

**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 26, 2017**

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

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

**Q97: Referring to the Council on Environmental Quality's (CEQ) comments dated August 29, 2017, the CEQ states that there is a lack of detailed spatial analysis of wildlife resources on the site. Please submit mapping that delineates areas where critical habitat occurs on the site that supports the listed NDDB species. To reduce the amount of map "clutter", it may be helpful to provide mapping specific to each site area (north, middle, south) and/or by depicting state/federally listed endangered and threatened species separate from special concern species.**

A97: Please see the mapping provided in Exhibit A attached hereto.

**Q98: In regards to the 133 acres of land that would be left in a natural state for the duration of this project, please describe the location of these natural areas in relation to the 10 town-owned preserved open space parcels that abut the site. Would existing wildlife movement and habitat continuity be maintained between the Town-owned open space and Project natural areas?**

A98: Please see the mapping provided in Exhibit B attached hereto and depicting the location of the 133 acres of land that would be left in a natural state in relation to the 10 town-owned preserved open space parcels that abut the site, which are identified in the hatched areas in Exhibit B. Existing wildlife movement and habitat continuity would be maintained between the Town-owned open space and abutting Project natural areas.

**Q99: Referring to Petition Ex. B, the Tree Clearing Map depicts three main areas of forest clearing at the site – 18.1 acres in the north field area, 7.2 acres in the middle field area, and 4.7 acres in the south field area.**

a) **Please provide additional information that characterizes the forested area in and around these three areas including its size, age, composition, and species of conversation concern which are anticipated to use these areas.**

- b) **Are these forested areas part of a recognized larger forested block or are they forest fragments? Please identify which UCONN Center for Land Use Education and Research (CLEAR) forest type is present (core, perforated, edge, patch)**
- c) **If these areas are part of a core forest block, please indicate pre and post-construction core forest block acreage.**
- d) **Please indicate the habitat value of these blocks for core forest species based on UCONN CLEAR definitions.**

A99: Please see the memorandum entitled, “Habitat Assessment and Forest Characterization – Tobacco Valley Solar, Simsbury Connecticut,” which is attached as Exhibit C hereto.

**Q100: At the evidentiary hearing on October 10, 2017, spacing between panel rows are described in 13-foot panel edge to panel edge.**

- a) **Please indicate the rationale for using 13-foot spacing and reasons why spacing cannot be reduced to 10 to 12 feet.**
- b) **One reason described by the Petitioner at the hearing for the 13-foot wide rows was to create enough space for tractor trailers to travel down the rows to access inverter pads; however, the detailed site plans depict 20-foot wide grass paths that access the inverter pads from the perimeter roads. Please explain how the inverter pads will be accessed.**
- c) **Some the access road/grass path intersections have sharp angles. Would the current design allow for tractor trailer access to all inverter pads?**
- d) **What type construction/substrate is used for the grass paths to support vehicle use?**

A100: a) The reason for the 13-foot spacing between the rows is two-fold:

1) The spacing provides for safe access clearance for vehicles, and adequate space for materials and personnel during the construction, operation and maintenance of the facility.

2) The spacing of the rows was also determined to maximize the energy efficiency of the panels relative to shading effects throughout the year. In the winter when the sun is at a lower azimuth, it is critical that there is adequate spacing between panel rows to avoid shading.

b) All proposed inverter pads are placed along either the 20-foot wide perimeter access path or 20-foot wide interior access path. It is not anticipated that tractor trailers will be required to travel in the 13-foot wide rows between solar panels.

c) As stated in the Response to Interrogatory 100 (b), tractor trailer access to the inverters is not anticipated to be required.

d) The grass paths interior to the solar field areas will be native soil with no constructed substrate.

**Q101: Two of the larger solar projects on the Council’s Administrative Notice list, Petition 1178, and Petition 1224, both approx.. 20 MW, do not use perimeter solar field access roads. For this project, what is the purpose of having a 20-foot wide perimeter access road around each solar field area? If partial perimeter roads or a central access road were used, could solar panel rows be extended?**

A101: The 20-foot wide perimeter access road around each solar field area has been included to facilitate access for first responders, in response, in part, to requests made by first responders during meetings between the Petitioner and the Town of Simsbury. The solar panels could be extended if the 20-foot wide perimeter access road were removed.

**Q102: Referring to Petition Ex. C, Site Plan 3.5, an approximate 170-foot setback from the edge of the solar panel rows to Hoskins Road is shown.**

- a) **Why was a 170-foot buffer used at this location?**
- b) **What is the purpose of the 70-foot wide area between the chain link fence and the visual mitigation fence? Can the proposed panel rows be extended into this 70-foot wide area?**

A102: a) The 170-foot buffer was included to allow for visual mitigation in response to feedback from residents. The visual mitigation buffer, consisting of landscaping and a visual mitigation fence as were proposed in the Petition, is in the area between Hoskins Road and the panels.

b) The purpose of the 70-foot wide area between the security fence and the visual mitigation fence was to bring the visual mitigation fence closer to the viewer on Hoskins Road to maximize view of the fence and minimize views of the solar panels. If the visual mitigation fence and the panels were closer together then the visual mitigation fence would be less effective at screening the panels. Nonetheless, should the Council so desire, panels could be expanded into the 70-foot wide area.

**Q103: Referring to Petition Ex. C, Site Plan 3.4, a post-construction access gate would be located in the southwest corner of the Middle Solar Field along Hoskins Road. Can this access be relocated to the construction access point by the barns?**

A103: The post-construction permanent access gate is proposed in a location where there is an existing access point for the agricultural field. VHB traffic engineers conducted an evaluation of the potential driveway locations along the project frontage on the northerly side of County and Hoskins Roads near the two tobacco barns. The evaluation determined that adequate site distances east along Hoskins Road east of the intersection with County Road do not meet the design standards of the CT Department of Transportation Highway Design Manual based upon a conservative design speed of 40 MPH (approx. 10 MPH over the posted limit). Site distances east along Hoskins Road improve further to the west, such as where the proposed permanent access drive is located.

**Q104: Would construction of the project create excess cut? Where on the site would this material be deposited?**

Q104: Yes, the Project would create excess cut. The material would be used onsite for activities such as perimeter access road construction, backfill, and for landscaping, as appropriate.

**Q105: What was the approximate power output of the Project's initial design?**

A105: The approximate power output of the design presented at the May 11, 2017 public meeting was 29.3 MW-AC.

**Q106: Referring to Petition Ex. P, Carbon Debt Analysis, provide a revised figure that factors in solar panel manufacturing and project land clearing.**

A106: An updated Carbon Debt Analysis is provided as Exhibit D attached hereto.

**Q107: Are ballast-mounted solar panels feasible for this site?**

A107: Although it would be feasible to use a ballast-mounted foundation at the site, Petitioner does not believe that the use of such ballast-mounts would be advisable. Most importantly, the ballast-mount foundation would result in a meaningful amount of additional soil compaction throughout the Project area. Given the potential goal of a successful return to active agricultural use at the completion of this Project, the use of such ballast-mounts is not suggested.

**Q108: At the September 12, 2017 hearing, pp. 47-48, the frequency of mowing within the solar field area is discussed. If mowing is required once per year, can it be done after November 15? If mowing must be done multiple times per year, could the blade height be raised to 8 inches?**

A108: The frequency of mowing would be at least once per year or more often if determined to be necessary. Yes, we believe that a late season mow after November 15th would achieve the goal of controlling undesirable woody growth. If it was determined that a late spring or early summer mow is needed, it would be possible to raise the blade to 8 inches.

**Q109: Referring to DWW II's response to Council Interrogatory 86. When was the last extreme rainfall analysis conducted that was incorporated into the NOAA Precipitation Frequency Data Server? Are there other stormwater management models that utilize more recent extreme rainfall data, representing "new normal" rainfall patterns in Connecticut?**

A109: NOAA Atlas 14, which is referenced by use of its Precipitation Data Frequency Server, was published in 2015. According to NOAA's National Weather Service (NWS) Time Series Data page, historic rainfall data from stations close to the project site (Hartford Bradley, Burlington, and Hartford Brainard) were included in NOAA Atlas 14 up to as recently as from May 2014.

Rainfall amount estimates, as provided by CTDEEP Stormwater Quality Manual 2004, were the standard State-accepted methodology prior to NOAA Atlas 14. Cornell University, in collaboration with the Northeast Regional Climate Center (NRCC) and Natural Resources Conservation Service (NRCS), produced an interactive web tool for extreme precipitation analysis in New York & New England that came online circa 2010. See [precip.eas.cornell.edu](http://precip.eas.cornell.edu) for additional information. The website's Technical Manual states that data was analyzed for various stations through 2008. It is noted, however, that this feature and the rainfall amount estimates included with it never became a State of Connecticut (CTDEEP, CTDOT, or other) accepted requirement or practice.

A table is provided below comparing the precipitation depth estimates between these three relevant precipitation publications at the Project Site. The NOAA Atlas 14 numbers are the most conservative of the three, with the minor exception of the 100-year rainfall event, of which it is only 1% lower than the Cornell Extreme Precipitation estimates. To Petitioner's knowledge, there have been no other studies of significance relative to extreme precipitation in the northeastern United States. It is also important to note that, by virtue of the proposal to maintain existing drainage patterns on site and to reduce overall runoff from the site by improving ground cover conditions, Petitioner anticipates a reduction in volume and peak rates of runoff from the site for any possible rainfall event.

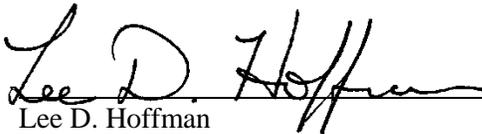
**Table 109-A 24-Hour Precipitation Depth Estimates (inches)**

| <u>Reference</u>                          | <u>2-year</u> | <u>10-year</u> | <u>25-year</u> | <u>100-year</u> |
|---|---------------|----------------|----------------|-----------------|
| CTDEEP Stormwater Quality Manual (2004) * | 3.20          | 4.70           | 5.50           | 6.90            |
| Cornell Extreme Precipitation (2010) **   | 3.25          | 4.85           | 6.09           | 8.62            |
| NOAA Atlas 14 (2015) **                   | 3.30          | 5.32           | 6.58           | 8.53            |

\* For Hartford County, from TP-40 (1961)

\*\* At the project site, 20 County Road, Simsbury

Respectfully Submitted,  
DWW Solar II, LLC

By:   
Lee D. Hoffman  
Pullman & Comley, LLC  
90 State House Square  
Hartford, CT 06103-3702  
Juris No. 409177  
860-424-4300 (p)  
860-424-4370 (f)  
[lhoffman@pullcom.com](mailto:lhoffman@pullcom.com)  
Its Attorneys

**Certification**

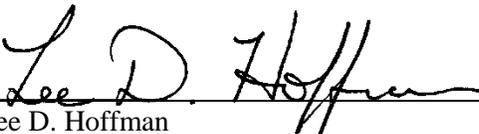
This is to certify that a copy of the foregoing has been mailed via U.S. Mail, first class postage prepaid, and/or electronically mailed on October 26, 2017 to all parties and intervenors of record, as well as all pending parties and intervenors as follows:

Jesse A. Langer  
Robert M. DeCrescenzo  
Updike, Kelly & Spellacy, P.C.  
One Century Tower  
265 Church Street  
New Haven, CT 06510  
Counsel for the Town of Simsbury

Alan M. Kosloff  
Alter & Pearson, LLC  
701 Hebron Avenue  
P.O. Box 1530  
Glastonbury, CT 06033

Krista Trousdale  
Connecticut Office of the Attorney General  
PO Box 120  
Hartford, CT 06141-0120  
Counsel for the CT Dept. of Agriculture

Jason Bowsza  
Connecticut Department of Agriculture  
450 Columbus Blvd.  
Hartford, CT 06103

  
\_\_\_\_\_  
Lee D. Hoffman