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January 17, 2019

Via Electronic Mail and Hand Delivery

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

RE: ***Petition No. 1352*** – Nutmeg Solar, LLC, petition for a declaratory ruling, pursuant to Connecticut General Statutes §4-176 and §16-50k, for the proposed construction, maintenance and operation of a 19.6-megawatt AC solar photovoltaic electric generating facility on approximately 162 acres comprised of 9 separate parcels located generally south of Bailey Road and east of Route 191 (Broad Brook Road), and associated electrical interconnection to Eversource Energy's Scitico Substation at 20 Bailey Road in Enfield, Connecticut

Dear Ms. Bachman:

On behalf of the petitioner, Nutmeg Solar, LLC, enclosed please find an original and 15 copies of responses to the Connecticut Siting Council's requested late filed exhibits B, C and D in connection with the above-referenced proceeding.

Please feel free to contact me or David Bogan of this office (860-541-7711) if you have any questions or require additional information.

Very truly yours,

A handwritten signature in black ink, appearing to read "Kathryn", followed by a long, horizontal, slightly wavy line.

Kathryn E. Boucher

Enclosures

cc: Service List

**STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL**

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LFE-B Provide an overlay map of the proposed solar panels on the map of the Phase 1B Cultural Resources Survey shovel test pit locations.

Response:

See Attachments 1 and 2.

A depiction of the proposed solar panels and the Phase 1B Cultural Resources Assessment Survey shovel test pit locations is provided as Attachment 1. As shown in this depiction, Heritage Consultants proposed to dig, but did not excavate 14 test pits in the Phase 1B Survey Area 2 that were located within the proposed solar array and an adjacent area where vegetation clearing is proposed. As noted in the Phase 1B report, these 14 unexcavated shovel tests are located along topography characterized as steep slopes - approximately 7%. Based on Heritage Consultants' professional experience and Connecticut standards for field archaeological surveys, cultural materials are not typically present on slopes of 7% or greater. Due to the lack of cultural findings in adjacent areas with more gradual topography it was determined that test pits were not necessary at these 14 locations. Although these sloped areas are not conducive to the presence of cultural materials, they do not exceed 15% and are suitable for the installation of solar panels.

Since the January 10, 2019 Siting Council hearing, Nutmeg Solar has received a letter from the CT State Historic Preservation Officer (SHPO) indicating their concurrence with the findings of the Phase 1B Cultural Resources Assessment Survey Report, including shovel testing protocols, methods, and results. The SHPO concurrence letter, provided as Attachment 2, states that SHPO concurs with the findings of the report that additional archaeological investigations of the project areas are not warranted.

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LFE-C Explain if it would be possible to plant a commercially viable agricultural crop/vegetation in project site areas planned for vegetative screening that could be marketed and sold.

Response:

The use of agricultural crop vegetation plantings (e.g. highbush blueberry) for project screening would not be substantial enough to be commercially viable nor would it further the primary goal of adequate screening. The proposed visual screening vegetation is intended to utilize a varying arrangement of evergreen and deciduous shrubs, and perennial herbaceous species that can achieve sufficient height and width to adequately screen project components as well as providing visual contrast for aesthetic purposes. Although the proposed screening could include some vegetation that independently may be considered as an agricultural crop, the Petitioner intends to utilize a number of species to optimally screen the project and therefore does not consider the potential use of crop vegetation to be commercially viable for market.

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LFE-D On page 4 of the October 2, 2018 Herpetofauna Avoidance and Mitigation Plan, it notes that, "The contract with the leasing landowner has been negotiated to allow no clearing within the landscape connection (directional buffer) for the life of the project." Confirm whether or not the land owner and/or the tenant can clear around and/or fill the vernal pool.

Response:

In response to the Council's request, the Petitioner reviewed the purchase and lease agreements related to the Project site. Clearing around or filling in the vernal pool or within the directional buffer is not expressly prohibited under the terms of the applicable land agreements except as otherwise prohibited by law. However, any actions that interfere with the operations of the project are prohibited. The quoted sentence from the Herpetofauna Avoidance and Mitigation Plan should therefore be struck from the Petition.

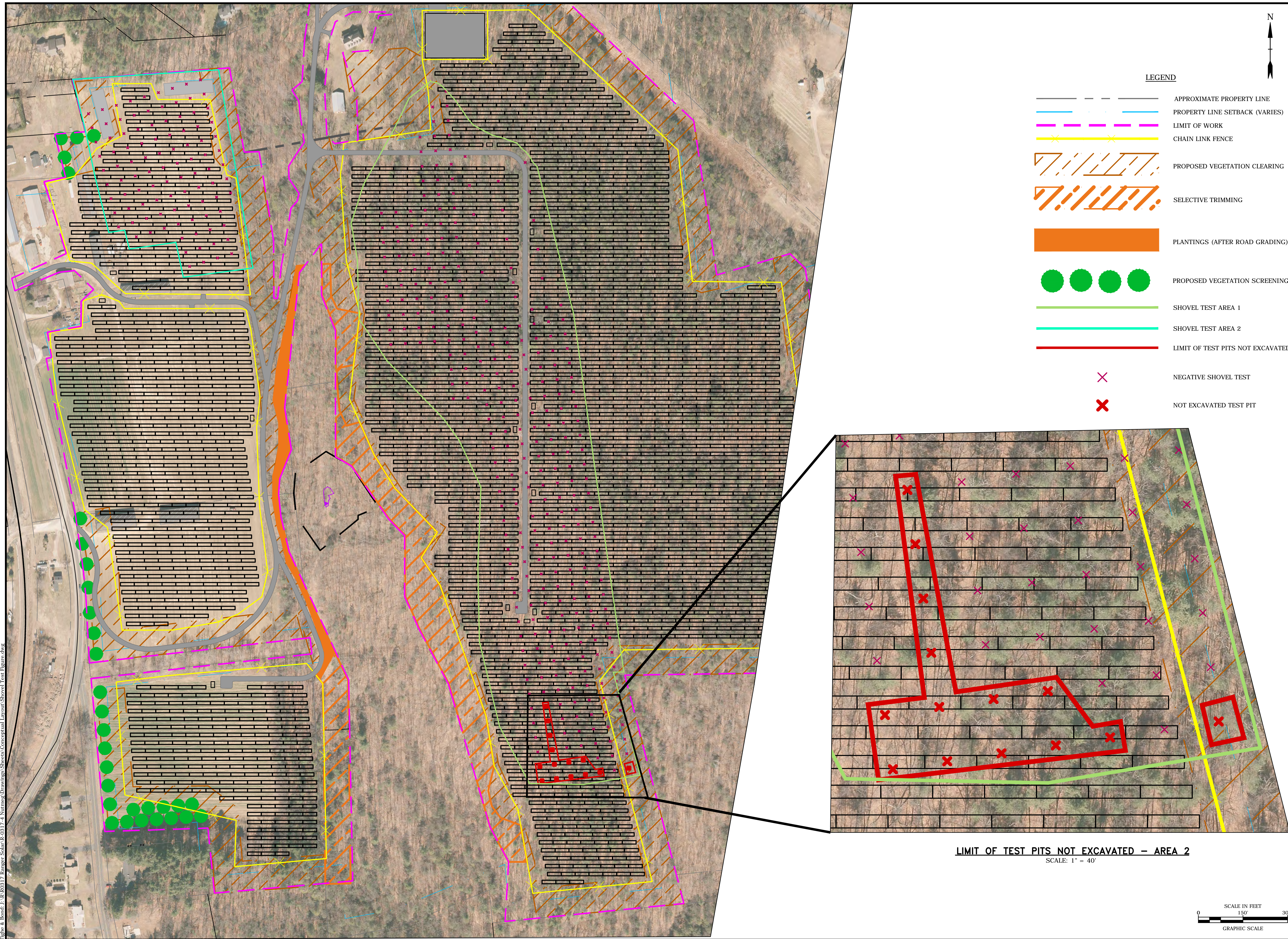
CERTIFICATION

I hereby certify that on January 17, 2018, the foregoing was delivered by electronic mail and regular mail, postage prepaid, in accordance with § 16-50j-12 of the Regulations of Connecticut State Agencies, to all parties and intervenors of record, as follows:

Maria S. Eldsen, Esq.
Town Attorney
Town of Enfield
820 Enfield Street
Enfield, CT 06082
townattorney@enfield.org



Kathryn E. Boucher



Nutmeg Solar,
LLC

-	-	-
MARK	DATE	DESCRIPTION
PROJECT NO:	R-0317	
DATE:	2019/01/16	
FILE:	Shovel Test Figure.dwg	
DRAWN BY:	ELD	
CHECKED:	BA/BSH	
APPROVED:	XXX	
PHASE 1B CULTURAL RESOURCES SURVEY SHOVEL TEST PITTS - AREA 1		
SCALE:	1" = 150'	

January 2, 2019

Mr. David R. George
Heritage Consultants
PO Box 310249
Newington, CT 06131

Subject: Phase IB Cultural Resources Assessment Survey
Nutmeg Solar Project
Broadbrook Road
Enfield, Connecticut

Dear Mr. George:

The State Historic Preservation Office (SHPO) has reviewed the archeological survey report prepared by Heritage Consultants, LLC (Heritage), dated December 2018. The proposed activities are under the jurisdiction of the Connecticut Siting Council and are subject to review by this office pursuant to the Connecticut Environmental Policy Act (CEPA). The proposed facility is located within a 184.5 acre study area straddling both sides of Broadbrook Road, and roughly bounded to the south by Charnley Road, to the east by an Eversource electrical transmission line corridor, to the north by Abbe and Bailey Roads, and to the west by a developed residential area. The proposed facility includes photovoltaic (PV) solar panels, racking, access roads, and related ancillary equipment.

In a letter dated November 27, 2017, this office recommended that a Phase IB professional cultural resources assessment and reconnaissance survey that includes subsurface testing techniques be completed prior to construction in those areas identified to have moderate to high archaeological sensitivity. Phase IB of the reconnaissance survey consisted of subsurface testing of two areas deemed to have moderate to high archaeological sensitivity: the Western Array Area (4.11 acres), and the Eastern Array Area (51.24 acres). A total of 419 of 433 planned shovel tests were excavated successfully throughout the proposed work area; 14 unexcavated shovel tests, all within the Eastern Array Area, fell within areas characterized by steep slopes. No evidence cultural material or features were identified within either of the two Array Areas, and no cultural material, either prehistoric or historic, was recovered from the project area. As a result of the information submitted, SHPO concurs with the findings of the report that additional archeological investigations of the project areas are not warranted.

State Historic Preservation Office

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Department of Economic and
Community Development

State Historic Preservation Office

However, the Phase IA assessment survey identified 21 structures of various ages, ranging from c. 1850 – 2012, including several tobacco sheds. Tobacco sheds are an important, yet dwindling resource in the Connecticut Valley. Though the proposed development will not directly impact these five structures, and, as their view shed has already been impacted by adjacent developments, will not adversely effect them indirectly, SHPO strongly encourages that a protection plan be formulated for the sheds, and that they be incorporated into any future development of the northern section of the parcel.

This office appreciates the opportunity to review and comment upon this project. These comments are provided in accordance with the Connecticut Environmental Policy Act. For additional information, please contact Marena Wisniewski, Environmental Reviewer, at (860) 500-2357 or marena.wisniewski@ct.gov.

Sincerely,

Mary B. Dunne
Deputy State Historic Preservation Officer

State Historic Preservation Office

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