

**STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL**

**Petition of DWW Solar II, LLC for a
Declaratory Ruling that no Certificate of
Environmental Compatibility and Public
Need is Required for a 26.4 Megawatt AC
Solar Photovoltaic Electric Generating Facility
In Simsbury, Connecticut**

Petition No. 1313

October 3, 2017

**DWW SOLAR II, LLC'S RESPONSE TO THE CONNECTICUT SITING COUNCIL'S SECOND
SET OF INTERROGATORIES**

The petitioner, DWW Solar II, LLC ("DWW") respectfully submits this response to the Connecticut Siting Council's Second Set of Interrogatories in the above-referenced Petition. In response to the Siting Council's Interrogatories, DWW states as follows:

Q65: In regards to Petition Exhibit D (Project modifications to address community concerns) – How did the reduction in the footprint of the Project affect the output of the proposed facility?

A65: During pre-petition consultation with residents of the Town of Simsbury and other stakeholders, including at the first open meeting with residents of the Town on May 11, 2017, DWW presented a maximum buildout of the site. Based on feedback received during the May 11, 2017 open meeting and from the community directly, DWW modified the Project to address the community's concerns. The revised layout was presented at a second open meeting in the Town of Simsbury on June 22, 2017 and was included in the Petition. The reduced area which was presented with the Petition allows for 26.4 MW of solar output which is the amount DWW is contractually required to provide.

Q66: What is the output of the south solar field (south of Hoskins Road), as proposed?

A66: The output of the solar field located south of Hoskins Road, as proposed, is estimated to be 2.4 MW-AC.

Q67: Following up on the discussion regarding the layout of the south solar field at the September 12, 2017 public hearing, can the petitioner alter the project layout by relocating the portion of the solar field south of the 85 Hoskins Road property to other areas of the project site? If so, please describe/depict potential changes. Would such a change reduce or increase the project output?

A67: Removing the panel array from the rear view of 85 Hoskins Road, would result in a net loss in Project output. However, as depicted on the figure entitled "Project Layout Map" dated October

3, 2017, attached hereto as Exhibit A, this loss can be offset by adding panels around the site in various areas.

Q68: In addition to the open public meeting listed in petition Exhibit D, please list all project-related public meetings and meetings held with Town departments.

A68: All such meetings that were held with Town departments are listed in Section 5.1 of the Petition. There were no other meetings that occurred.

Q69: Petition p. 5 states the project will be located on 156-acres. Please define the limits of the Project area.

A69: In the Petition, the limits of the Project Area are shown on the Figure labeled "Project Layout Map," which is provided in Exhibit B of the Petition. The "Limit of Work" is defined in the legend and shown on the figure as a lavender line. The revised Limit of Work, as contemplated in the response to Interrogatory Number 67, is shown on the "Project Layout Map" dated October 3, 2017 (Exhibit A). For clarity of presentation, the revised figure in Exhibit A depicts the added areas in purple and the reduced areas in yellow. The details of the Project have been removed from the figure.

Q70: Petition Exhibit L, p. 10 states that the project would replace row crops in dirt with low planting crops which will promote more natural infiltration.

- a. **Please provide some details as to what crops are currently grown on the subject property and in what locations.**
- b. **What percentage of current crops represent row crops grown in dirt?**
- c. **What percentage of crops represent something other than row crops grown in dirt?**

A70: a) Petitioner does not have records as to the crops that have been grown on the Project Site. However, based on observations, in 2016 most of the farmland in the Project area was managed in row crops such as summer squash, specialty gourds, cucumber, and melons (collectively cucurbits). The large fields north of Hoskins Road were converted this growing season (2016) from ridge and furrow squash with plastic mulch to tobacco. This required substantial plowing to eliminate the ridges and furrows. The two fields accessed from County Road in the north of the Project area were replanted in cucurbits by drill seeding drilled into the plastic mulch that had been installed the previous year. At least part of the field south of Hoskins Road was in sweet corn in 2016. After harvest in 2016 it was fall seeded with annual rye to produce a cover crop that was killed using an herbicide before it was tilled into the soil. This field was later planted in cucurbits.

b) & c) Based on the observations of the Project team, 100% of the current crops represent crops grown in dirt. Therefore, 0% of the current crops represent something other than row crops grown in dirt.

Q71: Petition Section 4.0 p. 13, lists a number of project benefits, including enhancement of existing farmland by use of long-term cover crops:

- a. **Is this statement based on actual scientific knowledge (i.e., scientific studies) or theory?**
- b. **How do you reconcile your position given the statements presented by the Department of Agriculture consultant (i.e., questions 30, 33, 34, 35, 41 and 42)?**

A71: a) Yes. It is well established in the scientific literature that permanent cover in grasses improves soil biodiversity and health in comparison with continual farming with conventional tillage practices.

A surrogate for measurements of soil health and biodiversity is provided by the organic matter content of a soil. A good review of studies comparing the effects of farming practices (e.g., conventional tillage, conservation tillage, perennial forage) on soil organic carbon content is provided by Franzluebbers (no date). The author noted that Perennial forages offer substantial potential to rehabilitate degraded soils resulting from long-term cultivation. Greater soil organic C accumulation under pastures than under annual crops can occur due to longer growing periods, more extensive root system, and less soil disturbance. Comparing cropping and pasture systems in Georgia, soil organic C near the soil surface was greater under pasture than under conservation-tilled cropland, which was greater than under conventional-tilled cropland.

The Building Research Establishment (2013) guidance on biodiversity in solar for solar arrays in the U.K. states: Soil health is essential for the sustainability of farming in the longer-term and solar farms could play an important role by resting soils through the life of the solar farm. Resting would especially benefit soils that have been exhausted of their nutrients and compacted by farm machinery. Thus, solar farms can provide a means for soil to improve while maintaining production from solar harvesting, and possibly grazing.

The National Renewable Energy Laboratory Technical Report NREL/TP-1900-66218 provides a literature review of vegetation performance under PV Solar Arrays where shading has beneficial and detrimental effects on various crops and vegetation. Additional relevant research in this area can be found in the following publications:

Armstrong, A., J.O. Nicholas, W. Jeanette. 2016. Solar Park Microclimate and Vegetation Management Effects on Grassland Carbon Cycling. *Environmental Research Letters* 2016, 11, (7), 074016.

BRE National Solar Centre. 2013. Biodiversity Guidance for Solar Developments. <https://www.bre.co.uk/filelibrary/pdf/Brochures/NSC-Biodiversity-Guidance.pdf>

Brenda Beatty, Jordan Macknick, James McCall, and Genevieve Braus (NREL) and David Bruckner (ESCO). May 2017. Native Vegetation Performance under a Solar PV Array at the National Wind Technology Center. National Renewable Energy Laboratory Technical Report NREL/TP-1900-66218. Golden, Colorado.

Franzluebbers, Alan J. Soil Organic Carbon Sequestration with Conservation Agriculture in the Southeastern USA: Potential and Limitations. USDA – Agricultural Research Service, 1420 Experiment Station Road, Watkinsville GA 30677.

Semchenko, Marina & Lepik, Mari & Götzenberger, Lars & Zobel, Kristjan. (2012). Positive effect of shade on plant growth: Amelioration of stress or active regulation of growth rates. *Journal of Ecology*. 100. 459-466. 10.2307/41496094.

b) We generally concur with the response made by the Department of Agriculture’s consultant to Question 30. We would add that some of the Prime Farmland soils mapped on the Project Site have experienced topsoil/subsoil loss and most of the units are either excessively or somewhat excessively drained and droughty. In its definition of Prime Farmland the USDA NRCS adds “In general, prime farmlands have an adequate and dependable water supply from precipitation or irrigation”. Agricultural production on the Project Site is supported by inputs of irrigation water skimmed from streams which flow through the property on most of the Prime Farmland map units on this site.

With respect to the response to Question 33, it should be noted that:

- most of the proposed trenching will occur at the margins of agricultural fields along the alignment of existing compacted farm cart paths,
- very little grade change is proposed within the agricultural fields,
- the posts that will support the array racking are not anticipated to be set in concrete,
- few areas of new impervious surfaces will be created,
- in general the existing drainage patterns will be maintained.
- the use of large equipment will generally be unnecessary to install the arrays in agricultural fields, and
- heavier equipment will be needed to clear, grub, and grade some of the woodland areas outside of the fields and to construct the few equipment pads needed at the site.

In terms of Question 34, DWW can agree that further detail on how the construction effects on soil will be minimized during construction should be provided in the D&M Plan. The response to Question 35 greatly exaggerates the number of steel posts needed to support the racking that will support the solar panels. The tracked equipment that is used to drive posts is not particularly large, and tracked equipment minimizes compaction by lowering ground pressure. If the conduit is routed along the perimeter of the fields used as the farm road, existing compacted soil that is not productive will be disturbed. The comment concerning operation on wet soils is valid and operations on wet soils should be avoided, not only for construction activities, but also for properties that are under cultivation.

The responses to Question 41 and 42 evaluate whether the establishment of permanent grassland cover within a solar array would improve soil health. Soil health is also referred to as soil quality and refers to the services or functions that a soil provides. The USDA NRCS describes five soil functions as including:

- sustaining biological diversity, activity, and productivity;
- regulating water and solute flow;
- filtering, buffering, degrading organic and inorganic materials;
- storing and cycling nutrients and carbon; and
- providing physical stability and support.

The consultant’s response considers the Project’s effect on soil health in terms of agricultural production without consideration of the other functions. The consultant’s response also assumes a worst-case scenario where impacts to farmland soils are disregarded during construction and decommissioning. The response seems to tacitly acknowledge that the accelerated erosion rates observed in some of the operating fields will be addressed by a permanent grass cover established under the solar fields. The consultant’s concluding line in the response to Question 42 is illustrative, “If the site were to continue in agriculture, a management regime with better soil health than under solar array is much more likely.” The caveat provided in this statement appears

to acknowledge that some of the ongoing management practices on parts of the farm are not improving soil health.

It should also be noted that discovery in this matter is ongoing, and Petitioner has sought additional information from the Department of Agriculture in order to better understand the Department's position.

Q72: Petition p. 47 states 126-acres of agricultural fields will be converted to solar arrays. The Department of Agriculture pre-filed testimony states the project will be located on or about 213 acres of farmland soils out of the 289 total acres consisting of 90 acres of prime agricultural soils and 123 acres of agricultural soils of statewide importance. How do you reconcile the differences between petitioner and Department of Agriculture?

A72: The approximately 213 acres of mapped farmland soils represent the total acreage of farmland across the entire Project Site. As described in greater detail in the Petition, there is no plan to develop the entirety of the Project Site, hence the reduced figure provided for on p. 47 of the Petition. The 126 acres of agricultural fields proposed for conversion to solar arrays represents the acreage of existing agricultural fields in use today - irrespective of mapped farmland soils, that will be utilized by the Project. Petitioner also suggests that this issue can be reconciled by consulting the figure labeled "Farmland Soils and Proposed Grading Limits," located in Exhibit B of the Petition. This figure demarcates the acreage of prime farmland within the Limit of Work for the Project.

Q73: Referring to the Petitioner's response to DOAg's Interrogatory 7, please submit a revised map that excludes currently forested areas and building areas within the project footprint.

A73: The requested map was prepared on September 26, 2017. It is entitled "Farmland Soils and Proposed Grading Limits on Existing Agricultural Fields," and is attached hereto as Exhibit B. There is 2.7 acres of conduit trenching and equipment proposed on existing agricultural fields, and 15.7 acres of re-grading proposed on existing agricultural fields.

Q74: Referring to the Petitioner's response to DOAg's Interrogatory 9, what would cause a "failure in vegetative cover"?

A74: A failure of vegetative cover could be caused by physical or environmental disturbance such as drought, poor seed germination, or equipment transit during maintenance.

Q75: Referring to Petition Exhibit B, Tree Clearing Map, what equipment will be used to remove the trees within the project limits? Can the use of his equipment be limited to existing farm roads to the extent practical?

A75: Track-mounted tree shears and forwarders will likely be used to cut and deliver trees to staging areas. This equipment can be directed to avoid traveling across agricultural fields to the maximum extent practicable. In some locations, downed trees may be ground to mulch in place with a chipper.

Q76: Referring to Petition Exhibit B, Farmland Soils and Proposed Grading Limits, what equipment will be used to re-grade the designated areas?

A76: If the majority of the Project Site needs to be smoothed (should it not be tilled and seeded prior to purchase by the Petitioner), this will be performed with a grader. For the areas of the Project Site where significant re-grading activities are proposed, a scraper will likely be used.

Q77: Petition p. 9 states grading will be required to achieve 15 percent, whereas the grading site plans in Petition Exhibit C depicts grading to achieve a slope of 10 percent. Please clarify.

A77: During meetings for this Project between the Project team and first responders, the first responders indicated that they would prefer that the Project maintain a maximum 10% slope along access roads for emergency vehicles. As such, the Project Site has been designed to hold a maximum of 10% slope along perimeter access paths, and this same slope limit was translated to the solar arrays.

Q78: Provide specifications for the racking system.

A78: The specific racking system will not be selected until construction, and will be dependent upon the current labor & materials pricing. A sample racking system cut sheet is attached hereto as Exhibit C for reference.

Q79: Petition Exhibit C, Grading and Drainage Map C- 4.2 and C 4.4 depict a significant amount of grading upgradient of wetlands. Please clarify what erosion and sediment control measures would be utilized to help stabilize the embankment in both areas.

A79: Please refer to the Erosion and Sediment Control Plans found in Exhibit C of the Petition, specifically as provided in the Site Plans labeled C5.1, C5.2 and C5.4. Channel lining in the form of jute netting or erosion control blankets will be provided in existing eroded drainage swales as necessary to stabilize the embankment in both areas. In addition, the Project anticipates that erosion control measures will be further specified in the D&M Plan and submitted to CT DEEP during the Stormwater General Permit review process. Area-specific construction sequences will be developed as part of the D&M Plan to address the phasing of tree clearing, grubbing, grading, and sediment trap/basin installation. Temporary seeding will take place as early as practicable in disturbed soils on existing slopes in order to further minimize erosion.

Q80: Petition Exhibit C, Grading and Drainage Map C-5.3 identifies a depression approximately 10 feet deep that appears subject to some significant re-grading:

- a. **Does this depression represent one of the wetlands identified on the site?**
- b. **What is the purpose of the re-grading in this area as it does not appear to be utilized for the installation of solar panels?**
- c. **Is this depression located in the vicinity of Test Pit #2, which indicates a high water table around 80 inches?**

A80: a) No. Based on its field review, VHB determined that this natural depression did not exhibit wetland characteristics and accordingly has not been delineated as a wetland.

- b) The proposed re-grading is required to achieve the maximum tolerable slope limits to support solar panels in adjacent areas.
- c) Yes. Test Pit #2 was excavated in the lowest point of this depression.

Q81: Referring to Petition Exhibit I, Figure A-5 -Wildlife Passage Corridors. Are corridors shown based on pre-construction patterns or post-construction patterns? If the corridors are based on post-construction patterns, what information or parameters were used to develop the corridors?

A81: The wildlife passage corridors were developed to show that the Project will not obstruct passage between nearby natural habitats such as wetlands, stream corridors, and the existing Eversource transmission line right-of-way. These natural habitats will not be impacted by development of the Project, therefore there is no expected change of use pre- vs post-construction.

Q82: Petition Section 7.3, p. 49 describes the Pollinator Habitat Enhancement Demonstration Project:

- a. **At what phase of the project will this be implemented?**
- b. **What was the rationale for planting "up to" one (1) acre?**
- c. **Can more than one (1) acre be planted if the results of the pollinator habitat enhancement shows positive results?**
- d. **Can "Milkweed" be incorporated into the pollinator seed mix?**

A82: a) The Pollinator Habitat Enhancement Demonstration Project will be implemented around the time that the Project becomes operational. This timing is based, in part, on the assumption that stakeholders interested in the Project will participate in the planning.

- b) One acre is a minimum commitment.
- c) Yes.
- d) Yes.

Q83: Are the residential areas abutting the site served by private wells? Assuming some areas are served by private wells, can vibrations caused by the installation of the racking posts cause sediment buildup in adjacent wells? What measures will the petitioner undertake to ensure there is no disruption or effect on private well water? Describe procedures the petitioner will incorporate to respond to complaints regarding sediment in well water.

A83: As of this writing, the Project is unsure as to which properties are served by wells and which are customers of the local water service company, however, the Project concurs with the Siting Council's assumption in this Interrogatory that some, if not all, of the nearby properties are served by wells. With respect to the remainder of this Interrogatory, the Petitioner would state that whether sediment buildup can occur in wells depends largely on the types of wells and the manner of construction of those wells. However, regardless of the types of wells involved, there is guidance as to how vibration from work on the Project Site may have the potential to impact nearby drinking water wells.

The most likely potential effects on wells near the Project site would stem from ground-borne vibration from pile driving activities at the site. The Federal Transit Administration (FTA), U.S. Bureau of Mines, and CalTrans guidelines on predicting vibration levels from construction activities address pile driving and evaluate, among other things, the potential for effects of vibration on underground water wells.

The FTA guidelines evaluated the effects of large impact pile driving equipment (such as 40 to 60 ton diesel piling rigs), which are heavier and larger than the mini pile driving equipment anticipated for installing the H-pile racking posts for the Project. This larger equipment typically generates vibration levels that could increase risk of damage to buildings when they are within 25 feet. Peak-particle vibration velocity (PPV) levels from pile driving at 25 feet is typically 0.6 in/s and most buildings have a threshold of 0.5 to 2.0 in/s or less depending on the type of building construction.

Vibration attenuates with distance from the source, so at farther distances from a pile driver there is less potential for effects from vibration. For example at the Project, the rack posts would be a minimum of 100 feet away from the closest property lines and would be even farther from underground wells. At 100 feet, vibration levels from pile driving would be well below the thresholds for even the most fragile buildings susceptible to vibration damage. Specifically, vibration levels would typically be 0.08 in/s and the most fragile buildings are anticipated to have a sensitivity of 0.12 in/s.

Research has shown that water wells are less susceptible to potential damage from vibration than most buildings. Specifically, research (Rose et al. 1991) on cased water wells has shown that such wells can withstand vibration levels of 7 to 8 in/s (PPV) which is orders of magnitude higher than the vibration that would be generated from pile driving at 100 feet 0.08 in/s. There has also been research conducted on the potential for vibration to cause sediment buildup in water wells. Specifically, a study (Berger & Associates, 1980) conducted for the U.S. Bureau of Mines showed that blasting operations which generated vibration levels up to 5.4 in/s (again, orders of magnitude above the vibration levels anticipated from Project-related construction) did not result in any direct evidence of change in water quality or well performance.

Therefore, based these guidelines, pile driving activities associated with the installation of H-pile racking posts are not expected to increase the risk of structural damage, such as cracking, to wells near the Project Site or the risk of sediment buildup in water wells.

Given this backdrop, Petitioner does not anticipate sedimentation of wells to be an issue that will be associated with the Project. If the unanticipated were to occur and wells were affected by the construction of the Project, the Project will have both a phone number and a form to contact the Petitioner on its website (currently located at: <http://dwwind.com/project/tobacco-valley-solar-farm/>).

- Q84 At the public hearing on September 12, 2017, several public comments pertained to concerns about driving piles into the ground and displacing residual pesticides that may be present further into the ground, either into local wells or the underlying aquifer:**
- a. Please describe the possibility of a situation like this occurring.**
 - b. Would the petitioner be willing to test the wells of abutting property owners, both pre and post-construction, to verify any potential well impacts?**
 - c. Of the 5 test pits conducted on site, the results indicate test pits #2 and #5 show water at any elevation in the test pit 80 inches and 96 inches, respectively. Would**

the driven rack posts come in contact with a "high" water table? What is the probability that such an activity would have an adverse impact on local private wells or aquifers?

- A84: a) After the September 12, 2017 public hearing, the Petitioner contacted its environmental consultant, GZA, to discuss this matter in greater detail. This resulted in GZA issuing an opinion letter, dated October 3, 2017 and entitled "Tobacco Valley Solar, Simsbury, CT." A copy of that document is attached hereto as Exhibit D. Based on the findings in that opinion letter, it does not appear likely that any potential pesticide residues located on the Project site would impact nearby wells or the aquifer as a result of Project construction.
- b) The wells are located on private property, and are owned by various property owners. As such, the testing contemplated by this Interrogatory would be unduly burdensome to both the homeowners in question and to the Project.
- c) It is possible that driven rack posts may come in contact with "high" water tables in certain areas of the Project Site. However, as addressed more fully in the GZA Report (discussed in the response to subsection a) above, it appears unlikely that the anticipated construction activities will have an adverse impact on local wells or aquifers.

Q85 At the public hearing on September 12, 2017, one public comment made reference to the degradation of solar panels that will result in pollutants entering the ground, potentially contaminating groundwater. Please explain if the solar panels degrade over time and if such degradation has the potential to discharge pollutants into the ground and groundwater.

- A85 The solar panels are enclosed systems that will not chemically degrade over time. Therefore, the panels do not have the potential to discharge pollutants into the ground or groundwater.

Q86: In regards to Petition Exhibit L, Hydrological Analysis, are the 24-hour storm rainfall volumes used in the report required by DEEP to obtain a Stormwater and Dewatering Wastewaters from Construction Activities permit? Are there other rainfall volumes that must be used for this permit?

- A86: The General Permit for the Discharge of Stormwater and Dewatering Wastewaters from Construction Activities references the 24-hour rainfall event precipitation amounts listed in the National Weather Service Technical Paper Number 40 (TP-40) "Rainfall Frequency Atlas of the United States" May 1961, or as amended. The 24-hour storm rainfall volumes used in the report were derived from the National Oceanic and Atmospheric Administration (NOAA) Precipitation Frequency Data Server (PFDS). This methodology is the most current standard practice for working in Connecticut, is more conservative than using TP-40, and is widely accepted by State agencies. There are no other specific rainfall events that are required in writing to be modeled in the General Permit for the Discharge of Stormwater and Dewatering Wastewaters from Construction Activities.

Q87: In regards to Petition Exhibit L, p. 13 of the Stormwater Pollution Control Plan (SWPCP) states project commencement will begin in the summer of 2018 and be completed by the summer of 2020:

- a. **What is expected to be completed by 2020, earthwork or project construction?**
- b. **If project construction is to be completed by 2020, when would earthwork be completed?**

A87: a) Full construction of the entire Project is expected to be completed by 2020.

b) Under the current Project schedule, it is anticipated that earthwork will be completed in 2018 or 2019. However, that construction schedule is dependent on a number of factors, including obtaining various regulatory approvals, weather conditions, and the potential for unknown site conditions. As such, the schedule may need to be adjusted if the Project has difficulty with one or more of these factors.

Q88: Page 16 of the SWPCP states sediment collected in structures shall be disposed of properly. Please provide more information on appropriate sediment disposal methods and locations

A88: Sediment collected in stormwater structures will be stockpiled for reuse in appropriate areas on the Project Site.

Q89: Referring to p. 17 of the SWPCP (Turbidity Monitoring), will each drainage area have an associated stormwater control outfall? If not, how many drainage areas would have such structures during construction?

A89: The current design for the Project is for each of the six temporary sediment "basins" (consisting of over five acres of tributary watershed) on the site plans to have engineered outlets. Each of these outlets will be accessible for necessary monitoring.

Q90: Are any post-construction stormwater discharge structures proposed for the site? If not, how would stormwater discharge from the project limits? If there are no post-construction "outfalls" or design structures, how does the petitioner propose to monitor stormwater discharge, especially towards ponds and other wetland areas?

A90: In the original Petition, no post-construction stormwater discharge structures were proposed. However, based on the questions from the Siting Council during the September 12, 2107 public hearing, the Petitioner completed a review of the potential for the temporary structures to be maintained as permanent structures. Based upon that review, the Petitioner expects that several of the temporary structures will be maintained as permanent features on the Project Site. Details for such permanent structures will be provided in the D&M Plan.

It is important to note that the design is for the natural, existing drainage patterns from the site to be maintained upon completion of construction. This consists of stormwater runoff draining overland generally towards wetlands associated with one of the three nearby brooks. The need for post-construction turbidity monitoring will be determined in the D&M plan.

Q91: Referring to the SWPCP Test Pit information, why were no test pits dug on parcels 3 and 4? In the vicinity of test pit #5, results indicate a water elevation about 96 inches below the surface. What is the distance from test pit #5 to the solar array?

A91: Test pits were dug in the locations where post-construction stormwater basins were proposed in the Petition. This was done in accordance with CT DEEP Guidance.

The solar array is approximately 50 feet from Test Pit #5.

Q92: Referring to Petition Exhibit O, Phase I Environmental Assessment:

- a. Section 6.1.9 - Have the asphalt shingles been tested for asbestos?**
- b. Section 6.1.9 - Is there a debris cleanup plan for the site to remove the discarded 55-gallon drums and other debris on site that includes acceptable solid waste disposal standards?**
- c. Section 6.1.9 - Will there be any environmental testing in the vicinity of the empty drums?**
- d. Section 6.1.9 - Will the removal of debris and any necessary remediation be the responsibility of the current landowner?**
- e. Section 6.2.4 - Was the “bulging drum” identified on p. 14 reported to the property owner?**
- f. Section 6.1.8 - If the petitioner or landowner decides not to properly abandon the monitoring wells, will they be restored for reuse?**
- g. Section 8.4 – How did GZA determine the solid/liquid waste identified within the waste manifest records pertained to the 45 Hoskins Road property if no address is associated with the records? Is it common for the same property to have different EPA Generator ID numbers?**

- A92:
- a) No, however, any shingles that remain once the Petitioner assumes control of the Project Site will be disposed in accordance with applicable waste regulations.
 - b) Assuming such 55-gallon drums are remaining on the Project Site once the Petitioner has assumed control of the Project Site, such 55-gallon drums will be disposed of in accordance with applicable waste regulations.
 - c) No need for testing has been identified, so no testing is contemplated at this time.
 - d) The Petitioner anticipates that all such debris will be removed prior to the Petitioner assuming control of the Project Site. To the extent remediation is required, it is anticipated that it will be undertaken by the current property owner.
 - e) The current property owner is aware of the bulging drum.
 - f) It is anticipated that the wells will be properly abandoned.
 - g) During its investigation, GZA inferred that the hazardous wastes generated by Culbro in 1990 and 1998 were from a neighboring parcel, and not Parcel 5, based on the historical use of that neighboring parcel by Culbro for their business operations. From the site map and tank registration (attached hereto as Exhibit E), it was determined that the tank was removed from the neighboring parcel. Moreover, the map shows that several buildings were present that appeared to be used by Culbro for storage and for housing seasonal employees. There were no records to indicate that any tanks, storage buildings or business operations were conducted by Culbro on Parcel 5 that would result in the generation of hazardous waste.

With respect to generator numbers, while the practice is not “common,” there are several circumstances whereby the same property could have different generator numbers. For example, a property could obtain a temporary generator number for a one-time use, such as the emptying or disposal of a storage tank. In addition, if a new owner purchases a property, that new owner will likely seek a new generator number for the same property.

Q93: Under what circumstances would a solar developer have to conduct an aviation glare analysis?

A93: A solar developer would conduct an aviation glare analysis if requested by the Federal Aviation Administration (FAA). The FAA did not request such an analysis for this Project.

Q94: Referencing the response to the Town Interrogatories, #91, the response states that SHPO requests that stumps remain in certain areas to avoid disturbing potential archeological sites. Were these potential sites the subject of the Cultural Resource Phase 1B survey?

A94: No. The Phase 1B survey focused on areas with medium or high sensitivity where the Project will result in sub-surface disturbance. Avoiding sub-surface disturbance in the areas to be cleared mitigated the potential to impact archaeological sites, therefore no additional survey was necessary.

Q95: Referring to Petition p. 48- what is the size of the Munnisunk Core Forest area? Would the loss of 18.1 acres of forest in this area cause a change in classification to Edge Forest?

A95: Based on data from CLEAR, the 2006 Core Forest east of Munnisunk Brook is almost 20 acres in area. VHB analyzed the effect of the Project on this Core Forest by off-setting a 300-foot radius from the Limit of Disturbance proximate to Munnisunk Brook and found that 3.7 acres of this Core Forest would be converted to Edge Forest.

Q96: Referring to Petition Exhibit I, Wildlife Evaluation, Table B-1- where on the site was the American Kestrel observed? Was this finding reported to the DEEP Natural Diversity Database Program?

A96: The American Kestrel was observed over the large northern agricultural field in the vicinity of the tobacco barns during the winter of 2017. Kestrel are common overwintering migrants in southern New England. Kestrel were not observed during the breeding season. A report was not made to the DEEP Natural Diversity Database because migrant observations are not reportable occurrences.

Respectfully Submitted,
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Certification

This is to certify that a copy of the foregoing has been mailed via U.S. Mail, first class postage prepaid, and/or electronically mailed on October 3, 2017 to all parties and intervenors of record, as well as all pending parties and intervenors as follows:

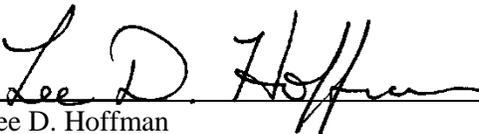
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