

September 28, 2017

VIA ELECTRONIC MAIL AND U.S. MAIL

Melanie Bachman
Acting Executive Director
Connecticut Siting Council
10 Franklin Square
New Britain, CT 06051

Re: Petition 1294 – Petition of LSE Canes Venatici LLC for a Declaratory Ruling that No Certificate of Environmental Compatibility and Public Need Is Required for the Construction, Operation and Maintenance of Solar Photovoltaic Facilities in East Windsor, Connecticut (NORCAP North)

Dear Ms. Bachman:

I am writing on behalf of my client, LSE Canes Venatici LLC, in response to your correspondence dated September 26, 2017, related to the D&M Plan that is required for the Project that is the subject of this Petition. As you may recall, the majority of the Project site consists of disturbed, bare earth that is the result of gravel mining operations that formerly occurred at the Project site. Both the Council and the Petitioner have recognized that this bare earth may present a risk of soil erosion, and both the Petitioner and the Council desire the stabilization of the site so that erosion will not occur.

In response to your September 26, 2017 letter, there are several issues that should be addressed. First, it should be noted that the construction activities complained of in that letter have ceased. In addition, on September 26, 2017, my client filed a D&M Plan for this Project, and submitted a copy of the D&M Plan to the Town of East Windsor. Thus, the D&M Plan is now ready for full review by the Siting Council.

Perhaps most importantly, my client only assumed control of the Project site on Monday, September 25, 2017, so any construction activities that took place were of extremely limited duration. The construction activities complained of in your letter consisted of non-civil, preliminary work, primarily associated with the stabilization of the site to address potential erosion issues as noted above and fencing and installing posts and related equipment.

If possible, my client would like to continue such non-civil work during the pendency of the Siting Council's determinations regarding the Project's D&M Plan. To that end, I am writing to request that that LSE Canes Venatici LLC be allowed to begin construction activities at the

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Project site, including mobilizing construction equipment and non-civil construction activities. No civil construction will take place until the Project has received an approval of its D&M Plan from the Siting Council. We understand that such activities may be subject to change if the Council disapproves or amends the Project's D&M Plan.

Should you have any questions concerning the foregoing, please contact me at your convenience. I certify that a copy of this letter has been provided to all parties listed on the service list.

Sincerely,



Lee D. Hoffman
Counsel for LSE Canes Venatici LLC

cc: Service List Petition 1294