



STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL

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VIA ELECTRONIC MAIL

June 18, 2024

Carrie Larson Ortolano, Esq.
General Counsel
LSE Libra LLC
c/o Lodestar Energy LLC
40 Tower Lane
Suite 201
Avon, CT 06001
cortolano@lodestarenergy.com

RE: **PETITION NO. 1627** – LSE Libra LLC (Lodestar Energy) petition for a declaratory ruling, pursuant to Connecticut General Statutes §4-176 and §16-50k, for the proposed construction, maintenance and operation of a 1.5-megawatt AC solar photovoltaic electric generating facility and associated equipment located at 410 Denslow Hill Road, Hamden, Connecticut, and associated electrical interconnection. **Council Interrogatories to Petitioner.**

Dear Attorney Ortolano:

The Connecticut Siting Council (Council) requests your responses to the enclosed questions no later than July 9, 2024. 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 9, 2024 deadline.

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

Any request for an extension of time to submit responses to interrogatories shall be submitted to the Council in writing pursuant to §16-50j-22a of the Regulations of Connecticut State Agencies.

Sincerely,

Melanie Bachman
Executive Director

MAB/RDM/dll

c: Service List dated April 12, 2024

Petition No. 1627
LSE Libra, LLC (Lodestar)
410 Denslow Hill Road, Hamden

Interrogatories
June 18, 2024

Notice

1. Has Lodestar received any comments since the petition was submitted to the Council? If yes, summarize the comments and how these comments were addressed.
2. Referencing Petition p. 9, what were the Town's concerns regarding the site layout?

Project Development

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. 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?
6. Referencing Petition p. 4, identify the location of any alternate sites that were considered for solar development and the reasons they were rejected. When submitting a project to the Non-Residential Renewable Energy Solutions (NRES) Program, are alternative sites for a certain bid required or allowed?
7. Referencing to Petition p. 3, when was the project awarded a NRES Tariff Agreement?
8. Referencing to Petition p. 2, would the total capacity of the facility be allocated to the City of West Haven through the NRES Program?
9. Referring to Petition p. 10, if the facility operates beyond the terms of the NRES Agreement, will Lodestar decommission the facility or seek other revenue mechanisms for the power produced by the facility?
10. If Lodestar transfers the facility to another entity, would Lodestar 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

11. 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.

12. What is the length of the lease agreement with the property owner? Describe options for a lease extension(s), if any.
13. In the lease agreement with the property owners, are there any provisions related to decommissioning or site restoration at the end of the project's useful life? If so, please describe and/or provide any such provisions.
14. Is the site, or any portion of the host parcel(s), 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?
15. Is the host parcel subject to any development restrictions?

Proposed Facility and Associated Equipment

16. What is the length of the access drive?
17. Are the inverters located on concrete pads or on post-supported racking?
18. What are the approximate dimensions (LxWxH) of the transformer and switchgear, and the pad-mounted interconnection equipment?
19. What is the approximate installation depth of the racking posts?
20. Referencing Petition p. 18, is the wiring from the 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?
21. What is the distance from the proposed perimeter fence to the nearest residential building?

Energy Output

22. 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 any contract(s).
23. 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?
24. Would Lodestar participate in an ISO-NE Forward Capacity Auction? If yes, which auction(s) and capacity commitment period(s)?
25. What is the anticipated capacity factor of the project? Identify what electrical loss assumptions have been factored into the output of the facility, if any.
26. Would Lodestar construct the facility if the solar array area was reduced and/or if the facility design features (ex. row spacing, panel height, etc.) were modified? Explain.

Electrical Interconnection

27. Does the interconnection require a review from ISO-NE?
28. Besides the interconnection poles to be owned by United Illuminating, describe any other off-site distribution system upgrades necessary to facilitate the project interconnection, if applicable.
29. Will the interconnection provide energy to a substation? If yes, which one?
30. What is the approximate height above grade of the proposed utility poles?
31. Provide the line voltage of the existing distribution system at the point of electrical interconnection.
32. Referencing Petition Site Plan - Sheet 4, what is the distance between the utility poles at the interconnection location? Can the distance between the poles be increased to avoid clustering of the poles at the access drive entrance area?

Public Health and Safety

33. Would the project comply with the current Connecticut State Building Code, National Electrical Code and Connecticut State Fire Prevention Code?
34. What are industry Best Management Practices for Electric and Magnetic Fields at solar facilities? Would the site design conform to these practices?
35. Would notice to the Federal Aviation Administration be necessary for the temporary use of a crane during construction? If a crane is used, what would be the crane height needed to install site equipment?
36. 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?
37. Provide an Emergency Response Plan for the proposed facility.
38. 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 of media and/or specialized equipment would be necessary to extinguish a solar panel/electrical component fire?
39. What is the distance of the nearest municipal fire hydrant to the proposed facility? What alternative water sources are available to the fire department? How would water be brought to the site in the event of a fire?
40. Would fire control water or other runoff from a solar panel/electrical fire be considered hazardous and require cleanup by a hazardous materials response contractor?
41. What type of insulating oil is used within the transformers? Is it biodegradable? Do the transformers have a containment system in the event of an insulating oil leak? Can the SCADA system detect an insulating oil leak?
42. If private water wells are located on properties abutting the site, would vibrations from the installation of racking posts affect well function and/or water quality, such as well water sedimentation?

43. Can the inverters be located at the end of select panel rows rather than in one central location?
44. Can the transformer pad and inverters be located farther to the south, adjacent to the perimeter fence?
45. Do the pad and pole-mounted interconnection equipment emit noise? If yes, what is the anticipated collective noise level at the adjacent property lines?
46. Describe the effect of tree clearing on the site in relation to the potential for increased runoff and water flow to Wilmot Brook and its associated flood control dam.
47. What measures would be employed to ensure there would be no soil erosion and flooding resulting from construction activities and post-construction development of the site?
48. Referencing Attachment 3, Section II, submit a copy of the Spill Incident Report Sheet to be included with the Spill Prevention Control Plan.

Environmental Effects and Mitigation Measures

49. Referencing Petition Attachment 7, p. 21, has Lodestar conducted the Phase 1B investigation? If yes, submit a copy and any subsequent response by the State Historic Preservation Office (SHPO). Did SHPO request the Phase 1B investigation?
50. Would the stonewall within the construction area be reconstructed elsewhere on the site or host parcel?
51. Is the proposed site within a DEEP designated Cold Water Habitat area?
52. Referencing Petition Attachment 7, p. 15, describe the significance of the different sizes of core forest. What core forest function does the 0.1 acre of core forest at the site provide?
53. Referencing Petition Attachment 7, p. 14, would the area cleared area outside of the fence and detention basins be maintained in a shrub state? Would Lodestar control invasive species within this area? How?
54. Referencing Petition Attachment 7, App. B, has there been any further correspondence from the U.S. Fish and Wildlife Service concerning the Northern-long eared bat (NLEB)?
55. Are the four proposed bat houses specific to the roosting requirements of NLEB? What type of bat house is proposed (e.g. nursery box, rocket box)? Would the bat houses be designed and installed in locations to reduce overheating? Explain.
56. Referencing Petition Attachment 8, Carbon Debt Analysis and the May 7, 2024 correspondence from the Hamden Tree Commission available at the following link: https://portal.ct.gov/-/media/csc/3_petitions-medialibrary/petitions_medialibrary/mediapetitionnos1601-1700/pe1627/municipalcomments/pe1627_hamdentreecommissioncomments_a.pdf, what is the reason the Environmental Protection Agency's "conversion factor for carbon sequestered in one year by one acre of average U.S. forest," metric was used in the carbon sequestration calculation rather using Connecticut specific criteria? Is Connecticut specific criteria available? If yes from what source? Recalculate the Carbon Debt Analysis using Connecticut specific criteria, if applicable.
57. Referencing Petition Attachment 7, p. 21, is the hillcrest on Dunbar Hill Road west of the site a town-designated scenic viewpoint? What is the expected view of the facility from this area?

58. What is the expected view from the parking area overlook on Paradise Avenue southwest of the site, adjacent to the electric transmission line right-of-way?
59. What is the use of the State of Connecticut Department of Public Works-owned parcels abutting the site to the south and west? Would the proposed facility be visible from these parcels?
60. 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).

Facility Construction

61. Would blasting be required to construct the site? If not, how will racking posts be installed if bedrock is encountered?
62. Provide a range of final slopes within the array area.
63. Did DEEP Stormwater Division recommend a specific construction phasing plan at the February 26, 2024 pre-application meeting, as stated in the DEEP comments dated May 16, 2024. Would Lodestar adhere to this recommended construction phasing plan? If yes, revise the Site Plans to include DEEP's recommended construction phasing. If not, provide specific reasons.
64. Are panel drip line gravel strips proposed to reduce the potential for erosion on sloping terrain? Explain.
65. Referring to Petition p. 13, what is the status of Lodestar's Stormwater Permit application?
66. How is the loss of groundwater absorption from tree clearing activities accounted for in the DEEP Stormwater Permit when designing the stormwater management system?

67. Referencing Petition Site Plan - Sheet 4, what is the reason the outflow pipe from Stormwater Management Basin 2 contains an angle before it reaches the level spreader? Would an angled outflow pipe system be more susceptible to blockage from debris/material?
68. Where would the stumps and tree canopy waste from tree clearing activities be disposed of? If this material is removed from the site, how many truck loads would be required?
69. Would hardwood logs resulting from tree clearing be used on-site for mulch or be transported off-site for another use such as locally sustainable furniture making?
70. Describe the visibility of the project from abutting residentially developed parcels. Would the facility be visible year-round and/or seasonally? How can views be mitigated?
71. Can landscaping be added to the south side of the access road to screen views of the pad-mounted equipment from the residential property at 400 Denslow Hill Road?
72. Is the large diameter oak tree along the northeast corner of 400 Denslow Hill Road being removed to accommodate the access drive and/or electrical interconnection?
73. Can an alternative site access drive be constructed across the property owned by the landlord at 336 Denslow Hill Road?

Facility Maintenance/Decommissioning

74. Referring to Petition Attachment 3, the Operations and Maintenance (O&M) Plan, identify the water source required for panel washing.
75. Referring to Petition Attachment 3, the O&M Plan, Section II, Spill Prevention Control Plan-Reporting, if a spill occurs, what entity is responsible for notifying area residents that have water wells?
76. Would replacement modules be stored on-site in the event solar panels are damaged or are not functioning properly? If yes, in what location?
77. Referencing Petition Attachment 4- Decommissioning Plan, would decommissioning include the two stormwater basins? If yes, submit a revised decommissioning plan with specific procedures for basin removal, including measures to control stormwater runoff from the decommissioned site.
78. Referencing Petition Attachment 4- Decommissioning Plan p. 3, it states “The civil Site restoration will target the restoration of the property to pre-Project conditions.” Given that the site is currently forested, would the site be left in a meadow state or planted with tree seedlings? Does the lease agreement specify any type of final land cover once the decommissioning is complete?
79. 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 Lodestar agree to install solar panels that are not classified as hazardous waste through TCLP testing?



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REVISED SCHEDULE

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Petition received	04/12/2024
Public Comment Period Deadline	05/12/2024
Public Comment Period Deadline w/Extension	05/30/2024
Council 60-day Action – Set Date for Decision to 10/09/2024	06/06/2024
Deadline for Action	06/11/2024
Council Interrogatories <ul style="list-style-type: none">• Set One Issued• Set One Responses due	06/18/2024 07/09/2024
Deadline for Decision	10/09/2024