 to 6 inch gap at the bottom to allow for small animal passage. Would the fence have to be lowered in order to protect the sheep? If yes, could a farm style livestock fence (six-inch mesh) be installed instead to keep the livestock contained and to allow for small wildlife passage?
45. Would livestock manure affect water quality in downgradient wetlands/watercourses? How can such effects be mitigated?
46. 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?
47. 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 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

48. Approximately to what depth would the racking posts be installed?
49. Has EWST met with the DEEP Stormwater Division? If yes, when? Please describe any recommendations, comments or concerns about the Project from the Stormwater Division.
50. Has EWST submitted an application for a stormwater permit? If yes, what is the status of such permit?
51. How will sediment be removed and transported from stormwater features? Where would removed sediment be disposed of?

Facility Maintenance/Decommissioning

52. Referencing Appendix E of the Petition, would project decommissioning include stormwater management features? If yes, how would the stormwater management system be removed?
53. Referencing Petition Sheet GN-2, Environmental Notes – Resources Protection Measures, under what circumstances would pesticides or herbicides be used at the solar facility site?
54. Would the Petitioner store any replacement modules on-site in the event solar panels are damaged or are not functioning properly? If yes, in what location?
55. Which is more cost-effective to maintain the vegetation within the array area: sheep grazing or periodic mowing? Explain.