



Connecticut Department of

**ENERGY &
ENVIRONMENTAL
PROTECTION**

March 5, 2018

Ms. Sue Moberg
VHB, Inc.
100 Great Meadow Road, Suite 200
Wethersfield, CT 06109
smoberg@vhb.com

Project: Tobacco Valley Solar Project on Hoskins Road, County Road and Hopmeadow Street in Simsbury, Connecticut, Connecticut
NDDDB Determination No.: 2017102132

Dear Sue Moberg,

I have reviewed Natural Diversity Data Base maps and files regarding the area delineated on the map you provided for the proposed Tobacco Valley Solar Project Located on Hoskins Road, County Road and Hopmeadow Street in Simsbury, Connecticut, Connecticut. Thank you for including an updated memorandum on November 1, 2017 that provided conservation and protection strategies for plants and animals that may occur at the project site. I concur with your findings in your memorandum and accept the conservation strategies proposed to minimize the impacts on the state listed species in this area. These conservation strategies include:

Plants:

Conservation measures for state listed plants include:

- No work will occur in active floodplains of any of the three perennial tributaries to the Farmington River which will help to protect State Threatened Davis sedge (*Carex davisii*). Furthermore, if the species is encountered in a work area then a conservation strategy will be developed by a qualified botanist and the conservation strategy and information on the observation will be sent to the NDDDB Program at (deep.nddbrequest@ct.gov)
- Habitat surveys were conducted for State Endangered Tall swamp rosette-panic grass (*Dichanthelium scabriusculum*) and State Threatened Starry campion (*Silene stellata*) during the appropriate time of year but despite adequate habitat being present for these plants no observations were reported. No further surveys are required.
- An occurrence of State Special Concern Dillenius' tick-trefoil (*Desmodium glabellum*) was discovered within the Eversource energy right-of-way. The area where this plant occurs will be avoided in order to protect this plant from project impacts.

Bats:

Conservation measures you will implement to protect bat species include:

- Conducting tree removal activities outside of the bat pup season (June 1 to August 31). This will minimize impacts to pups at roosts not yet identified.
- Retaining larger diameter trees (12-inch DBH and larger) wherever possible on-site, will minimize the potential for negative impacts to bats.

- Trees with loose, rough bark such as maples, hickories, and oaks are more desirable than other tree species due to the increased cover that the loose bark provides. Large trees with cavities are also utilized by different bat species. These types of trees will be left when possible.
- Bat houses will be installed in the area where trees will be removed will help in the conservation of bats.

Birds

Conservation measures to protect birds include:

- There will be a time of year restriction (TOY) for tree clearing between May 15th and August 31st to prevent disturbance to tree nesting birds.
- Biologists investigated the project site to evaluate potential grassland bird habitat. In the past, grasslands areas were present near the North Simsbury Substation along Hopmeadow Street and once fallow tobacco fields north and east of County Road may have provided suitable habitat for grassland bird species. These habitats are no longer appear suitable as the Eastpoint at Dorset Crossing development occupies the former fields near the substation and the formerly abandoned tobacco fields have been placed back into active row cropping. No further protection strategies are needed since no suitable habitat for grassland birds exists within the project site.
- Biologist conducted summer surveys for whippoorwill. Although this species was not detected during the surveys, a time of year (TOY) work restriction will be followed between May 15th and August 31st and that work restriction period will minimize impacts to this species.

Wood & Box Turtles and Eastern Hognose Snake

Conservation strategies to protect these reptiles include:

- Hiring a qualified herpetologist to be on site to ensure these protection guidelines remain in effect and prevent turtles from being run over when moving heavy equipment. This is especially important in the month of June when turtles are selecting nesting sites.
- Exclusionary practices will be required to prevent any turtle access into construction areas. These measures will need to be installed at the limits of disturbance.
- Exclusionary fencing must be at least 20 in tall and must be secured to and remain in contact with the ground and be regularly maintained (at least bi-weekly and after major weather events) to secure any gaps or openings at ground level that may let animal pass through. Do not use plastic or netted silt-fence.
- All staging and storage areas, outside of previously paved locations, regardless of the duration of time they will be utilized, must be reviewed to remove individuals and exclude them from re-entry.
- All construction personnel working within the turtle habitat must be apprised of the species description and the possible presence of a listed species, and instructed to relocate turtles found inside work areas or notify the appropriate authorities to relocate individuals.
- Any turtles encountered within the immediate work area shall be carefully moved to an adjacent area outside of the excluded area and fencing should be inspected to identify and remove access point.

- In areas where silt fence is used for exclusion, it shall be removed as soon as the area is stable to allow for reptile and amphibian passage to resume.
- No heavy machinery or vehicles may be parked in any turtle habitat.
- Special precautions must be taken to avoid degradation of wetland habitats including any wet meadows and seasonal pools.
- The Contractor and consulting herpetologist must search the work area each morning prior to any work being done.
- When felling trees adjacent to brooks and streams please cut them to fall away from the waterway and do not drag trees across the waterway or remove stumps from banks.
- Avoid and limit any equipment use within 50 feet of streams and brooks.
- Any confirmed sightings of box, wood or spotted turtles should be reported and documented with the NDDDB (nddbrequestdep@ct.gov) on the appropriate special animal form found at (http://www.ct.gov/deep/cwp/view.asp?a=2702&q=323460&depNav_GID=1641)

Northern Leopard Frog

- No suitable habitat was observed along the three tributary streams that flow through the Project Site.
- Potentially suitable habitat may be available around western portions of Farm Pond 1 and Bissell Brook as it flows east off of the subject property. These areas are beyond the limits of project related activities.
- No further conservation strategies are needed for this frog species.

Freshwater Mussels

- Although no work is proposed directly within the Farmington River or any of its three tributary streams (Munnisunk Brook, Saxton Brook and Bissell Brook) in the projects site, construction activities will occur in uplands above Munnisunk Brook, Saxton Brook and Bissell Brook.
- Enhanced and rigorous erosion and sediment controls will be installed along slopes immediately above cold-water perennial tributaries (Munnisunk Brook, Saxton Brook and Bissell Brook) to the Farmington River in order to protect freshwater mussels known to occur in the Farmington River.

Odonates (Dragonfly)

- No surveys were conducted for State Threatened *Gomphus quadricolor* (rapids clubtail) but no instream work will be necessary as part of this project. Enhanced and rigorous erosion and sediment control mechanisms will be in place to prevent impacts to any and all watercourses.

Coleptera (Beetle)

- The State Special Concern Big sand tiger beetle (*Cicindela formosa generosa*) inhabits exposed sandy substrates. Field surveys were conducted during the beetle's active time (June 1st through June 8th) and again the beginning of September in the area of open unconsolidated sands at the eastern end of a large field south of Munnisunk Brook near the abandoned barns but no beetles were discovered. No further conservation action is required.

Lepidopteran (Butterfly and Moth)

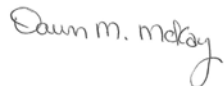
- Surveys were conducted for the State Special Concern *Schinia spinosae* (spiny flower moth) and its larval host plant, sand joint weed (*Polygonum articulatum*). No host plants or moths were observed in the project area. No further conservation actions are required.
- Surveys for State Special Concern *Sympistis perscripta* (Scribbled sallow moth) were conducted within the Eversource R-O-W and along the open roadsides where its larval host plant *Nuttallanthus canadensis* (Canada toadflax) might occur. VHB observed and GPS-located the limits of a stand of Canada toadflax within the Eversource ROW on June 8, 2017. The proposed TVS Project now avoids this population of Canada toadflax. Prior to the start of work the larger stand of Canada toadflax will be located and fenced off to protect the host plant for the scribbled sallow moth. Canada toadflax is a common weed around farm fields and roadsides any other sizeable populations of this plants will be similarly fenced off to avoid impact during construction.

This determination is good for two years. Please re-submit an NDDDB Request for Review if the scope of work changes or if work has not begun on this project by March 5, 2020.

Natural Diversity Data Base information includes all information regarding critical biological resources available to us at the time of the request. This information is a compilation of data collected over the years by the Department of Energy and Environmental Protection's Natural History Survey and cooperating units of DEEP, private conservation groups and the scientific community. This information is not necessarily the result of comprehensive or site-specific field investigations. Consultations with the Data Base should not be substitutes for on-site surveys required for environmental assessments. Current research projects and new contributors continue to identify additional populations of species and locations of habitats of concern, as well as, enhance existing data. Such new information is incorporated into the Data Base as it becomes available.

Please contact me if you have further questions at (860) 424-3592, or dawn.mckay@ct.gov . Thank you for consulting the Natural Diversity Data Base.

Sincerely,



Dawn M. McKay
Environmental Analyst 3



Memorandum

To: Ms. Dawn M. McKay
CTDEEP
Natural Diversity Database Program
79 Elm Street
Hartford, CT 06106-5127

Date: January 11, 2019

Project #: 42256.00

From: Jeffrey C. Peterson

Re: NDDDB Determination No. 2017102132
Addendum to Proposed Conservation Measures
Tobacco Valley Solar Project
Hoskins Road, County Road and Hopmeadow Street
Simsbury, Connecticut

This memorandum has been prepared as an addendum to the Conservation Measures prepared for the Tobacco Valley Solar (TVS) Project (Project) at Hoskins Road, County Road, and Hopmeadow Street in Simsbury, CT. The Conservation Measures were originally submitted to the NDDDB April 25, 2017 and later revised and resubmitted November 1, 2017. The measures were approved with additional limitations provided in the NDDDB Determination referenced above dated March 5, 2018. The reason for submitting this addendum is the proposed incorporation of an additional 4.3 acres of adjacent land into the Project area (Figure A).

Incorporation of this additional land, which is contiguous farm field, into the Project Site provides several benefits. The most significant ecological improvement, further facilitated by the use of newer, more efficient solar panels not available during the Siting Council application process, is the elimination of all work south of Hoskins Road. The consolidation and shrinking of the Project area is depicted on Figure B which shows the originally approved Project limits and the revised limits which includes the 4.3 new acres. South of Hoskins Road, 4.7 acres of edge forest with large caliper hardwood trees will be preserved and the indirect impact to core forest adjacent to Bissell Brook will be eliminated. Another benefit in the northern part of the Project is the adjustment of clearing and grading limits further from Munnisunk Brook that preserves 6.3 acres of edge forest south of the brook and preserves the associated core forest. The overall net reduction of tree clearing is approximately 13.1 acres.

The additional 4.3 acres will be leased from the same owner who sold the original Project properties and is part of the same large farm field north of Hoskins Road originally included in the Project Site. It was not part of the original property acquisition as it is a large (+/-75 acres) property parcel that extends east to Hopmeadow Street.

This added land is positioned high on the landscape atop a near level glacial outwash terrace. There are no wetlands within or in the immediate vicinity of this added property. The land abuts the edge of a mixed red oak (*Quercus rubra*) - white pine (*Pinus strobus*) forest with sassafras (*Sassafras albidum*) and black birch (*Betula lenta*) along the field edge. No clearing is proposed in this forest.

This added land consists of a single Key Habitat and is immediately adjacent to a second as described in the 2015 Connecticut Statewide Wildlife Action Plan (CT SWAP). Both Key Habitats are present in the greater Project Site:

- Agricultural Land (Key Habitat 10(i)): The tilled fields with row crops were not found to provide habitat utilized by the grassland bird species listed as potentially present by the NDDDB. The added field area was included in the breeding bird surveys conducted during preparation of the November 2017 filing as there is no evidence of a property boundary in the field.
- Upland Forest (Key Habitat 1(a)): The leased land abuts Upland Forest. The forested block will not be acquired by the Project and no tree clearing will occur. This forest has the potential to provide habitat for listed species such as eastern whip-poor-will (*Caprimulgus vociferous*), silver bat (*Lasionycteris noctivagans*), red bat (*Lasiurus*

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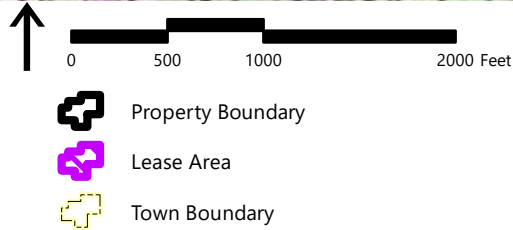
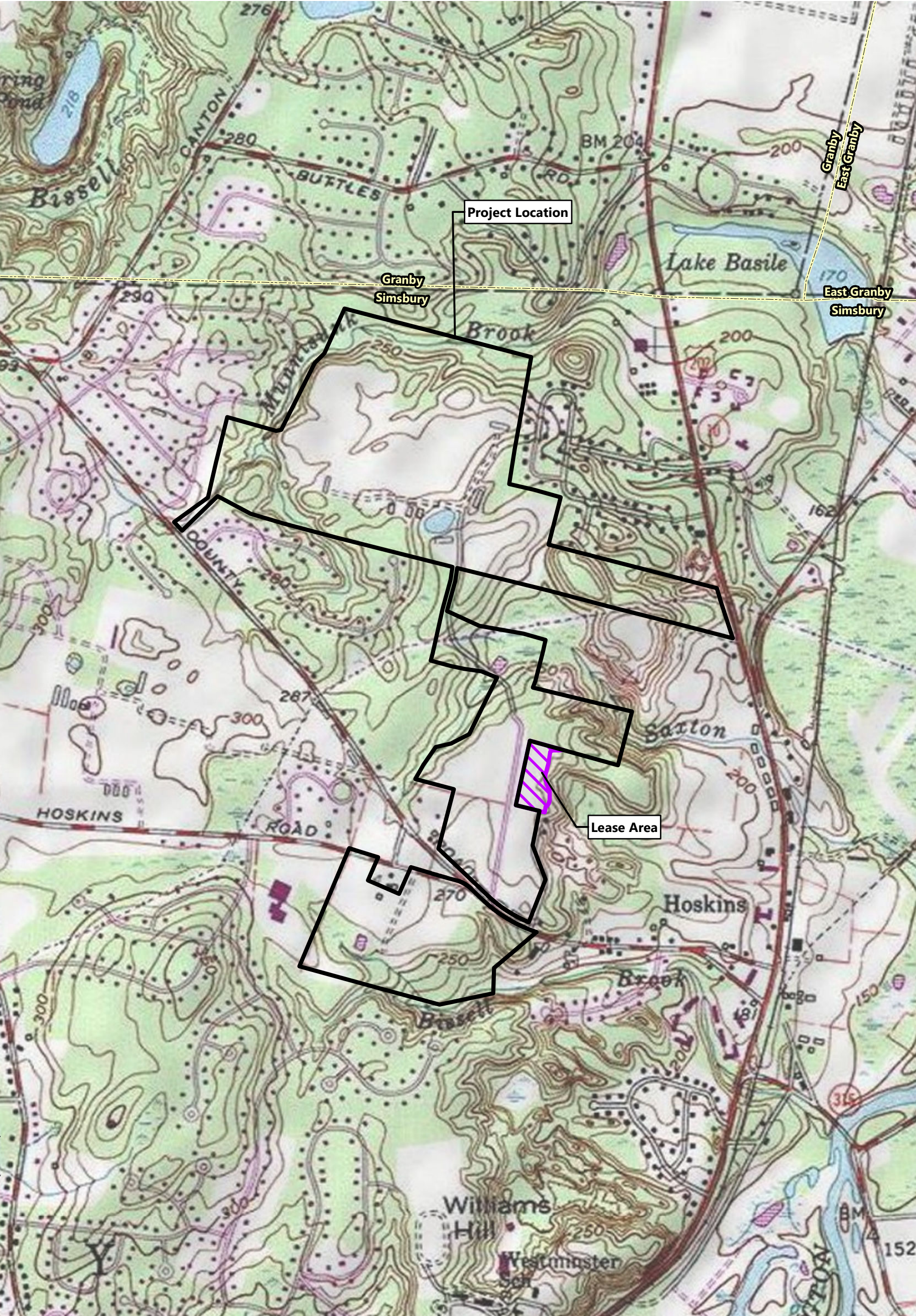
borealis), hoary bat (*Lasiurus cinereus*), and northern long-eared bat (*Myotis septentrionalis*). Impact is avoided by not proposing any tree removal in this area.

Conservation measures for three listed reptiles will be employed as the forest/field ecotone could potentially be utilized by eastern hognose snake (*Heterodon platirhinos*), eastern box turtle (*Terrapene carolina carolina*) or less likely wood turtle (*Glyptemys insculpta*) as part of their wider habitat.

The addition of the 4.3 acres to the Project does not introduce any new or unique habitats to the Project area. The Project proponent proposes to adhere to all the relevant approved Conservation Measures and stipulations in NDDB Determination No. 2017102132 that include protective measures for the species listed above. It is the Project proponent's belief that the approved conservation strategies will continue to minimize any potential impact to listed species in the Project Site.

Ref: NDDB Determination No. 2017102132
January 11, 2019

Figures A and B

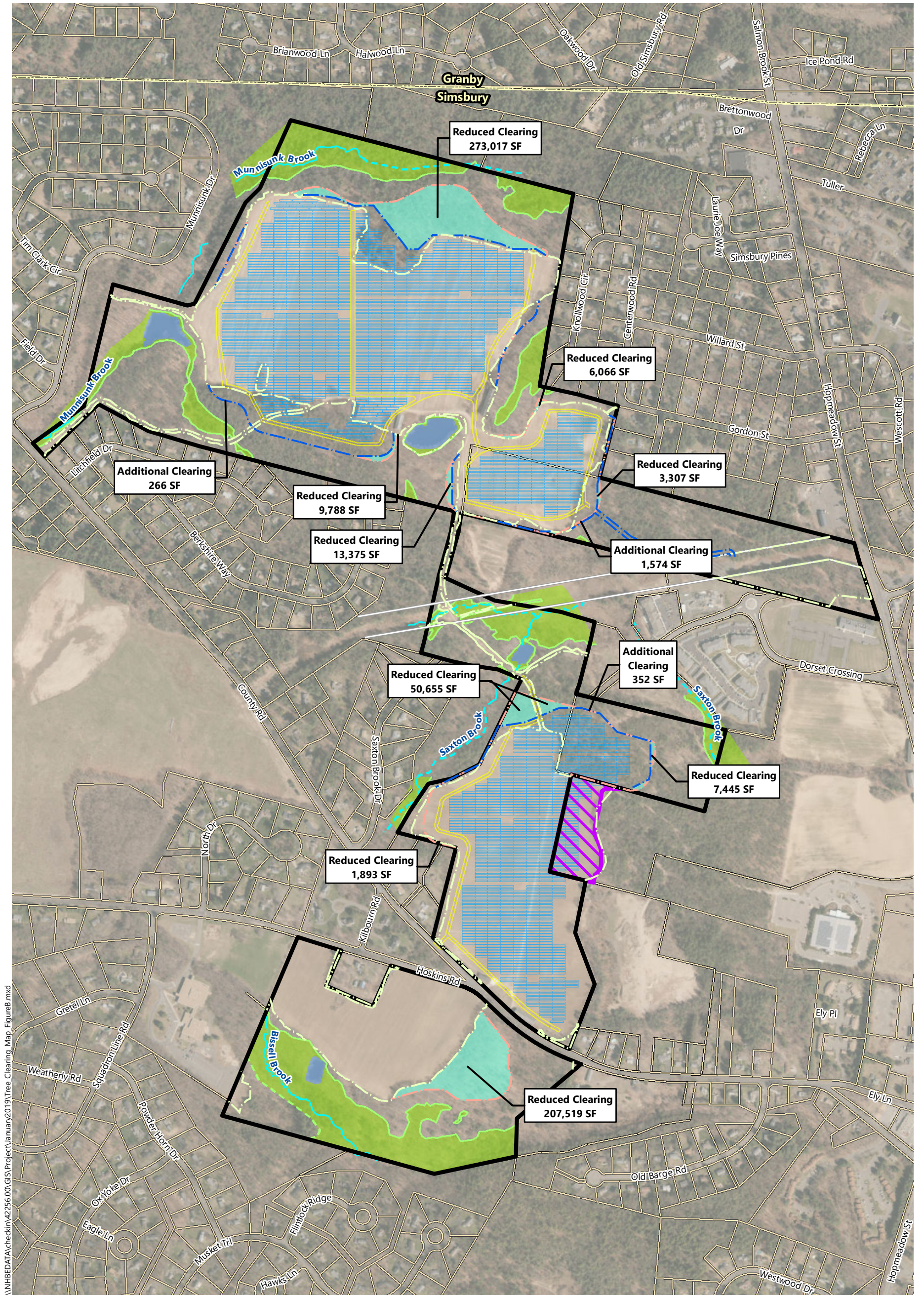


Tobacco Valley Solar

Simsbury, Connecticut

Figure A
USGS Locus Map

Source: VHB, CTDEEP, ESRI



\\VHBBEDATA\checkin\42256.00\GIS\Project\January2019\Tree Clearing Map_FigureB.mxd



Tobacco Valley Solar

Simsbury, Connecticut

- | | | | |
|--|--------------------------|--|---|
| | Property Boundary | | Solar Array |
| | Lease Area | | Proposed Road |
| | Adjacent Parcels | | Existing Treeline |
| | Town Boundary | | Current Proposed Treeline |
| | Existing Eversource ROW | | Proposed Treeline from Approved Plans |
| | Wetland Resource Area | | Area of Additional Clearing Relative to Approved Plan |
| | Farm Pond | | Area of Reduced Clearing Relative to Approved Plan |
| | Delineated Wetland Edge | | |
| | Approximate Wetland Edge | | |
| | Stream | | |
| | Approximate Stream | | |

Figure B
Tree Clearing Map

Source: VHB, CTDEEP, ESRI

Moberg, Sue

From: DEEP Nddbrequest <DEEP.Nddbrequest@ct.gov>
Sent: Wednesday, January 30, 2019 1:45 PM
To: Moberg, Sue
Cc: Peterson, Jeff
Subject: Re: [External] Re: NDDB # 201702132 Tobacco Valley Solar Project in Simsbury (Formerly NDDB Preliminary Assessments 201509947, 201509960 and 201600041)

Sue,
I re-reviewed this project to evaluate whether the "two acres within the parcel south of Hoskins Road for a temporary parking lot and laydown area" would require any changes to my determination letter. This parking areas and laydown yard is approved without changing my determination letter as long as the guidelines to protect wood and box turtle are implemented as described in my letter for the project. Both turtle species are known from this specific area in Simsbury.

Take care,
Dawn

Dawn M. McKay
Wildlife Division
Bureau of Natural Resources
Connecticut Department of Energy and Environmental Protection
79 Elm Street, Hartford, CT 06106-5127
P: 860.424.3592 | E: dawn.mckay@ct.gov

From: Moberg, Sue <smoberg@VHB.com>
Sent: Wednesday, January 30, 2019 11:52 AM
To: DEEP Nddbrequest; McKay, Dawn
Cc: Peterson, Jeff
Subject: FW: [External] Re: NDDB # 201702132 Tobacco Valley Solar Project in Simsbury (Formerly NDDB Preliminary Assessments 201509947, 201509960 and 201600041)

Hi Dawn, just checking to see if you received this email sent on January 16. We're actually filing the Development & Management Plan with the CT Siting Council tomorrow. I know it is short notice, but it would be great to get a new letter referencing the changes to the project since your authorization last March. Even if you were able to at least reply with an email confirming that you received the attached figure and that it doesn't change your findings sent in your email on January 15, that would be great.

Thank you!

Susan Moberg
Principal

P 401.457.2055
www.vhb.com

-----Original Message-----

From: Peterson, Jeff <jpeterson@vhb.com>
Sent: Wednesday, January 16, 2019 12:08 PM
To: DEEP Nddbrequest <deep.nddbrequest@ct.gov>
Cc: Moberg, Sue <smoberg@VHB.com>
Subject: RE: [External] Re: NDDB # 201702132 Tobacco Valley Solar Project in Simsbury (Formerly NDDB Preliminary Assessments 201509947, 201509960 and 201600041)

Hi Dawn: Soon after we sent you the revision for the Tobacco Valley Solar Project Assessments and Determination cited above, we learned that the contractor requested to use two acres within the parcel south of Hoskins Road for a temporary parking lot and laydown area. I have attached a revision to Figure B that was sent with the original request which depicts this parking area. The proposed lot will likely only be used for one construction season and will be isolated from the rest of the farm field using a continuous line of embedded silt fence. The parking area will be constructed with minimal leveling followed by the installation of a geotextile soil separation fabric covered by a nominal 4-inch thickness of processed stone. These materials will be removed and the soil will be decompacted and planted at closeout.

Since we still have to submit D&M plans to the Siting Council for approval, your written approval of this revision is valued. Thanks again and sorry for the need to contact you again.

Thanks Jeff

Jeffrey C. Peterson
Senior Soil and Wetland Scientist
401.457.2066

-----Original Message-----

From: DEEP Nddbrequest [mailto:DEEP.Nddbrequest@ct.gov]
Sent: Tuesday, January 15, 2019 11:11 AM
To: Moberg, Sue <smoberg@VHB.com>
Cc: Peterson, Jeff <jpeterson@VHB.com>; DEEP Nddbrequest <DEEP.Nddbrequest@ct.gov>
Subject: Re: [External] Re: NDDB # 201702132 Tobacco Valley Solar Project in Simsbury (Formerly NDDB Preliminary Assessments 201509947, 201509960 and 201600041)

Sue,

I have reviewed the additional parcel and project footprint you submitted on January 11, 2019. The addition of the 4.3 acre area, and reduction of the project footprint in other areas will not invoke any new species conflicts for this property. My original letter has all the recommended protection guidance. Let me know if you require a new letter.

Take care,
Dawn

Dawn M. McKay
Wildlife Division
Bureau of Natural Resources
Connecticut Department of Energy and Environmental Protection
79 Elm Street, Hartford, CT 06106-5127
P: 860.424.3592 | E: dawn.mckay@ct.gov

From: Moberg, Sue <smoberg@VHB.com>
Sent: Friday, January 11, 2019 1:45 PM
To: DEEP Nddbrequest
Cc: Peterson, Jeff
Subject: RE: [External] Re: NDDB # 201702132 Tobacco Valley Solar Project in Simsbury (Formerly NDDB Preliminary Assessments 201509947, 201509960 and 201600041)

Great! thanks Dawn!

Susan Moberg
Principal

P 401.457.2055

www.vhb.com

-----Original Message-----

From: DEEP Nddbrequest [mailto:DEEP.Nddbrequest@ct.gov]
Sent: Friday, January 11, 2019 1:31 PM
To: Moberg, Sue <smoberg@VHB.com>
Cc: Peterson, Jeff <jpeterson@VHB.com>
Subject: Re: [External] Re: NDDB # 201702132 Tobacco Valley Solar Project in Simsbury
(Formerly NDDB Preliminary Assessments 201509947, 201509960 and 201600041)

Sue,
Thank you for an update on this project and the changes. I will take a look and let you know my thoughts.
Take care,
Dawn

Dawn M. McKay
Wildlife Division
Bureau of Natural Resources
Connecticut Department of Energy and Environmental Protection
79 Elm Street, Hartford, CT 06106-5127
P: 860.424.3592 | E: dawn.mckay@ct.gov

From: Moberg, Sue <smoberg@VHB.com>
Sent: Friday, January 11, 2019 12:33 PM
To: DEEP Nddbrequest
Cc: Peterson, Jeff
Subject: RE: [External] Re: NDDB # 201702132 Tobacco Valley Solar Project in Simsbury
(Formerly NDDB Preliminary Assessments 201509947, 201509960 and 201600041)

Hi Dawn, I hope you had a pleasant holiday season. We are still working on the Tobacco Valley Solar project in Simsbury. Some changes have occurred since last spring, most notably the elimination of project work south of Hoskins Road which was a request by the Town and some abutters. This reduction prompted DWW Solar II to look for additional acreage elsewhere. An adjoining +/- 4 acre area was identified east of the project site.

VHB assessed the area for the listed species and prepared the attached memo and figures describing our findings.

We respectfully request that you review this information and provide a concurrence letter, or other guidance if you have concerns about the additional area.

The project is slated to go to construction in the spring, so your response is eagerly awaited.

Regards,
Sue

Susan Moberg
Principal

P 401.457.2055
www.vhb.com

-----Original Message-----

From: DEEP Nddbrequest [mailto:DEEP.Nddbrequest@ct.gov]
Sent: Monday, March 5, 2018 4:17 PM
To: Moberg, Sue <smoberg@VHB.com>
Cc: Aileen Kenney (akenney@dwwind.com) <akenney@dwwind.com>; Peterson, Jeff <jpeterson@VHB.com>

Subject: [External] Re: NDDB # 201702132 Tobacco Valley Solar Project in Simsbury
(Formerly NDDB Preliminary Assessments 201509947, 201509960 and 201600041)

Sue,

Thank you for your patience with our rather large workload in our program. I have attached our two year DEEP-NDDB Program letter for the Tobacco Valley Solar Project in Simsbury, CT. Let me know if you have any questions.

Take care,

Dawn

Dawn M. McKay
Wildlife Division
Bureau of Natural Resources
Connecticut Department of Energy and Environmental Protection
79 Elm Street, Hartford, CT 06106-5127
P: 860.424.3592 | E: dawn.mckay@ct.gov<mailto:dawn.mckay@ct.gov>

From: Moberg, Sue <smoberg@VHB.com>
Sent: Wednesday, February 21, 2018 2:17 PM
To: McKay, Dawn; DEEP Nddbrequest
Cc: Aileen Kenney (akenney@dwind.com); Peterson, Jeff
Subject: RE: NDDB Preliminary assessments 201509947, 201509960 and 201600041 - Simsbury, CT

Hi Dawn, I have left you another voicemail regarding this project. Please call me at your earliest opportunity.

Regards,
Sue

Susan Moberg
Principal

P 401.457.2055
www.vhb.com<<http://www.vhb.com/>>

From: Moberg, Sue
Sent: Tuesday, January 23, 2018 9:58 AM
To: 'McKay, Dawn' <Dawn.McKay@ct.gov>; 'DEEP Nddbrequest' <DEEP.Nddbrequest@ct.gov>
Cc: 'Aileen Kenney (akenney@dwind.com)' <akenney@dwind.com>; Peterson, Jeff <jpeterson@VHB.com>
Subject: RE: NDDB Preliminary assessments 201509947, 201509960 and 201600041 - Simsbury, CT

Hi Dawn, I just left you a voice mail. Can you give me an update on when you anticipate completing your review of the materials I submitted on November 1, 2017? The project was approved by the Siting Council on December 21, 2017. The Project Proponent is preparing a Development & Management Plan and seeking final approvals from CT DEEP.

Regards,
Sue

Susan Moberg
Principal

P 401.457.2055
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From: Moberg, Sue
Sent: Thursday, November 16, 2017 9:57 AM
To: 'McKay, Dawn' <Dawn.McKay@ct.gov<mailto:Dawn.McKay@ct.gov>>; DEEP Nddbrequest <DEEP.Nddbrequest@ct.gov<mailto:DEEP.Nddbrequest@ct.gov>>
Cc: Aileen Kenney (akenney@dwind.com<mailto:akenney@dwind.com>) <akenney@dwind.com<mailto:akenney@dwind.com>>; Peterson, Jeff <jpeterson@VHB.com<mailto:jpeterson@VHB.com>>
Subject: RE: NDDDB Preliminary assessments 201509947, 201509960 and 201600041 - Simsbury, CT

Hi Dawn, I'm just touching base to see if you have any questions on the information we submitted November 1.

Regards,
Sue

Susan Moberg
Principal

P 401.457.2055
www.vhb.com<<http://www.vhb.com/>>

From: McKay, Dawn [mailto:Dawn.McKay@ct.gov]
Sent: Wednesday, November 1, 2017 2:31 PM
To: Moberg, Sue <smoberg@VHB.com<mailto:smoberg@VHB.com>>; DEEP Nddbrequest <DEEP.Nddbrequest@ct.gov<mailto:DEEP.Nddbrequest@ct.gov>>
Cc: Aileen Kenney (akenney@dwind.com<mailto:akenney@dwind.com>) <akenney@dwind.com<mailto:akenney@dwind.com>>; Peterson, Jeff <jpeterson@VHB.com<mailto:jpeterson@VHB.com>>
Subject: RE: NDDDB Preliminary assessments 201509947, 201509960 and 201600041 - Simsbury, CT

Sue,
I have received your updated conservation measures for this project. I will review them and get back to you as soon as I am able.
Take care,
Dawn

From: Moberg, Sue [mailto:smoberg@VHB.com]
Sent: Wednesday, November 01, 2017 2:27 PM
To: McKay, Dawn <Dawn.McKay@ct.gov<mailto:Dawn.McKay@ct.gov>>; DEEP Nddbrequest <DEEP.Nddbrequest@ct.gov<mailto:DEEP.Nddbrequest@ct.gov>>
Cc: Aileen Kenney (akenney@dwind.com<mailto:akenney@dwind.com>) <akenney@dwind.com<mailto:akenney@dwind.com>>; Peterson, Jeff <jpeterson@VHB.com<mailto:jpeterson@VHB.com>>
Subject: NDDDB Preliminary assessments 201509947, 201509960 and 201600041 - Simsbury, CT

Dear Dawn, please find attached VHB's updated Conservation Measures memorandum for the Tobacco Valley Solar project in Simsbury, CT. My apologies that it has taken us so long to pull this together after our discussions in August.

Please let me know if you have any questions or require additional information.

Regards,
Sue

Susan Moberg
Principal

P 401.457.2055
www.vhb.com<<http://www.vhb.com/>>

From: Moberg, Sue
Sent: Thursday, May 25, 2017 8:46 AM
To: 'DEEP Nddbrequest' <DEEP.Nddbrequest@ct.gov<mailto:DEEP.Nddbrequest@ct.gov>>; 'Kearney, Shannon' <Shannon.Kearney@ct.gov<mailto:Shannon.Kearney@ct.gov>>
Cc: Jeff Peterson (jpeterson@VHB.com<mailto:jpeterson@VHB.com>) <jpeterson@VHB.com<mailto:jpeterson@VHB.com>>; 'Zyko, Karen' <Karen.Zyko@ct.gov<mailto:Karen.Zyko@ct.gov>>; 'DeBarros, Nelson' <Nelson.DeBarros@ct.gov<mailto:Nelson.DeBarros@ct.gov>>
Subject: FW: NDDB Preliminary assessments 201509947, 201509960 and 201600041 - Simsbury, CT

Good morning Shannon, thank you very much for this input. The one survey that we completed for Nightjar was pretty opportunistic. We had a night meeting in town, and so it seemed to make sense to go try to collect some data since we were already there. Although there was a beautiful full moon and the sky was clear, it was cool and a little breezy so probably was not a good night for it in retrospect.

We will plan to do additional surveys employing callback and will increase the sampling density to address the 400 meter limitation as you advise.

Ultimately, we will still strive to meet the time of year limitations on clearing as outlined in the conservation measures document, but would like to try to keep our options open to the degree possible.

Thank you,

Susan Moberg
Principal

P 401.457.2055
www.vhb.com<<http://www.vhb.com>/>

-----Original Message-----

From: Kearney, Shannon [mailto:Shannon.Kearney@ct.gov]

Sent: Tuesday, May 23, 2017 3:04 PM

To: Moberg, Sue <smoberg@VHB.com<mailto:smoberg@VHB.com>>; DEEP Nddbrequest <DEEP.Nddbrequest@ct.gov<mailto:DEEP.Nddbrequest@ct.gov>>

Cc: Peterson, Jeff <jpeterson@VHB.com<mailto:jpeterson@VHB.com>>; Zyko, Karen <Karen.Zyko@ct.gov<mailto:Karen.Zyko@ct.gov>>; DeBarros, Nelson <Nelson.DeBarros@ct.gov<mailto:Nelson.DeBarros@ct.gov>>

Subject: RE: NDDB Preliminary assessments 201509947, 201509960 and 201600041 - Simsbury, CT

Hello Sue and Jeff,

Please be aware that the Nightjar Survey Network survey protocol referenced in your communication are designed to track populations, but do not have adequate detection probability to rule out presence of whip-poor-will for a site assessment.

I recommend:

□ Best times to survey for whip-poor-will are when moon is at least half illuminated and above the horizon, and not obscured by clouds. You will want minimal wind for your survey. In our experience, detection rates increase also after midnight, before sunrise. With a 6 minute survey point, that is 3 min of silent listening followed by callback, followed by 3 minutes of silent listening, you will have 60% probability of detecting the bird, given it is present, within 400m of your survey point. You will need to conduct multiple points in your project area on multiple nights to be sure that it is not there at all.

□ 2017 Survey Date windows are: May2-May 18, June 1- June 17, ensure surveys begin when the moon is well above the horizon.

You indicated that you conducted surveys in the first survey window for 6 minutes, but did not indicate if you used a callback. Callbacks greatly increase the detection probability of your surveys.

If you continue to plan to withhold tree cutting activity until the end of July. Use of the callback is not as vital, but if you wanted to cut earlier, you should ensure that you use a callback with your survey to increase your detection probability.

Thank you,

-Shannon

Shannon B. Kearney

Wildlife Division

Connecticut Department of Energy and Environmental Protection PO Box 1550, Burlington, CT 06013

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www.ct.gov/deep<<http://www.ct.gov/deep>>

Conserving, improving and protecting our natural resources and environment; Ensuring a clean, affordable, reliable, and sustainable energy supply.

-----Original Message-----

From: Moberg, Sue [mailto:smoberg@VHB.com]

Sent: Tuesday, May 23, 2017 2:29 PM

To: DEEP Nddbrequest

Cc: Peterson, Jeff; Zyko, Karen; DeBarros, Nelson; Kearney, Shannon

Subject: RE: NDDDB Preliminary assessments 201509947, 201509960 and 201600041 - Simsbury, CT

Good afternoon, attached is some additional information for your consideration. VHB completed a vernal pool survey of the potentially suitable ponds within the project site. Based on the observations and sampling results, VHB concluded that the ponds do not meet the criteria to be considered vernal pools. Additionally, VHB conducted one night-time survey for Whip-poor-will on May 11, 2017. Documentation of the survey is attached. Additional Whip-poor-will surveys are proposed for early June.

Regards,

Sue

Susan Moberg

Principal

P 401.457.2055

www.vhb.com<<http://www.vhb.com>>

-----Original Message-----

From: Moberg, Sue

Sent: Friday, May 5, 2017 5:09 PM

To: 'DEEP Nddbrequest' <DEEP.Nddbrequest@ct.gov<mailto:DEEP.Nddbrequest@ct.gov>>

Cc: Peterson, Jeff <jpeterson@VHB.com<mailto:jpeterson@VHB.com>>; Zyko, Karen <Karen.Zyko@ct.gov<mailto:Karen.Zyko@ct.gov>>; DeBarros, Nelson

<Nelson.DeBarros@ct.gov<mailto:Nelson.DeBarros@ct.gov>>; Kearney, Shannon
<Shannon.Kearney@ct.gov<mailto:Shannon.Kearney@ct.gov>>

Subject: RE: NDDB Preliminary assessments 201509947, 201509960 and 201600041 - Simsbury,
CT

Good afternoon Dawn, attached is the revised Attachment B - Detailed Site Map with work limits. This map depicts the site boundaries, the boundaries of the field delineated inland wetlands, and the limit of work. I opted not to include the proposed solar array on this figure since it obscures the aerial information. So also attached is a separate figure that depicts the proposed project layout. Please let me know if you have any questions.

I hope this information is helpful in completing your review. Let me know if you need anything else.

Regards,

Sue

Susan Moberg

Principal

P 401.457.2055

www.vhb.com<<http://www.vhb.com>>

-----Original Message-----

From: DEEP Nddbrequest [mailto:DEEP.Nddbrequest@ct.gov]

Sent: Thursday, April 27, 2017 5:42 PM

To: Moberg, Sue <smoberg@VHB.com<mailto:smoberg@VHB.com>>

Cc: Peterson, Jeff <jpeterson@VHB.com<mailto:jpeterson@VHB.com>>; DEEP Nddbrequest
<DEEP.Nddbrequest@ct.gov<mailto:DEEP.Nddbrequest@ct.gov>>; Zyko, Karen
<Karen.Zyko@ct.gov<mailto:Karen.Zyko@ct.gov>>; DeBarros, Nelson
<Nelson.DeBarros@ct.gov<mailto:Nelson.DeBarros@ct.gov>>; Kearney, Shannon
<Shannon.Kearney@ct.gov<mailto:Shannon.Kearney@ct.gov>>

Subject: Re: NDDB Preliminary assessments 201509947, 201509960 and 201600041 - Simsbury,
CT

Sue,

Thank you for submitting the draft conservation measures for a proposed solar project in Simsbury. Will the project encompass all three properties we reviewed or has it been narrowed down a bit? I am reviewing your conservation strategies and have shared the report with other biologists in our program Mr. Nelson DeBarros for plants and Ms. Shannon Kearney for birds and invertebrates so that we may review your strategies in a comprehensive way. When we have finished our review I will write back to you and let you know if we have any questions or suggestions. If one of our program biologists wishes to have a site visit(s) would that be available as well? Thank you for contacting our program and for sending forward your draft conservation measures.

Take care,

Dawn

Dawn M. McKay

Wildlife Division

Bureau of Natural Resources

Connecticut Department of Energy and Environmental Protection

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From: Moberg, Sue <smoberg@VHB.com<mailto:smoberg@VHB.com>>

Sent: Tuesday, April 25, 2017 5:30 PM

To: DEEP Nddbrequest

Cc: Peterson, Jeff; McKay, Dawn; Zyko, Karen

Subject: NDDB Preliminary assessments 201509947, 201509960 and 201600041 - Simsbury, CT

Good afternoon, please find attached VHB's draft conservation measures plan for the proposed solar project in Simsbury. CT DEEP issued preliminary assessments #s 201509947, 201509960 and 201600041 in response to VHBs NDDB review request in December 2015.

As you requested in your email below, VHB prepared this memo to outline a proposed strategy for surveying for the listed species, an evaluation of potential effects should the species be present and a proposed conservation strategy for protecting the species if it is present or if suitable host habitat is present.

VHB is planning to initiate surveys for the listed avian species (horned lark, vesper sparrow, grasshopper sparrow and whip-poor-will) as described in the attached memo

beginning as early as next week. We would appreciate your feedback on the proposed surveys and any suggestions you may have regarding timing of the surveys.

If appropriate at this time, we would appreciate the opportunity to meet and discuss the proposed conservation measures outlined in the memo and receive your feedback. Failing that, additional guidance on the consultation process would be appreciated as we anticipate filing a petition with the Siting Council in May or June 2017.

Thank you,

Susan Moberg

Principal

P 401.457.2055

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From: Zyko, Karen [mailto:Karen.Zyko@ct.gov] On Behalf Of DEEP Nddbrequest

Sent: Wednesday, March 8, 2017 12:13 PM

To: Moberg, Sue <smoberg@VHB.com<<mailto:smoberg@VHB.com>>>

Cc: Peterson, Jeff <jpeterson@VHB.com<<mailto:jpeterson@VHB.com>>>; McKay, Dawn
<Dawn.McKay@ct.gov<<mailto:Dawn.McKay@ct.gov>>>

Subject: RE: Request for NDDB State-listed Species Review - Simsbury, CT

Sue, We received your request for the Solar project design development in Simsbury. We have provided multiple species lists in the past and I don't see that you have really addressed them. The listed species have the potential to occur outside NDDB areas which have not been surveyed. Some of the species on the lists previously provided are grassland birds (grasshopper sparrow, horned lark, savanna sparrow, eastern meadowlark) - if the fields on your site have been continuously managed as row crops or turf and do not provide grassland habitat then please state this. Some of the species are sand species or their host plants like sandy soils and open disturbed areas potentially around the edges of the fields - this whole area is underlain by sand or sand and gravel. Please address these species including Scribbled sallow moth, Spinose flower moth, Big sand tiger beetle, and hognose snakes. We stated concerns about discharges that could impact the Farmington River- please provide more information showing that no wastewater or stormwater will impact the Farmington River during and after construction.

Tree clearing and ground disturbing equipment have the potential impact the turtles, snakes and tree roosting bats. Please provide protection measures or timing of work to address these species. If you locate vernal pools during your surveys please state how you will protect them.

I can see that you have adjusted your project out of the floodplain areas so the Rana pipiens and the plants have been addressed.

Please provide this additional information so that we can proceed with your request.

Karen Zyko

Department of Energy & Environmental Protection Bureau of Natural Resources, Wildlife Division

79 Elm St, Hartford, CT 06106

860-424-3378

From: Kelsey, Coreen [mailto:CKelsey@VHB.com]

Sent: Monday, February 27, 2017 3:27 PM

To: DEEP Nddbrequest
<DEEP.Nddbrequest@ct.gov<mailto:DEEP.Nddbrequest@ct.gov<mailto:DEEP.Nddbrequest@ct.gov%3cmailto:DEEP.Nddbrequest@ct.gov>>>

Subject: Request for NDDB State-listed Species Review - Simsbury, CT

Good Afternoon,

Please find attached our request for NDDB State-listed Species Review for Simsbury, CT.

Thank you.

Coreen

Coreen L. Kelsey

Project Coordinator

[cid:image001.gif@01D2BDE7.AE4B2120]

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