



# STATE OF CONNECTICUT

## CONNECTICUT SITING COUNCIL

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Hearing Program

Petition No. 1312

Tuesday, November 14, 2017

11 a.m.

Hearing Room One, Ten Franklin Square

New Britain, CT 06051

### I. Opening by Council

- A. Statement read by Chair.
- B. Comments by Public Official(s) (if any)
- C. Motions (if any)
- D. Administrative Notice taken by Council

### **FEDERAL**

1. NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH SCIENCES, NATIONAL INSTITUTES OF HEALTH, *EMF, Electric and Magnetic Fields Associated with the Use of Electric Power*, June 2002, available at [http://www.niehs.nih.gov/health/materials/electric\\_and\\_magnetic\\_fields\\_associated\\_with\\_the\\_use\\_of\\_electric\\_power\\_questions\\_and\\_answers\\_english\\_508.pdf](http://www.niehs.nih.gov/health/materials/electric_and_magnetic_fields_associated_with_the_use_of_electric_power_questions_and_answers_english_508.pdf)
2. NATIONAL RESEARCH COUNCIL, *Research on Power-Frequency Fields Completed Under the Energy Policy Act of 1992*, National Academy of Sciences, 1999, available at <http://books.nap.edu/openbook.php?isbn=0309065437>
3. UNITED STATES DEPARTMENT OF TRANSPORTATION, FEDERAL AVIATION ADMINISTRATION, *Obstruction Marking and Lighting, Advisory Circular AC 70/7460-1L*, December 4, 2015, available at [https://www.faa.gov/documentLibrary/media/Advisory\\_Circular/AC\\_70\\_7460-1L\\_.pdf](https://www.faa.gov/documentLibrary/media/Advisory_Circular/AC_70_7460-1L_.pdf)
4. Presidential Proclamation No. 8460, Critical Infrastructure Month, 74 Fed. Reg. 234, December 8, 2009, available at <http://www.presidency.ucsb.edu/ws/index.php?pid=86954>
5. Presidential Executive Order No. 13636, Improving Critical Infrastructure Cybersecurity, 78 Fed. Reg. 11739, February 19, 2013, available at <http://www.archives.gov/federal-register/executive-orders/2013.html>
6. UNITED STATES DEPARTMENT OF THE INTERIOR, NATIONAL PARK SERVICE, *National Register of Historic Places*, July 2010, available at <http://www.nps.gov/history/nr/research/index.htm>
7. NORTH AMERICAN ELECTRIC RELIABILITY CORPORATION, NERC Reliability Standards, available at <http://www.nerc.com/pa/Stand/Pages/default.aspx>

8. UNITED STATES DEPARTMENT OF ENERGY, FEDERAL ENERGY REGULATORY COMMISSION AND THE NORTH AMERICAN ELECTRIC RELIABILITY CORPORATION, *Report on Transmission Facility Outages During the Northeast Snowstorm of October 29-30, 2011 – Causes and Recommendations*, available at <http://ferc.gov/legal/staff-reports/05-31-2012-ne-outage-report.pdf>
9. UNITED STATES QUADRENNIAL ENERGY REVIEW TASK FORCE, *Quadrennial Energy Review: Energy Transmission, Storage, and Distribution Infrastructure*, April 2015, available at <http://energy.gov/epsa/downloads/quadrennial-energy-review-full-report>
10. UNITED STATES QUADRENNIAL ENERGY REVIEW TASK FORCE, *Quadrennial Energy Review Second Installment: Transforming the Nation's Electricity System*, January 2017, available at <https://energy.gov/epsa/downloads/quadrennial-energy-review-second-installment>
11. UNITED STATES ENERGY INFORMATION ADMINISTRATION, *Annual Energy Outlook 2017*, January 5, 2017, available at <https://www.eia.gov/outlooks/aeo/>
12. UNITED STATES FISH AND WILDLIFE SERVICE, Final 4(d) Rule for the Northern Long-eared Bat, January 14, 2016, available at <https://www.fws.gov/Midwest/endangered/mammals/nleb/pdf/FRnlebFinal4dRule14Jan2016.pdf>
13. UNITED STATES ENVIRONMENTAL PROTECTION AGENCY, Office of Solid Waste and Emergency Response, *Handbook on Siting Renewable Energy Projects While Addressing Environmental Issues*, available at [http://www.epa.gov/renewableenergyland/docs/handbook\\_siting\\_repowering\\_projects.pdf](http://www.epa.gov/renewableenergyland/docs/handbook_siting_repowering_projects.pdf)
14. UNITED STATES ENVIRONMENTAL PROTECTION AGENCY AND NATIONAL RENEWABLE ENERGY LABORATORY, *Best Practices for Siting Solar Photovoltaics on Municipal Solid Waste Landfills*, February 2013, available at [http://www.epa.gov/renewableenergyland/docs/best\\_practices\\_siting\\_solar\\_photovoltaic\\_final.pdf](http://www.epa.gov/renewableenergyland/docs/best_practices_siting_solar_photovoltaic_final.pdf)
15. UNITED STATES DEPARTMENT OF AGRICULTURE, *Solar Energy Use in U.S. Agriculture Overview and Policy Issues*, April 2011, available at <https://www.nal.usda.gov/afsic/solar-energy>
16. UNITED STATES DEPARTMENT OF AGRICULTURE, Soil Survey Manual, Handbook No. 18, March 2017, available at [https://www.nrcs.usda.gov/wps/portal/nrcs/detailfull/soils/ref/?cid=nrcs142p2\\_054262](https://www.nrcs.usda.gov/wps/portal/nrcs/detailfull/soils/ref/?cid=nrcs142p2_054262)
17. UNITED STATES FEDERAL AVIATION ADMINISTRATION, *Evaluation of Glare as a Hazard for General Aviation Pilots on Final Approach*, July 2015 available at [https://www.faa.gov/data\\_research/research/med\\_humanfacs/oamtechreports/2010s/media/201512.pdf](https://www.faa.gov/data_research/research/med_humanfacs/oamtechreports/2010s/media/201512.pdf)
18. UNITED STATES FEDERAL AVIATION ADMINISTRATION, *Technical Guidance for Evaluating Selected Solar Technologies on Airports*, November 2010, available at [https://www.faa.gov/airports/environmental/policy\\_guidance/media/airport-solar-guide-print.pdf](https://www.faa.gov/airports/environmental/policy_guidance/media/airport-solar-guide-print.pdf)

19. UNITED STATES FEDERAL AVIATION ADMINISTRATION, Interim Policy, *FAA Review of Solar Energy System Projects on Federally Obligated Airports (inclusive of Solar Glare Hazard Analysis Tool)*, October 23, 2013, available at <https://www.federalregister.gov/documents/2013/10/23/2013-24729/interim-policy-faa-review-of-solar-energy-system-projects-on-federally-obligated-airports>
20. *Alco Fin. Ltd. v. Klee*, 2014 U.S. Dist. LEXIS 170674 (D. /cibb,2914), affirmed by *Alco Fin. Ltd. v. Klee*, 805 F.3d 89 (2<sup>nd</sup> Cir. 2015)

## **REGIONAL**

21. ISO-NEW ENGLAND, INC., *Power Generation and Fuel Diversity in New England*, August 25, 2005, available at [http://www.iso-ne.com/pubs/whtpprs/iso\\_ne\\_paper.pdf](http://www.iso-ne.com/pubs/whtpprs/iso_ne_paper.pdf)
22. ISO-NEW ENGLAND, INC., *Electricity Costs White Paper*, June 1, 2006, available at [http://www.iso-ne.com/pubs/whtpprs/elec\\_costs\\_wht\\_ppr.pdf](http://www.iso-ne.com/pubs/whtpprs/elec_costs_wht_ppr.pdf)
23. ISO-NEW ENGLAND, *2014 Regional System Plan*, November 6, 2014, available at <http://www.iso-ne.com/system-planning/system-plans-studies/rsp>
24. ISO-NEW ENGLAND, INC., *2015 Regional System Plan*, November 5, 2015, <http://www.iso-ne.com/system-planning/system-plans-studies/rsp>
25. ISO-NEW ENGLAND, INC., *2017 Regional System Plan Project List*, updated June 27, 2017, available at <http://www.iso-ne.com/system-planning/system-plans-studies/rsp>
26. ISO-NEW ENGLAND, INC., *2015-2024 Forecast Report of Capacity, Energy, Loads & Transmission (CELT)*, May 1, 2015, available at [http://www.iso-ne.com/static-assets/documents/2015/05/2015\\_celt\\_report.pdf](http://www.iso-ne.com/static-assets/documents/2015/05/2015_celt_report.pdf)
27. ISO-NEW ENGLAND, INC., *2016-2025 Forecast Report of Capacity, Energy, Loads & Transmission (CELT)*, May 1, 2016, available at <http://www.iso-ne.com/system-planning/system-plans-studies/celt>
28. ISO-NEW ENGLAND, INC., *2017-2026 Forecast Report of Capacity, Energy, Loads & Transmission (CELT)*, May 1, 2017, available at <https://www.iso-ne.com/system-planning/system-plans-studies/celt>
29. ISO-NEW ENGLAND, INC., *2016 Regional Electricity Outlook*, January 2016, available at [https://www.iso-ne.com/static-assets/documents/2016/03/2016\\_reo.pdf](https://www.iso-ne.com/static-assets/documents/2016/03/2016_reo.pdf)
30. ISO-NEW ENGLAND, INC., *2017 Regional Electricity Outlook*, January 2017, available at [https://www.iso-ne.com/static-assets/documents/2017/02/2017\\_reo.pdf](https://www.iso-ne.com/static-assets/documents/2017/02/2017_reo.pdf)
31. ISO-NEW ENGLAND, INC., *ISO New England Installed Capacity Requirement, Local Sourcing Requirements and Capacity Requirement Values for the System-Wide Capacity Demand Curve for the 2019/20 Capacity Commitment Period*, January 2016, available at [https://www.iso-ne.com/static-assets/documents/2016/01/icr\\_values\\_2019\\_2020\\_report\\_final.pdf](https://www.iso-ne.com/static-assets/documents/2016/01/icr_values_2019_2020_report_final.pdf)

32. ISO-NEW ENGLAND, INC., *Finalized Capacity Auction Results Confirm 10th FCA Procured Sufficient Resources, at a Lower Price, for 2019-2020*, February 29, 2016, available at [https://www.iso-ne.com/static-assets/documents/2016/02/20160229\\_fca10\\_finalresults.pdf](https://www.iso-ne.com/static-assets/documents/2016/02/20160229_fca10_finalresults.pdf)
33. ISO-NEW ENGLAND, INC., *The Challenge of Ensuring System Reliability Through Wholesale Markets as the Resource Mix Evolves*, November 17, 2016, available at [http://www.necbc.org/content/pages/Gordon-van-Welie\\_ISO-NE\\_NECBC\\_11\\_17\\_2016\\_final.pptx.pdf](http://www.necbc.org/content/pages/Gordon-van-Welie_ISO-NE_NECBC_11_17_2016_final.pptx.pdf)
34. ISO-NEW ENGLAND, INC., *ISO New England's Internal Market Monitor 2015 Annual Markets Report*, May 25, 2016, available at [https://www.iso-ne.com/static-assets/documents/2016/05/2015\\_imm\\_amr\\_final\\_5\\_25\\_2016.pdf](https://www.iso-ne.com/static-assets/documents/2016/05/2015_imm_amr_final_5_25_2016.pdf)
35. ISO-NEW ENGLAND, INC., *2017 State of the Grid: 2017, Presentation by Gordon van Welie*, January 30, 2017, available at [https://www.iso-ne.com/static-assets/documents/2017/01/20170130\\_stateofgrid2017\\_presentation\\_pr.pdf](https://www.iso-ne.com/static-assets/documents/2017/01/20170130_stateofgrid2017_presentation_pr.pdf)
36. ISO-NEW ENGLAND, INC., *Final 2017 PV Forecast*, May 1, 2017, available at [https://www.iso-ne.com/static-assets/documents/2017/05/2017\\_solar\\_forecast\\_details\\_final.pdf](https://www.iso-ne.com/static-assets/documents/2017/05/2017_solar_forecast_details_final.pdf)
37. ISO-NEW ENGLAND, INC., *Interconnection Request Queue*, updated July 17, 2017, available at <https://www.iso-ne.com/system-planning/transmission-planning/interconnection-request-queue>
38. NEW ENGLAND TRI-STATE CLEAN ENERGY RFP: CONNECTICUT, MASSACHUSETTS AND RHODE ISLAND, November 12, 2015, available at <https://cleanenergyrfp.com/>
39. ISO-NEW ENGLAND, INC., *Press Release Auction Acquires Power System Resources Needed for 2020-2021 at a Lower Price*, February 9, 2017, available at [https://www.iso-ne.com/static-assets/documents/2017/02/20170209\\_FCA11\\_initial\\_pr.pdf](https://www.iso-ne.com/static-assets/documents/2017/02/20170209_FCA11_initial_pr.pdf)
40. ISO-NEW ENGLAND, INC., *FCA Results Filing in FERC Docket No. ER17-1073-000*, February 28, 2017, available at [https://www.iso-ne.com/static-assets/documents/2017/02/fca\\_11\\_results.pdf](https://www.iso-ne.com/static-assets/documents/2017/02/fca_11_results.pdf)
41. NEW ENGLAND STATES COMMITTEE ON ELECTRICITY, *Mechanisms to Support Public Policy Resources in the New England States*, December 18, 2015, available at [http://nescoe.com/wp-content/uploads/2015/12/PublicPolicyMechanisms\\_December2015.pdf](http://nescoe.com/wp-content/uploads/2015/12/PublicPolicyMechanisms_December2015.pdf)
42. MASSACHUSETTS RENEWABLE ENERGY PORTFOLIO STANDARD, available at <http://www.mass.gov/eea/energy-utilities-clean-tech/renewable-energy/rps-aps/rps-and-aps-statutes-and-regulations.html>
43. RHODE ISLAND RENEWABLE ENERGY STANDARD, available at <http://www.ripuc.org/utilityinfo/res.html>
44. NEW ENGLAND GOVERNORS' COMMITMENT TO REGIONAL COOPERATION ON ENERGY INFRASTRUCTURE ISSUES, December 5, 2013, available at [http://nescoe.com/uploads/New\\_England\\_Governors\\_Statement-Energy\\_12-5-13\\_final.pdf](http://nescoe.com/uploads/New_England_Governors_Statement-Energy_12-5-13_final.pdf)

45. NEW ENGLAND GOVERNORS' STATEMENT ON REGIONAL COOPERATION FOR ENERGY INFRASTRUCTURE, April 23, 2015, available at <http://www.portal.ct.gov/en/Office-of-the-Governor/Press-Room/Press-Releases/2015/04-2015/New-England-Governors39-Statement-on-Regional-Cooperation-for-Energy-Infrastructure>
46. NEW ENGLAND STATES COMMITTEE ON ELECTRICITY, *Governors' Actions for a Cleaner, More Reliable and More Affordable Energy Future*, April 23, 2015, available at <http://nescoe.com/resource-center/govs-actions-apr2015/>
47. STATE OF VERMONT, PUBLIC SERVICE BOARD, Docket No. 8685, Petition of Coolidge Solar I, LLC for a certificate of public good, pursuant to 30 V.S.A. §248, authorizing installation and operation of a 20 MW solar electric generation facility to be located in Ludlow and Cavendish, Vermont, known as the "Coolidge Solar Project," March 23, 2017, available at <http://epsb.vermont.gov/?q=node/104/16365>

## STATE

### Connecticut Siting Council

48. CONNECTICUT SITING COUNCIL, *Electric and Magnetic Field Best Management Practices for the Construction of Electric Transmission Lines in Connecticut*, December 14, 2007, revised February 20, 2014, available at <http://www.ct.gov/csc/emf-bmp>
49. CONNECTICUT SITING COUNCIL, *2014/2015 Forecast of Electric Loads and Resources*, December 10, 2015, available at [http://www.ct.gov/csc/lib/csc/pendingproceeds/forecast\\_2014\\_2015/f-2015\\_finalreport.pdf](http://www.ct.gov/csc/lib/csc/pendingproceeds/forecast_2014_2015/f-2015_finalreport.pdf)
50. CONNECTICUT SITING COUNCIL, *White Paper on the Security of Siting Energy Facilities*, October 8, 2009, available at [http://www.ct.gov/csc/lib/csc/docket\\_346/whitepr\\_final.pdf](http://www.ct.gov/csc/lib/csc/docket_346/whitepr_final.pdf)
51. CONNECTICUT SITING COUNCIL, *Investigation into the Life Cycle Costs of Electric Transmission Lines*, November 15, 2012, available at [http://www.ct.gov/csc/lib/csc/lifecycle2011/life\\_cycle\\_final\\_report.pdf](http://www.ct.gov/csc/lib/csc/lifecycle2011/life_cycle_final_report.pdf)
52. CONNECTICUT SITING COUNCIL, *Written Testimony in Reference to Raised Bill No. 943, An Act Concerning the Installation of Certain Solar Facilities on Productive Farmlands*, March 6, 2017, available at <https://www.cga.ct.gov/2017/ENVdata/Tmy/2017SB-00943-R000306-Stein,%20Robin%20,%20Chairman-Connecticut%20Siting%20Council-TMY.PDF>
53. CONNECTICUT SITING COUNCIL, *Written Testimony in Reference to Raised Bill No. 412, An Act Restricting the Use of Incentives for the Development of Solar Arrays on Agricultural Land*, February 7, 2017, available at <https://www.cga.ct.gov/2017/ETdata/Tmy/2017SB-00412-R000207-Stein,%20Robin,%20Chairman-Connecticut%20Sitting%20Council-TMY.PDF>
54. **PETITION NO. 1042** – Somers Solar Center, LLC declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the construction and operation of a 5.0 MW AC Solar Photovoltaic Project located at 458 & 488 South Road, Somers, Connecticut. Record and Final Decision, available at <http://www.ct.gov/csc/cwp/view.asp?a=2397&q=513338>

55. **PETITION NO. 1056** - GRE 314 East Lyme, LLC declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the proposed construction and operation of a 5.0 MW Solar Photovoltaic Renewable Energy Generating Project located on Grassy Hill Road and Walnut Hill Road, East Lyme, Connecticut. Record and Final Decision, *available at* <http://www.ct.gov/csc/cwp/view.asp?a=2397&q=517566>
56. **PETITION NO. 1178** – DESRI CT Fusion Acquisition, LLC declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the proposed construction, operation and maintenance of a ground-mounted 20 megawatt solar photovoltaic electric generating facility located on Potash Hill Road, Sprague, Connecticut. Record and Final Decision, *available at* <http://www.ct.gov/csc/cwp/view.asp?a=2397&Q=568946&PM=1>
57. **PETITION NO. 1220** -Windham Solar LLC 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. Record and Final Decision, *available at* <http://www.ct.gov/csc/cwp/view.asp?a=2397&q=578334>
58. **PETITION NO. 1221** - 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 two 1.0 Megawatt and one 1.5 Megawatt Solar Photovoltaic Electric Generating facilities located at 91 Plainfield Pike Road, Plainfield, Connecticut. Record and Final Decision, *available at* <http://www.ct.gov/csc/cwp/view.asp?a=2397&q=578336>.
59. **PETITION NO. 1222** - 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 four 1.0 Megawatt Solar Photovoltaic Electric Generating facilities located southeast of Hartford Turnpike and south of Fisk Road, Hampton, Connecticut. Record and Final Decision, *available at* <http://www.ct.gov/csc/cwp/view.asp?a=2397&q=578394>.
60. **PETITION NO. 1224** - Woods Hill Solar, LLC declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the proposed construction, maintenance and operation of a 17.61 Megawatt AC Solar Photovoltaic Electric Generating facility located at 90 and 101 Woods Hill Road, Pomfret, Connecticut. Record and Final Decision, *available at* <http://www.ct.gov/csc/cwp/view.asp?a=2397&q=578712>
61. **PETITION NO. 1247** - C-TEC Solar, LLC declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the proposed construction, maintenance, and operation of a 3.75 MW solar photovoltaic electric generating facility located at 65 Thompson Road, Thompson, Connecticut. Record and Final Decision, *available at* <http://www.ct.gov/csc/cwp/view.asp?a=2397&Q=582976&PM=1>
62. **PETITION NO. 1294** – LSE Canes Venatici LLC declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the proposed construction, operation, and maintenance of a 2.0 megawatt AC Solar Photovoltaic Electric Generating facility located at East Windsor Tax Assessor Map 037, Block 65, Lot 027A, Wapping Road, East Windsor, Connecticut. (NORCAP North). Record and Final Decision, *available at* <http://www.ct.gov/csc/cwp/view.asp?a=2397&q=591568>



63. **PETITION NO. 1295** – LSE Coma Berenices LLC declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the proposed construction, operation, and maintenance of a 2.0 megawatt AC Solar Photovoltaic Electric Generating facility located at East Windsor Tax Assessor Map 027, Block 65, Lot 031, 90 Wapping Road, East Windsor, Connecticut. (NORCAP South). Record and Final Decision, *available at* <http://www.ct.gov/csc/cwp/view.asp?a=2397&q=591574>

**Department of Energy and Environmental Protection**

64. STATE OF CONNECTICUT, DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION, CONNECTICUT COUNCIL ON SOIL AND WATER CONSERVATION, *Connecticut Guidelines for Soil Erosion and Sediment Control, DEP Bulletin 34*, May 2002, last revised September 2007, *available at* [http://www.ct.gov/dep/cwp/view.asp?a=2720&q=325660&depNav\\_GID=1654](http://www.ct.gov/dep/cwp/view.asp?a=2720&q=325660&depNav_GID=1654)
65. STATE OF CONNECTICUT, DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION, *The Connecticut Stormwater Quality Manual, 2004, and appendices*, *available at* [http://www.ct.gov/DEP/cwp/view.asp?a=2721&q=325704&depNav\\_GID=1654#download](http://www.ct.gov/DEP/cwp/view.asp?a=2721&q=325704&depNav_GID=1654#download)
66. STATE OF CONNECTICUT, DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION, *Amphibians and Reptiles in Connecticut, DEP Bulletin 32*, Michael W. Klemens, 2000, *available at* <http://www.ctdeepstore.com/Amphibians-and-Reptiles-in-Connecticut-101.htm?categoryId=-1>
67. STATE OF CONNECTICUT, DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION, *Amphibians and Reptiles of Connecticut and Adjacent Regions, DEP Bulletin 112*, State Geological and Natural History Survey of Connecticut, Michael W. Klemens, 1993
68. STATE OF CONNECTICUT, DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION, *Connecticut Water Quality Standards*, Effective October 10, 2013, Regulations of Connecticut State Agencies §§ 22a-426-1, et seq. [http://www.ct.gov/dep/lib/dep/water/water\\_quality\\_standards/wqs.pdf](http://www.ct.gov/dep/lib/dep/water/water_quality_standards/wqs.pdf)
69. STATE OF CONNECTICUT, DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION, *Connecticut Air Quality Standards*, Effective April 15, 2014, Regulations of Connecticut State Agencies §§ 22a-174-24, et seq., *available at* <http://www.ct.gov/deep/lib/deep/air/regulations/mainregs/sec24.pdf>
70. STATE OF CONNECTICUT, DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION, *Connecticut Noise Control Regulations*, Effective June 15, 1978, Regulations of Connecticut State Agencies §§22a-69-1, et seq., *available at* <http://www.ct.gov/deep/lib/deep/regulations/22a/22a-69-1through7.pdf>
71. STATE OF CONNECTICUT, DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION, BUREAU OF ENERGY AND TECHNOLOGY POLICY, *2013 Comprehensive Energy Strategy for Connecticut*, February 19, 2013, *available at* [http://www.ct.gov/deep/lib/deep/energy/cep/2013\\_ces\\_final.pdf](http://www.ct.gov/deep/lib/deep/energy/cep/2013_ces_final.pdf)

72. STATE OF CONNECTICUT, DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION, BUREAU OF ENERGY AND TECHNOLOGY POLICY, *2012 Integrated Resource Plan for Connecticut*, June 14, 2012, *available at*  
[http://www.dpuc.state.ct.us/DEEPEnergy.nsf/c6c6d525f7cdd1168525797d0047c5bf/cb827b1ffa58b2fd85257a1d0060c374/\\$FILE/2012%20Integrated%20Resource%20Plan.pdf](http://www.dpuc.state.ct.us/DEEPEnergy.nsf/c6c6d525f7cdd1168525797d0047c5bf/cb827b1ffa58b2fd85257a1d0060c374/$FILE/2012%20Integrated%20Resource%20Plan.pdf)
73. STATE OF CONNECTICUT, DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION, *2014 Integrated Resource Plan for Connecticut*, March 17, 2015, *AVAILABLE AT*  
<http://www.dpuc.state.ct.us/deepenergy.nsf/c6c6d525f7cdd1168525797d0047c5bf/8e95d81c37c7237085257e0b004770b2?opendocument>
74. STATE OF CONNECTICUT, DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION, BUREAU OF NATURAL RESOURCES, *Connecticut's Endangered, Threatened and Special Concern Species 2015*, August 2015, *available at*  
[http://www.ct.gov/deep/lib/deep/wildlife/pdf\\_files/nongame/ETS15.pdf](http://www.ct.gov/deep/lib/deep/wildlife/pdf_files/nongame/ETS15.pdf)
75. STATE OF CONNECTICUT, DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION, BUREAU OF NATURAL RESOURCES, *Connecticut's Wildlife Action Plan*, 2015 Revision, *available at*  
[http://www.ct.gov/deep/cwp/view.asp?a=2723&q=329520&deepNav\\_GID=1719#Review](http://www.ct.gov/deep/cwp/view.asp?a=2723&q=329520&deepNav_GID=1719#Review)
76. STATE OF CONNECTICUT, DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION, BUREAU OF ENERGY AND TECHNOLOGY POLICY, *2-20 MW Renewable, Demand Response and Energy Storage Procurement*, August 31, 2015, *available at*  
[http://www.dpuc.state.ct.us/DEEPEnergy.nsf/c6c6d525f7cdd1168525797d0047c5bf/67b2877d014a6f2a85257eb200467127/\\$FILE/Notice%20of%20proceedings%20and%20opportunity%20to%20comment%2008.31.15.pdf](http://www.dpuc.state.ct.us/DEEPEnergy.nsf/c6c6d525f7cdd1168525797d0047c5bf/67b2877d014a6f2a85257eb200467127/$FILE/Notice%20of%20proceedings%20and%20opportunity%20to%20comment%2008.31.15.pdf)
77. STATE OF CONNECTICUT, DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION, *Governor's Council on Climate Change, GC3 Analysis, Data, and Metrics Meeting Presentation*, July 26, 2016, *available at*  
[http://www.ct.gov/deep/lib/deep/climatechange/gc3\\_adm\\_group/adm\\_meeting\\_7\\_26\\_2016.pdf](http://www.ct.gov/deep/lib/deep/climatechange/gc3_adm_group/adm_meeting_7_26_2016.pdf)
78. HOCHHOLZER, HELENE, CONNECTICUT FOREST PLANNER, *Connecticut's Forest Action Plan 2010*, (Revised 2015), *available at*  
[http://www.ct.gov/deep/lib/deep/forestry/assessment\\_and\\_strategy/fap2015.pdf](http://www.ct.gov/deep/lib/deep/forestry/assessment_and_strategy/fap2015.pdf)
79. STATE OF CONNECTICUT, DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION, *Comprehensive Open Space Acquisition Strategy, 2016-2020 Green Plan*, *available at*  
[http://www.ct.gov/deep/lib/deep/open\\_space/greenplan/2016GreenPlan-CompletePlan.pdf](http://www.ct.gov/deep/lib/deep/open_space/greenplan/2016GreenPlan-CompletePlan.pdf)

**Department of Public Health**

80. STATE OF CONNECTICUT, DEPARTMENT OF PUBLIC HEALTH, *Electric and Magnetic Fields (EMF): Health Concerns Fact Sheet*, April 2008, *available at*  
[http://www.ct.gov/dph/lib/dph/environmental\\_health/coha/pdf/emf\\_fact\\_sheet\\_-\\_2008.pdf](http://www.ct.gov/dph/lib/dph/environmental_health/coha/pdf/emf_fact_sheet_-_2008.pdf)



**Department of Transportation**

81. STATE OF CONNECTICUT, DEPARTMENT OF TRANSPORTATION, *ConnDOT Drainage Manual*, 2000, last revised December 2003, available at <http://www.ct.gov/dot/cwp/view.asp?a=3200&q=260116>
82. STATE OF CONNECTICUT, DEPARTMENT OF TRANSPORTATION, *Utility Accommodation Manual*, February 2009, available at <http://www.ct.gov/dot/lib/dot/documents/dutilities/ACCOMODATION.pdf>
83. STATE OF CONNECTICUT, DEPARTMENT OF TRANSPORTATION, BUREAU OF ENGINEERING AND HIGHWAY OPERATIONS, *Public Service Facility Policy and Procedures for Highways in Connecticut*, November 2008, available at <http://www.ct.gov/dot/lib/dot/documents/dutilities/UtilityPolicyProcedures.pdf>

**Other State Agencies**

84. STATE OF CONNECTICUT, OFFICE OF POLICY AND MANAGEMENT, *Conservation and Development Policies Plan for Connecticut 2013-2018*, June 5, 2013, available at [http://www.ct.gov/opm/lib/opm/igp/org/cdupdate/2013-2018\\_cd\\_plan.pdf](http://www.ct.gov/opm/lib/opm/igp/org/cdupdate/2013-2018_cd_plan.pdf)
85. Final Report of the Two Storm Panel, January 9, 2012, available at [http://www.governor.ct.gov/malloy/lib/malloy/two\\_storm\\_panel\\_final\\_report.pdf](http://www.governor.ct.gov/malloy/lib/malloy/two_storm_panel_final_report.pdf)
86. STATE OF CONNECTICUT, CONNECTICUT GREEN BANK, *Comprehensive Plan, Fiscal Year 2017 through Fiscal Year 2018*, available at <http://www.ctgreenbank.com/wp-content/uploads/2016/07/CTGreenBank-Comprehensive-Plan-Fiscal-Years-2017-2018.pdf>
87. STATE OF CONNECTICUT, DEPARTMENT OF EMERGENCY SERVICES AND PUBLIC PROTECTION, DIVISION OF EMERGENCY MANAGEMENT AND HOMELAND SECURITY, *State of Connecticut State Response Framework, Version 2.0*, August 2011, available at [http://www.ct.gov/demhs/lib/demhs/ct\\_srf\\_aug\\_2011.pdf](http://www.ct.gov/demhs/lib/demhs/ct_srf_aug_2011.pdf)
88. STATE OF CONNECTICUT, DEPARTMENT OF EMERGENCY SERVICES AND PUBLIC PROTECTION, DIVISION OF EMERGENCY MANAGEMENT AND HOMELAND SECURITY, *State of Connecticut State Response Framework, Draft Connecticut Emergency Support Function 12, All Hazards Energy and Utilities Annex*, July 2012, available at [http://www.ct.gov/demhs/lib/demhs/eppi/esf\\_12\\_all-hazards\\_energy\\_and\\_utilities\\_annex\\_final\\_draft\\_july\\_2012.pdf](http://www.ct.gov/demhs/lib/demhs/eppi/esf_12_all-hazards_energy_and_utilities_annex_final_draft_july_2012.pdf)
89. STATE OF CONNECTICUT, GOVERNOR'S STEERING COMMITTEE ON CLIMATE CHANGE, ADAPTATION SUBCOMMITTEE, *Connecticut Climate Change Preparedness Plan, Adaptation Strategies for Agriculture, Infrastructure, Natural Resources and Public Health Climate Change Vulnerabilities*, 2011, available at [http://www.ct.gov/deep/lib/deep/climatechange/connecticut\\_climate\\_preparedness\\_plan\\_2011.pdf](http://www.ct.gov/deep/lib/deep/climatechange/connecticut_climate_preparedness_plan_2011.pdf)
90. PUBLIC UTILITIES REGULATORY AUTHORITY, *Cybersecurity and Connecticut's Public Utilities*, April 14, 2014, available at [http://www.ct.gov/pura/lib/pura/electric/cyber\\_report\\_041414.pdf](http://www.ct.gov/pura/lib/pura/electric/cyber_report_041414.pdf)

91. PUBLIC UTILITIES REGULATORY AUTHORITY, *Connecticut Public Utilities Cybersecurity Action Plan*, April 6, 2016, available at [http://www.ct.gov/pura/lib/pura/electric/cyber\\_report\\_April\\_6\\_2016.pdf](http://www.ct.gov/pura/lib/pura/electric/cyber_report_April_6_2016.pdf)
92. STATE OF CONNECTICUT, STATE VEGETATION MANAGEMENT TASK FORCE, *Final Report Issued to the Connecticut Department of Energy and Environmental Protection*, August 28, 2012, available at [http://www.ct.gov/deep/lib/deep/forestry/vmtf/final\\_report/svmtf\\_final\\_report.pdf](http://www.ct.gov/deep/lib/deep/forestry/vmtf/final_report/svmtf_final_report.pdf)
93. STATE OF CONNECTICUT, COUNCIL ON ENVIRONMENTAL QUALITY, *Energy Sprawl in Connecticut: Why Farmland and Forests are Being Developed for Electricity Production; Recommendations for Better Siting*, February 3, 2017, available at [http://www.ct.gov/ceq/lib/ceq/Energy\\_Sprawl\\_in\\_Connecticut.pdf](http://www.ct.gov/ceq/lib/ceq/Energy_Sprawl_in_Connecticut.pdf)
94. STATE OF CONNECTICUT, COUNCIL ON ENVIRONMENTAL QUALITY, *Environmental Quality in Connecticut*, June 21, 2017, available at [http://www.ct.gov/ceq/lib/ceq/Environmental\\_Quality\\_in\\_Connecticut\\_for\\_2016\\_%28Updated\\_June\\_2017%29.pdf](http://www.ct.gov/ceq/lib/ceq/Environmental_Quality_in_Connecticut_for_2016_%28Updated_June_2017%29.pdf)
95. UNIVERSITY OF CONNECTICUT, *Economic Impacts of Connecticut's Agricultural Industry*, September 2010, available at [https://webshare.business.uconn.edu/ccea/studies/Ag-Economic-Impacts\\_2010sept-final.pdf](https://webshare.business.uconn.edu/ccea/studies/Ag-Economic-Impacts_2010sept-final.pdf)
96. GOVERNOR'S COUNCIL FOR AGRICULTURAL DEVELOPMENT, *Grow Connecticut Farms: Developing, Diversifying, and Promoting Agriculture*, December 2012, available at [http://www.ct.gov/doag/lib/doag/boards\\_commissions\\_councils/gcf/grow\\_ct\\_farms\\_3\\_6\\_2013\\_low.pdf](http://www.ct.gov/doag/lib/doag/boards_commissions_councils/gcf/grow_ct_farms_3_6_2013_low.pdf)
97. *Red Hill Coalition, Inc. v. Town Plan & Zoning Comm.*, 212 Conn. 727 (1989).
98. *Paige v. Town Plan & Zoning Comm.*, 235 Conn. 448 (1995).
99. *FairwindCT, Inc. v. Connecticut Siting Council*, 313 Conn. 669 (2014).
100. *Corcoran v. Connecticut Siting Council*, 284 Conn. 455 (2007).
101. UNIVERSITY OF CONNECTICUT, College of Agriculture and Natural Resources, Center for Land Use Education and Research, *Connecticut's Changing Landscape*, available at: <http://clear.uconn.edu/projects/landscape/index.htm>

## **TECHNICAL**

102. NATIONAL FIRE PROTECTION ASSOCIATION, *NFPA National Electric Code 2017 Edition*, August 23, 2016 available at <http://www.nfpa.org/nec>
103. NATIONAL FIRE PROTECTION ASSOCIATION, *Article 691 (Large-Scale Photovoltaic (PV) Electric Supply Stations) in the 2017 NEC: National Electrical Code* available at <http://www.nfpa.org/nec>
104. IEEE STANDARDS ASSOCIATION, *1264-2015 - IEEE Guide for Animal Deterrents for Electric Power Supply Substations*, available at <https://standards.ieee.org/findstds/standard/1264-2015.html>

105. INSTITUTE OF ELECTRICAL AND ELECTRONICS ENGINEERS, *National Electrical Safety Code*, American National Standards Institute, Standard C2-2017, October 18, 2016.
106. EXPONENT, INC., *EMF and Health: Review and Update of the Scientific Research*, January 28, 2009, available at <http://transmission.bchydro.com/NR/rdonlyres/DEF09171-908A-48DF-A9DA-F28676D239FD/0/Exponent2009EMFUpdate0209.pdf>
107. EXPONENT, INC., *Current Status of Research on Extremely Low Frequency Electric and Magnetic Fields and Health: Interstate Reliability Project*, January 10, 2011, available at [http://www.ct.gov/csc/lib/csc/pendingproceeds/docket\\_424/424\\_application/v1interstate\\_csc\\_application\\_v1.pdf](http://www.ct.gov/csc/lib/csc/pendingproceeds/docket_424/424_application/v1interstate_csc_application_v1.pdf) (Appendix D EMF Health Report)
108. ACADIA CENTER, *Distributed Solar in the Draft CT Comprehensive Energy Strategy, Proposals Risk Stalling Deployment at Crucial Moment*, August 3, 2017, available at <http://acadiacenter.org/wp-content/uploads/2017/08/Acadia-Center-Distributed-Solar-in-Draft-CT-CES.pdf>
109. UNION OF CONCERNED SCIENTISTS, *Up with the Sun: Solar Energy and Agriculture*, 2003, available at <http://www.ucsusa.org/clean-energy/increase-renewable-energy/solar-energy-agriculture#.WaRg3U0zWpo>

## **ENVIRONMENTAL**

110. RICHARD M. DEGRAAF & DEBORAH D. RUDIS, *New England Wildlife: Habitat, Natural History, and Distribution*, University of Massachusetts Press, 1983, available at <http://www.treearch.fs.fed.us/pubs/4148>
111. ARAM J.K. CALHOUN & MICHAEL W. KLEMENS, *Best Development Practices: Conserving Pool-Breeding Amphibians in Residential and Commercial Developments in the Northeastern United States*, MCA Technical Paper No. 5, Metropolitan Conservation Alliance 2002, available at <http://www.umaine.edu/vernalpools/PDFs/Best%20Development%20Practices%20-%20-%20Conserving%20Pool-breeding%20Amph.pdf>
112. ARAM J.K. CALHOUN, ET. AL., *Conserving pool-breeding amphibians in human-dominated landscapes through local implementation of Best Development Practices*, *Wetlands Ecology and Management*, July 9, 2004 at 291, available at <http://www.environmental-expert.com/Files/0/articles/9373/Conservingpool-breeding.pdf>
113. LAUREN M. COOK & RICHARD H. MCCUEN, *Hydrologic Response of Solar Farms*, *Journal of Hydrologic Engineering*, May 2013, available at [http://ascelibrary.org/doi/abs/10.1061/\(ASCE\)HE.1943-5584.0000530](http://ascelibrary.org/doi/abs/10.1061/(ASCE)HE.1943-5584.0000530)
114. CHRISTOPHER BARTON AND KAREN KINKEAD, *Do Erosion Control and Snakes Mesh?*, *Journal of Science and Water Conservation* 2005, Volume 60, Number 2, available at <http://www.treearch.fs.fed.us/pubs/21050>

## MAPS

115. STATE OF CONNECTICUT, DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION, *Natural Diversity Database Map for the Towns of New Milford, Brookfield, and New Fairfield*, available at <http://www.depdata.ct.gov/naturalresources/endangeredspecies/nddbpdfs.asp>
116. STATE OF CONNECTICUT DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION, *Aquifer Protection Area Map for the Towns of New Milford and Brookfield* last updated September 6, 2017, available at <http://www.ct.gov/deep/cwp/view.asp?a=2685&q=322248>
117. UNIVERSITY OF CONNECTICUT, CONNECTICUT ENVIRONMENTAL CONDITIONS ONLINE, *Connecticut Critical Habitats and Open Space*, last updated November 28, 2012, available at <http://cteco.maps.arcgis.com/home/item.html?id=a1bf59798c5b45a98acaeb97dafd60b9>
118. CONNECTICUT FOREST & PARK ASSOCIATION, CONNECTICUT WALK BOOK 20<sup>TH</sup> ED. 2017, available at <http://www.ctwoodlands.org/connecticut-walk-book-20th-edition>
119. NATIONAL AUDUBON SOCIETY, *Connecticut Important Bird Areas*, available at <http://ct.audubon.org/important-bird-areas-11>
120. STATE OF CONNECTICUT DEPARTMENT OF TRANSPORTATION, *Connecticut Official State Tourism Map*.
121. MAIL-A-MAP STREET MAP, New Milford, Brookfield, and New Fairfield, available at [http://mailamap.com/street\\_maps](http://mailamap.com/street_maps)
122. UNITED STATES GEOLOGICAL SURVEY, Connecticut Topographic Map Collection, New Milford 1984 and Danbury 1984, available at [http://magic.lib.uconn.edu/topographic\\_maps.html](http://magic.lib.uconn.edu/topographic_maps.html)
123. STATE OF CONNECTICUT DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION, *Northern Long-eared Bat Areas of Concern in Connecticut to Assist with Federal Endangered Species Act Compliance*, February 1, 2016, available at [http://www.ct.gov/deep/lib/deep/endangered\\_species/images/nlebc\\_approved2\\_16.pdf](http://www.ct.gov/deep/lib/deep/endangered_species/images/nlebc_approved2_16.pdf)

### E. State Agency comments

1. State of Connecticut Department of Transportation, dated August 28, 2017
2. State of Connecticut Council on Environmental Quality, dated August 30, 2017
3. Department of Energy and Environmental Protection's Interrogatory Responses to the Town of New Milford, Set One, dated September 19, 2017
4. State of Connecticut Department of Energy and Environmental Protection, dated September 21, 2017

### F. Public Official comments

1. United States Senator Richard Blumenthal and Congresswoman Elizabeth H. Esty, dated September 22, 2017
2. State Representative Richard A. Smith, 108<sup>th</sup> District, dated September 21, 2017

II. Appearance by Petitioner

Petitioner: Candlewood Solar, LLC  
Representative: Paul R. Michaud, Esq.  
Michaud Law Group LLC

A. Administrative Notice.

1.

B. Exhibits for Identification.

1. Petition for a Declaratory filed by Candlewood Solar, LLC, received June 28, 2017, and attachments.
2. Candlewood Solar, LLC's Responses to Council Interrogatories, Set One, dated August 28, 2017
3. Candlewood Solar, LLC's Pre-filed Testimony, dated September 19, 2017
  - a. Jim Walker, Ameresco, Inc.
  - b. Joel Lindsay, Ameresco, Inc.
  - c. Robert Bukowski, Pamela M. Chan, Amec Foster Environment & Infrastructure, Inc. and Brian Butler, Oxbow Associates, Inc.
4. Candlewood Solar, LLC's Responses to Town Interrogatories, Set One, dated September 19, 2017
5. Candlewood Solar, LLC's Affidavit of Sign Posting with Photograph, dated September 19, 2017
6. Candlewood Solar, LLC's Witness Resumes and Company Qualifications and Experience, received September 19, 2017
  - a. Jim Walker, Ameresco, Inc.
  - b. Joel Lindsay, Ameresco, Inc.
  - c. Amec Foster Wheeler Statement of Qualifications
  - d. Robert Bukowski, Amec Foster Environment & Infrastructure, Inc
  - e. Pamela M. Chan, Amec Foster Environment & Infrastructure, Inc.
  - f. Brian Butler, Oxbow Associates, Inc.
  - g. Oxbow Associates, Inc. Statement of Qualifications
7. Candlewood Solar, LLC's Phase IA Cultural Resources Assessment Survey of the Proposed Candlewood Solar Facility in New Milford, Connecticut, September 2017
8. Candlewood Solar, LLC's Federal Aviation Administration Determination of No Hazard to Air Navigation Letters, received September 19, 2017
9. Candlewood Solar, LLC's Supplemental Sign Posting Affidavit, signed and dated September 25, 2017
10. Candlewood Solar, LLC's Field Review Map, received September 25, 2017
11. Candlewood Solar, LLC's Responses to Council Interrogatories, Set Two, with attachments, dated October 24, 2017
12. Candlewood Solar, LLC's Responses to Council Interrogatories, Set Three, dated October 24, 2017
13. Candlewood Solar, LLC's Supplemental Pre-filed Testimony with attachments, dated October 24, 2017
  - a. Joel Lindsay, Ameresco, Inc.

- b. Robert Bukowski, Amec Foster Environment & Infrastructure, Inc.
- c. Patricia Foster, Amec Foster Environment & Infrastructure, Inc.
- 14. Resume of Patricia Foster
- 15. Conservation Restriction Area, dated October 24, 2017
- 16. Updated Proposed Conditions Map, dated October 24, 2017
- 17. Revised Response to Council Interrogatory #14 including Phase 1B Report, dated October 24, 2017
- 18. Oxbow Species Account Report, dated October 20, 2017
- 19. Correspondence to DEEP NDDB from Amec Foster Wheeler, dated October 27, 2017
- 20. Correspondence to SHPO from Amec Foster Wheeler, dated October 26, 2017

C. Swear Witnesses

- 1. Jim Walker, Ameresco, Inc.
- 2. Joel Lindsay, Ameresco, Inc.
- 3. Robert Bukowski, Amec Foster Wheeler Environment & Infrastructure, Inc.
- 4. Pamela Chan, Amec Foster Wheeler Environment & Infrastructure, Inc.
- 5. Brian Butler, Oxbow Associates, Inc.
- 6. Patricia Foster, Amec Foster Wheeler Environment & Infrastructure, Inc.

D. Full Exhibits - Verification of exhibits by witnesses and admission by the Council.

E. Cross Examination.

- 1. Council
- 2. Town of New Milford
- 3. Department of Agriculture (DOAg)
- 4. Rescue Candlewood Mountain

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III. Appearance by Party: Town of New Milford  
Representative: Rebecca L. Rigdon, Esq.  
Town Attorney - Town of New Milford

A. Administrative Notice.

- 1. FUSS & O'NEILL, *Low Impact Development Appendix to the Connecticut Stormwater Quality Manual*, August 2011, Partners for the Connecticut Low Impact Development and Stormwater General Permit Evaluation- Connecticut, available at [http://www.ct.gov/deep/lib/deep/water/nps/swgp/lid\\_stormwaterfinal.pdf](http://www.ct.gov/deep/lib/deep/water/nps/swgp/lid_stormwaterfinal.pdf)
- 2. FUSS & O'NEILL, *Low Impact Development Appendix to the Connecticut Guidelines for Soil Erosion and Sediment Control Manual*, August 2011, Partners for the Connecticut Low Impact Development and Stormwater General Permit Evaluation- Connecticut, available at [http://www.ct.gov/dot/lib/dot/documents/dpolicy/waternoisecompliance/helpsoftware/Report\\_LIDAppendixSoilErosion&SedimentControl\\_20110800.pdf](http://www.ct.gov/dot/lib/dot/documents/dpolicy/waternoisecompliance/helpsoftware/Report_LIDAppendixSoilErosion&SedimentControl_20110800.pdf)

B. Exhibits for Identification.

- 1. Town of New Milford's Request for Party Status, dated July 19, 2017
- 2. Town of New Milford's Zoning Commission Correspondence, dated July 14, 2017



3. Town of New Milford's Planning Commission Correspondence, dated July 24, 2017
4. Town of New Milford's Zoning Commission Regular Meeting Minutes, dated July 25, 2017
5. Town of New Milford's Zoning Commission Correspondence, dated September 11, 2017
6. Town of New Milford's Office of Inland Wetlands Commission Correspondence, dated September 18, 2017
7. Town of New Milford's Conservation Commission Correspondence, dated September 18, 2017
8. Town of New Milford's Farmland & Forest Preservation Committee Correspondence, dated September 18, 2017 and Attached Memorandum, dated December 7, 2016

C. Swear Witnesses

1. William Taylor, Chairman, New Milford Zoning Commission
2. Laura Regan, Land Use Supervisor/Zoning Enforcement Officer, Town of New Milford
3. James Ferlow, Inland Wetlands Enforcement Officer, New Milford Inland Wetlands & Watercourses Commission
4. Steve Kleppin, Chairman, New Milford Farmland & Forest Preservation Committee

D. Full Exhibits - Verification of exhibits by witnesses and admission by the Council.

E. Cross Examination.

1. Council
2. Petitioner
3. DOAg
4. Rescue Candlewood Mountain

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IV. Appearance by Party: Department of Agriculture

Representative: Jason Bowsza

A. Administrative Notice.

B. Exhibits for Identification.

1. Department of Agriculture's Request for Party Status, dated August 1, 2017
2. Department of Agriculture's Responses to Council Interrogatories, Set I, dated October 20, 2017

C. Swear Witnesses

1. Kipen Kolesinskas, Consulting Conservation Scientist
2. Stephen Anderson

D. Full Exhibits - Verification of exhibits by witnesses and admission by the Council.

E. Cross Examination.

1. Council
2. Petitioner
3. Town of New Milford

4. Rescue Candlewood Mountain

V. Appearance by Party and CEPA Intervenor: Rescue Candlewood Mountain

Representative: Keith R. Ainsworth, Esq.  
Law Offices of Keith R. Ainsworth, Esq., LLC

A. Administrative Notice.

1. CONNECTICUT GENERAL ASSEMBLY, *Public Act 17-218 - An Act Concerning the Installation of Certain Solar Facilities on Productive Farmlands, Incentives for the Use of Anaerobic Digesters by Agricultural Customer Hosts, Applications Concerning the Use of Kelp in Certain Biofuels and the Permitting of Waste Conversion Facilities, Sections 1 and 2*, Raised S.B. No. 943 Session Year 2017, effective July 1, 2017, available at <https://www.cga.ct.gov/2017/ACT/pa/2017PA-00218-R00SB-00943-PA.htm>
2. UNIVERSITY OF CONNECTICUT-COLLEGE OF AGRICULTURE AND NATURAL RESOURCES, *Core Forest Explained*, Center for Land Use Education and Research (CLEAR), available at [http://clear.uconn.edu/projects/landscape/forestfrag/measuring/core\\_explained.htm](http://clear.uconn.edu/projects/landscape/forestfrag/measuring/core_explained.htm)
3. UNIVERSITY OF CONNECTICUT-COLLEGE OF AGRICULTURE AND NATURAL RESOURCES, *Landscape Fragmentation Tool (LFT)*, v. 2.0, Center for Land Use Education and Research (CLEAR), available at <http://clear.uconn.edu/tools/lft/lft2/index.htm>

B. Exhibits for Identification.

1. Rescue Candlewood Mountain's Request for Party and CEPA Intervenor Status, dated September 6, 2017
2. Rescue Candlewood Mountain's Comments from Carl M. Dunham, Jr., dated July 19, 2017
3. Rescue Candlewood Mountain's Comments from Lisa Ostrove, dated July 19, 2017
4. Rescue Candlewood Mountain's Comments from Lisa Ostrove, dated July 26, 2017
5. Rescue Candlewood Mountain's Comments from Timothy Abbott, Housatonic Valley Association, dated July 26, 2017
6. Rescue Candlewood Mountain's Pre-filed Testimony, dated September 19, 2017
  - a. Starling Childs
  - b. Timothy Abbott
  - c. Russell Posthauer
  - d. Lisa Ostrove
  - e. Carl Dunham
7. Rescue Candlewood Mountain's Comments from Ostrove family, dated October 8, 2017
8. Rescue Candlewood Mountain's Supplemental Pre-filed Testimony of Russell Posthauer, dated October 20, 2017
9. Rescue Candlewood Mountain's Responses to Council Interrogatories, dated October 24, 2017
10. Candlewood Mountain Core Forest Habitat Map, submitted November 14, 2017

C. Swear Witnesses

1. Starling Childs, Connecticut Forester
2. Timothy Abbott, Regional Land Protection and Greenprint Director, Housatonic Valley Association
3. Russell Posthauer, P.E., CCM Engineering
4. Lisa Ostrove
5. Carl Dunham

D. Full Exhibits - Verification of exhibits by witnesses and admission by the Council.

E. Cross Examination.

1. Council
2. Petitioner
3. Town of New Milford
4. DOAg

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VI. Closing by Connecticut Siting Council.