



# STATE OF CONNECTICUT

## CONNECTICUT SITING COUNCIL

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VIA ELECTRONIC MAIL

May 25, 2016

Windham Solar LLC  
c/o Ecos Energy LLC  
ATTN: Steve Broyer  
222 South 9<sup>th</sup> Street  
Suite 1600  
Minneapolis, MN 55402

RE: **PETITION NO. 1220** - Windham Solar LLC petition for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the proposed construction, maintenance and operation of three 2.0 Megawatt and one 1.0 Megawatt Solar Photovoltaic Electric Generating facilities located at 1219 and 1240 Voluntown Road, Griswold, Connecticut.

Dear Mr. Broyer:

The Connecticut Siting Council (Council) requests your responses to the enclosed questions no later than June 15, 2016. To help expedite the Council's review, please file individual responses as soon as they are available.

Please forward an original and 15 copies to this office, as well as a copy via electronic mail. In accordance with the State Solid Waste Management Plan, the Council is requesting that all filings be submitted on recyclable paper, primarily regular weight white office paper. Please avoid using heavy stock paper, colored paper, and metal or plastic binders and separators. Fewer copies of bulk material may be provided as appropriate.

Any request for an extension of time to submit responses to interrogatories shall be submitted to the Council in writing pursuant to §16-50j-22a of the Regulations of Connecticut State Agencies.

Yours very truly,

Melanie A. Bachman  
Acting Executive Director

MB/MP/lm

c: Council Members  
Michael Melone, Windham Solar LLC, c/o Allco Renewable Energy Limited

**Petition No. 1220**  
**Interrogatories**  
**Set Three**  
**May 25, 2016**

43. Is the Overall Site Plan provided in the responses to set two interrogatories dated May 8, 2016 the most up to date? If no, please provide an updated Overall Site Plan.
44. The letter from the Connecticut Department of Energy and Environmental Protection (DEEP) dated December 11, 2015 stated that no impacts to State-listed species are expected. This letter expires on December 11, 2016. If approved, in the event that construction does not commence prior to December 11, 2016, would Windham Solar LLC (WS) apply for an updated DEEP determination?
45. Referencing the response to question 22 of the first set of interrogatories and question 39 of the second set of interrogatories, provide the status of the biologist review of the site with respect to federally-listed species, including but not limited to the northern long-eared bat, piping plover, sandplain gerardia, and small whorled pogonia. Provide a copy of the biologist's report including the presence and/or suitable habitat at the site for federally-listed species, any recommended protective measures for such species.
46. What is the status of the Eversource System Impact Study? To WS' knowledge, can the local electrical distribution system support the 7 MW AC solar output of the project? Would each of the three utility connections be run underground from the interver/transformer areas until close to Route 138 and then run overhead on three new poles to connect to existing electrical distribution on Route 138?
47. Provide a final stormwater management report for the most up to date Overall Site Plan, consistent with the *2004 Connecticut Stormwater Quality Manual* and stamped by a Professional Engineer duly licensed in the State of Connecticut.
48. Provide the determination letter from the State Historic Preservation Office (SHPO) and indicate how SHPO's recommendations, if applicable, could be implemented.
49. Provide the final erosion and sedimentation control (E&S controls) plan for the most up to date Overall Site Plan consistent with the *2002 Connecticut Guidelines for Soil Erosion and Sediment Control*.
50. The Wetland Report dated March 25, 2016 pre-dated the municipal comments and the associated shift of the panels farther from Latham Drive and closer to wetlands and the modified solar panel layout near Culver Road. Update/Amend the wetland report dated March 25, 2016 to take into account the revised Overall Site Plan and smaller/modified wetland buffer, particularly the conclusion section. Provide any associated wetland protective measures, if recommended.
51. Provide the approximate height(s) of the proposed new arborvitae landscaping near Latham Drive and Culver Road.

52. Has WS evaluated the cost differential between 2-inch chain link mesh and a smaller size (e.g. less than two-inch mesh)? What size mesh would be used for the 7-foot tall chain link fence?
53. Page 4 of the WS' Petition states that, "Of the Site's 50.1 acres, approximately 10.5 acres has been previously cleared and tilled for agricultural use." Do the proposed host properties contain any Connecticut Prime and Important Farmland Soils? If so, what acreage of Prime and Important Farmland Soils would the solar panels and associated equipment be located on?
54. Has the State of Connecticut Department of Agriculture purchased any development rights for the proposed site as part of the State Program for the Preservation of Agricultural Land?
55. On page 20 of the Phase 1 Environmental Site Assessment dated December 21, 2015, that report states, "In order to confirm or deny the presence of OCP-impacted soil on the subject property, Rincon recommends conducting soil sampling in the areas formerly used for agricultural purposes." In response to question 33 of the first set of interrogatories, WS stated that, "Based on the construction activities proposed by WS, we do not foresee a measurable risk to determine if OCP impacted soil is on site, for all on site soil will remain on site post construction." What was the basis for determining that soil sampling is not necessary?