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November 9, 2023

VIA ELECTRONIC MAIL AND HAND DELIVERY
Melanie Bachman
Executive Director/Staff Attorney
Connecticut Siting Council
10 Franklin Square
New Britain, CT 06051

Re: PETITION NO. 1589 – USS Somers Solar, 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 3.0-megawatt AC solar photovoltaic electric generating facility located at 360 Somers Road, Ellington, Connecticut, and associated electrical interconnection. Council Interrogatories to Petitioner

Dear Ms. Bachman:

I am writing on behalf of my client, USS Somers Solar, LLC, in connection with the above-referenced Petition. With this letter, I am enclosing the original and fifteen copies of the Responses to the Interrogatories issued by the Council October 20, 2023, along with Exhibits A-K for these responses. In addition, I have electronically filed a Motion for Protective Order and affidavit in support of that order with you earlier today in connection with USS Somers Solar, LLC's response to Interrogatory Number 5, requesting information regarding the project's costs.

Should you have any questions concerning this submittal, please contact me at your convenience. I certify that copies of this submittal have been submitted to all parties on the Petition's Service List as of this date.

Sincerely,

Lee D. Hoffman

Lee D. Hoffman
Enclosures

STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL

PETITION NO. 1589 – USS Somers Solar, 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 3.0-megawatt AC solar photovoltaic electric generating facility located at 360 Somers Road, Ellington, Connecticut, and associated electrical interconnection. Council Interrogatories to Petitioner.	**Petition No. 1589**
	November 9, 2023

Petitioner USS Somers Solar, LLC ("Petitioner" or "USS") hereby submits the following responses to the Interrogatories that were directed to USS by the Connecticut Siting Council ("Council") on October 20, 2023.

Notice

1. **Referring to page 3 of the Petition, what comments were provided by the Town on January 10, 2023 to prompt the 25% reduction in the size of the solar facility from 4 MW to 3 MW and what comments were provided by the Town on July 24, 2023 after the 25% reduction in the size of the solar facility from 4 MW to 3 MW? Explain.**

   Please see the comments below from the Town of Ellington's ("Town") planning department on January 10, 2023 and USS's responses thereto. In response, USS downsized the overall size of the array by 25% and provided the Town with the corresponding response letter illustrating a good faith willingness to work with the Town. The Town did not adjust their comments following USS's downsizing and referenced the same concerns during the Town meeting on July 24, 2023. The Town also voiced a concern pertaining to inverter noise.

   1/10/23 Town comments:

   • Ellington Airport supports light general aviation traffic and features a helicopter flight school and one of the largest parachuting schools in the northeast. In 2006-07, Ellington invested more than $1,000,000, partially funded by the Small Town Economic Assistance Program, to extend public sanitary sewers to Ellington Airport and surrounding industrial land to serve and retain existing industrial businesses and provide for future industrial growth. Due to limited sewer capacity, only about 4% of land in Ellington is zoned industrial. Given the limited potential for industrial development town-wide, the Commission does not support dedicating 30 acres of prime industrial land for utility-scale solar that will be in place for twenty to thirty years.

   • The Federal Aviation Association and the Connecticut Department of Transportation partially funded (75%) a study aiming to maintain Ellington Airport as a regional transportation/aviation

resource. The study concluded in 2010 and recommends that the existing runway be extended 700' to allow it to serve 75% of small size aircrafts and to increase aviation activities. A large portion of the proposed solar facility conflicts with the study's recommended runway extension and protection zones. See, attached Airside Alternative 4 plan.

• The proposed solar array creates significant safety concerns. Last June, a plane associated with parachuting activities overshot the existing runway and ended-up in a vacant field and the runway protection zone on the property. See, NBCConnecticut/https://www.nbcconnecticut.com/news/local/plane-lands-in-field-after-overshooting-runway-at-ellington-airport/2800326/ . And, last October, a two-seat plane with engine issues that was headed to Bradley International Airport was forced to land at Ellington Airport and landed within a vacant field and the runway protection zone. See, CTInsider/https://www.ctinsider.com/news/article/Plane-forced-to-land-at-Ellington-Airport-after- 17527675.php/.

USS's response:

Dear Lisa,

I hope your summer is off to a great start. US Solar has reviewed the Ellington Planning and Zoning Commission's (PZC/Commission) 1/10/23 comments pertaining to our original site plan (dated February 11, 2021) and has made the following modifications to address their concerns. I have attached our newest rendition of our preliminary site plan (dated March 30, 2023). The following modifications have been made:

1. We have removed the southern portion of the array entirely, downsizing the array by 13 acres to a total of 17.5 acres and from an electric generation of 4MWac to 3MWac. This was done to appease the town's wish to preserve more land for industrial use and allow for the parachute school to continue to utilize the southern portion of land for their practices.

2. We downsized the array to account for a 500' runway extension and an additional 500' runway setback for safety concerns. We believe this modification helps address the town's concern surrounding the runway extension.

3. In response to the town's safety concerns, we have filed our original site plan with the FAA and they have issued the attached "Determination of No Hazard to Air Navigation". We will file another FAA review request pertaining to our newer rendition, which should yield the same results given that the array has been significantly downsized. We believe their research and determination into flight safety helps satisfy this concern.

Please let me know if the Commission has any further questions or comments. We anticipate filing a Petition to the Connecticut Siting Council for Declaratory Ruling on August 15, 2023 with the newly adjusted site plan. You may review the Petition at the Council's website at http://portal.ct.gov/CSC or else at their offices: 10 Franklin Square, New Britain, CT 06051. You may also call the Council directly at (860) 827-2935. The Council will assign a Project docket number once they have received the Petition. The Council will also provide notice to adjacent property owners and government officials of the date, time, and location of any public hearing to be held on the assigned docket.

Sincerely,

Dan Csaplar

Dan Csaplar
Project Developer
Dan.csaplar@us-solar.com

2. **Referencing page 3 of the Petition, was the July 24, 2023, meeting attended by members of the public? If so, how many people were in attendance and what were their concerns.**

Yes, the meeting was attended by the public. There were approximately eight people in attendance, primarily from CT Parachutists Inc., who voiced safety concerns as exhibited in their formal comments. Another member of the public voiced concerns pertaining to noise.

3. **Referencing the September 18, 2023 correspondence from the Town of Ellington Planning and Zoning Commission, approximately what sewer capacity and/or use would be required to construct, maintain and operate the proposed 3 MW solar facility?**

There would be no sewer capacity needed to construct, maintain and operate the 3MW facility.

4. **Has USS Somers Solar, LLC (USS) received any additional comments since the Petition was submitted to the Council? If so, please summarize the comments and how these comments were addressed.**

No.

Project Development

5. **What is the estimated cost of the project?**

USS objects to this interrogatory to the extent it seeks information that is beyond the scope of a petition to declaratory ruling as provided for under the Public Utility Environmental Standards Act, Conn. Gen. Stat. § 16-50g, et seq ("PUESA"). In addition, USS believes that its cost information consists of trade secrets that are protected from disclosure under Connecticut's Freedom of Information Act, Conn. Gen. Stat. § 1-200 *et seq*. ("FOIA"). Subject to the foregoing objection, USS replies that it has provided the Council with a Motion for Protective Order and accompanying Affidavit of Dan Csaplar, which was sent to the Council in a separate filing and contains an answer responsive to this interrogatory.

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?**

USS objects to this interrogatory to the extent it seeks information that is beyond the scope of a petition to declaratory ruling as provided for under the PUESA and FOIA. Subject to the foregoing objection, USS replies that the Project is not proposed to be undertaken or funded by any state entities, however, the Project has been accepted into the SCEF Program administered by The Connecticut Light & Power Company d/b/a Eversource Energy ("Eversource").

7. **If the project is approved, identify all permits necessary for construction and operation and which entity will hold the permit(s)?**

The following permits are anticipated to be necessary for the construction and/or operation of the Project:

- Town of Ellington, Building Permit;
- Town of Ellington, Electrical Permit;
- Federal Aviation Administration ("FAA") Notice of Proposed Construction and Determinations of No Hazard; and
- Council approval.

It is anticipated that USS will be the entity that holds these permits.

8. **If USS transfers the facility to another entity, would USS 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?**

If USS transfers the facility to another entity, USS will provide notice of the entity responsible for management and operations of the Project and any outstanding conditions of the Declaratory Ruling and said entity's contact information.

9. **Was the project selected through a RFP process? If so, which RFP?**

USS objects to this interrogatory to the extent it seeks information that is beyond the scope of a petition to declaratory ruling as provided for under the PUESA and FOIA. Subject to the foregoing objection, USS replies that the Project was selected through Eversource's SCEF RFP process.

10. **Is the project subject to a virtual net metering agreement? Would all 3.0 megawatts AC be dedicated to virtual net metering?**

USS objects to this interrogatory to the extent it seeks information that is beyond the scope of a petition to declaratory ruling as provided for under the PUESA. Subject to the

foregoing objection, USS replies that all 3 MW AC of this Project will participate in the Connecticut SCEF Program, through which Eversource will purchase the Renewable Energy Credits ("RECs") and energy from this Project.

11. **Does USS have a contract to sell the electricity and renewable energy certificates (RECs) it expects to generate with the proposed project? If so, to which public utility? If the electricity is to be sold to more than one public utility, provide the percentage to be sold to each public utility.**

USS objects to this interrogatory to the extent it seeks information that is beyond the scope of a petition to declaratory ruling as provided for under the PUESA. Subject to the foregoing objection, USS replies that USS has a contract with Eversource for this Project through the SCEF Program, through which Eversource will purchase the RECs.

12. **What authority approves the power purchase agreement (PPA) for the facility? Has a PPA with an electric distribution company been executed? If so, at what alternating current megawatt output? If not, when would the PPA be finalized?**

USS objects to this interrogatory to the extent it seeks information that is beyond the scope of a petition to declaratory ruling as provided for under the PUESA. Subject to the foregoing objection, USS replies that a "SCEF Tariff Terms Agreement" has been executed by Eversource and USS Somers Solar, LLC. The agreement as executed included a 4 MW AC output, however, the agreement allows for downsizing, which USS has done in good faith per the request of the Town and parachutist group.

13. **What is the length of the PPA? Are there provisions for any extension of time in the PPA? Is there an option to renew?**

USS objects to this interrogatory to the extent it seeks information that is beyond the scope of a petition to declaratory ruling as provided for under the PUESA. Subject to the foregoing objection, USS replies that the PPA has a term of twenty (20) years with no option to renew.

14. **Is the alternating current megawatt capacity of the facility fixed at a certain amount per the PPA and/or the RFP? Is there an option within the PPA to allow for changes in the total output of the facility based on unforeseen circumstances?**

USS objects to this interrogatory to the extent it seeks information that is beyond the scope of a petition to declaratory ruling as provided for under the PUESA. Subject to the foregoing objection, USS replies that the PPA fixes the price for the 20-year term. As stated above, the PPA allows for downsizing output.

15. **If the PPA expires and is not renewed and the solar facility has not reached the end of its lifespan, will USS decommission the facility or seek other revenue mechanisms for the power produced by the facility?**

USS objects to this interrogatory to the extent it seeks information that is beyond the scope of a petition to declaratory ruling as provided for under PUESA. Subject to the foregoing objection, USS provides that it would expect the facility to seek other revenue mechanisms at the end of the 20-year SCEF tariff with Eversource.

Proposed Site

16. **Using the FAA Filing Locations Map behind Appendix H and the Existing Conditions Map behind Tab B, submit a map clearly depicting the footprint of the original 4 MW facility and the footprint of the proposed 3 MW facility.**

Please see attached for **Exhibit A** *Footprint Comparison,* for the disturbance limits of the original 4 MW site and the proposed 3 MW site, which can be found in EB03.

17. **Submit a map clearly depicting the boundaries of the solar facility site and the boundaries of the host parcel. 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.**

Please see attached for **Exhibit B** *Site Boundary* for the disturbance limits of the proposed site, which can be found in EB04.

18. **What is the length of the lease agreement with the host property owner?**

The lease agreement with the host property owner ("Lease") has a term of twenty (20) years with the option to extend for four additional five-year terms.

19. **In the lease agreement with the host property owner, are there any provisions related to decommissioning or site restoration at the end of the project's useful life to facilitate the host property owner's future intended use of the site? If so, please describe and/or provide any such provisions.**

Yes, pursuant to the Lease, USS is responsible for decommissioning and removing the array within twelve (12) months of the date of termination or expiration. USS must remove all above surface grade equipment relating to the facility, remove foundations and fixtures to a depth of two feet below the surface grade, cover up all pit holes, trenches and other borings and excavations, and leave the surface free from debris. USS must also prevent soil erosion.

20. **Does the lease agreement with the host property owner contain provisions for agricultural co-uses at the site? If yes, describe the co-uses.**

Yes, the Lease contains provisions regarding commercial beekeeping.

21. **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 project affect the use classification?**

Yes, the site consists of 125 acres, 90 acres of which are a part of the Public Act 490 Program. The parcel is zoned industrial, and it is not expected that the 19.2 acres used for the Project will affect this use classification.

22. **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?**

To the best of USS's knowledge, DoAg has not purchased development rights for this site.

23. **Are any portions of the site under lease by any third party? If yes, by whom, in what location and when does the lease expire?**

Yes, the entire property is subject to a lease with the Connecticut Parachutists, Inc. There are 14.5 years remaining in the lease term. The Connecticut Parachutists, Inc. agreed to the development of the solar array upon USS's lease execution with the property owner.

24. **Provide the distance, direction and address of the nearest property line and nearest off-site residence from the solar field perimeter fence, transformer pads and access drive.**

Please see the attached **Exhibit C** *Off-Site Residences* which displays on EB05 the distances from the perimeter fence to the adjacent property lines in each direction along with the distances from off-site residences to the nearest point of the Project.

25. **Who would be responsible for responding to concerns and/or complaints related to agricultural co-use on the site? How would contact information be provided for complaints?**

USS would be responsible for such concerns and complaints, which may be directed to the contact information provided on our website (us-solar.com).

26. **Referencing Petition P. 24 and Appendix B provide the total limits of disturbance area (LOD) for the proposed project.**

Please see the attached **Exhibit D** *Sediment Control* for the revised sheet C106 which contains the limits of disturbance area value within the System Specifications table. Disturbance limits are visually shown on sheets C300-C323.

Energy Output

27. **What electrical loss assumptions been factored into the output of the facility, if any. What is the output (MW AC) at the point of interconnection?**

A 1% loss has been factored in. The output at the POI is 2.997 MW AC.

28. **Would the power output of the solar panels decline as the panels age? If so, estimate the percent per year.**

Yes, USS anticipates a one half of one percent (0.5%) decline per year.

29. **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 PPA.**

No battery storage system is currently contemplated for this project. Depending on state or federal programs encouraging battery storage systems in the future, the site plan could be amended to accommodate such systems.

30. **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?**

Yes, if a string of panels connected to one inverter shuts down, the other inverters will remain functional. This protects the array from entire electrical shut down.

31. **Would USS participate in an ISO-NE Forward Capacity Auction? If yes, which auction(s) and capacity commitment period(s)?**

USS objects to this interrogatory to the extent it seeks information that is beyond the scope of a petition to declaratory ruling as provided for under PUESA. Subject to the foregoing objection, USS states that at this time, USS does not anticipate that the Project will be participating in the ISO-NE Forward Capacity Auction, however USS reserves the right to participate in the Forward Capacity Auction in the future. As of this writing, the Project has no capacity commitments.

32. **Would USS construct the facility if the solar array footprint was further reduced? If yes, indicate the minimum facility output (MW) required to retain the project's viability.**

No.

Proposed Facility and Associated Equipment

33. **Is the wiring from panels to the inverters installed on the racking system? If wiring is external, how would it be protected from potential damage from weather exposure, vegetation maintenance, or animals?**

The inverters are installed on the racking system and designed to withstand inclement weather, animals, and vegetative maintenance.

34. **Provide the dimensions of the transformer and inverter pads.**

The transformer pad will be approximately 10' by 30', subject to final design and procurement. The string inverters are mounted on drive pile foundations.

35. **What type of equipment would be located on the equipment pad along the access road?**

The equipment pad includes a 3300 KVA transformer, switchgear, and a small auxiliary rack housing various controls, subject to final design and procurement.

36. **Where would the transformers and inverters be located?**

The equipment pad, which includes the transformer, switchgear, and small auxiliary rack, is centrally located along the south side of the access road. The inverters are string inverters distributed about the site along the north and south side of the access road and in the northern row gap. Please see Exhibit D for exact locations.

Electrical Interconnection

37. **Is the facility interconnection required to be reviewed by ISO-NE? Is the project listed on the most recent ISO-NE Interconnection Queue? Is an ISO-NE study or approval required?**

The interconnection must be reviewed by ISO-NE. The Project is not yet listed on the Interconnection Queue. An ISO-NE approval is required.

38. **Does USS have an Interconnection Agreement with Eversource? Provide the status of the agreement.**

USS is finalizing its Interconnection Agreement milestones over the next few weeks.

39. **What is the height of the three proposed utility poles?**

The height of the utility poles is 45'.

40. **Is the existing electric distribution line along Somers Road three-phase, or what upgrades would be necessary to facilitate the facility interconnection?**

Yes, the existing electrical distribution along Somers Road is three-phase.

41. **What equipment is mounted on each pole?**

Anticipated equipment may include a utility recloser, utility main service meter, project recloser, project disconnect, and project arrestors.

42. **Have there been any discussions with Eversource about using pad-mounted equipment rather than pole-mounted equipment? Provide cost estimates for both an overhead and underground interconnection.**

There has not yet been discussion with Eversource regarding pad-mounted equipment, however, USS remains open to such discussions should Eversource propose them.

Public Safety

43. **Would the project comply with the current Connecticut State Building Code and National Electrical Code?**

Yes.

44. **Would USS coordinate with Ellington Airport as to any required modifications to general operations and the Airport Emergency Response Plan due to the construction, operation and maintenance of the proposed solar facility? Explain.**

Neither USS nor the Ellington Airport anticipate any necessary modifications to the general operation of the airport. There is no Airport Emergency Response Plan, as there is no control tower, and the FAA does not require an Emergency Response Plan.

45. **Would training be provided for local emergency responders regarding site operation and safety in the event of a fire or other emergency at the site?**

Yes, USS will contact local emergency responders to provide training and information regarding the Project that will be useful to emergency response personnel in the event of a fire or other emergency at the site.

46. **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?**

To mitigate potential electric hazards that could be encountered by emergency response personnel, the Project will have comprehensive signage—with clear warnings relating to the equipment location(s) and hazards associated therewith—throughout the project area, including at the main entrance, on the exterior fencing, and on the solar equipment. In addition, a main shutoff switch for the electrical feed for the entire solar facility will be

identified with signage. Generally, fire personnel have an understanding of their preferred means to extinguish electrical fires associated with solar equipment. Typically fire personnel do not actively try to extinguish fires within a solar array, instead the responders typically observe the situation and allow the component (i.e., a solar panel, inverter, etc.) to burn itself out while looking to contain any spread outside of the array.

47. **Referring to p. 11 of the Petition, provide an emergency response plan for the proposed facility.**

USS respectfully requests that the Council make the submission of an emergency response plan a condition of this Petition's approval.

48. **What are the industry Best Management Practices for Electric and Magnetic Fields at solar facilities? Would the proposed facility conform to these practices?**

According to the Council's revised EMF Best Management Practices dated February 7, 2014, the Council recognized that a 2010 guideline established 2,000 mG as an acceptable exposure level to EMF. The Council also recognized that there is scientific consensus that there is no cause-and-effect link with EMF and any health effect, and that "scientific evidence to date does not warrant the establishment of MF exposure limits" surrounding transmission lines. In 2015, the Massachusetts Department of Energy Resources, Department of Environmental Protection, and Clean Energy Center released a solar guide that states that PV arrays generate EMF in the same extremely low frequency range as electrical appliances and wiring found in most homes and buildings and that the measurements at three commercial PV arrays in MA gave off less than 0.5 mG at the sites' boundaries and typically PV arrays give off less than 1.0 mG within three inches of the panels, whereas a vacuum cleaner three feet away from a motor is approximately 2.0 mG. As such, USS is not aware of any BMPs for EMF at solar facilities.

49. **Does the transformer have a containment system in the event of a leak?**

The transformers contemplated for this Project are oil filled, but due to their relatively small size they are not required to have secondary oil containment pursuant to CFR Title 40. USS uses FR3 or mineral oil which is bio-degradable / inert. In the unlikely event of a spill, USS would follow all State and Local requirements for spill reporting.

50. **Referring to p. 5 of the Petition and Appendix B-Environmental Assessment Report, is Ellington Airport a federally-obligated airport? If not, identify the distance/direction of the nearest federally-obligated airport from the proposed site.**

The Ellington Airport is not a federally-obligated airport. The nearest federally obligated airport is Hartford-Brainard Airport which is 21 miles southwest of this site.

51. **Is a glare analysis required to comply with FAA policy?**

Based upon FAA 2021 guidance, a glare report is not required because the airport does not have an air traffic control tower.

52. **Is the site located within a "runway protection zone"? What development limitations or prohibitions apply to runway protection zones, if any, and who is authorized to utilize them? Explain.**

The proposed Project may be within the runway protection zone, thus the Project's description was submitted to FAA on Form 7460–1, Notice of Proposed Construction or Alteration. The FAA responded to receipt of the form submission with a Determination of No Hazard for the Array and FAA compliant lighting will be implemented on the interconnection poles following the previously completed public comment period and FAA approval. Please see the attached **Exhibit K**, *FAA Determination*.

53. **Is there a required setback for an energy generation facility from a runway or runway protection zone at airports? Explain.**

There is no FAA setback set specifically for solar energy generating facilities, however, setbacks are based upon proposed facility locations as related to the feature heights and land use. FAA guidance has been implemented in this Project's design.

54. **What are the airport access restrictions? How will the construction, maintenance and operation of the proposed facility coexist with existing airport operations and activities on the host parcel?**

There will be no interference with airport activities during construction, maintenance, and operation of the facility. USS will utilize an existing access drive off Somers Rd and extend it north, further away from the runway.

55. **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?**

Please see the attached **Exhibit E** *Solar Noise Memo*. This supersedes the previous noise section of the Petition.

56. **Referring to Petition p. 27 and Appendix B, provide the estimated noise levels at the nearest property boundary, the nearest residential property line and the nearest residential building.**

A project specific noise study has not been completed. Please refer to Exhibit E.

57. **Would operation of the proposed facility increase noise levels over existing noise emissions from the host parcel under the Standard Land Use Classification Manual of Connecticut categories referenced in Section 22a-69.2 of the DEEP Noise Control Standards? If so by how much? Would the overall noise levels be compliant with DEEP Noise Control Standards at the nearest property boundary?**

Please refer to Exhibit E.

58. **What is the estimated noise level at the property line?**

Please refer to Exhibit E.

59. **Were the abutting property owners and the Town notified of livestock grazing at the site?**

Both the Town and the abutting property owners have been notified about this Petition which discusses the use of livestock.

60. **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 protect the public and emergency response personnel from electric fence shock hazards?**

USS will not be utilizing an electric fence.

Environmental Effects and Mitigation Measures

61. **Referencing petition p. 9, USS intends to introduce pollinator habitats within the "Project Area." Where would pollinator habitats be established and what is the intended DEEP-approved seed mix to create pollinator habitat?**

Please see the attached **Exhibit F**, *Seed Mix Soils* which describes the soil profile. The pollinator habitats will be located within the confines of the fenced area across the entire array

62. **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 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?**

The fence design does not include a gap at its bottom in order to minimize the risk of predation of sheep. It is possible that six-inch mesh fence could be installed if required by the Council.

63. **Would livestock manure affect water quality in downgradient wetlands/watercourses? How can such effects be mitigated?**

Agricultural wastewater is regulated by DEEP, which issues permits for medium to large Concentrated Animal Feedlot Operation ("CAFO") facilities. DEEP does not regulate discharges of agricultural wastewater for facilities that maintain crops, vegetation, forage growth, or post-harvest residues during a normal growing season. As the Project will allow current crops and vegetation to remain on site, USS does not anticipate that any water quality impacts will need to be mitigated. Notwithstanding the foregoing, USS intends to consult DEEP's Manual of Best Management Practices For Agriculture when finalizing its project plans. *See*, https://portal.ct.gov/DEEP/Water-Regulating-and-Discharges/Agricultural-Wastewater.

64. **What is the distance from the limit of disturbance to the nearest wetland boundary for the solar array area and associated stormwater management features (excluding gravel access roads).**

The shortest distance between the limit of disturbance and the nearest wetland boundary has been added to sheet C300 in Exhibit D.

65. **Referring to p. 18 of the Environmental Assessment Report Appendix B, provide a resource protection plan for the proposed project to protect listed species. How would site specific environmental mitigation measures be communicated to field maintenance personnel?**

Please see attached **Exhibit G**, *Resource Protection Plan*.

66. **Referring to Petition pp. 9 and 15 and Appendix B Environmental Assessment Report, identify the pollinator-friendly seed mix and the mix ratio.**

This information is provided in the attached Exhibit F.

67. **Referring to Petition pp. 9 and 15, is the soil at the site capable of supporting native meadow grass?**

Yes, please see the attached Exhibit F.

68. **Referring to Petition p. 9, how would mowing affect the Savannah sparrow (*passerculus sanwichensis*). Could mowing be done outside of the active season for the Savannah sparrow (i.e. between September 1 and March 31)?**

Yes, please see the attached Exhibit F.

69. **Characterize year-round and seasonal views of the facility from abutting residential properties. What type of visual mitigation could be implemented for the site?**

Current abutting residential properties are screened by deciduous trees which provide screening during the growing season. Single rows of coniferous screening could be provided in select locations as visual mitigation.

70. **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).

A photo simulation depicting the proposed Project is currently being prepared and will be subsequently filed with the Council upon completion.

Facility Construction

71. **Has USS met with the DEEP Stormwater Division? If yes, when? Please describe any recommendations, comments or concerns about the project provided by the Stormwater Division.**

USS has not met with the DEEP Stormwater Division yet regarding the Project but intends to do so should the Council approve the Petition.

72. **Referring to Petition p. 23 has USS submitted an application for a General Permit for the Discharge of Stormwater and Dewatering Wastewaters from Construction Activities from the Department of Energy and Environmental Protection? If yes, what is the status of such permit?**

USS has not yet applied for the General Permit for the Project but intends to do so should the Council approve the Petition.

73. **What time interval is anticipated to achieve stabilization of disturbed areas?**

According to the SWPPP, Section 10.5 *Stabilization Timing for Disturbed Areas and Moderate Slopes*, temporary erosion control management practices should be completed prior to the seventh day of temporarily or permanently ceasing construction activity in an area of the Project. Once final grade is achieved, the application of temporary stabilization with permanent seeding or vegetative BMPs must be applied within seven calendar days.

74. **How would the posts (that support the racking system) be driven into the ground? In the event that ledge is encountered, what methods would be utilized for installation?**

Piles will be installed with a pile driver. If bedrock is encountered, bedrock will be pre-drilled and backfilled.

75. **What effect would runoff from the drip edge of each row of solar panels have on site drainage patterns? Would channelization below the drip edge be expected?**

Per the Stormwater Report Developed Site Conditions, drainage patterns will remain the same other than the two proposed basins and swales to route the stormwater. The basins and swales are shown on the attached Exhibit D. Additionally, the Water Quantity/Runoff Analysis section states that proper stabilization practices will be put into place to avoid erosion or channelization beneath the panels. Please refer to the Stormwater Management Plan and Exhibit D.

76. **Submit construction fuel materials storage, refueling and spill response plan.**

USS's contractors' safety plan will include fuel storage, refueling, and spill response measures in accordance with applicable requirements. USS respectfully requests that the Council make the submission of this plan a condition of this Petition's approval.

Facility Maintenance/Decommissioning

77. **Would replacement modules be stored on-site in the event solar panels are damaged or are not functioning properly? If yes, in what location?**

No.

78. **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 USS agree to install solar panels that are not classified as hazardous waste through TCLP testing?**

Yes, please see the attached **Exhibit H**, *TCLP*.

79. **Would project decommissioning include stormwater management features? If yes, how would the stormwater management system be removed?**

Yes, decommissioning would include decommissioning stormwater management features. In the case of basins, they would either be returned to existing grade or spill aways would be lowered and widened to allow for existing drainage patterns to remain.

80. **Submit an Operations and Maintenance Plan for the facility.**

Please see the attached **Exhibit I**, *O&M Plan*.

81. **Submit a Decommissioning Plan for the facility.**

Please see the attached **Exhibit J**, *Decommissioning Plan*.