

**SHARED CLEAN ENERGY FACILITY (SCEF) PROGRAM
YEAR 5
APPENDIX B: SUBMITTAL TO DEEP**

INSTRUCTIONS

In addition to any complete Bid submitted to the electric distribution companies (EDCs) in response to the Request for Proposals (RFP) for Year 5 of the Shared Clean Energy Facility (SCEF) Program, Bidders must submit a complete Appendix B submission to the Department of Energy and Environmental Protection (DEEP). Bidders must provide written responses to all questions in sections B1-B6, below, and provide the necessary affidavits and forms. Bidders must use the affidavits and forms provided as Attachments herein. Complete Appendix B submissions must include:

- I. Responses to all questions in sections B1-B6, below, with all supporting information requested in both the main question and any question subparts. Each question must be answered in its entirety. If supplemental material is required in the form of an appendix, exhibit, table, map, or other documents, Bidders must provide each supplemental material directly below the applicable question or provide a link directly to that supplemental material. ***If any section or question is not applicable, this should be clearly stated with a full explanation as to why that section or question is not applicable. Do not skip any section or question.***
- II. Attachment 1: An affidavit attesting to the Bidder's control of the Project Site by the Bidder (Affidavit #1)
- III. Attachment 2: An affidavit attesting to the Bidder's control of the Project Site by the owner of the Project Site (Affidavit #2) (required only if the Bidder is not the owner of the Project Site)
- IV. Attachment 3: An affidavit attesting the veracity of statements made to DEEP (Affidavit #3)
- V. Attachment 4: A self-certification form for proposed projects that violate the slope requirements, if applicable
- VI. Attachment 5: An Applicant Compliance Information form

Bidders must submit their complete Appendix B submission to DEEP at DEEP.EnergyBureau@ct.gov on or before the Bid due date established by the EDCs in the SCEF RFP for Year 5. DEEP reserves the right to seek clarifying or additional information and documents at any point in the evaluation process at its sole discretion as described in Section 3.4 of the SCEF Program Manual approved for Year 5 of the SCEF Program in Docket No. 23-08-04.

Further, by submitting an Appendix B response to DEEP, Bidder consents to DEEP sharing such responses with the Department of Agriculture as necessary to assist DEEP in its evaluation of Appendix B responses.

FREEDOM OF INFORMATION ACT

All information submitted to DEEP may be subject to disclosure under the Connecticut Freedom of Information Act (FOIA). All information submitted to DEEP will be publicly posted on its Energy Filings page, unless a Bidder claims confidentiality over portions of information submitted in response to Appendix B. When a Bidder submits confidential information to DEEP, the Bidder acknowledges that the FOIA governs the public's accessibility to that information.

If a Bidder believes portions of information submitted in response to Appendix B are exempt from FOIA disclosure, the Bidder must submit:

One complete, redacted response to Appendix B for public posting, which must be clearly labeled PUBLIC,

AND

One complete, unredacted response to Appendix B for DEEP's internal review, which must be clearly labeled CONFIDENTIAL.

The Bidder must also specifically identify which FOIA exemption may be applicable to the specific information claimed confidential. Examples of FOIA exemptions include, but are not limited to:

Trade secrets, § 1-210(b)(5)(A) of the General Statutes of Connecticut (C.G.S.);

Commercial and Financial information given in confidence, not required by statute, C.G.S. § 1-210(b)(5)(B);

Responses to any request for proposals or bid solicitation issued by a public agency or any record or file made by a public agency in connection with the contract award process, until

such contract is executed or negotiations for the award of such contract have ended, whichever occurs earlier provided the chief executive officer of such public agency certifies that the public interest in the disclosure of such responses, record or file is outweighed by the public interest in the confidentiality of such responses, record or file, C.G.S. § 1-210(b)(24); and

Public records exempt under federal law or state statute, C.G.S. § 1-210(a).

In addition, Bidders must submit a detailed explanation of why the relevant FOIA exemption is applicable to the specific information requested to be redacted. A unique explanation is required for each response to a question in which a Bidder wishes to redact information; a blanket justification is prohibited. Failure to provide such explanation will lead to a disqualification of the project for failure to comply with Appendix B. DEEP will not redact proposals submitted on behalf of Bidders. Only legitimate non-public proprietary or sensitive information may be considered confidential. Bidders may not submit a response to Appendix B that is entirely redacted. If the redaction is challenged in any forum, it is the responsibility of the Bidder to defend the confidentiality of the information.

DEFINITIONS

“Brownfield” means a site that is either: (1) an address that is included on the [Connecticut Brownfields Inventory](#) maintained by DEEP and an attestation that such site has not achieved regulatory closure in the form of either a verification report from a licensed environmental professional or from DEEP; or (2) an address with a Phase 2 Environmental Site Assessment from a licensed environmental professional identifying that the site is contaminated with pollutants, unless such pollutants are present solely because soil at such address has been historically intermixed with coal ash, wood ash, coal fragments, coal slag, coal clinkers, asphalt paving fragments, or any combination thereof, and the Bidder can demonstrate, to DEEP’s sole satisfaction, the site is either abandoned or underutilized because of such contamination. For projects built on a Brownfield to qualify for the bid preference, as discussed in Appendix B, the Generation Footprint must be wholly located on the Brownfield. However, if the size of the Brownfield cannot accommodate the entire Generation Footprint, then the project can still be eligible to receive the qualitative preference, provided at least 75% of the total Generation Footprint is within the Brownfield and the Brownfield land that is legally and technically available for development is utilized.

“Core Forest” means unfragmented forested land of at least two hundred and fifty (250) acres that is three hundred (300) feet or greater from the boundary between forested land and non-forested land.

“Environmental Justice Community” means the same as C.G.S. 22a-20a: “(A) a United States census block group, as determined in accordance with the most recent United States census, for which thirty per cent or more of the population consists of low income persons who are not institutionalized and have an income below two hundred per cent of the federal poverty level, or (B) a distressed municipality, as defined in subsection (b) of section 32-9p.” DEEP maintains a publicly accessible [map of Environmental Justice Communities](#).

“Generation Footprint” means the land area occupied by the generation unit(s). For solar projects the “Generation Footprint” shall mean the land area occupied by the solar panels and the associated inter-row spacing.

“Hybrid Project” shall mean Projects that include those which are split between rooftops and ground-mounted systems, including carports and solar canopies.

“Prime Farmland” shall have the same meaning as in [7 CFR 657](#), as amended.

“Landfill” means any property that is listed on the [Closed Landfills list](#), though this list is not intended to be exhaustive or an acknowledgement of ideal properties for renewable energy development.

“Project Site” means the Generation Footprint and any other acreage where activity and discharges occur that are associated with construction of the generation unit(s) and any associated structures, including, but not limited to, perimeter fencing, or where preparation for construction, including, but not limited to, clearing, grubbing, pile driving, soil disturbance, soil compaction by construction equipment, staging and stockpiling, cleaning and washout, grading, excavation, and dewatering occurs.

“Solar Canopy” “Solar Canopies” or “Solar Carport” means a solar generation Project where the alternating current (AC) Nameplate Capacity of a Project used for generating power is installed above a permeable and/or nonpermeable existing or new parking/driving area, pedestrian walkway, courtyard, canal, or other utilized surface that requires shade, which is installed in a manner that maintains the function of the area beneath the structure and continues to be used or available for use for such purposes for the term of Program participation.

APPENDIX B QUESTIONS

B1. PROJECT OVERVIEW

B1.1. Provide an overview of the proposed project, including but not limited to:

- i. Resource type
- ii. Project size in kW (AC)
- iii. Location of Project Site, specifically:
 - a. Municipality
 - b. Census tract number
 - c. Approximate address
- iv. If applicable, state whether the proposed project is located in an [Environmental Justice Community](#)
- v. Estimated average annual output
- vi. Bid price/kWh

B1.2. Identify whether the proposal is claiming a qualitative bid preference, and if so, which qualitative bid preference. If claiming a qualitative bid preference, provide documentation and evidence supporting your claim for the qualitative bid preference.

B1.3. Pursuant to Section 3.4 of the SCEF Program Manual: “Should either EDC not meet their MW cap from the EDC list of eligible and qualified projects, the EDC shall provide assistance to DEEP to identify the DEEP-disqualified projects most likely to gain approval through DEEP’s stormwater permitting process and to be deployed.” Pursuant to the process approved through [PURA’s response to Motion No. 5 in Docket No. 21-08-04](#), identify whether the Project Site violates the slope rules outlined in Section 4.5 of the SCEF Program Manual and, if so, complete the Self-Certification Form, Attachment 4, for the Bid to be considered should the applicable EDC not meet its MW cap.

B2. FINANCIAL EXPERIENCE

B2.1. Provide the following cost estimates for developing and operating the project for the duration of the program term:

- i. Estimated equipment, labor, and other installation costs;
- ii. Estimated land and/or Project Site development costs. If the Project Site is located on a brownfield, landfill, or the Generation Footprint is on a canopy, provide an estimated premium paid, broken out from the estimated standard development costs, for purchasing and/or developing on the landfill, brownfield, or canopy, including but not limited to compliance costs;
- iii. Estimated interconnection costs;
- iv. Estimated financing costs;
- v. Estimated permitting costs;
- vi. Estimated operations and maintenance costs for the duration of the commercial operation of the facility;
- vii. Estimated cost of any decommissioning bond, if required by Public Act 23-163 or other legislation; and
- viii. Other estimated expenses associated with development and operation of the project not otherwise reflected above, including an explanation of such other costs.

B2.2. Confirm that the Bidder, and the directors, employees and agents of the Bidder and any affiliate of the Bidder are not currently under investigation by any governmental agency and have not in the last four (4) years been convicted or found liable for any act prohibited by State or Federal law in any jurisdiction involving conspiracy, collusion or other impropriety with respect to bidding on any contract, or have been the subject of any debarment action. Provide detail of any exceptions. Describe any litigation, disputes, claims or complaints involving the Bidder or an affiliate of the Bidder, against DEEP or the State of Connecticut.

B3. PROJECT SITE

B3.1. Provide a site plan with the following:

- i. Scale
- ii. North arrow
- iii. Parcel(s) boundary
- iv. Generation footprint overlay
- v. Road names
- vi. Anticipated interconnection route
- vii. USGS Topo map with project site outline
- viii. Acreage of the generation footprint
- ix. Show watercourse and wetlands delineation, or if they have not been field delineated, show wetland hydric soils layer from Natural Resources Conservation Service GIS data or local GIS data for general locations.
- x. Identify any Prime Farmland soils.

B3.2. To demonstrate the requisite proof of site control for the Project Site, complete Affidavit #1 (Attachment 1), and, as applicable, Affidavit #2 (Attachment 2).

B3.3. Provide evidence that the Project Site and interconnection route are or will be, through a variance or other permit process, acceptable uses for the zone(s) in which they are located.

B4. PROJECT THRESHOLD REQUIREMENTS

The information requested is organized according to the classification of the Project Site or resource type. If any section or question is not applicable, this should be clearly stated with a full explanation as to why it is not applicable.

B4.1. For a solar photovoltaic project not located on a landfill or sand and gravel pit, attest that no portion of the Project Site is on slopes greater than 15% and that there will be no grading before, during, or after construction to achieve this slope requirement. Provide a map that shows the slope percentage(s) on the Project Site.

B4.2. Brownfield Development

- i. Attest to at least one of the following and provide any requested information:
 - a. That the Project Site's address is included on the [Connecticut Brownfields Inventory](#) maintained by DEEP and the address of the Project Site has not achieved regulatory closure (i.e., it has not received a verification report from a licensed environmental professional or from DEEP); OR
 - b. That the Project Site's address has a Phase 2 Environmental Site Assessment from a licensed environmental professional identifying that the site is contaminated with pollutants, unless such pollutants are present solely because soil at such address has been historically intermixed with coal ash, wood ash, coal fragments, coal slag, coal clinkers, asphalt paving fragments, or any combination thereof, *and demonstrate that the site is either abandoned or underutilized, the final conclusion of which will be in DEEP's sole discretion, because of such contamination.*
- ii. Indicate how much of the Generation Footprint is located on a Brownfield. For projects built on a Brownfield to qualify for the bid preference, the Generation Footprint must be wholly located on the Brownfield. However, if the size of the Brownfield cannot accommodate the entire Generation Footprint, then the project can still be eligible to receive the qualitative preference, provided at least 75% of the total Generation Footprint is within the Brownfield and the Brownfield land that is legally and technically available for development is utilized.

B4.3. Landfill Development

- i. Indicate how much of the Generation Footprint is located on a Landfill. For a project built on a Landfill to qualify for the bid preference, the Generation Footprint must be wholly located on the Landfill. However, if the size of the Landfill cannot accommodate the entire Generation Footprint, then the project can still be eligible to receive the qualitative preference, provided at least 75% of the total Generation Footprint is within the Landfill and the Landfill land that is legally and technically available for development is utilized.

- ii. For a solar photovoltaic project on a landfill, attest that no more than 10% of the Project Site is on slopes greater than 15% and that there will be no grading before, during, or after construction to achieve this slope requirement. Provide a map that shows the slope percentage(s) on the Project Site.

B4.4. Sand and Gravel Pits Development

- i. Indicate the percentage of the total Project Site that is on the sand and gravel pit.
- ii. For a solar photovoltaic project on sand and gravel pits, attest that no portion of the Project Site is on slopes greater than 15% after any grading. Indicate whether there will be any grading on previously disturbed or excavated land to achieve this slope requirement. Provide a map that shows the slope percentage(s) on the Project Site and the portion of the Project Site that will be graded, as applicable.

B4.5 For a project located on Prime Farmland, attest that the Bidder understands that projects shall be required to follow any rules developed by the Connecticut Department of Agriculture and/or the Connecticut Siting Council for clean energy projects sited on Prime Farmland as a condition of receiving payment, as stated on this webpage: <https://portal.ct.gov/DOAG/Commissioner/Commissioner/On-Farm-Energy-Resources>.

B4.6 Solar Canopy Development

- i. Indicate whether 100% of the Generation Footprint is included on the Solar Canopy.
- ii. If the Project is a Hybrid Solar Canopy Project, indicate the percentage of the project's capacity (kW AC) that is located on the Solar Canopy and therefore eligible for the Solar Canopy Bid Preference.

B5. PERMIT ACQUISITION

B5.1. Bidder acknowledges that the project may require permits including but not limited to the Connecticut Siting Council, Department of Energy and Environmental Protection's General or Individual Permit for the Discharge of Stormwater and Dewatering Wastewaters from Construction Activities (Stormwater General Permit), and environmental surveys and reports required to support the applications. Local Building and Electrical permits may be required.

B5.2. Identify any existing, preliminary, or pending claims or litigation, or matters before any federal agency or any state legislature or regulatory agency that might affect the feasibility of the proposed project or the ability to obtain or retain the required permits for the proposed project.

B5.3. Bidder acknowledges that it is familiar with the Siting Council's process and decision timeframe. Bidder further acknowledges that it has reviewed DEEP's Stormwater General Permit and understands the requirements contained therein and the timeframe for approval.

B5.4 Bidder understands that wetland buffers of 100 feet are preferable to the Connecticut Siting Council and for the Stormwater General Permit. If unable to provide this buffer, bidder understands that the DEEP and/ or the Connecticut Siting Council may ask for additional information as to the chosen layout of the project and how other alternatives were addressed and dismissed.

B5.5 For a project sited on Prime Farmland, the Bidder acknowledges that Public Act 23-163 requires a decommissioning bond as part of the Connecticut Siting Council process.

B5.6. Confirm that the Project Site does not impact Core Forest, in whole or in part, as defined in this procurement.

B5.7. Indicate the proximity of the Project Site and interconnection route to ridgelines and ridgeline setback areas as defined in C.G.S. § 8-1aa. If this is not applicable to the location of the project, please state the reason.

B5.8. Include a summary of environmental compliance history for the Bidder, including any general and limited partners, officers, directors, managers, members, shareholders, and subsidiaries, using the "Applicant Compliance Information form," included herein as Attachment 5.

B5.9 Bidder acknowledges that the project may require an herbicide application plan in accordance with DEEP's Certificate to Engage Use of Pesticides.

B6. COMMUNITY IMPACT AND ENGAGEMENT

B6.1. Provide documentation of community outreach and engagement regarding the Bid conducted to date. A passing response must include at least two of the following:

- i. Copies of any agreements with communities and other constituencies that may be impacted by the proposed project;

- ii. Emails, letters, and/or other communications with or directed to local municipal officials;
- iii. Emails, letters, and/or other communications with or directed to municipality residents and/or community organizations (including but not limited to environmental non-profits, social services non-profits, or other organizations that serve the local community);
- iv. Time, date, and materials from any in-person or virtual meeting held with local officials, property owners, abutters, community organizations, and/or other town residents to educate them about the proposed project; and/or
- v. Other documentation or narrative description that substantiates outreach efforts to-date with the host community.

B6.2. The Bidder acknowledges the requirements of [Public Act 21-43](#) for projects two MWs or greater.

- i. Describe how the Bidder will take appropriate actions to ensure a workforce development program is established if the Bid is selected.
- ii. If the project is equal to five MWs, describe how the Bidder will take all reasonable actions to ensure that a community benefits agreement is entered into with appropriate community organizations representing the residents of the community in which the project will be located. Include the names of community organizations the Bidder has already identified, any communication with the community organizations regarding the Bid to-date, and any draft community benefits agreement that exists.

B6.3. Describe how the Bidder is addressing and advancing issues of Diversity, Equity, and Inclusion (DEI) with its mission, professional development, staffing, and/or Connecticut based recruiting efforts. If the Bidder has a social impact statement, submit a copy with this Appendix B response.

Attachment 1

Affidavit #1: Bidder's Affidavit of Site Control under the SCEF Program Manual of the Shared Clean Energy Facility Program

NOTE: Affidavit #1 must be completed and submitted by all Bidders. If the Bidder and Owner of the Project Site are the same individual or entity, only Affidavit #1 is required. If the Bidder and the Owner of the Project Site are not the same individual or entity, the Bidder must also submit Affidavit #2, as completed by the Owner of the Project Site.

For the purposes of this affidavit, "Bidder" is defined as the individual or business submitting a proposal ("Bid") to be considered for selection in the annual Shared Clean Energy Facility ("SCEF") Program solicitation and "Owner of the Project Site" is defined as the legal owner of the SCEF Project Site.

As a duly authorized representative of the Bidder of the SCEF project, I hereby attest that the Bidder has control of the Project Site, or an unconditional right, granted by the Owner of the Project Site, to acquire such control to use the site for the SCEF in the SCEF Bid, and any rights-of-way needed for interconnection, and is authorized to submit the Bid to locate the SCEF on the Owner of the Project Site's property. Site control and property rights include all leases, easements, or development rights necessary to develop and/or operate the SCEF project, including any necessary leases from an applicable government authority.

The Bidder understands that if it is later determined that the Bidder does not have control of the Project Site, or an unconditional right, granted by the Owner of the Project Site, to acquire such control prior to the bid deadline set forth by the relevant Request for Proposal, the Bidder, and the SCEF project, may be removed from the SCEF Program and forfeit eligibility for future participation pursuant to Section 10 of the SCEF Program Manual.

The Bidder represents that it understands the requirements for site control as outlined in the SCEF Program Manual.

As a duly authorized representative of the Bidder, I have reviewed the statements and certifications provided above and certify that such statements and certifications as applicable to the SCEF Bid are true and accurate to the best of my knowledge.

The Bidder, or its representative, shall fill out and sign the following:

NOTE: Electronic signatures are not acceptable. The Bidder's signature, or that of its representative, is required to be witnessed by a Notary Public and documented as such.¹

Please indicate the appropriate site control agreement selection with a checkmark or "x" in the box to the left:

	Signed option agreement to lease or purchase the Property.
	Executed lease agreement for the Property.
	Executed agreement to purchase the Property.
	License or other agreement granting exclusive right to use the Property for purposes of constructing and operating the distributed generation facility.
	N/A - Property Owner will own and operate the distributed generation facility

Bidder: _____

(Exact legal name of the Bidder, as defined above)

Signature of the Bidder

(or its Representative): _____

Print or Type Name of Bidder

(or its Representative): _____ (duly authorized)

Title: _____

Date Signed: _____

¹ Please see Section 3 of the March 30, 2020 CT Executive Order 7Q regarding Remote Notarizations here: <https://portal.ct.gov/-/media/Office-of-the-Governor/Executive-Orders/Lamont-Executive-Orders/Executive-Order-No-7Q.pdf>.

The Notary Public shall fill out and sign the following:

Subscribed and sworn before me, this ____ day of _____ 20____

Notary Public: _____

Commission expires: _____

Attachment 2

Affidavit #2: Owner of the Project Site's Affidavit of Site Control under the SCEF Program Manual of the Shared Clean Energy Facility Program

NOTE: The completion and submission of Affidavit #2 is only required if the Bidder and Owner of the Project Site are not the same individual or entity.

For the purposes of this affidavit, "Bidder" is defined as the individual or business submitting a proposal ("Bid") to be considered for selection in the annual Shared Clean Energy Facility ("SCEF") Program solicitation and "Owner of the Project Site" is defined as the legal owner of the SCEF Project Site.

As a duly authorized representative of the Owner of the Project Site, I hereby attest that the Bidder has control of the Project Site, and any rights-of-way needed for interconnection, or an unconditional right, granted by the Owner of the Project Site, to acquire such control. Site control and property rights include all leases, easements, or development rights necessary to develop and/or operate the SCEF project, including any necessary leases from an applicable government authority.

The Owner of the Project Site understands that if it is later determined that the Bidder does not have control of the Project Site, or an unconditional right, granted by the Owner of the Project Site, to acquire such control prior to the bid deadline set forth by the relevant Request for Proposal, the Bidder, and the SCEF project, may be removed from the SCEF Program and forfeit eligibility for future participation pursuant to Section 10 of the SCEF Program Manual.

The Owner of the Project Site represents that it understands the requirements for site control as outlined in the SCEF Program Manual.

The Owner of the Project Site further attests that the Bidder is authorized by the Owner of the Project Site to submit the Bid to locate a SCEF project on the Owner of the Project Site's property.

As a duly authorized representative of the Owner of the Project Site, I have reviewed the statements and certifications provided above and certify that such statements and certifications as applicable to the Bid are true and accurate to the best of my knowledge.

The Owner of the Project Site, or its representative, shall fill out and sign the following:

NOTE: Electronic signatures are not acceptable. The Owner of the Project Site's signature, or that of its representative, is required to be witnessed by a Notary Public and documented as such.²

Please indicate the appropriate site control agreement selection with a checkmark or "x" in the box to the left:

<input type="checkbox"/>	Signed option agreement to lease or purchase the Property.
<input type="checkbox"/>	Executed lease agreement for the Property.
<input type="checkbox"/>	Executed agreement to purchase the Property.
<input type="checkbox"/>	License or other agreement granting exclusive right to use the Property for purposes of constructing and operating the distributed generation facility.
<input type="checkbox"/>	N/A - Property Owner will own and operate the distributed generation facility

Owner of the Project Site: _____

(Exact legal name of Owner of the Project Site, as defined above)

Signature of Owner of Project Site

(or its Representative): _____

Print or Type Name of Owner of Project Site

(or its Representative): _____ (duly authorized)

Title: _____

Date Signed: _____

² Please see Section 3 of the March 30, 2020 CT Executive Order 7Q regarding Remote Notarizations here: <https://portal.ct.gov/-/media/Office-of-the-Governor/Executive-Orders/Lamont-Executive-Orders/Executive-Order-No-7Q.pdf>.

The Notary Public shall fill out and sign the following:

Subscribed and sworn before me, this ____ day of _____ 20____

Notary Public: _____

Commission expires: _____

Attachment 3

AFFIDAVIT: "VERACITY OF STATEMENTS"

That _____, Affiant, being duly sworn/affirmed according to law, deposes and says that:

He/she is the _____ (Office of Affiant) of _____ (Name of Applicant);

That he/she is authorized to and does make this affidavit for said Applicant;

That _____, the Applicant herein, certifies under penalty of false statement that all statements submitted in its response to Appendix B of the SCEF Program Manual, as filed concurrently with a project bid filing in response to a Request for Proposals issued by Eversource or United Illuminating, whichever is applicable, are true and complete and that it will also amend said submission while the project bid filing is pending if any substantial changes occur regarding the information provided in the submission within ten days of any such change.

That the facts above set forth are true and correct to the best of his/her knowledge, information, and belief and that he/she expects said Applicant to be able to prove the same at any hearing hereof.

Signature of Affiant

Date

Printed Name of Affiant

Title (relationship to Applicant)

STATE OF _____ }

COUNTY OF _____ } ss. _____

(Town)

The foregoing was subscribed to and sworn to before me this

(day) day of

(month)

(year)

by _____

(Signature of Notary Public or other official)

(Printed Name of Notary Public or other official)

My commission expires _____

Attachment 4
Self-Certification Form

Should either Electric Distribution Company (EDC) not meet their cap from the EDC list of eligible and qualified projects, the EDC shall provide assistance to the Department of Energy and Environmental Protection (DEEP or Department) to identify the DEEP-disqualified projects most likely to gain approval through DEEP's stormwater permitting process and to be deployed. This form is only applicable to Bids with Project Sites that violate the slope requirements in Section 4.5 of the SCEF Program Manual and that wish to be considered in the event the EDC does not meet their megawatt cap and there are no eligible bids remaining in the queue.

The undersigned hereby acknowledges that:

1. All or a portion of the solar array proposed is to be located on a post-construction slope greater than 15%, and for projects sited on landfills, more than 10 percent of the proposed solar array is on a post-construction slope of greater than 15%.³
2. The General Permit for the Discharge of Stormwater and Dewatering Wastewaters from Construction Activities issued by the Department, effective December 31, 2020 ("General Permit"), in Appendix I entitled "Stormwater Management at Solar Array Construction Projects" ("Appendix I"), specifies that "all solar panels in the array shall also be considered effective impervious cover for the purposes of calculating Water Quality Volume if the proposed post-construction slopes at the site are equal to or greater than 15%" and, as such, requires the retention/detention of a significantly higher volume of stormwater than is required to be retained/detained when a solar array is proposed to be located on post-construction slopes of less than 15%.
3. Additional stormwater infrastructure, including but not limited to an engineered stormwater management system, will likely be necessary to retain the required Water Quality Volume for a solar array located on a post-construction slope equal to or greater than 15% consistent with the General Permit. Certain engineered structures for the detention/retention of water could require a permit for the construction of a dam under section 22a-402 of the Connecticut General Statutes.
4. Steep slopes may present other stormwater management challenges, and require additional stormwater measures, to ensure that post-development peak discharge

³ This form is not applicable for projects sited on landfills with 10 percent or less of the Project Site on a slope of greater than 15 percent, as such projects are in compliance with the slope requirements in Section 4.5 of the SCEF Program Manual. Projects sited on landfills that have more than 10 percent of the Project Site on a slope of greater than 15 percent should complete the Self-Certification Form if they wish to be considered in the event that the megawatt cap for a given procurement is not met and no eligible bids remain in the queue.

corresponds with pre-development peak discharge, provide permanent stabilization and non-erosive conveyance of runoff from the site, and prevents an increase in peak flows, erosive velocities or volumes, or adverse impacts to downstream properties. To ensure the appropriate management of stormwater, the Department may require control measures or impose conditions including, but not limited to, reductions in solar array footprint, changes in solar array spacing, changes in panel row orientation, increased setbacks, and enhanced erosion and sediment control measures.

5. The proposed facility will be subject to strict construction phasing and may require establishment and consistent re-establishment of appropriate vegetative cover or other standard means of erosion and sedimentation control throughout construction of the project. A letter of credit, in an amount calculated based on the total area to be disturbed, is required.

The undersigned therefore certifies that:

1. I have reviewed the General Permit, including Appendix I.
2. A Qualified Professional Engineer as defined by the General Permit and whose name and seal appear below, has indicated that the necessary infrastructure to retain the Water Quality Volume calculated as required by Appendix I of the General Permit, and to otherwise manage stormwater in compliance with the requirements of the General Permit, including Appendix I thereto, can be constructed on the site.
3. The bid price accounts for the need to construct the required stormwater infrastructure, the required financial assurance, and any other costs associated with obtaining registration under the General Permit and any other authorizations, including but not limited to, individual permits required by the Department to construct the necessary stormwater infrastructure.
4. Any required permits from the Department, including but not limited to permits related to the management of stormwater and construction of related infrastructure, will be obtained and that selection of this project in this procurement shall not require the Department to approve any required permit or authorization, and nothing herein impacts the Department's right to disapprove or deny any permit application or registration, or to require control measures or impose conditions, including, but not limited to, those described above.

By: _____

Date:

Name:

Title:

Company:

Information for Qualified Professional Engineer: Name: Title: Company: Street Address: City/Town: State and Zip Code:	Affix Qualified Professional Engineer Seal:
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Attachment 5

DEEP ONLY
App. No. _____
Co./Ind. No. _____



Connecticut Department of
Energy & Environmental Protection

Applicant Compliance Information

Applicant Name:		
Mailing Address:		
City/Town:	State:	Zip Code:
Business Phone:	ext.:	
Contact Person:	Phone:	ext.
*E-mail:		
If you answer <i>yes</i> to any of the questions below, you must complete the Table of Enforcement Actions on the reverse side of this sheet as directed in the instructions for your permit application.		
A. During the five years immediately preceding submission of this application, has the applicant been convicted in any jurisdiction of a criminal violation of any environmental law?		
<input type="checkbox"/> Yes <input type="checkbox"/> No		
B. During the five years immediately preceding submission of this application, has a civil penalty been imposed upon the applicant in any state, including Connecticut, or federal judicial proceeding for any violation of an environmental law?		
<input type="checkbox"/> Yes <input type="checkbox"/> No		
C. During the five years immediately preceding submission of this application, has a civil penalty exceeding five thousand dollars been imposed on the applicant in any state, including Connecticut, or federal administrative proceeding for any violation of an environmental law?		
<input type="checkbox"/> Yes <input type="checkbox"/> No		
D. During the five years immediately preceding submission of this application, has any state, including Connecticut, or federal court issued any order or entered any judgement to the applicant concerning a violation of any environmental law?		
<input type="checkbox"/> Yes <input type="checkbox"/> No		

E. During the five years immediately preceding submission of this application, has any state, including Connecticut, or federal administrative agency issued any order to the applicant concerning a violation of any environmental law?

Yes No

(1) Type of Action	(2a) Date Commenced	(2b) Date Terminated	(3) Jurisdiction	(4) Case/Docket/ Order No.	(5) Description of Violation
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Table of Enforcement Actions

Check the box if additional sheets are attached. Copies of this form may be duplicated for additional space.