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December 5, 2025

Melanie A. Bachman, Esq.
Executive Director
Connecticut Siting Council
10 Franklin Square
New Britain, CT 06051

Re: Petition of Shepaug LLC for a Declaratory Ruling Pursuant to Connecticut General Statutes §4-176 and §16-50k, for the Proposed Construction, Maintenance and Operation of a 1.99-megawatt (MW) alternating current (AC) Ground-Mounted Solar Photovoltaic Electric Generating Facility to be Located at Shepaug Generating Station, 2225 River Road in Southbury, Connecticut

Dear Attorney Bachman:

On behalf of Shepaug LLC and pursuant to Conn. Gen. Stat. §§ 4-176 and 16-50k, we hereby submit to the Connecticut Siting Council a Petition for Declaratory Ruling that no Certificate of Environmental Compatibility and Public Need is necessary for the construction, maintenance and operation of a 1.99-megawatt alternating current ground-mounted solar photovoltaic electric generating facility, to be co-located adjacent to FirstLight Power Inc.'s existing Shepaug Generating Station at 2225 River Road, Southbury, Connecticut. Enclosed is the original and fifteen copies of the Petition and the Exhibits, along with a check for $625.00 payable to the Connecticut Siting Council for the required filing fee.

Please contact me if you have any questions.

Very truly yours,

Janie L. McDermott

JLMC/vab
Enclosures

{W3641037}

STATE OF CONNECTICUT

CONNECTICUT SITING COUNCIL

	)	PETITION NO. _____
Petition of Shepaug LLC for a Declaratory Ruling Pursuant to Connecticut General Statutes §4-176 and§16-50k, for the Proposed Construction, Maintenance and Operation of a 1.99-megawatt (MW) alternating current (AC) Ground-Mounted Solar Photovoltaic Electric Generating Facility to be Located at Shepaug Generating Station, 2225 River Road in Southbury, Connecticut	)	December 5, 2025

PETITION OF SHEPAUG LLC FOR A DECLARATORY RULING

PETITION OUTLINE

FIGURES

EXHIBITS

Exhibit 1: Environmental Assessment

I. INTRODUCTION

Pursuant to Connecticut General Statutes ("CGS") §§ 4-176 and 16-50k(a) and Regulations of Connecticut State Agencies ("RCSA") §16-50j-38 et seq., Shepaug LLC (the "Petitioner"), a Delaware limited liability company, hereby petitions the Connecticut Siting Council ("Council") for a Declaratory Ruling that no Certificate of Environmental Compatibility and Public Need ("Certificate") is required for the construction, maintenance, and operation of a proposed 1.99-megawatt ("MW") solar generation facility comprised of solar modules, inverters, transformers and interconnection equipment (collectively, the Shepaug Solar Project; referred to herein as the "Facility" or "Project"). The Project will be co-located adjacent to FirstLight Power Inc.'s existing Shepaug Generating Station, a hydroelectric facility located at 2225 River Road in Southbury, Connecticut ("Project Site" or "Site").

The Petitioner, Shepaug LLC, is a wholly-owned subsidiary of FirstLight DHD Devco LLC, which is jointly owned by Davis Hill Development LLC ("DHD") and FirstLight Generation LLC, a wholly-owned subsidiary of FirstLight Power Inc. ("FirstLight").

The Project will be a customer-side distributed resource facility under 65 MW that complies with the air and water quality standards of the State of Connecticut Department of Energy and Environmental Protection ("DEEP") and will not have an adverse effect on the existing environment and ecology of the site or the surrounding area. Further, the proposed Project is neither defined as an "affecting facility" nor located within an Environmental Justice Community under Connecticut General Statutes §22a-20a. As discussed more fully in this Petition, the Petitioner submits that a Certificate is not required because the construction, maintenance and operation of the Project would not have a substantial adverse environmental effect in the immediate vicinity of the Site or in the State of Connecticut.

II. PETITIONER INFORMATION

The Petitioner is a Delaware limited liability company with an office address of 100 District Avenue, Suite 102, in Burlington, Massachusetts. The Shepaug LLC project company was organized on April 27, 2022 in Connecticut for the purposes of developing, constructing, and operating the 1.99-MW solar generation facility described herein. FirstLight has partnered with DHD to develop the Project, which will be located within FirstLight's Federal Energy Regulatory Commission ("FERC") jurisdictional property in Southbury, Connecticut. DHD was founded in 2013 to pursue development opportunities in renewable energy in the Northeastern United States and is a wholly-owned subsidiary of Skyview Ventures, LLC. DHD provides turnkey solar energy solutions including project development, financing, and asset management for commercial, industrial, and utility-scale projects. DHD has developed and built over 150 solar projects in the Mid-Atlantic and New England, with more than 50 of those projects for Connecticut municipalities. DHD is based in Greenwich, CT as well as Nashville, TN. DHD typically provides comprehensive development, procurement and financial services in support of projects such as this Project.

All correspondence and/or communications regarding this Petition should be addressed to:

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III. PROJECT BENEFITS & PURPOSE

The Council's approval of this Petition would allow the Petitioner to support the State of Connecticut in achieving its goals of energy conservation and sustainability. The Project was selected in the Year 6 solicitation for the Shared Clean Energy Facility ("SCEF") program and awarded a SCEF contract by Eversource, which was approved by the Connecticut Public Utilities Regulatory Authority ("PURA") on July 7, 2025, in Docket No. 24-08-04. Projects participating in the SCEF program provide the state with clean energy generation under a twenty-year fixed priced agreement with resulting utility bill savings to Connecticut ratepayers, including low- and moderate- income customers. If approved, the Project will commence with financing, detailed engineering, procurement and construction, with a planned commercial operations date in Quarter 4, 2026.

Connecticut has among the nation's most ambitious climate change mitigation goals, evidenced by the passage of Public Act No. 22-5 ("PA 22-5"), mandating zero emissions from electricity supply by 2040. This Act is supported by the Integrated Resources Plan released in 2021, which analyzed pathways to reach zero carbon electric supply by 2040. Connecticut's energy policy and planning are focused on (1)

decarbonizing the electric sector while (2) maintaining reliability and (3) protecting affordability for ratepayers. This Project provides benefits for all three of these pillars:

Decarbonization: As Connecticut progresses toward its goal of zero carbon electric supply by 2040, on-demand fossil fuel generators are increasingly being replaced by intermittent renewable generation. FirstLight's ongoing contributions to emission reduction are a complementary effort of both our development pipeline and existing operational assets. If approved, the Project will contribute to the environmental and economic welfare of the State of Connecticut and the Town of Southbury by providing approximately 3,696 megawatt hours ("MWh") of energy annually with an equivalent number of renewable energy certificates ("REC"s) in Connecticut each year. The Project's proposed energy generation would offset an estimated 1,631 metric tons of carbon dioxide ("CO2") per year. These projections were calculated using the U.S. Environmental Protection Agency's Greenhouse Gas ("GHG") Equivalencies Calculator[1] based on the avoided kilowatt hours setting, which is used to calculate GHG reductions for renewable energy projects that avoid emissions resulting from conventional energy resources. The calculator was set to provide results based on emissions data for Southbury, Connecticut. This reduction is equivalent to the electricity usage of 522 homes annually, or an annual reduction of 183,561 gallons of gasoline consumed.

Reliability: Solar generation facilities are among the most reliable forms of energy generation due to their limited number of moving parts and proven technology. Once operational, solar arrays require minimal maintenance, primarily consisting of periodic inspections, cleaning, and inverter checks. The core components—modules, racking, and wiring—are built to withstand extreme weather conditions and typically come with 20-year warranties, with actual lifetime performance often exceeding that timeline. Modern monitoring systems provide real-time performance tracking, which enables rapid detection and resolution of any irregularities.

[1] EPA Greenhouse Gas Equivalencies Calculator: https://www.epa.gov/energy/greenhouse-gas-equivalencies-calculator, November 2024

Affordability: Solar energy is one of the most cost-effective forms of electricity generation available today. Once installed, solar facilities produce electricity at a fixed and predictable cost with no ongoing fuel expenses. This helps protect ratepayers from volatile fossil fuel markets and rising energy costs. Distributed generation projects like this proposed Facility help reduce local grid congestion, lowering costs across the electric grid. As part of Connecticut's clean energy transition, solar generation enables long-term savings for both utility companies and consumers.

IV. SITE AND PROJECT DESCRIPTION

The 11.78-acre Project Site will be situated within a 122.6-acre property located at 2225 River Road in Southbury, Connecticut. The Project Site contains semi-mature forest; and a portion of the solar footprint (approximately 10.78 acres) is classified as Connecticut Prime Farmland. There will be no impact on existing agricultural production, as the land has not been actively farmed for over 100 years.

The Southernmost portion of the property is developed with the Shepaug Generating Station ("Shepaug Hydro"), which is owned and operated by Firstlight. Shepaug Hydro is Connecticut's largest hydroelectric generating station and the second largest source of carbon-free electricity in Connecticut. The Site itself and access to the Site are surrounded by a Planned Unit Development ("PUD") Zoning District, and beyond that, a very large tract of R-80 Zoning District as shown in Figure 1, below. The uses within the surrounding R-80 Zone are made up of low-density residential uses and farmlands, and the closest residence is approximately 2,997 feet from the limit of disturbance ("LOD") of the solar array field.

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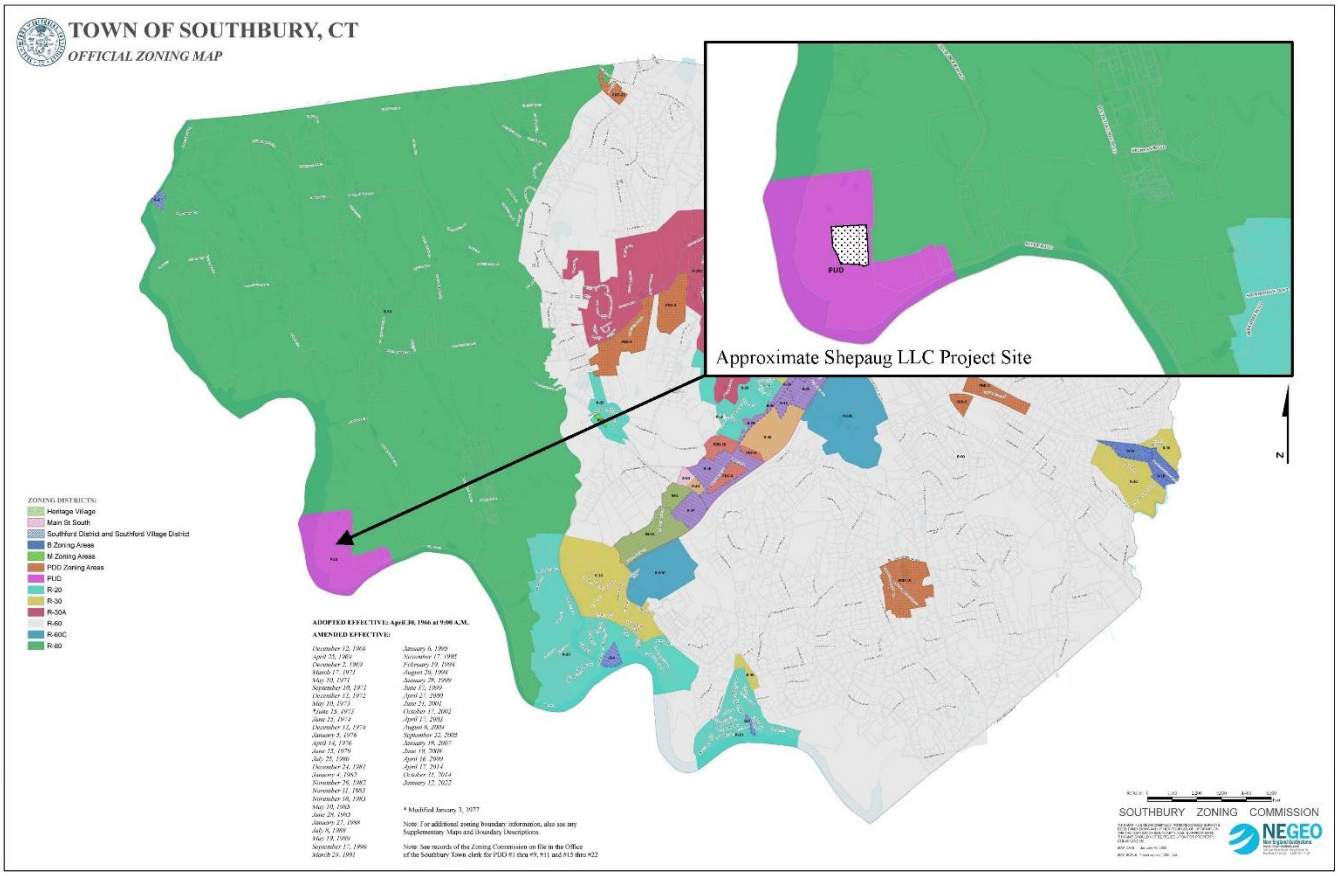

Figure 1: Southbury Zoning Map - 2022

To the immediate west of the Project Site, recreational and conservation woodlands are present, ending at the shore of Lake Lillinonah, which is also owned and operated by FirstLight under FERC License No. 2576. To the North of the property, the George C. Waldo State Park is present. To the east of the property, a transmission corridor, owned and operated by The Connecticut Light and Power Company dba Eversource ("Eversource"), is present. Private companies including Comsat and Mitchell Farm are situated to the east of Eversource's transmission corridor. In addition to Shepaug Hydro, an Eversource owned and operated substation is present at the site immediately to the east of the Shepaug Hydro dam and powerhouse.

A. PROJECT SITE HISTORY

FirstLight and its predecessor companies have operated hydroelectric generating facilities at the Site since 1955. Shepaug Generating Station is Connecticut's largest hydroelectric generation station and is also the second largest source of carbon-free electricity in the state, located on the Housatonic River in both Newtown and Southbury. Lake Lillinonah, the impoundment created by the dam, is one of Connecticut's largest lakes and serves as a significant economic driver for our host communities in western Connecticut. It provides recreational opportunities throughout the year and contributes to the creation of a unique habitat for wildlife, notably dozens of bald eagles during the winter months.

Prior to the construction of the Shepaug Dam in 1955, the property may have had agricultural activity occurring in the mid to late 1800s. Since then, it has returned via natural succession to forested former agricultural meadows, which are maintained and monitored under FirstLight's FERC License.

B. SITE SELECTION

The site selection for the Project was based on a detailed evaluation of the following key criteria:

- Site suitability (physical footprint capacity and surrounding topography);
- Site availability (current ownership or ability to lease or purchase land);
- Proximity to critical infrastructure (suitable electrical grid access); and
- Limitation of adverse environmental effects.

Once the initial evaluation was completed, a preferred site was selected by the Petitioner for development and preliminary due diligence work.

The development team retained the following Connecticut-based consultants to assist in the evaluation and design of the Project: North by Northeast; All-Points Technology Corporation, P.C. ("APT"); Heritage Consultants; GEI Consultants, Inc.; and Cavanaugh Tocci.

These Project consultants conducted due diligence investigations, which included surveying, wetland and natural habitat assessments, cultural and archaeological studies, and a noise impact assessment. Project representatives have been in contact with municipal officials in the Town of Southbury and Local Audubon Societies, abutters of the Project, as well as staff at DEEP and the State Historic Preservation Office ("SHPO") regarding the Site and the Project. The product of the consultants' review is summarized in the following narrative, and detailed in the Environmental Assessment, included as Exhibit 1.

As part of the Project's development, we are committed to preparing and returning portions of the wooded Prime Farmland into productive agricultural use. This will be achieved through the establishment of native pollinator habitat and the introduction of an on-site apiary to support biodiversity and promote long-term soil health in alignment with responsible land stewardship practices. This Agrivoltaic Farm Plan was established as part of the Project's development, and submitted to the Connecticut Department of Agriculture ("DoAG"), which determined on July 16, 2025, that the Project will have no material effect on the status of the Project lands as Prime Farmland. See Exhibit 2.

C. SITE DESCRIPTION

The Project is owned by Shepaug LLC and will be located at 2225 River Road in Southbury, CT (Tax Parcel: Map 9, Block 90, Lot 'CL&P') at FirstLight's existing Shepaug Generation Station hydroelectric facility operated under FERC License No. 2576. The property at 2225 River Road is owned by FirstLight's subsidiary, FirstLight CT Housatonic LLC. See Figure 2 below, which depicts the location and topography of the Project Site and the immediate surrounding area. See Figure 3 below, which provides an aerial view of the existing property with the proposed Project. The underlying Zone for this parcel is the Zoning District PUD as per the Southbury, Connecticut Zoning Map.

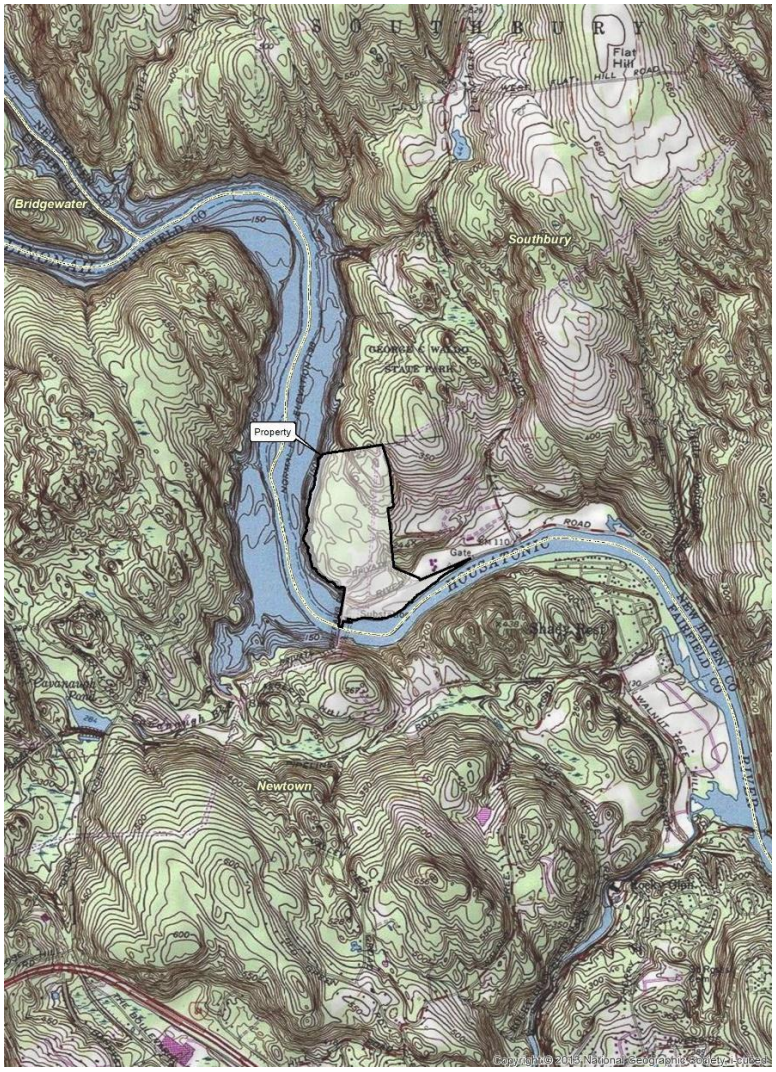

Figure 2: Site Location Map

The 2225 River Road property is approximately 122.6 acres in size and contains mainly forest. The southernmost portion of the property is developed with infrastructure associated with the Shepaug hydroelectric generating station ("Shepaug Hydro"). The Facility array would occupy approximately 11.78 acres of semi-mature forest land. The Project and property are depicted in Figure 3 below.

Figure 3: Site Layout Map

Under FERC's license, FirstLight has issued two active Non-Project Use ("NPU") Approvals on the property, but not adjacent to the proposed Project:

- Middlesex Construction Laydown Area: A license has been issued to Middlesex Construction for the storage of steel materials.
- Shepaug Station Solar: A license has been issued to Shepaug Station LLC for the construction of a small ground-mount solar facility adjacent to the Shepaug Dam embankment. This property is not on Prime Farmland.

Figure 4 below depicts the location of existing NPU approvals relative to the Project:

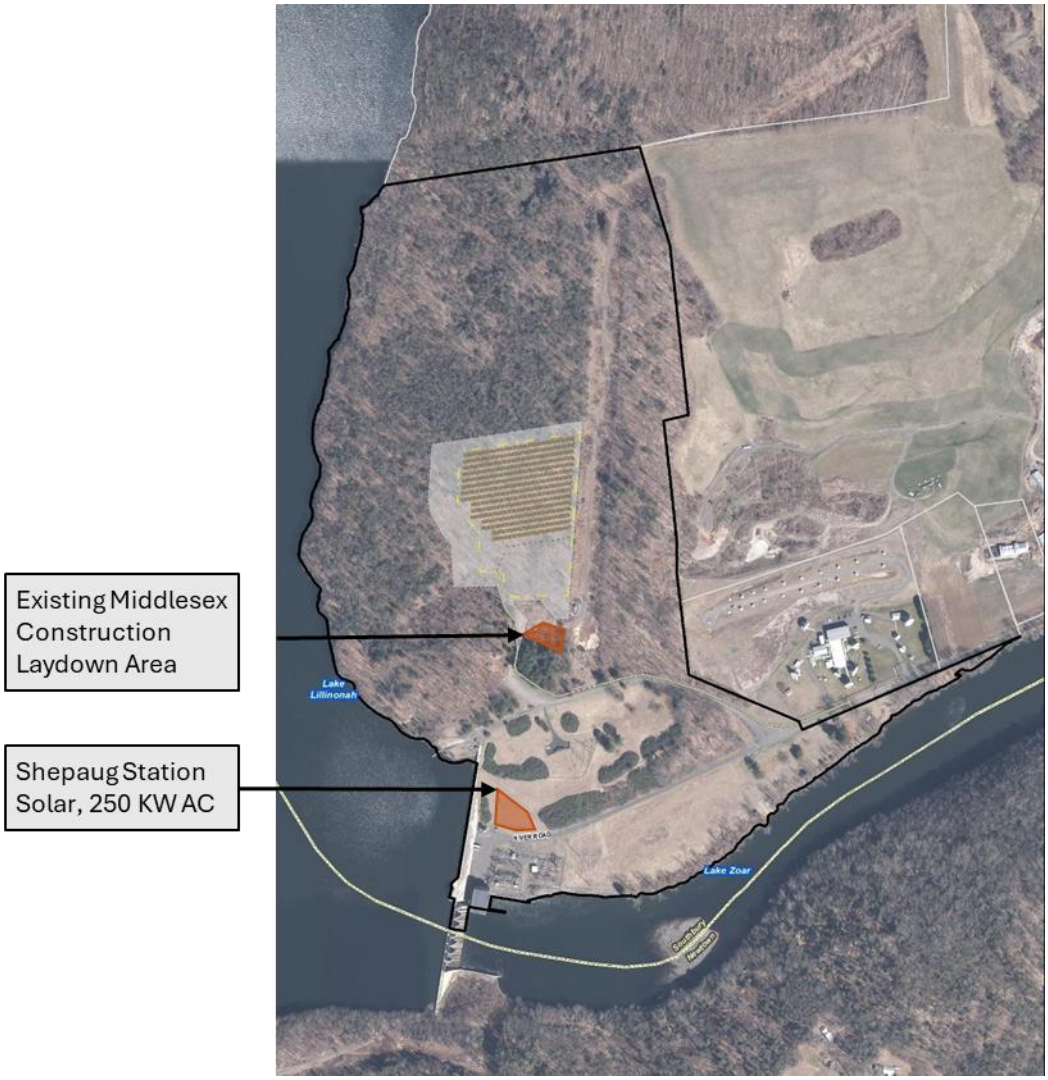

Figure 4: Existing Non-Project Use Approvals in Place

D. PROJECT DESCRIPTION

The proposed Project will be located within FirstLight's FERC jurisdictional property in Southbury, Connecticut, and is designed for long-term operation; it is anticipated to have a useful life of approximately 25 to 35 years. The Project will be developed, constructed, and financed under a joint venture between FirstLight, as the landowner and operator, and DHD. FirstLight is responsible for the construction of the Project and will execute the final design, procurement, and construction activities to ensure conformance to its internal and industry standards. FirstLight is committed to using responsibly

sourced materials in all circumstances and will closely review all procurement to ensure adherence to labor and tariff requirements in the construction of the Project.

In addition, the Project would be located a substantial distance from local residences, providing a sizable and beneficial buffer area. The closest residence is approximately 2,997 feet from the LOD of the solar array field. The Project would not be visible from any businesses, residences, public ways, or recreational areas currently in existence.

The Facility will include 3,770 photovoltaic 705 Watt direct-current modules ("panels"); fifteen (15) inverters; pad mounted switchgear and one (1) pad-mounted 2,000-kVA KNAN 3-phase 60 hertz FR3-filled transformer. A ground-mounted fixed-tilt racking system will be used to secure the panels. The perimeter of the Facility will be surrounded by a seven (7)-foot-tall chain link fence.

FirstLight will utilize US-made components as available, including solar modules and inverters. All equipment that FirstLight is unable to source domestically will adhere to existing tariffs and labor standards, ensuring only responsibly manufactured equipment is utilized in construction. The Project specifies Tier 1 modules and inverters. While subject to change based on availability and interconnection requirements, FirstLight will ensure the procurement of equivalent components for construction. FirstLight will obtain equipment warranties that ensure system availability, which commonly offer product and performance warranties that align with project life

The leading edge of the panels will be approximately 36 inches above the existing ground surface, which will provide adequate room for any accumulating snow to "sheet" off and for growth of the pollinator meadow below. No need for snow removal operations is anticipated; rather, the snow will be allowed to melt or slide off.

The Facility will be accessed via a 15-foot-wide, 313-foot long gravel drive that will extend northward from an existing paved drive and parking area, which is adjacent to the Shepaug Bald Eagle Observation Area and northeast of the Shepaug Dam. The drive is situated behind an electronic gate that

provides controlled access to the Shepaug Hydrogeneration Station and associated facilities, including the future Project. The gate is locked, and access is controlled 24/7 by FirstLight personnel.

The Project will include one electrical service interconnection that will require the installation of thirteen (13) new utility poles. The interconnection route will commence at utility interconnection equipment pads and extend overhead from the existing Eversource distribution system along the existing access road to utility poles on the southern portion of the Project Site. The interconnection route will transition underground at pole #6, underneath an existing Eversource Transmission line, and transition back to overhead at pole #7. The interconnection will then transition underground to pad-mounted electrical equipment within the Project Site.

The new utility service will consist of one (1) new riser pole, a recloser and pad-mounted primary meter. A real time automation controller ("RTAC") would be required. A utility-owned and operated RTAC will communicate with a customer-owned and -operated RTAC. Everything behind the primary meter will be owned and maintained by the Petitioner, Shepaug LLC. Additionally, two (2) sets of voltage regulators will be upgraded to accommodate back feed. One (1) set of voltage regulators is located just outside of the Shepaug Hydroelectric Substation and the other set is on the Bates Rock 21K8 feeder.

Once complete, the fenced Facility will occupy approximately 7.52 acres of the property with an additional approximately 4.26 acres of improvements beyond the fenced limits, for a total Project area of approximately 11.78 acres. Proposed development drawings are provided in Exhibit 1 - Environmental Assessment, Appendix A. - Project Plans.

All construction and components will meet labor standards outlined in the Inflation Reduction Act ("IRA"). They will also conform to international procurement regulations regarding trade practices and tariffs, including potential Section 301 tariffs, to uphold fair and ethical trade standards in accordance with U.S. trade laws.

E. INTERCONNECTION

The Project's solar generation facility would have a net operating capacity at the Point of Interconnection of 1.99 MW alternating current (“AC”). The Project will interconnect to the Eversource 13.8-kV UN.SHEPAUG 69 SHEP 13A2 circuit distribution system via a primary service. The Shepaug Substation is located adjacent to the Project at 2225 River Road in Southbury, Connecticut. The Project would interconnect through the same bay as the existing Shepaug Hydroelectric Generation Facility. The FirstLight property contains the distribution and transmission lines and substation required to support the Project’s interconnection; any additional interconnection infrastructure would be located within the existing property; therefore, no additional land use rights would need to be procured.

The interconnection facility design and construction would be performed in accordance with Eversource and United Illuminating ("UI") Guidelines for Generator Interconnection and State of Connecticut, ISO-New England ("ISO-NE"), and FERC requirements as applicable.

V. ENVIRONMENTAL CONDITIONS

As demonstrated in Sections 3.1 and 3.2 of the Environmental Assessment attached as Exhibit 1, the Project will comply with DEEP’s air and water quality standards. Further, it will not have an undue adverse effect on the existing environment and ecology; nor will it affect the scenic, historic and recreational resources in the vicinity of the Project.

A. EXISTING LAND USE

The Project would be located on property that is partially developed with an existing FirstLight hydroelectric facility and dam, an Eversource-owned electrical transmission corridor, an Eversource-owned substation, and the Shepaug Recreational Area. The Recreational Area is comprised of a Bald Eagle Observation Area, Interpretive Trail, and associated paved and gravel roads. Remaining undeveloped portions include routinely mowed areas to the south and forested habitat in most of the

property to the north. The majority of the Project Site contains semi-mature forest. Additional details regarding the historic use of the property are included under Section IV.A herein.

B. AIR QUALITY

Due to the nature of a solar energy generating facility, no air emissions would be generated during operations; therefore, the operation of the Project will have no adverse effects on air quality and no permit is required.

The Project is anticipated to have minimal air pollutant and greenhouse gas emissions during construction. Any potential air quality impacts from construction vehicles and equipment would be de minimis. Regardless, those emissions will be mitigated by limiting idling times of equipment, proper maintenance of all vehicles and equipment, and watering/spraying to minimize dust and particulate releases.

During operation, the Project will not generate air emissions of regulated pollutants or greenhouse gases. Accordingly, no air permit will be required for ongoing operations. Furthermore, by producing clean, renewable energy, the Project will contribute to an overall improvement in regional air quality by offsetting electricity generation that would otherwise be produced by fossil-fuel-based sources.

C. WETLANDS, WATERCOURSES, AND VERNAL POOLS

The Project has been designed to comply with the requirements of the *Connecticut Stormwater Quality Manual* and *Connecticut Guidelines for Soil Erosion and Sediment Control*, both effective as of March 30, 2024; as well as Appendix I, Stormwater Management at Solar Array Construction Projects ("Appendix I") of the General Permit for the Discharge of Stormwater and Dewatering Wastewaters from Construction Activities ("General Permit"), issued by DEEP. Therefore, the Project would not have an adverse effect on water quality.

a. Wetlands And Watercourses

Two (2) wetlands were identified on the property in proximity to the Project Site during field inspections conducted by APT Registered Soil Scientists in 2023 and 2025. Wetland 1 consists of a man-made south-flowing open water feature associated with the Housatonic River along the western and southern property boundaries. Wetland 2, which is inclusive of Vernal Pool 1, consists of an isolated vernal pool wetland complex located approximately 370 feet north of the Project Site. Development of the Project will have no significant impact on existing wetlands and vernal pools. Any short-term impacts during construction would be minimized by erosion and sedimentation controls, Best Management Practices, and a proposed Resources Protection Plan, included on sheet EN-1 of Exhibit 1 - Environmental Assessment, Appendix A. - Project Plans. Sections 3.2.1 and 3.2.2 of Exhibit 1 addresses extant Wetlands, Watercourses and Vernal Pools at the Project Site.

b. Vernal Pools

Following the 2025 field inspection conducted by APT Registered Soil Scientists, the APT team conducted a vernal pool analysis for Vernal Pool 1. A second vernal pool identified in the initial field inspection conducted in 2023 is located approximately 940 feet north of the Project Site; this vernal pool will not be affected by the Site's development activities.

Following the findings of the vernal pool analysis, the Project was designed to avoid impacts to the 100-foot Vernal Pool Envelope, which consists of a dense undisturbed forest, with development activities occurring approximately 370 feet from the delineated boundary. The Project will encroach into the outer, southern portion of the Critical Terrestrial Habitat ("CTH") with activities to include tree clearing, grading, and solar panel and perimeter fencing installation. However, development activities will not degrade the quality or tier rating of the resource because 70% of the Suitable Non-Breeding Habitat associated with the CTH of the vernal pool will remain intact.

As part of construction activities, the installation and maintenance of erosion and sedimentation controls in accordance with 2024 Connecticut Guidelines for Soil Erosion and Sediment Control will be undertaken, as well as implementation of Best Management Practices during construction to avoid/minimize the potential for short-term impacts to herpetofauna. Additional details on the Resource Protection Plan for mitigation of any short-term impacts is found in Exhibit 1, Appendix A, Sheet No. EN-1.

Section 3.2.2 of Exhibit 1 addresses the extant vernal pools, including the vernal pool analysis and conclusions.

c. Floodplain Areas

The Site is not located within a 100- or 500-year flood zone; therefore, no special considerations or precautions relative to flooding are required for the Project. Floodplain Areas are addressed in Section 3.2.4 of Exhibit 1.

D. WATER QUALITY

The Project has been designed to comply with the requirements of the Connecticut Stormwater Quality Manual and Connecticut Guidelines for Soil Erosion and Sediment Control, both effective March 30, 2024, as well as Appendix I of the General Permit issued by DEEP. The Project will have no adverse effects on groundwater or surface water. Section 3.3 of Exhibit 1 addresses Water Quality.

a. Groundwater And Aquifer Protection Areas

The Project will have no adverse environmental effect on groundwater quality. The Project Site is not located within a mapped (preliminary or final) Aquifer Protection Area. Groundwater quality is addressed in Section 3.3.1 of Exhibit 1.

b. Surface Water

The Project Site is adjacent to Lake Lillinonah and Lake Zoar, both Class B surface waterbodies. The LOD for the solar array field is located upgradient of these waterbodies. The minimum proximity from Lake Lillinonah is approximately 480 feet, and the minimum distance between the LOD and Lake Zoar is approximately 1,250 feet. Both distances are measured from the nearest shoreline of each lake. The majority of the interconnection route is overhead, requiring the installation of new utility poles, with the exception of a short underground transition of 310 feet between poles 6 and 7 (see Exhibit 1, Appendix A - Plan Sheet GD-3). The nearest distance from the underground interconnection run to the east bank of Lake Lillinonah is approximately481 feet; and is approximately 904 feet to the northern shoreline of Lake Zoar. During construction, erosion and sedimentation controls will be installed and maintained in accordance with the Connecticut 2024 Connecticut Guidelines for Soil Erosion and Sediment Control. Once operative, proper stormwater management measures will be in place. As such, the Project Site and construction activities are anticipated to have no effect on the surface waterbodies. The property is not located within a public drinking water supply watershed, or within a public water supply service area. Section 3.3.2 of Exhibit 1 addresses Surface Water impacts.

c. Stormwater

The Project has been designed to meet the 2024 Connecticut Stormwater Quality Manual, 2024 Connecticut Guidelines for Soil Erosion and Sediment Control and Appendix I requirements. Overall, the Project is anticipated to enhance the hydrological conditions of the Project area while maintaining existing drainage watersheds to the extent practicable. Combined with the incorporation of the proposed stormwater management measures, the Project is not anticipated to result in any adverse impacts to water resources in the surrounding area. Proposed Stormwater Management is addressed in Section 3.3.3 of Exhibit 1.

E. HABITAT AND WILDLIFE

a. Habitat Impacts

Development of the Project will have no significant impact on existing habitats and wildlife. APT identified five (5) distinct habitat types in their field inspections conducted in 2023 and 2025, three (3) of which are located within the Project Site. Habitats identified include Developed, Mixed Field, Edge Forest, Woodland, and Forested. Based on APT's study and the Project Site design, impacts are anticipated to Mixed Field, Woodland, and Forested Habitat; Edge Forest Habitat is not anticipated to be impacted, and limited impacts are anticipated in Developed Habitat. A detailed evaluation of Habitat Types is included in Section 3.4.1 of Exhibit 1.

Mixed Field Habitat: No work is proposed within this habitat; however, trenchwork and installation of utility poles will occur in proximity to the immediate north, within Developed Habitat along the existing access road.

Woodland Habitat: Approximately 1.55 acres of the Site is located within the Woodland Habitat, which lies within an area historically disturbed during the construction of the Shepaug Hydrogeneration Facility dam, adjacent transmission lines, and substation present on the property. Project development will require tree clearing, grading, extending the existing gravel road, and installing perimeter fencing and the utility interconnection. Short-term impacts to this habitat during construction will be minimized through the proper stabilization of soils through strict adherence to the 2024 Connecticut Guidelines for Soil Erosion and Sediment Control. While the Project necessitates clearing for the Facility, similar and higher quality forested habitat occurs in abundance to the north of the Project area. As such, the Project is not anticipated to result in a significant impact to the Woodland Habitat.

Forested Habitat: Forested Habitat occurs within most of the Site and occupies extensive areas to the west and north on the subject property. Development activities within the Forested Habitat area would include tree clearing, grading, installation of solar panels and perimeter fencing. Robust E&S

control measures are proposed as part of the Project, along with implementation of a Resource Protection Plan to avoid potential secondary and short-term impacts to this habitat during construction.

b. Core Forest

Development activities would not affect the areas mapped as Core Forest as the Project is not currently located in a Connecticut Core Forest designation. Section 3.4.2 of Exhibit 1 reviews Core Forest in the vicinity of the Project Site.

F. RARE SPECIES

APT reviewed publicly available information to determine the potential presence of state and/or federally listed species and critical habitat on or proximate to the Site. Resources consulted included the U.S. Fish and Wildlife Service's ("USFWS") Information Planning and Conservation ("IPaC") tool (Beta version) and the Natural Diversity Data Base ("NDDB") as part of its review. Solar and wind projects are currently not eligible to use USFWS' IPaC tool[2]. The New England Field Office ("NEFO") was contacted in September 2025 to inquire about Project review and consultation procedures for solar projects under the Endangered Species Act ("ESA"). The NEFO indicated that the Washington, D.C. USFWS National Headquarters has yet to provide ESA project review and consultation procedures for solar projects. In light of this lack of ESA project review and consultation procedures, preliminary consultation with the USFWS through the Beta version of IPaC has been completed in general accordance with Section 10 of the ESA. Section 3.5 of Exhibit 1 addresses Rare Species reviews.

a. USFWS Consultation

Based on the unofficial results of the Beta IPaC review, one Federally listed Proposed Threatened Species is known to occur on or in the vicinity of the Property, documented as the monarch butterfly (*Danaus Plexippus*). The Project area consists primarily of a forested upland habitat and with the

[2] See the U.S. Department of Interior memo entitled, "Departmental Review Procedures for Decisions, Actions, Consultations, and other Undertakings Related to Wind and Solar Energy Facilities" dated July 15, 2025.

relatively dense forest canopy, suitable vegetation is present. Project habitat enhancements will include seeding with various pollinator-friendly species that could potentially provide habitat for monarch butterflies.

b. Natural Diversity Data Base

A NDDB polygon was identified on the Property, and preliminary consultation determined that the state-threatened bald eagles feed and roost on and in proximity to the property, along the Housatonic River. Coordination with DEEP resulted in limiting time-of-year construction-related restrictions to the access road only; clearing, grading and panel installation are of sufficient distance away from the River's edge and activities do not permanently affect the River or abutting trees. Additionally, the Project Site location is not within the usual flight path for bald eagles and will not be visible from the Shepaug Eagle Observatory. The NDDB Determination Letter and Correspondence is included as Appendix B to Exhibit 1.

The following precautions are being taken to protect the eagles and their nesting seasons:

- Time of year restriction on tree clearing from December 15 through March 10;
- No tree clearing within 330 feet of, and no construction activities within 660 feet of, any known bald eagle nests; and
- Compliance with recommendations in The National Bald Eagle Management Guidelines developed by USFWS.

G. SOILS AND GEOLOGY

All exposed soils resulting from construction activities will be properly treated in accordance with the 2024 Connecticut Guidelines for Soil Erosion and Sediment Control. Excavated topsoil from the stormwater management basin area will be segregated from underlying soil, stockpiled, and spread over disturbed areas being seeded. No prime farmland topsoil would leave the property. Section 3.6 of Exhibit 1 further addresses Solids and Geology extant at the Project Site and property.

a. Prime Farmland Soils

The Project will have no material effect on prime farmland soils. Although the Project area includes approximately 11.5 acres classified as prime farmland soils, this portion of the Site is entirely encumbered by forest and has not been utilized for agricultural production or actively farmed for over 100 years.

As part of the Project's development, the Petitioner plans to return a portion of the wooded Prime Farmland into productive agricultural use. This will be achieved through the establishment of native pollinator habitat and the introduction of an on-site apiary to support biodiversity and promote long-term soil health in alignment with responsible land stewardship practices. The Project's Agrivoltaic Farm Plan has been reviewed and approved by the Connecticut Department of Agriculture, and is included as Exhibit 2.

H. SCENIC, RECREATIONAL, HISTORIC AND CULTURAL RESOURCES

Development of the Project would have no significant impact on scenic, recreation, historic or cultural resources. The Petitioner contracted with Heritage Consultants LLC ("Heritage") to evaluate the Project Site and surrounding property as part of pre-permitting activities. Section 3.7 of Exhibit 1 provides Heritage's review and details on the Project Site's Historic and Archaeological Resources. The Phase 1A and Phase 1B investigations are included in Exhibit 1, Appendix D. No significant impacts to historic or cultural resources are anticipated from development of the Project.

I. VISUAL EFFECTS

The Project's location within the FirstLight property will mitigate views from the public viewsheds and private properties. Year-round visibility will be limited to areas immediately surrounding the fenced arrays. Seasonally, when the leaves are off the deciduous trees, visibility may extend into open fields on the adjacent parcel to the east, which is also owned by FirstLight. Notably, the Facility will be located approximately 987 feet from the Shepaug Bald Eagle Observation Area to the closest point in the

array, and thus, not visible from the Observatory. The closest residence is approximately 2,997 feet from the LOD of the solar array field. Section 3.8 of Exhibit 1 addresses Project visibility.

J. SCENIC AND RECREATIONAL AREAS

The Project is not expected to have a direct or indirect effect on residential, recreational, and/or other scenic resources in the immediate area. Dense forest surrounding the Project on all sides will limit visibility significantly from recreational areas. Section 3.9 of Exhibit 1 addresses scenic and recreational areas.

The Project is removed from the existing Shepaug Recreational Area by a buffer of 397 feet to the closest point in the solar array, and is adjacent to existing industrial uses on the property.

K. SOUND

The Project will comply with the most stringent State sound regulations and will not have an adverse effect on any surrounding properties. On behalf of the Petitioner, Cavanaugh Tocci completed an environmental sound study to assess Project compliance with State Noise Regulations. The results of this study are provided as Exhibit 3. The Facility will require 16 inverter units and a transformer. Acoustic modeling of these sources demonstrated that any off-site location would experience sound levels no greater than 30 dBA, which is significantly below applicable sound level limits.

VI. PROJECT CONSTRUCTION AND MAINTENANCE

A. CONSTRUCTION SEQUENCING

Construction of the Project will be broken into five (5) phases, outlined below. Construction is anticipated to require between five (5) and seven (7) months to complete, and will comply with all restrictions outlined under Section V above.

1. Pre-Construction Activities

Prior to commencing construction, the Resource Protection Plan and Sediment and Erosion Control Plan (found in Sheets EN-1 and EC1-8, respectively, in Appendix A of Exhibit 1) would include installation of E&S control/isolation barriers, and vernal pool protection measures. Key activities would include:

- **Stormwater Management Measures:** Stormwater controls such as silt fences, sediment basins, check dams, and infiltration systems would be installed in compliance with DEEP's Appendix I. This includes drainage ditches, pipe outlet structures, and erosion control measures to prevent sediment runoff and protect water quality during construction.

- **Site Testing & Inspection:** Soil stability tests would be conducted, ensuring all civil activities meet design specifications. All necessary permits would be obtained prior to progressing to subsequent construction phases.

2. Construction Sequencing

a. <u>Phase One (1) - Civil Construction</u>

Phase One will consist of preparatory earthwork and site development activities to facilitate safe and efficient construction. Key activities include:

i. ***Tree Clearing and Stumping:*** Removal of all vegetation, including trees, shrubs, and stumps, within the designated array area would be completed to create an unobstructed construction zone.

ii. ***Site Grading:*** Cut and fill operations would be performed to achieve the desired elevation and slopes, ensuring proper drainage and stability for the array installation.

iii. ***Trenching:*** Trenches for underground conduits and stormwater systems would be excavated, as per engineered plans, following the trench alignment established during site layout.

iv. ***Access Road Construction:*** Access roads would be built and/or upgraded to accommodate construction vehicles and equipment, including subbase and surfacing as needed for load-bearing capacity.

b. <u>Phase Two (2) - Mechanical Construction</u>

Phase Two will consist of the mechanical support systems for the solar array. Key activities include:

i. ***Ground Screw Installation:*** Augers or rotary equipment would be used to install helical piles or screw anchors to provide stable foundations, particularly in areas where traditional concrete foundations may not be suitable or as an expedited support option.

ii. ***Racking System Installation:*** The racking system would be assembled and anchored onto the ground screws to ensure proper alignment, leveling, and calibration for optimal module placement.

iii. ***Verification & Quality Control:*** Inspections and testing would be undertaken as required to ensure all structural components are installed according to manufacturer specifications and engineering tolerances.

c. <u>Phase Three (3) - Electrical Construction</u>

Phase Three will involve construction of the electrical infrastructure critical for energy collection and transmission. Key activities include:

i. ***DC Wiring and Conduit Installation:*** Photovoltaic DC cables would be run throughout the array, secured and protected within conduit pathways traced during trenching. The cables will connect modules to combiners and inverters.

ii. ***Inverter and Equipment Mounting:*** Power electronics such as inverters, disconnect switches, and combiner boxes would be installed on racking or designated support structures.

iii. ***Underground Trenching & Conduit Installation:*** Electrical conduits would be laid in trenches that connect the arrays to the central inverter station and other electrical components, following safety clearances and depth requirements.

iv. ***Concrete Equipment Pad Construction:*** Concrete pads designated for housing medium voltage (MV) switchgear, transformers, and control panels would be poured and cured, ensuring proper embedment and access for maintenance.

v. ***Electrical Testing & Commissioning:*** Insulation resistance tests, continuity checks, and system-fault assessments would be conducted to confirm electrical integrity and compliance before energization.

d. <u>Phase Four (4) - Site Closure & Restoration</u>

Phase Four will consist of the close-out of all civil work, site stabilization and security post-installation. Key actions include:

i. ***Civil Site Restoration:*** Disturbed soils would be reseeded with native or prescribed vegetation. Ground surfaces would be contoured, and mulch or erosion control matting would be added to promote stabilization.

ii. ***Ground Leveling & Grading:*** Disturbed areas will be smoothed and leveled to prevent water pooling and facilitate vegetation growth.

iii. ***Security Fence Installation:*** Perimeter chain-link fencing with gates will be erected, ensuring secure enclosure of the array and safety for personnel and wildlife.

iv. ***Final Inspection & Compliance Checks:*** Verification that all civil and site features meet Project specifications, permits, and environmental standards will be obtained, and any punch list items will be addressed.

e. <u>Phase Five (5) - Grid Interconnection & Commissioning</u>

Phase Five will include the interconnection work conducted by Eversource to tie the Project into the local electrical grid. Actions include:

i. ***Interconnection Coordination:*** Petitioner would work with Eversource to coordinate the installation of interconnection facilities such as switchgear, transfer switches, and protective relays.

ii. ***Grid Tie-In & Testing:*** System energization tests would be conducted under the supervision of utility personnel, including load flow analysis and protective device verification.

iii. ***Final System Inspection & Certification:*** Confirmation that the entire system is operational, safe, and compliant with local code requirements would be obtained before commencing commercial operation.

iv. ***Documentation & Training:*** As-built drawings, operation manuals, and safety instructions would be provided to the Project owner or operator.

B. CONSTRUCTION SCHEDULE AND HOURS

The Petitioner expects that construction would be conducted Monday through Friday, generally between the hours of 7:00 a.m. and 7:00 p.m. Though not anticipated at this time, occasional work may be performed on Saturdays or Sundays, or during evening weekday hours (daylight permitting) to minimize the overall duration of any related temporary construction impacts. There will be some periods where there would not be substantial construction activity at the Site. When the Site is not actively under construction or attended, the Site would be stabilized and inspected after significant storm events until such time that the next construction phase progresses. These inspections would be conducted by a qualified inspector, engineer, or soil erosion and sediment control professional in conformance with the requirements of DEEP's General Permit.

C. TRAFFIC

Traffic associated with construction of the Project would include vehicle trips for (i) Site work and deliveries of stone and concrete, structural steel, building and electrical equipment; and (ii) craft workers traveling to the Site for construction-related activities. Primary Site work and delivery trips

would be related to tree clearing (logging trucks), concrete work (concrete trucks), and facility equipment delivery (flatbed trucks). In addition to these deliveries, an average of five to ten craft workers would be on Site each day, typically arriving in personal vehicles. At peak construction, there may be up to 20 workers on Site. These vehicles would be parked well within the Project area, distant and screened from public ways.

D. CONSTRUCTION SAFETY

The Petitioner is committed not only to the wellbeing of the environment, but also to the health and safety of the employees, contractors, and the diverse communities where individuals live and work. Both FirstLight and DHD have extensive experience working in the industrial electrical generation business on large-scale projects throughout New England and have retained and maintained a substantial track record of worker and workplace safety. Thus, an important element of the Petitioner's impact mitigation plan is to ensure that construction-related activities are performed in a safe, responsible, and low impact manner. The Petitioner would use respected, professional partner companies to construct and oversee construction activities.

E. LONG-TERM MAINTENANCE

The Project Site has been designed to minimize future maintenance costs and incorporate long-term stormwater and site stabilization, and surface materials that will provide for minimal herbicide use to control vegetation. Native species suited to the soils onsite would be used to minimize the needs for fertilizers and irrigation once established. In addition, the Site materials such as galvanized fencing, plastic buried conduit, concrete foundations, and other utilities and surfaces have all been selected to provide for a long service life and/or can easily be recycled after their useful life. The Operations and Management Plan can be found as Exhibit 5.

F. PUBLIC HEALTH AND SAFETY

FirstLight owns and operates the largest hydroelectric and pumped storage facilities in Connecticut and maintains an excellent safety track record. This background of knowledge and experience would be employed to ensure the Project is designed, operated, and maintained with the same level of excellence and diligence as FirstLight's existing portfolio of generation assets, to ensure the public's safety as well as its compliance with all applicable building codes and regulations.

The Project would meet all applicable local, state, national and industry health and safety standards and requirements related to electric power generation. The Facility will not consume any raw materials or produce any by-products, and will be staffed during normal operating conditions.

a. Security and Operational Safety

Safety measures at the Site would include a perimeter fence and an access-controlled security gate. FirstLight personnel at the Shepaug Hydrogeneration Project and Town emergency response personnel will be provided with access via a padlock at the gate. The Facility would be monitored onsite by FirstLight personnel, as well as remotely monitored with sensors from FirstLight's commercial and operational groups, which are staffed 24 hours per day every day of the year. Appropriate lighting would allow for Site safety, visibility and security. Onsite lighting would be focused to mitigate light pollution, and shaded to ensure illumination does not impact nearby residences. Only FirstLight's authorized personnel or approved contractors would have access to the Project during its construction, operation, and maintenance. All FirstLight employees are highly trained in the operation of generating facilities, and contractors would receive the required training prior to performing work.

Appropriate signage would be installed during construction and maintained post-construction to inform the public and others of the dangers and presence of high-voltage equipment inside the fenced area. FirstLight allows limited public access to the Site for recreational opportunities and the expanded Project footprint would not affect the public's access in any way. Signs would be posted to identify

FirstLight's areas of public access for recreational opportunities, as well as appropriate hazard signage related to the hydro and solar generation facilities.

b. Protection Systems and Monitoring

In accordance with industry best practices, the solar generation facility would employ a range of fire prevention and detection measures that monitor and react to abnormal operating conditions.

c. Fire Response

In the unlikely event of a fire, defensive firefighting tactics would be utilized. A defensive firefighting tactic means a self-consumption approach, which would allow the affected equipment to burn itself out safely and fully. Water would be utilized defensively to protect and cool other nearby equipment or structures. Adequate spacing of equipment and structures in the Site layout would facilitate the defensive approach by making it significantly less likely that any fire event would affect more than a single piece of equipment. Additionally, the Facility would be sited in a location that provides adequate separation distances from any sensitive exposures such as residential structures.

FirstLight would leverage its experience with operating assets and communicating with municipal emergency responders during emergency events to ensure the risk of fire is mitigated to the best of its ability.

d. Firefighting Effluent and Spill Management

If firefighting effluent is generated at the Project, it would be captured by the surrounding gravel surface areas, as well as the stormwater system. No effluent would flow directly to the Housatonic River. Areas impacted by firefighting effluent during a fire event would have soil samples collected and analyzed for constituents associated with fires. Remediation would follow DEEP guidance and may include soil removal or monitoring well installation, depending on the size of the release. The best way to protect soils and groundwater from potential contamination is to refrain from employing a direct water suppression tactic. If the system is allowed to burn in place without copious amounts of water being

applied, the resulting refuse can be more safely and completely removed from the Site and disposed of in the appropriate manner.

G. DECOMMISSIONING

A draft Decommissioning Plan has been prepared for the Project and can be found in Exhibit 4. The plan outlines procedures for the safe removal of equipment and restoration of the Project Site at the end of the Facility's operational life. The plan is in draft form and will be finalized following final engineering and design, prior to Project construction.

VII. MUNICIPAL CONSULTATION AND COMMUNITY OUTREACH

FirstLight has conducted robust stakeholder engagement as part of this work, leading up to formal Siting Council submission. Working with our consultants and via initial consultations with FERC, FirstLight determined that approval from the Connecticut Siting Council must be obtained prior to seeking a Non Project Use Approval for the proposed Project from FERC.

Over the past four (4) years, the Project team has engaged a number of community groups, including the Town of Southbury's Planning Commission, Board of Selectmen, and First Selectman Jeff Manville, in advance of the Project's successful SCEF bid. To date, the following outreach has occurred:

a. Federal Energy Regulatory Commission ("FERC"), March 1, 2022

FirstLight met with a FERC Representative for a pre-application meeting outlining the approval process and stakeholder outreach for FERC-jurisdictional properties. In attendance:

- Mark Carter, Environmental Biologist Hydropower Administration and Compliance FERC - Atlanta Regional Office (FERC)
- Brian Wood, Senior Land Manager (FirstLight)
- Sandra Brown, Director of Project Development (FirstLight)

b. Southbury Board of Selectman and Planning Commission, March 3, 2022

The Development Team conducted initial outreach and received a resolution of support from the Southbury Board of Selectmen for the Project on March 3, 2022. During the meeting, the Development Team provided an initial design for the Project.

c. Federal Energy Regulatory Commission ("FERC"), November 17, 2023

FirstLight met with a FERC Representative for a pre-application meeting regarding the Non-Project Use Approval application process. In attendance:

- Shana High, Environmental Biologist Division of Hydropower Administration and Compliance Office of Energy Projects (FERC)
- Brian Wood, Senior Land Manager (FirstLight)
- Sandra Brown, Director of Project Development (FirstLight)
- Sami Ghantous, Project Development Associate (FirstLight)

d. Southbury Planning Commission and First Selectman, February 28, 2024

The Development Team presented a revised design for the Project for review and discussion. Draft design documents were circulated but not provided as part of public record. Attendees included:

- Jeff Manville, Southbury First Selectman
- Jordan Marcinko, Southbury Town Planner
- Andy Brydges, Director of Community Relations (FirstLight)
- Sandra Brown, Director of Project Development (FirstLight)
- Brian Wood, Senior Land Manager (FirstLight)
- Tory Hanna, AICP, Vice-President of Business Development and Origination (DHD)

e. Southbury Planning Commission, April 16, 2024

FirstLight and DHD representatives met with the Town Planning Commission and Town Planner at a public meeting to introduce the Project, offer timeline and status updates, and receive feedback on the design. The Development Team presented a revised design for the Project. During the conversation, which focused on the smaller, unrelated Shepaug Solar Project, FirstLight also confirmed the process and stakeholder engagement that would be pursued for the larger proposed Project.

- Members of the Southbury Planning Commission
- Jordan Marcinko, Southbury Town Planner
- Andy Brydges, Director of Community Relations (FirstLight)
- Sandra Brown, Director of Project Development (FirstLight)
- Brian Wood, Senior Land Manager (FirstLight)
- Tory Hanna, AICP, Vice-President of Business Development and Origination (DHD)

f. Southbury Board of Selectmen, September 4th, 2025

FirstLight and DHD met with the Board of Selectmen at a public meeting to re-introduce the Project, offer timeline and status updates, and explained that this Petition for the Project was being prepared for submission. Two of the Board members commended the Development Team on the thoughtful approach to development that was being taken, and expressed excitement that a renewable energy project was under development at this location.

- Members of the Southbury Planning Commission
- Jordan Marcinko, Southbury Town Planner
- Andy Brydges, Director of Community Relations (FirstLight)
- Sandra Brown, Director of Project Development (FirstLight)
- Brian Wood, Senior Land Manager (FirstLight)
- Tory Hanna, AICP, Vice-President of Business Development and Origination (DHD)

As part of both, this Petition and FERC's Non Project Use (NPU) approval process, FirstLight will conducted outreach to its existing stakeholders under its Shoreline Management Plan (SMP) Group. Stakeholders represented include:

- USFWS (One Representative)
- National Park Service (One Representative)
- State Historic Preservation Officer (One Representative)
- Connecticut DEEP (Division Representatives)
- Housatonic Environmental Action League (One Representative)
- Western Connecticut Council of Governments (One Representative)
- Housatonic Valley Association (One Representative)
- Appalachian Trail Conference (One Representative)
- Appalachian Mountain Club (One Representative)
- Housatonic River Commission (One Representative)
- Adirondack Mountain Club (One Representative)
- American Whitewater (One Representative)
- Trout Unlimited (One Representative)

VIII. CONCLUSION

This Project would thoughtfully advance the State of Connecticut's zero carbon energy goals and environmental policies and would deliver a range of public benefits. The Project would have substantial environmental benefits and limited environmental impacts, for which mitigations are in place through planning and design. FirstLight has been a member of the Connecticut community for over 100 years and will continue to work cooperatively with its neighbors and Municipal officials.

As demonstrated by this Petition, the Project will comply with the standards set forth in Connecticut General Statutes § 16-50k. The DEEP air and water quality standards will be met. Further, it will not have

an adverse effect on the existing environment and ecology or affect the scenic, historic, and recreational resources in the vicinity of the Project.

Development of the Project will seek to improve the environmental conditions at the Site by establishing pollinator habitat at the immediate Project Site and elsewhere on the property. Additionally, the Project will improve access roads and stormwater management features on the property. With implementation of the Resource Protection Plan, construction and operation of the Facility will properly protect rare species, wetland resources and other wildlife from any potential adverse effects. Excess soil generated from the construction will remain on site for reuse. The Project would be well screened with limited visual impacts. The Project has been designed to adequately handle water volume, in accordance with DEEP's General Permit, as well as Appendix I. The Petitioner will implement a SWPCP in accordance with the Connecticut Guidelines for Soil Erosion and Sediment Control, effective March 30, 2024, the DEEP General Permit, and Appendix I, which will include provisions for monitoring of development activities and the establishment of E&S controls to be installed and maintained throughout construction.

FirstLight respectfully requests that the Council issue a declaratory ruling that the proposed Project will comply with Connecticut DEEP air and water quality standards, will not have a substantial adverse environmental effect and, therefore, that a Certificate of Environmental Compatibility and Public Need is not required for the construction, operation, and maintenance of the Project.