

Petition No. 1220
Site Clearing Development and Management Plan
Interrogatories
Set One
July 20, 2018

1. On page 3 of the Council staff report dated June 23, 2016, it notes that, "Windham Solar LLC (WS) has received confirmation from Eversource that the local electrical distribution system can support the 3.0 MW AC interconnection associated with these two arrays at 1240 Voluntown Road. However, Eversource is still investigating whether the 4 MW AC interconnection from the western parcel (at 1219 Voluntown Road) can be supported by distribution system. Specifically, Eversource is reviewing this part of the project in 2 MW intervals." So, while the distribution system can support Project 1 and Project 2, has WS verified that the distribution system can also support the MW capacity of the arrays known as Future 1 and Future 2? Explain.

WS has not yet proceeded with a further system impact study to determine the upgrades that would be needed to connect more than 3MW AC. WS plans to initially construct 3MW AC based upon a fixed tilt system. However, WS still plans to ready all the areas for solar array construction because even if 3.0 MW AC is the limitation for interconnection, the use of tracking arrays and battery storage is currently being investigated by WS. Battery storage, for example, would enable all proposed arrays to be built with solar arrays while still using only a 3MW AC interconnection.

2. By letter dated July 13, 2018, the Connecticut Department of Energy and Environmental Protection (DEEP) noted that impacts to state-listed species are not anticipated. However, has WS "reviewed the project areas for federally-listed species" and determined "any applicable mitigation measures" as noted in Condition 1(b) of the Council's decision dated June 24, 2016? Explain.

WS contracted with E3 Environmental for a federal endangered species review analysis of the site. On June 21, 2016, E3 Environmental prepared an ESA review. The Northern long eared bat (NLEB) was the only identified species by the Information for planning and Conservation (IPaC) web-based service from the US Fish and Wildlife Service. The NLEB has an expansive range which encompasses all of New England. Currently there are no know NLEB hibernacula recorded in New London or surrounding counties. Tree clearing will not be occurring during the pup rearing season (June 1st through July 31st) therefore the proposed project will not result in adverse impacts to the NLEB. The full endangered species review and analysis can be found as Attachment A.

3. In the attached "Site Clearing Exhibit" drawing dated July 19, 2018, would any gravel access drives be constructed at this time, or would the only access road work (at this time) be the rock construction entrances?

Rock construction entrances will be installed for the clearing operations, to aid in preventing any tracking of soil off site during the site clearing and to establish the dedicated entrances to the sites. No sitework (grubbing, grading, access road construction) will occur

during the clearing operation. All sitework is dependent on the review and approval of the projects SWPCP by CT-DEEP as well as a future approval of the documents associated with a D&M plan adhering to the requirements outlined in the Council's decision dated June 24th, 2016.

Thank you,

A handwritten signature in black ink, appearing to read "Steve Broyer". The signature is fluid and cursive, with the first name "Steve" and last name "Broyer" clearly distinguishable.

Steve Broyer
Sr. Project Manager

Endangered Species Review and Analysis

ECOS Energy, LLC
Voluntown Solar Garden
New London, Connecticut

ECOS Energy, LLC (ECOS) has proposed the development of a renewable energy facility designed to gather solar energy to be located at 1219 and 1240 Voluntown Road, New London, Connecticut. The proposed facility would install photovoltaic panels to collect solar energy for distribution. ECOS has contracted E3 Environmental, LLC (E3) to conduct a review of the project and assess the potential impacts to species that are afforded protection under the Endangered Species Act of 1973 (ESA; 16 U.S.C. § 1531 et seq.) which is administered by the US Fish and Wildlife Service (FWS).

The FWS maintains various databases with entries for every species listed under the ESA. This information is accessible to the general public and provides detailed species information such as species specific life cycles, habitat requirements, current and historical recorded occurrences. This information is provided by the FWS as a service to the general public for informational purposes and to professionals for project planning. The Environmental Conservation Online System provided by the FWS offers the Information for Planning and Conservation (IPaC) web based service which is a project planning tool designed to streamline the FWS environmental review process. On June 18, 2016, E3 accessed the IPaC system to evaluate potential occurrences of ESA listed species within the proposed project area; the results were analyzed with respect to potential impacts to ESA listed species with the potential to occur within the project area.

IPaC Results – ESA Listed Species:

- Northern long-eared bat (*Myotis septentrionalis*)
 - ESA Status: Threatened

The Northern long-eared bat (NLEB) was the only species identified by the IPaC consultation conducted for this project. This species has an expansive range which encompasses all of New England. Scientist have observed a measurable decline in this species' population throughout its range and have attributed the loss in population primarily due to the white-nose syndrome. The FWS has determined that the most effective conservation measure to protect this species throughout its range will be through restrictions of tree clearing activities. As of February 16, 2016 the 4(d) Rule for the Northern Long-Eared Bat went into effect which states the following management measures:

- Tree clearing at any time of the year within a 0.25 mile radius of known NLEB is prohibited; and
- Tree clearing within 150-foot radius of known occupied maternity roost trees during the pup season (June 1 through July 31) is prohibited.

E3 has reviewed FWS published data with respect to the locations of known NLEB hibernacula in Connecticut and confirmed that there is no known NLEB hibernacula recorded in New London or surrounding counties. Provided tree clearing is suspended during the pup rearing season (June 1 through July 31) the proposed project would not result in adverse impacts to this species.

Other ESA Species Reported to Occur in New London County:

- Piping plover (*Charadrius melodus*) – is a migratory shorebird species closely associated with the seaboard habitat. The project due to its distance from the coast and the lack of suitable breeding habitat will not result in a negative impact to this species.
- Sandplain gerardia (*Agalinis acuta*) – is a plant species that is known to favor the coastal plains. The project due to its distance from the coast will not result in a negative impact to this species. ESA protection is not granted to plants for activities on private land that are not federally funded.
- Small Whorled pogonia (*Isotria medeoloides*) – is an extremely rare forest orchid. This plant species favors acidic soils under the canopy of deciduous or mixed deciduous – coniferous forests. Due to the lack of preferred habitat and based upon previous consultation with state agency the proposed project will not have adverse impacts on this species. ESA protection is not granted to plants for activities on private land that are not federally funded.