

**STATE OF CONNECTICUT  
CONNECTICUT SITING COUNCIL**

<b>PETITION NO. 1597 – 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 3.74-megawatt AC solar photovoltaic electric generating facility located at Parcel No. 017-150-066, Spencer Hill Road, Winchester, Connecticut, and associated electrical interconnection. Council Interrogatories to Petitioner.</b>	<b>Petition No. 1597</b>
	<b>January 8, 2024</b>

Petitioner Greenskies Clean Energy LLC (“Petitioner” or “GCE”) hereby submits the following responses to the Interrogatories that were directed to GCE by the Connecticut Siting Council (“Council”) on December 18, 2023.

**Notice**

1. Has Greenskies Clean Energy LLC (GCE) received any comments since the petition was submitted to the Council? If yes, summarize the comments and how these comments were addressed.

On November 7, 2023 GCE received an email and voicemail from Kasdyn Click of the Affordable Family Housing LLC. The Email and Voicemail voiced full support for the Project. GCE has received no other comments on this petition.

**Project Development**

2. 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:

- Connecticut Department of Energy and Environmental Protection (“DEEP”) General Permit for the Discharge of Stormwater and Dewatering Wastewaters from Construction Activities (Stormwater Permit);
- Town of Winchester, Building Permit;

- Town of Winchester, Electric Permit;
- Federal Aviation Administration (“FAA”) Notice of Proposed Construction and Determinations of No Hazard; and
- Council approval.

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

3. What is the estimated cost of the project?

The final cost of the project is not yet known, and it should be noted that there are multiple ways to define total project costs. That having been said, GCE estimates that the approximate cost of the project is \$9 million.

4. 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?

No.

5. If the facility operates beyond the terms of the NRES Agreement, will GCE decommission the facility or seek other revenue mechanisms for the power produced by the facility?

GCE would expect the facility to seek other revenue mechanisms at the end of the NRES Agreement period and would not anticipate decommissioning at that time.

6. If GCE transfers the facility to another entity, would GCE 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 GCE transfers the facility to another entity, GCE 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.

## Proposed Site

7. 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.

The requested map is included with this response as Exhibit A . The boundaries of the solar facility are as depicted on the map in Exhibit A. It should be noted that GCE has a lease option for the area shown in Exhibit A. Once the option is exercised, the lease area will be more particularly defined. GCE will submit finalized a finalized Leased Area Map once the lease area is fully finalized.

8. What is the length of the lease agreement with the property owner? Describe options for a lease extension, if any.

The initial term of the lease agreement is for 21 years after the construction of the solar array. GCE has the option of three (3) five (5) year extensions of the lease.

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

The lease does not explicitly contain provisions for agricultural co-use at the site, but it does give GCE the legal ability to perform the ongoing maintenance at the site which includes agricultural activities as defined by the project plans.

10. If agricultural co-uses are implemented at the site, who would be responsible for responding to concerns and/or complaints related to these agricultural co-uses? How would contact information be provided for complaints?

Ultimately Greenskies would be the managing authority for the agricultural uses on the site and responsible for responding to concerns/complaints. Greenskies intends to work with a to be determined tenant farmer to conduct agricultural operations on site. While those tenant farmers would manage the day-to-day operations, GCE would ultimately be the manager of the uses and entities on site.

11. Referring to Petition pp. 27-30 and Appendix M, are the proposed beekeeping area, herb planting area and agri-voltaics experimentation area all located within the facility "site?" If yes, provide the following information for these agricultural co-use areas.

- a. What entity would manage these areas?

GCE would be the ultimate managing authority, and the tenant farmer would be responsible for day-to-day operations.

- b. If the project is sold and/or transferred to another entity, would the sale and/or transfer include management and maintenance of these agricultural co-use areas;

Yes

- c. Has GCE discussed implementation or entered into any agreement related to agri-voltaics experimentation with the Town or other organization? If so, please describe the discussions and submit any agreement.

GCE has not entered into any agreement with the Town or other organization. Greenskies is fostering ongoing conversations with potential farmers and the Agri-voltaic industry in general to ensure that implementation of the proposed plan is possible. The conversations have focused on interest from local farmers for working on the site, feasibility of different types of plants and farming methods, and general trends in the industry.

- d. Would parking and access for emergency vehicles be available?

Access for emergency vehicles would be via the access road that have been created or improved for both maintenance and farming operations. While no dedicated parking is anticipated to be created, emergency vehicles will be able to park on these improved roadways as necessary.

- e. Would the hours of accessibility be limited or unlimited? Explain.

The hours of access would be anticipated to be during daylight hours.

- f. Will signs be posted related to the hours of accessibility, permitted and prohibited uses, etc.?

Language for such signage is not yet completely finalized. As such, if Siting Council wishes for specific signage to be on the project site, GCE will include such details as the Siting Council requires.

- g. Who would be liable for any personal injury?

Greenskies objects to this interrogatory as it goes beyond the scope of inquiry permitted in a petition for declaratory ruling under the Public Utility Environmental Standards Act (PUESA). Greenskies further objects to this interrogatory as it calls for a legal conclusion to which no response is required. Subject to the foregoing objections, Greenskies states that as the site operator, there is an arguable presumption that Greenskies would be liable for personal injury. However,

because legal liability for personal injury encompasses many elements, such as the relative negligence of the parties, whether such actions were reasonably foreseeable, whether the parties acted in a willful or reckless manner and other factors, Greenskies cannot be certain as to which parties would bear liability for personal injury without knowing the facts as to how such injury occurred.

- h. Who would be responsible for maintenance of the agricultural co-uses described above? What type of maintenance is necessary and how frequently would maintenance activities occur?

Maintenance of the agricultural co-uses would fall to the tenant farmer and researchers or other persons affiliated with the Agricultural Experiment Station. Maintenance of non-agricultural uses would fall to GCE. Maintenance of co-uses would vary depending on crop specific needs, as not all plants would require the same level, type, or frequency of maintenance. It would be the responsibilities of the approved individuals to ensure crop health and ensuring that all non-approved vegetation is removed or otherwise managed.

- i. Identify the water source for these agricultural co-use areas.

It is the intent of GCE to work with the tenant farmer to select crops that do not require watering outside of that provided naturally through rainfall. It is understood that there may be a need for water during initial planting and establishment of the perennial plants. There may also be times during drought or other low rainfall periods where the plants would need to be watered. During these times, water would be trucked onto the property from off site.

- j. Could the lease agreement with the host property owner be amended to remove these agricultural co-use areas from the solar facility “site,” as defined under RCOSA §16-50j-2a(29)?

Theoretically, the lease agreement could be amended, however, doing so will defeat purpose of GCE’s attempt to implement agrovoltatics on this site. As the Council is aware, conflicts persist between the State’s green energy development and agricultural production. GCE believes the two can exist harmoniously, but proving this concept requires experimentation on projects such as this one. If agricultural co-use areas are removed from this Petition, GCE will lose this opportunity to conduct such experimentation.

- 12. Referencing Petition p. 9, the host parcel is currently farmed by a tenant farmer. Is this use subject to a lease agreement and if so, when does the lease expire?

GCE objects to this interrogatory as it goes beyond the scope of inquiry permitted in a petition for declaratory ruling under PUESA. Subject to the foregoing objection, GCE states that there is no lease agreement currently in place between the Landowner and the current tenant farmer. The tenant farmer receives permission from the Landowner on a year-to-year to farm the land which has been verbally renewed every year. Either party has the option to terminate this agreement if they so choose.

13. On November 16, 2023, DoAg submitted correspondence to the Council that it is revoking its October 3, 2023 No Material Impact to Prime Farmland Determination Letter due to stormwater requirements that conflict with DOAg's conditions in its letter, specifically, "... no grading, cutting or filling, topsoil removal, or other actions associated with the project's installation and ultimate deconstruction." Has GCE had any further discussions with DOAg since November 16, 2023? If so, describe in detail.

Greenskies has been in communication with the Department of Agriculture (DoAg) in reference to the issue of regrading. Greenskies has sought clarification from the DoAg that construction of stormwater basins is excluded from the Department of Agriculture's stipulations related to regrading. As Greenskies noted in its correspondence to DoAg, efforts to reduce erosion of soils due to stormwater coincides with the DoAg's intentions of protecting Prime Farmland Soils. Without the construction of Stormwater Basins, GCE would either be in violation of, or not receive approval for a Stormwater General Permit. The conflict between these two standards is causing uncertainty as the requirements for approval are directly at odds with one another. Greenskies and partners are currently creating a Fill Management Plan to detail the exact amount of regrading that would be required to obtain a Stormwater General Permit and sharing that information with DoAg to address DOAg's concerns in this area.

Greenskies originally sought clarification of the Department's requirements surrounding regrading in the fall. On November 13, 2023, Greenskies was informed by DoAg that its letter of No Material Impact had been revoked. GCE was also informed that the Department believed GCE was requesting a formal change to the letter, thus revoking the letter. On November 15, 2023, GCE clarified with the Department that it had not put in a formal request at the time, instead GCE wanted to better understand the Department's requirements. On November 16, the Department responded with information on how to submit a formal request, without clarifying its understanding of the Stormwater General Permit requirements. In that email, the Department also requested that GCE provide DoAg with a Fill Management Plan.

As stated above, GCE and its consultants are currently assembling that plan. GCE's reached out to DoAg on December 27, 2023 to schedule a meeting with the Department in an effort to discuss the formal request of making the change to the letter of approval. On Jan 4, 2024, The Department responded to the request for a meeting by reiterating the process to formally request a change to the letter. Later that day, GCE reiterated its request for a meeting to better understand the Department's restriction. The Department has not clarified its position as to whether Stormwater Basins required for the General Permit would violate DoAg's restriction on regrading.

## Energy Output

14. 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 NRES Agreement.

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.

15. 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. Sections of modules throughout the array are connected to multiple inverters. An inoperable inverter does not impede the functionality of other inverters.

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

GCE states that at this time, GCE does not anticipate that the Project will be participating in the ISO-NE Forward Capacity Auction, however GCE reserves the right to participate in the Forward Capacity Auction in the future.

17. What is the projected capacity factor (expressed as a percentage) for the proposed project?

The projected capacity factor for the proposed Project is 15.22% percent. This is based on:

$$\text{Capacity factor (\%)} = (\text{production in kWh}) / (\text{system size kWdc} * 8760) * (100)$$

18. Have electrical loss assumptions been factored into the output of the facility?

Yes, standard loss factors have been factored into the Facility's system production analysis.

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

Yes, power output is expected to degrade over time. Based on recommendations from module manufactures, studies, and industry standards we assume a linear energy loss with a .5 % annual degradation.

20. When the NRES Agreement contract expires and the solar facility has not reached the end of its lifespan, will GCE decommission the facility or seek other revenue mechanisms for the power produced by the facility?

As indicated in the Response to Interrogatory Number 5, GCE does not anticipate decommissioning the facility at the end of the time period of the NRES Agreement. Rather, GCE would expect the facility to seek other revenue mechanisms at the end of the NRES Agreement.

21. Would GCE construct the facility if the solar array footprint was further reduced and/or if the facility design features (ex. row spacing, panel height, etc.) were modified? Explain.

Some level of redesign and changes could be acceptable and maintain project viability. However, there will be a tipping point at which GCE would not construct the project. The exact details of the redesign would dictate at what point GCE would no longer construct the project.

### **Proposed Facility and Associated Equipment**

22. What is the height and width of the panels from top edge to bottom edge?

The minimum proposed clearance height from finished grade to the bottom edge of a panel is approximately three (3) feet. As currently designed with two-panel wide rows, the top edge of the solar panels is proposed to be approximately 8'8" off the ground. Both of these items are subject to change, however, pending final equipment selection and electrical design. A detail of the racking system can be found on page E-100 of the electrical engineering plans. The width of each module is 3.72 feet.

23. What is the distance of the vegetated aisle between solar rows from the top edge of the panels to the bottom edge of panels on the adjacent row?

The distance of the vegetated aisle between solar rows is 12.5 feet.

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 the proposed access drive.

The perimeter fence is 11.5 feet from the Property Line to the south. The southern equipment pad is 116 feet from the Property Line to the southwest. The access drive is 12 feet at the closest point to the Property Line abutting 140 Spencer Hill Road.



The residence at 140 Spencer Hill Road is 90 feet south from the access road at the closest point. The residence at 146 Spencer Hill Road is 644 feet to the northwest from the northern equipment pad and 345 feet to the northwest from the nearest fence line.

25. 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, farming activities or animals?

Photovoltaic wire is typically run on, and supported by, the racking. The specified wiring is typically UV rated to protect from degradation from sun exposure. If a jumper is required (*e.g.*, when DC wiring must go from one row to the next) or when a run must go from the racking to the inverter, or row to row, the wire is typically run through conduit. Such conduit is buried and comprised of PVC.

26. What is the expected useful life of the proposed solar facility?

The expected useful life of the proposed solar project is approximately 35 years. However, a PV generating facility on site may last for a longer period of time, but such increase in longevity may require replacement of key equipment.

27. How could GCE minimize the solar facility footprint and its visibility to the maximum possible extent without provisions for agricultural co-uses (ex. slimmer row spacing, lower panel height)?

Please see the response to Interrogatory Number 11.j. above. In addition, while it is possible to reduce the size of the array, the unique characteristics of this site make it an ideal location for an agrivoltaic experiment. The low visibility to the public and largely hidden array present an ideal location for expanded row spacing and potentially reduced height of the panels.

If it is determined that agricultural co-use activities will not taking place, visibility would be reduced by two key aspects. First the height of the modules would be lower and thus they would be less visible. Secondly, the spacing in between the rows could be reduced tighter and either allow a smaller footprint or to have a higher capacity in the same location. In addition to the visibility issues outlined above, it should be noted that if agricultural co-uses were disallowed, there would be less ongoing work on site on a continuing basis. This would be anticipated to have a lower impact to the community by way of fewer trips in and out of the access location.

### **Electrical Interconnection**

28. Referencing Petition p. 12, what is the status of the electrical layout and Impact Study?

Eversource is currently conducting a Facility Study which commenced on September 17, 2023. GCE is expecting a reply from Eversource by mid-January 2024. A level III transmission study is ongoing with expected completion in March 2024. Final electrical layout will be dependent upon Eversource and the completion of the studies.

29. Approximately how many utility poles will be required for the Project interconnection? What are the heights of the proposed utility poles?

The current electrical design calls for nine utility poles to be installed. Due to the fact that this project consists of 2 separately metered systems and Eversource requires one piece of equipment per pole, GCE has been informed that nine poles will be needed. Exact pole heights are not known at this time. Typically, however, the poles are 30-40 feet tall. Ultimately Eversource will dictate the exact details of the interconnection, however GCE will continue to try to reduce the number of poles and visual impact of the interconnection equipment as much as possible.

30. Have there been any discussions with Eversource to use pad-mounted equipment rather than pole-mounted equipment? Provide cost estimates for both an overhead and underground interconnection.

No such discussions with Eversource have been had. All current designs are for pole-mounted equipment. GCE does not have cost estimates for underground interconnection. While GCE cannot share the estimated interconnection costs that Eversource has given us, GCE can state the underground interconnections are substantially more expensive than above ground and would put the project's viability at risk.

31. Referring to petition p. 12, explain the statement, "This is due to generation nesting up to the bulk substation, Campville 14R".

ISO-NE advises the EDCs as to what level of study is required based on the criteria in their I.3.9 process. Projects over 5 MWs automatically trigger a Level III study. Projects that are > 1 MW and < 5 MWs may need a Level III study if there is a 'cumulative impact' to the regional power system. The cumulative impact is based on total generation receiving approvals since January 1, 2019 (projects >1 MW that receive approval from ISO-NE) at a bulk station (high side voltage  $\geq 69$  kV) or group of 'electrically close' bulk stations as defined by ISO-NE. ISO-NE defines 'cumulative impact' as  $\geq 20$  MWs aggregate.

For this project, the bulk, Campville 14R substation has >20 MWs aggregate of >1 MW projects. This includes the distribution substations that the Campville 14R substation feeds. All projects >1 MW at this time automatically go into a Level III transmission study at Campville 14R and all distribution stations fed by Campville 14R.

## Public Safety

32. Would the project comply with the current Connecticut State Building Code, National Electrical Code and Connecticut State Fire Prevention Code?

Yes. The project will comply with the National Electrical Code, the National Electrical Safety Code, and applicable NFPA codes and standards, including NFPA Code Section 11.12.3

33. What are industry Best Management Practices for Electric and Magnetic Fields at solar facilities? Would the site design 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. That guide further found 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. In contrast, a vacuum cleaner three feet away from a motor is approximately 2.0 mG. As such, GCE is not aware of any BMPs for EMF at solar facilities.

34. 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. GCE will work with emergency response personnel to provide training on understanding Project details, access, disconnect locations, and electrical functioning of the system. Hazard mitigation training will include how the Project was designed to code as well as managing brush on site. Training on signage and access to the site will also be included. Please also see the response to Interrogatory Number 35 below.

35. In the event of a brush or electrical fire, how are potential electric hazards that could be encountered by emergency response personnel mitigated?

In the event of an electrical fire or brush fire that threatens electrical equipment, the proper response to mitigate further risk is to spray water around the fire area to reduce or prevent the spreading of fire. Additionally, all electrical equipment would be shutdown via the main switch. If the project main switch is not accessible, the electricity can also be turned off on the utility side at the point of interconnection. This information will be included during the training of emergency responders.

36. What type of media and/or specialized equipment would be necessary to extinguish a solar panel/electrical component fire?

Fire extinguishers rated for electrical fires or chemical suppressants should be used to extinguish an electrical fire. Water should not be added to an electrical fire. It is also important to cut off the flow of power from whatever device is on fire. Otherwise, no specialized equipment is required to manage fire at a ground mounted solar project.

37. What type of oil is within the transformers? Do the transformers have a containment system in the event of a leak? Can the remote-monitoring system detect an insulating oil leak?

GCE has not yet made a final selection as to the exact make and model of the transformer that will be used at the Project, however, all transformers being considered for the Project contain mineral oil in relatively small volumes. There are no containment systems, as they use such small amounts of mineral oil and mineral oil is naturally occurring and nonpolluting. The monitoring detection system would detect any leak, however, and would notify GCE.

38. Identify the distance/direction of the nearest federally-obligated airport from the proposed site.

The nearest known federally-obligated airport to the project is Simsbury Airport, which is approximately 15 miles to the east on a direct line.

39. Are there any water supply wells in the vicinity of the site? If yes, would the installation of racking posts affect well water quality from construction impacts, such as vibrations and sedimentation?

Based upon a review of the Connecticut Department of Health's (CTDPH) Public Water Supply Map, it is anticipated that residences in the vicinity of the project are not served by public water systems and rather have private wells. It is not anticipated that vibration from any equipment installation will affect the nearby aquifers or groundwater quality. The project has also been designed such that any overland runoff will be protected from depositing sediment off the site by incorporation of a detailed erosion control plan, included with the site development plans.

Other than private homeowner wells as indicated above, the site is not in an area of public or private water supply.

40. Referencing Petition p. 25, does the 73 dBA noise value at one meter represent one inverter unit or a bank of inverters operating simultaneously? Based on the noise profile information for the selected inverter, what is the collective operational noise level of the

inverters at the nearest property boundary? Does this noise level meet applicable Department of Energy and Environmental Protection (DEEP) Noise Standards at the nearest property boundary?

The 73 dBA noise value at one meter represents one inverter. There are 30 inverters total which will be equally distributed among the 2 equipment pads. Each equipment pad will therefore have 15 inverters. Sound is logarithmic function and does not add linearly. 15 inverters (each creating 73dBA) located on an equipment pad will produce 84.8 dBA all together. Therefore, at a distance of 98 feet away from the equipment pad the noise level will be <45 dBA.

The southern equipment pad is located 116 feet away from the nearest Property Line in the Southwest corner of the parcel. At this distance the noise level will be 43.51 dBA which is less than 45 dBA and will meet the applicable DEEP Noise standards at the nearest property line.

### **Environmental Effects and Mitigation Measures**

41. Referencing Petition Exhibit M, April 14, 2023 letter from GCE to DOAg, the Energy Project Information section (p. 2) describes the project footprint as occurring entirely on prime farmland soil (13 acres) whereas the referenced Prime Farmland Soil Map (Letter Exhibit A) indicates 6.6 acres of prime farmland soil is present in the project footprint. Clarify.

The area inside the Project's fenceline encompasses 13 acres. Inside the fenceline there are 6.6 acres of Prime Farmland, and the rest of the soil is Soils of Statewide Importance.

42. Referencing Petition Exhibit M, April 14, 2023 letter from GCE to DOAg, regenerative herb farming is proposed as an agricultural co-use. How much space is required under and adjacent to the panels for herb farming? Would on-site herb farming be conducted by a third-party farmer or the property owner?

On-site herb farming would be conducted by a third-party farmer or research associate of the Experiment Station. Final determination of species would determine how much space under and adjacent to the panels would be required. GCE would work with the farmer to determine the most suitable crop to ensure there is both an ecological benefit to the land, and financial benefit to both parties. In regard to the research plot, if used, crops would likely be different from those used by the third party farmer. Due to the process of research, and funding possibly being tied to specific species to research GCE may not be able to dictate certain crops in that section.

43. Referencing Petition p. 22, could hay farming still be conducted within the fenced solar array area?

It is possible with specialized or smaller equipment that hay farming could continue. If the method of collecting, drying, and baling the hay were to fit between the panel rows then it could be possible. Typically, large scale hay farming equipment is too large to fit between the rows, new equipment would need to be purchased.

44. Referencing Petition Exhibit M, July 31, 2023 email from DOAg to GCE states “DOAg’s concerns regarding the proposed project was the lack of funding for an Agri-voltaic research project at the site.” What entity is providing funding for the research project? Did GCE specify a one-acre area for the research project? If yes, in what location?

GCE intends to make good on the offer of one acre of land for research purposes to the Agricultural Experiment Station. The layout and location of the one acre is not final and will be coordinated between the tenant farmer, the Experiment station and GCE. Currently there is not funding for the research. Such funding comes from grants or other sources of academic research funding and is provided to the researchers for their purposes. The offered land is available to the Experiment Station, but GCE has not helped the Experiment Station secure funding. GCE has only secured the land for which such experiments may be conducted.

45. Referencing Petition p. 8 it states wood harvesting would continue to occur on the host parcel. Is wood harvesting considered an agricultural activity?

Greenskies objects to this interrogatory as it calls for a legal conclusion to which no response is required. Subject to the foregoing objections, Greenskies states that wood harvesting is an agricultural activity as defined by Connecticut law. Conn. Gen. Stat. § 1-1(q) states as follows (emphasis added):

Except as otherwise specifically defined, the words “agriculture” and “farming” include cultivation of the soil, dairying, *forestry*, raising or harvesting any agricultural or horticultural commodity, including the raising, shearing, feeding, caring for, training and management of livestock, including horses, bees, the production of honey, poultry, fur-bearing animals and wildlife, and the raising or harvesting of oysters, clams, mussels, other molluscan shellfish or fish; the operation, management, conservation, improvement or maintenance of a farm and its buildings, tools and equipment, or salvaging timber or cleared land of brush or other debris left by a storm, as an incident to such farming operations; the production or harvesting of maple syrup or maple sugar, or any agricultural commodity, including lumber, as an incident to ordinary farming operations or the harvesting of mushrooms, the hatching of poultry, or the construction, operation or maintenance of ditches, canals, reservoirs or waterways used exclusively for farming purposes; handling, planting, drying, packing, packaging, processing, freezing, grading, storing or delivering to storage or to market, or to a carrier for transportation to market, or for direct sale any agricultural or horticultural commodity as an incident to ordinary farming operations, or, in the case of fruits

and vegetables, as an incident to the preparation of such fruits or vegetables for market or for direct sale. The term “farm” includes farm buildings, and accessory buildings thereto, nurseries, orchards, ranges, greenhouses, hoopouses and other temporary structures or other structures used primarily for the raising and, as an incident to ordinary farming operations, the sale of agricultural or horticultural commodities. The terms “agriculture” and “farming” do not include the cultivation of cannabis, as defined in section 21a-420. The term “aquaculture” means the farming of the waters of the state and tidal wetlands and the production of protein food, including fish, oysters, clams, mussels and other molluscan shellfish, on leased, franchised and public underwater farm lands. Nothing herein shall restrict the power of a local zoning authority under chapter 124.

46. Referencing Petition p. 14, indicate the type and location of proposed landscaping.

Greenskies has taken note of concerns regarding the abutters’ viewshed. The Project was revised to heavily reduce or eliminate the need for vegetative screening. Through multiple iterations and redesigns, the Project has been pulled away from the northwest corner as much as feasibly possible without reducing electrical capacity. Additionally, the nature of ground cover in the Project location is going to change to be more sustainable blend increasing biodiversity. A pollinator-friendly seed mix will be planted around the perimeter to promote flowering plants instead of just hayfields. The pollinator-friendly seed mix will be aesthetically pleasing and provide an additional layer of screening.

47. 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 log exhibit has been prepared and is included herewith as Exhibit B.

### **Facility Construction**

48. Has GCE submitted an application for a General Permit for the Discharge of Stormwater and Dewatering Wastewaters from Construction Activities to DEEP? If yes, what is the status of such permit?

As the CTDEEP Stormwater General Permit application is intended to include “construction-ready” site plans, the Petitioner has not yet submitted an application for this permit at this time. Petitioner intends to apply for this permit in the near future and will submit proof of approval to the Council as a pre-condition to beginning construction of the Project.

49. DEEP’s General Permit Appendix I states 50-foot wetland buffers shall be comprised of existing dense herbaceous vegetative ground cover. Provide information regarding the presence of this ground cover type within the proposed wetland buffer areas.

The existing hay field grows well when it is not continually harvested with vegetative growth removed. Refer to photos included as part of Interrogatory Number 47. Prior to construction and in line with the proposed construction sequence, it is intended to allow the site to fully vegetate. This will drastically reduce the risk of sedimentation to any off-site areas or onsite wetland resources. No work is proposed within 50 feet of any wetland on the Project.



50. Submit a construction fuel materials storage, refueling and spill response plan with applicable contact information.

A draft Spill Prevention, Control, and Countermeasure (SPCC) Plan has been prepared for the project and is included herewith as Exhibit C. It is intended to have the selected EPC or general contractor constructing the Project prepare a final site-specific SPCC Plan prior to beginning construction.

### **Facility Maintenance/Decommissioning**

51. Would the inverters last the life of the project? If not, at what time interval would the inverters need to be replaced?

Most inverters are expected to operate 10-15 years before needing replacement. Larger centralized string inverters like those contemplated for the Project are expected to need component replacements in lieu of full system replacement.

52. Referencing Petition p. 32, how often would the panels be cleaned? What equipment and substances would be used?

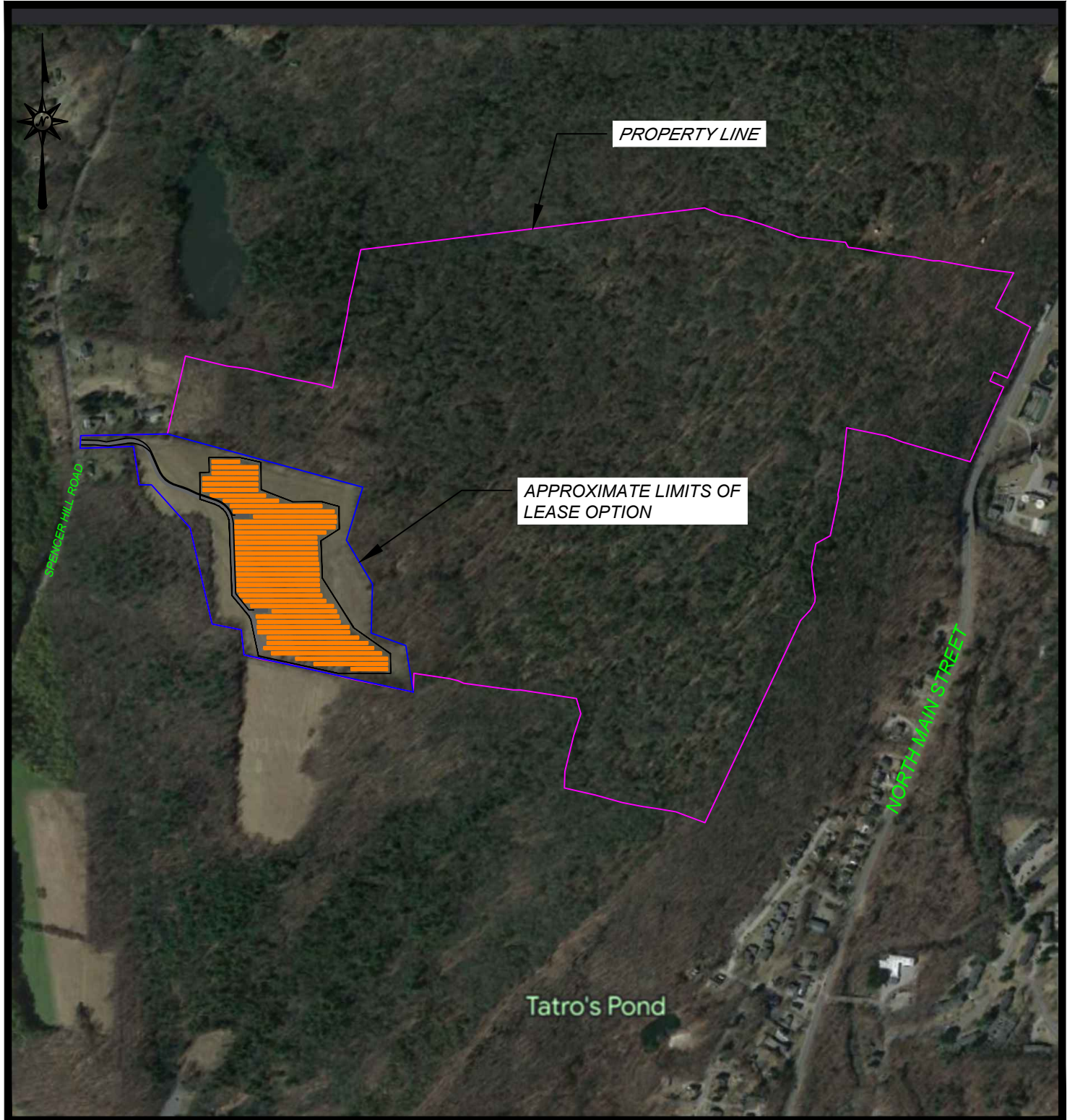
Module washing isn't anticipated to be required on a set schedule for a site located in Connecticut. Enough natural rain falls to keep the modules relatively clear. In the unusual circumstance that washing would become necessary, then medium pressure water, brought in on a water truck, and soft scrub brushing without detergents or chemicals would be used to clear debris from the surface.

53. Referencing Petition p. 11, would GCE agree to install solar panels that are not classified as hazardous waste through Toxicity Characteristic Leaching Procedure testing?

Yes, as long as panels that fit the project requirements and have that classification are available at the time of procurement and construction. GCE does not control the supply chain of PV modules and due to national and global politics that supply is sometimes limited.

54. 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. Replacement panels would not be stored on site. Replacement panels would be delivered on an as needed basis, and damaged panels removed.



BASEMAP PROVIDED BY GOOGLE EARTH.



127 Washington Avenue  
North Haven, CT 06473  
Phone: 860-398-5408  
Fax: 860-398-5423

# BOUNDARY MAP

0 SPENCER HILL ROAD - WINCHESTER, CT

**EX-A**

# Photo Location Map

Greenskies' Winchester Solar Facility | Winchester, CT

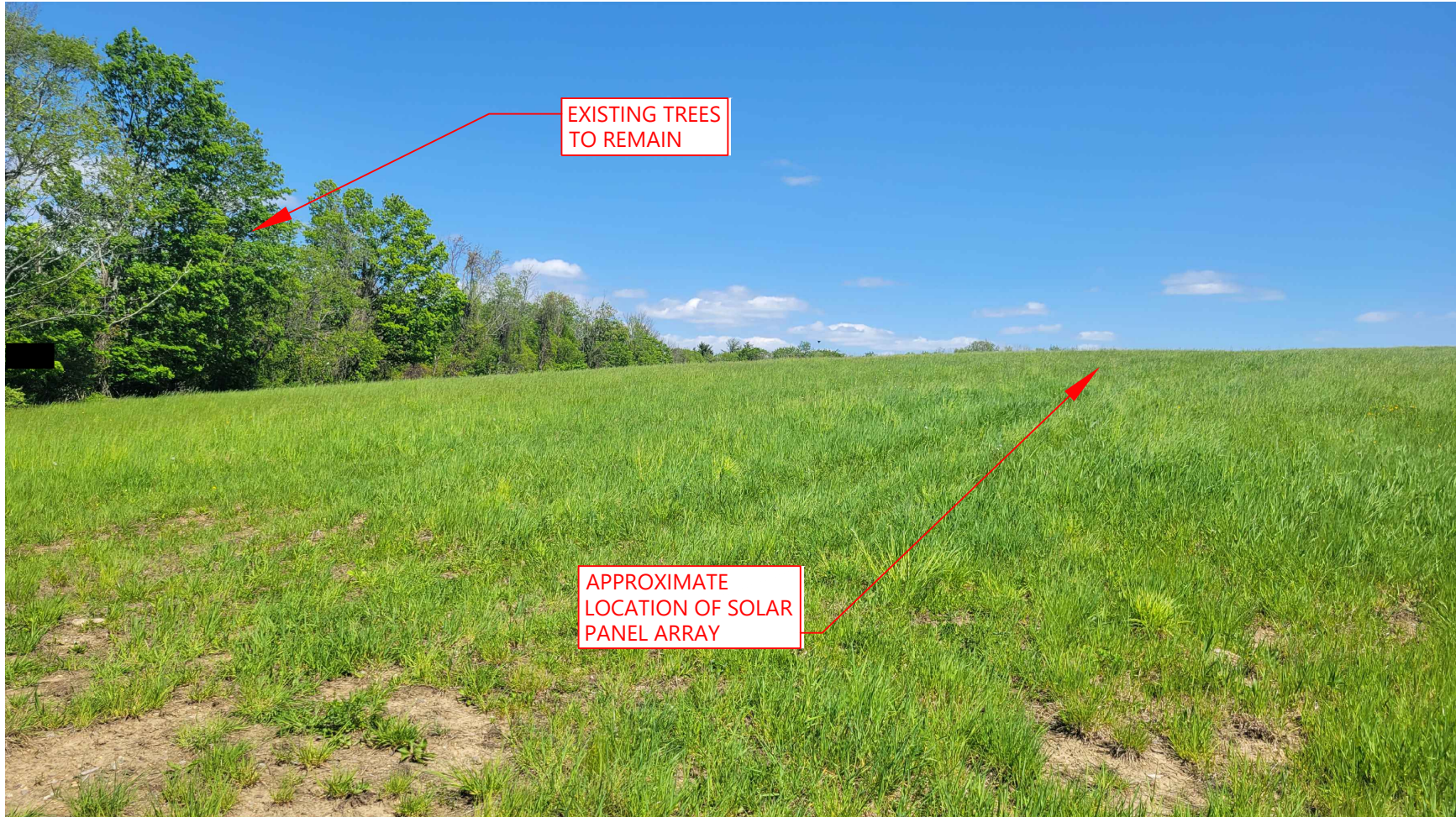


Path: \\vhb.com\gis\proj\Wethersfield\43183.00\Project\Greenskies Winchester.aprx (srao, 12/28/2023)

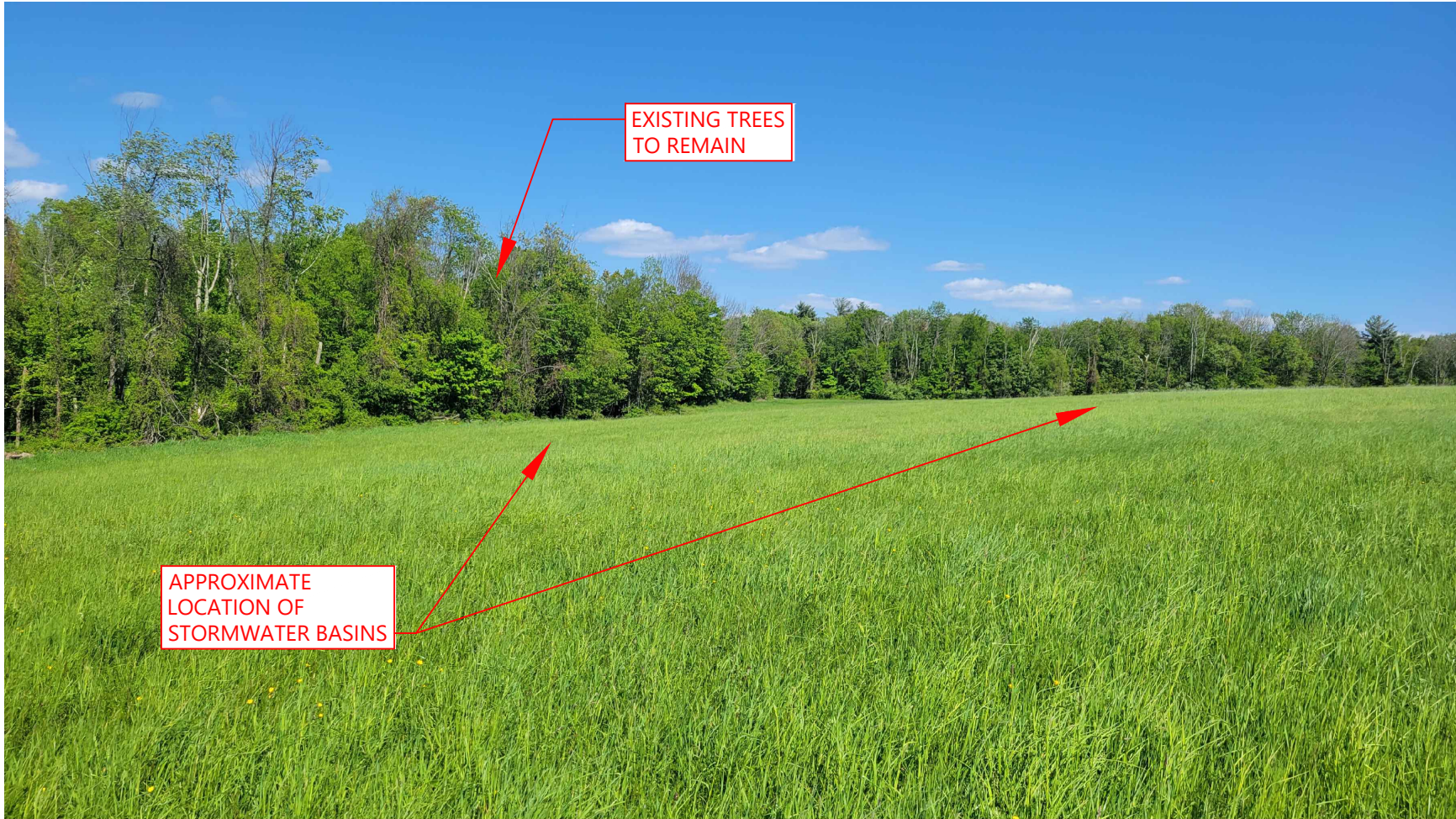
- |                                     |                   |               |              |
|-------------------------------------|-------------------|---------------|--------------|
| Photo Location                      | Wetland Boundary  | Gate          | Storm Basin  |
| Access Road                         | Property Boundary | Equipment Pad | Wetland Area |
| Fence                               | Limit of Work     | Solar Panels  |              |
| Proposed Electrical Interconnection |                   |               |              |



**Photo 1**  
**Site Access Road and Neighboring Residence**



**Photo 2**  
**Looking into Project Area**



**Photo 3**  
**Locations of Proposed Drainage Features**



**Photo 4**  
**Locations of Proposed Drainage Features (cont.)**



**Photo 5**  
**Viewing South of Limit of Project Area**



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***Draft Spill Prevention, Control, and  
Countermeasure (SPCC) Plan***

# GCE Winchester Solar

Spencer Hill Road  
Winchester, Connecticut

PREPARED FOR

---

Greenskies Clean Energy, LLC  
127 Washington Ave  
West Building, Lower Level  
North Haven, CT 06473

PREPARED BY

---



100 Great Meadow Road  
Suite 200  
Wethersfield, Connecticut 06109

January 2024



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# 1

## Introduction

This Draft Spill Prevention, Control, and Countermeasure (SPCC) Plan outlines the preliminary scope of work to prevent, respond and report oil spills and releases into the environment during construction. This draft plan was developed for the construction of a 3 MW ground-mount solar array located on Spencer Hill Road in Winchester, CT.

It is recommended that a final site-specific plan be developed by the selected EPC or general contractor prior to construction.

This Draft SPCC Plan addresses the requirements of the EPA regulations specified in Title 40 of the Code of Federal Regulations (CFR). These regulations codified in 40 CFR Part 112 establish the procedures, methods, and equipment to prevent discharge of oil (i.e., petroleum oil and non-petroleum products) from non-transportation related onshore and offshore facilities into or upon the navigable waters of the United States or adjoining shorelines.

SPCC plans for facilities are prepared and implemented as required by the U.S Environmental Protection Agency (EPA) Regulation 40 CFR 112. A non-transportation-related facility is subject to SPCC regulations if:

- The facilities total aboveground storage capacity exceeds 1,320 gallons: or
- The facilities total underground storage tank capacity exceeds 42,000 gallons: and
- If, due to its location, the facility could reasonably be expected to discharge oil into or upon the navigable waters or adjoining shorelines of the United States

For this project, the proposed aboveground oil storage capacity is not anticipated to exceed 1,320 gallons, will not use an underground storage tank, and the facility is not expected to discharge oil into waters.

Therefore, a SPCC plan would not technically be required to be filed in accordance to 40 CFR 112, but a copy will be available for on-site review during normal working hours.



# 2

## Pollution Prevention Standards

### Potential Construction Site Pollutants

<b>Pollutant-Generating Activity</b>	<b>Pollutants or Pollutant Constituents</b>	<b>Locations on Site</b>
Equipment Re-fueling	Diesel Fuel, Gasoline	Staging Area
Leaking or Broken Hydraulic Lines	Hydraulic Oil	Construction Work Areas
Minor Equipment Maintenance	Diesel Fuel, Gasoline, Hydraulic Oil, Motor Oil, Anti-Freeze	Staging Area
Vehicle Accident	Diesel Fuel, Gasoline	Entire Site

The contractor shall adhere to the following spill response and material handling procedures:

#### Refueling and Material Storage

- All light duty construction support vehicles shall be fueled off site at a service station.
- Refueling of vehicles on site shall take place in a supervised manner to avoid any overfills.
- Refueling of vehicles or machinery shall take place on an impervious pad with secondary containment designed to contain petroleum fuel.
- Any refueling tanks and/or drums or other hazardous materials that must be kept on site shall be stored on an impervious surface utilizing secondary containment and be kept at least 100 feet from any wetlands or watercourses located on site.

#### Initial Spill Response Procedure

- Immediately stop operation and shut off all equipment.
- Remove any sources of ignition.
- Locate the source of the spill and contain and/or stop the spill from continuing.
- Once the spill is stopped or contained, follow any flow paths of the spill and prevent or contain any further release into sensitive environmental areas.
- Ensure that all contractors and subcontractors on site are notified of the spill.



### Spill Clean Up

- Obtain the Spill Response Kit from the designated location on site.
- Place the absorbent materials directly on the spill.
- Continue to place absorbent materials around the spill to prevent any further release.
- Ensure that the spill is eliminated or isolated at the source.
- Determine the type and approximate amount of material that was spilled.
- Contact the appropriate Site contacts and local, state and/or federal agencies as required.
- Contact a disposal company to properly dispose of any contaminated materials.
- File a report on the incident.

### Reporting

- Complete an incident report for each spill.
- Submit a completed report to local, state and federal agencies, as required.
- The Connecticut Department of Energy & Environmental Protection (DDEP), Emergency Response Unit should be contacted at: (860 424-3338, in the event of an emergency spill.



# 3

## Site and Emergency Contact Information

### Spill Coordinator

Name: TBD

Phone: TBD

Email: TBD

### Assistant Spill Coordinator

Name: Chip Florio, Greenskies Clean Energy

Phone: 860-839-2256

Email: [cflorio@greenskies.com](mailto:cflorio@greenskies.com)

### Connecticut DEEP (Spill Reporting Line, Emergency Response Unit)

Phone: 860-424-3338 or toll free at 1-866-337-7745 (24 Hr Line)

### Local Emergency Contacts

Emergency - Dial 911

#### Fire Department:

Phone: (860) 379-5155

Address: 27 Elm Road, PO Box 443, Winsted, CT 06098

Fire Marshal: (860) 379-8771 x331

#### Police Department:

Phone: (860) 379-2721

Address: 338 Main Street, Winsted, CT 06098

### Emergency Response Contractor

Name: TBD

Phone: TBD

Address: TBD



# 4

## Subcontractor Certifications/Agreement

Project Number: \_\_\_\_\_

Project Title: \_\_\_\_\_

Operators: \_\_\_\_\_

As a subcontractor, you are required to comply with the Spill Prevention and Countermeasures Plan for any work that you perform on-site. Any person or group who violates any condition of the plan may be subject to substantial penalties or loss of contract. You are encouraged to advise each of your employees working on this project of the requirements of the plan. A copy of the Plan is available for your review at the office trailer.

Each subcontractor engaged in activities at the construction site that would impact groundwater or stormwater resources must be identified and sign the following certification statement.

**I certify that I have read and understand the terms and conditions of the Spill Prevention and Countermeasures Plan for the above designated project and agree to follow the practices described in the Plan.**

This certification is hereby signed in reference to the above-named project:

Company: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

Type of Construction Service to be Provided: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_



Signature: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

Company: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

Type of Construction Service to be Provided: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Signature: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_





# 5

## Reporting and Record Keeping

<b>Date</b>	<b>Description of Activity when Spill was Discovered</b>	<b>Description of Remediation Measure and Location, Contacts Made, and CT DEEP Spill Notification Number</b>	<b>Follow Up Actions and Resolution/Remediation Details</b>