

<p>DOCKET NO. 524 – Greenskies Clean Energy, LLC application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance, and operation of a 4.625-megawatt-AC solar photovoltaic electric generating facility and associated equipment located at Fawn Meadow Lane (Parcel No. 029-018D), Woodbury, Connecticut and associated electrical interconnection.</p>	<p>} Connecticut } Siting } Council</p>
	<p>November 29, 2024</p>

DRAFT Decision and Order

Pursuant to Connecticut General Statutes (CGS) §16-50p and the foregoing Findings of Fact and Opinion, the Connecticut Siting Council (Council) finds that the effects associated with the construction, operation, and maintenance of a 4.625-megawatt (MW) AC solar photovoltaic electric generating facility located at Fawn Meadow Lane (Parcel No. 029-018D), Woodbury, Connecticut and associated electrical interconnection, including effects on the natural environment, ecological balance, public health and safety, scenic, historic, and recreational values, agriculture, forests and parks, air and water purity, fish, aquaculture and wildlife are not disproportionate either alone or cumulatively with other effects compared to need, are not in conflict with the policies of the State concerning such effects, and are not sufficient reason to deny the application. Therefore, the Council directs that a Certificate of Environmental Compatibility and Public Need, as provided by CGS §16-50k, be issued to Greenskies Clean Energy, LLC, hereinafter referred to as the Certificate Holder, for the construction, operation, and maintenance of the facility.

Unless otherwise approved by the Council, the facility shall be constructed, operated, and maintained substantially as specified in the Council’s record in this matter, and subject to the following conditions:

1. Submit a copy of a DEEP-issued Stormwater Permit prior to the commencement of construction.
2. The Certificate Holder shall prepare a Development and Management (D&M) Plan for this site in compliance with Sections 16-50j-60 through 16-50j-62 of the Regulations of Connecticut State Agencies (RCSA). The D&M Plan shall be submitted to and approved by the Council prior to the commencement of facility construction and shall include:
 - a) A final site plan including, but not limited to, final facility layout, access drive, electrical interconnection including utility pole locations, fence design and equipment pads;
 - b) Relocation of the southwest inverter/transformer pad to increase the distance to the abutting property line;
 - c) Consultation with property owners to the east regarding landscape plantings to mitigate views of the facility, if necessary;
 - d) Erosion and sedimentation control plan consistent with the *Connecticut Guidelines for Erosion and Sedimentation Control* and the DEEP-issued Stormwater Permit including, but not limited to, temporary sediment basin detail, site stabilization measures during construction, inspection and reporting protocols;
 - e) Site construction detail/phasing plan including, but not limited to, construction laydown area, site clearing/grubbing, site grading, excess earth material disposal locations, and soil stockpile locations;
 - f) Eastern Hognose Snake Protection Plan;
 - g) Final structural design for the racking system stamped by a Professional Engineer duly licensed in the State of Connecticut;

- h) An agricultural activity plan for the site, if an agricultural activity is implemented, with a document that shall indemnify and hold harmless the Council, its agents, representatives and employees from any and all losses, claims, actions, costs and expenses, judgments, subrogations, or other damages resulting from any injury to a person or to property arising out of the presence of third-parties within the fenced solar facility site;
 - i) Consultation with the Town of Woodbury to determine an acceptable access road slope;
 - j) Consultation with emergency responders regarding adequate water supplies for any fire issues at the facility site;
 - k) Avoid filling the wetland if the access drive is paved; and
 - l) Remove the northern access road to avoid impacts to farmland soil.
3. Post-construction operational noise study that documents compliance with state standards and the identification of any noise mitigation measures that are employed to adhere to the standards, if necessary.
 4. Furnish a bond for costs associated with decommissioning the facility and restoration of the prime farmland soils within the boundaries of the site as identified in Application Figure 7 at the end of the solar facility's useful life in accordance with CGS §16-50k(a) and the site lease agreement.
 5. The Certificate Holder shall offer operations and emergency response training to local emergency responders.
 6. The Certificate Holder shall provide the Council with a copy of necessary permits from any other state or federal agency with concurrent jurisdiction prior to the commencement of construction.
 7. In accordance with RCSA §16-50j-62, the Certificate Holder shall provide the Council with written notice two weeks prior to the commencement of site construction activities. In addition, the Certificate Holder shall provide the Council with written notice of the completion of site construction and the commencement of operation.
 8. Unless otherwise approved by the Council, this Decision and Order shall be void if all construction authorized herein is not completed within three years of the effective date of the Decision and Order, or within three years after all appeals to this Decision and Order have been resolved. Authority to monitor and modify this schedule, as necessary, is delegated to the Executive Director. The Certificate Holder shall provide written notice to the Executive Director of any schedule changes as soon as is practicable.
 9. Any request for extension of the time period referred to in Condition 8 shall be filed with the Council not later than 60 days prior to the expiration date of this Certificate and shall be served on the Town of Woodbury. Any proposed modifications to this Decision and Order shall likewise be so served.
 10. The Certificate Holder shall remit timely payments associated with annual assessments and invoices submitted by the Council for expenses attributable to the facility under CGS §16-50v.
 11. The Certificate Holder shall file an annual report on a forecast of loads and resources pursuant to CGS §16-50r.

12. This Certificate may be transferred in accordance with CGS §16-50k(b), provided both the Certificate Holder/transferor and the transferee are current with payments to the Council for their respective annual assessments and invoices under CGS §16-50v. In addition, both the Certificate Holder/transferor and the transferee shall provide the Council a written agreement as to the entity responsible for any quarterly assessment charges under CGS §16-50v(b)(2) that may be associated with this facility.
13. The Certificate Holder shall maintain the facility, components, landscaping, and drainage features, in a reasonable physical and operational condition that is consistent with this Decision and Order and the Development and Management Plan to be approved by the Council.
14. If the Certificate Holder is a wholly-owned subsidiary of a corporation or other entity and is sold/transferred to another corporation or other entity, the Council shall be notified of such sale and/or transfer and of any change in contact information for the individual or representative responsible for management and operations of the Certificate Holder within 30 days of the sale and/or transfer.
15. This Certificate may be surrendered by the Certificate Holder upon written notification to the Council.

We hereby direct that a copy of the Findings of Fact, Opinion, and Decision and Order be served on each party and intervenor or its authorized representative, as listed in the Service List, dated July 11, 2024, and notice of issuance published in the Voices in accordance with CGS §4-180(c) and CGS §16-50p(f).

By this Decision and Order, the Council disposes of the legal rights, duties, and privileges of each party and intervenor named or admitted to the proceeding in accordance with RCSA §16-50j-17.