

Exhibit CS-BW-59

Docket 8302
First Supplemental Testimony
of Scott Michael Mapes

**STATE OF VERMONT
PUBLIC SERVICE BOARD**

Docket No. 8302

Petition of Chelsea Solar LLC, pursuant	)
to 30 V.S.A. § 248, for a certificate of public	)
good authorizing the installation and	)
operation of a 2.0 MW solar electric generation	)
facility located at 500 Apple Hill Road in	)
Bennington, Vermont	)

**SUPPLEMENTAL PREFILED DIRECT TESTIMONY OF SCOTT MICHAEL
MAPES ON BEHALF OF PETITIONER CHELSEA SOLAR LLC**

EXHIBITS

Exhibit CS-SMM- 2	Project EPSC Plan and Construction General Permit #3-9020 Appendix A – Risk Evaluation for Chelsea Solar by SMM dated 12 June 2014 ¹
Exhibit CS-SMM- 7	Project Construction General Permit #3-9020 NOI dated 26 September 2014

¹ This Appendix will replace the Appendix currently attached to the ESPC Plan Exhibit

1 **Q. What is the purpose of your testimony?**

2 Response: The purpose of my testimony is to provide the PSB with supplemental
3 prefiled testimony that addresses changes to the project site plans and details since
4 the filing of my 18 June 2014 Prefiled Direct Testimony and to address any changes
5 to my testimony regarding the Project's compliance with the section 248 criteria
6 pertaining to environmental issues.

7

8 **Q. Please describe the changes to the project site plans and details since the**
9 **filing of the original Petition with the PSB?**

10 Response: Please refer to the supplemental prefiled testimony of Brad Wilson for a
11 description and scope of revisions and updates to the project site plans and site
12 designs and details.

13

14 **To the extent the above site plan changes affect or change your prefiled direct**
15 **testimony of 18 June 2014 so note below for each of the criteria.**

16

17 **SECTION 248 CRITERIA**

18 **30 V.S.A. § 248(b)(5) – Environmental Considerations**

19 **Q. Will the Project have an undue adverse effect on aesthetics, historic sites, air**
20 **and water purity, the natural environment, and the public health and safety,**
21 **with due consideration being given to the criteria specified in 10 V.S.A. §**
22 **1424a(d) and § 6086(8a)(1) through (8) and (9)(K)?**

23 Response: No change to my prefiled direct testimony of 18 June 2014.

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2

Outstanding Resource Waters – 30 V.S.A. § 248(b)(5) and (8)

3 **Q.**

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Air Pollution - 10 V.S.A. § 6086(a)(1)

12 **Q.**

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Water Pollution - 10 V.S.A. § 6086(a)(1)

18 **Q.**

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Headwaters - 10 V.S.A. § 6086(a)(1)(A)

Is the Project located on or would it affect any segment of any outstanding resource waters designated by the Natural Resources Board or the Secretary of the Agency of Natural Resources? Will the Project have an undue adverse effect on the natural environment, with due consideration being given to the criteria of 10 V.S.A. § 1424a(d) regarding the designation of Outstanding Resource Waters?

Response: No Change to my prefiled direct testimony of 18 June 2014.

Will the Project result in undue air pollution?

Response: No Change to my prefiled direct testimony of 18 June 2014. While the solar panel support structure will not be pile driven the pier support structures will not result in undue air pollution.

Will the Project result in undue water pollution?

Response: No. Further support is provided below under criteria 6086(a)(1)(A) – (a)(1)(G).

1 **Q. Is the Project located in a headwater and, if so, will it reduce the quality of**
2 **ground or surface water?**

3 Response: No change to my prefiled direct testimony of 18 June 2014.
4

5 **Waste Disposal - 10 V.S.A. § 6086(a)(1)(B)**

6 **Q. Will the Project meet any applicable health and department of environmental**
7 **conservation department regulations regarding the disposal of any generated**
8 **waste?**

9 Response: No change to my prefiled direct testimony of 18 June 2014.

10 The Project EPSC plan requires that all disturbed areas are to be promptly stabilized
11 with temporary or final measures within 7 days of initial disturbance and with no
12 more than 5 acres of disturbed area open at any one time. Following this protocol
13 and the requirements of the project #3-9020 Stormwater Construction General
14 Permit, the site and immediate off site areas should experience no unreasonable
15 impacts due to soil erosion. See *Exhibit CS-SMM-2 and CS-SMM-7*.
16

17 **Water Conservation - 10 V.S.A. § 6086(a)(1)(C)**

18 **Q. Has the design of the Project considered water conservation, incorporated**
19 **multiple uses or recycling where technically and economically practical,**
20 **utilized the best available technology for such applications, and provided for**
21 **continued efficient operation of these systems?**

22 Response: No change to my prefiled direct testimony of 18 June 2014.
23

Floodways - 10 V.S.A. § 6086(a)(1)(D)

Q. Is the Project within a floodway or floodway fringe? If within a floodway, will it restrict or divert the flow of flood waters, and endanger the health, safety and welfare of the public or of riparian owners during flooding? If within a floodway fringe, will it significantly increase the peak discharge of the river or stream within or downstream from the area of development and endanger the health, safety, or welfare of the public or riparian owners during flooding?

Response: No change to my prefiled direct testimony of 18 June 2014.

Streams - 10 V.S.A. § 6086(a)(1)(E)

Q. Is the Project on or adjacent to the bank of a stream?

Response: No change to my prefiled direct testimony of 18 June 2014.

Shorelines - 10 V.S.A. § 6086(a)(1)(F)

Q. Is the Project located on a shoreline?

Response: No change to my prefiled direct testimony of 18 June 2014.

Wetlands - 10 V.S.A. § 6086(a)(1)(G)

Q. Will the Project comply with the Water Resources Panel rules regarding significant (Class 1 or 2) wetlands? Will the Project have an undue adverse impact on any non-significant (Class 3) wetlands?

Response: No change to my prefiled direct testimony of 18 June 2014.

1

2 **Sufficiency of Water; Burden on Existing Water Supply - 10 V.S.A. § 6086(a)(2), (3)**

3 **Q. Does the Project have sufficient water available for its reasonably foreseeable**
4 **needs? Will the Project utilize an existing water supply?**

5 Response: No change to my prefiled direct testimony of 18 June 2014.

6

7 **Soil Erosion - 10 V.S.A. § 6086(a)(4)**

8 **Q. Will the Project cause unreasonable soil erosion or the reduction in the**
9 **capacity of the land to hold water so that a dangerous or unhealthy condition**
10 **may result?**

11 Response: No change to my prefiled direct testimony of 18 June 2014. During
12 construction-phase activities, the developer will implement BMPs as detailed in the
13 project EPSC plan and/or as required by VT DEC Stormwater Construction
14 General Permit #3-9020. See *Exhibit CS-SMM-2, Exhibit CS-SMM-7 and the*
15 *Project plan set (Exhibit CS-ECOS-4)* .

16

17 **Necessary Wildlife Habitat and Endangered Species - 10 V.S.A. § 6086(a)(8)(A)**

18 **Q. Will the Project destroy or significantly imperil necessary wildlife habitat or**
19 **any endangered species?**

20 Response: No change to my prefiled direct testimony of 18 June 2014.

21

22 **Aesthetics, Historic Sites and Rare and Irreplaceable Natural Areas**

23 **10 V.S.A. § 6086(a)(8)**

1 **Q.** Will the Project have an undue adverse effect on any rare and irreplaceable
2 natural areas?

3 Response: No change to my prefiled direct testimony of 18 June 2014.
4

5 **Q.** Will the Project have an undue adverse effect on any historic sites?

6 Response: No change to my prefiled direct testimony of 18 June 2014.
7

8 **Q.** Although not a specific section 248 criteria, please describe the Project's,
9 effect, if any, on prime agricultural soils located at the site.

10 Response: No change to my prefiled direct testimony of 18 June 2014.
11

12 **Q.** Does this conclude your supplemental prefiled testimony at this time?

13 Response: Yes.