

**STATE OF VERMONT
PUBLIC UTILITY COMMISSION**

Petition of Chelsea Solar LLC, pursuant to 30	)	
V.S.A. § 248, for a certificate of public good	)	
authorizing the installation and operation of the	)	Case No. 17-5024-PET
“Chelsea Solar Project,” a 2.0 MW solar electric	)	
generation facility located off Willow Road in	)	
Bennington, Vermont	)	

**PETITIONER’S RESPONSES TO
ANR’S FIRST SET OF INFORMATION REQUESTS**

Q.ANR:Chelsea.1-1. Brad Wilson, in his testimony dated November 27, 2017, at pages 3 and 5, indicates that the Project fencing height has been increased to ten feet and a chain-link style fabric will be used. Will a gap be provided between the bottom of the fence and the ground surface to allow for passage by wildlife? If yes, identify the dimensions of the gap. If no, explain why not.

Response: Yes, the Petitioner will agree to install a wildlife gap at the bottom of the perimeter fence. The Petitioner proposes a gap height of 6 inches.

Person responsible for response: Brad Wilson

Q.ANR:Chelsea.1-2. Mr. Wilson, at page 7 of his November 27, 2017 testimony, estimates that the area to be cleared for the Project will be approximately 9.64 acres and references Exhibit CS-IJ-2 for a depiction of the area to be cleared. In his second supplemental testimony dated February 14, 2018, Mr. Wilson discusses an alternative O&M access to the Project through the property to the east. Exhibit CS-BW-28 depicts a gate in the eastern fence for this access. However, there is no depiction of how or where the O&M access drive will be constructed or of the amount of clearing associated with the O&M access drive. Please answer the following with regard to the referenced O&M access drive.

- a. Describe where the access drive will begin and terminate.

Response: If use of the alternative gate is required by the PUC, then access to that gate would be obtained by traveling over the adjacent property in its current condition. Construction of an access drive over the adjacent property is not proposed. There would be no specific designated path.

- b. Depict the entire access drive on Exhibits CS-IJ-2 and CS-BW-28.

Response: If use of the alternative gate is required by the PUC, then access to that gate would be obtained by traveling over the adjacent property in its current condition. Construction of an access drive over the adjacent property is not proposed. There would be no specific designated path.

- c. Identify the length and width of the access drive.

Response: If use of the alternative gate is required by the PUC, then access to that gate would be obtained by traveling over the adjacent property in its current condition. Construction of an access drive over the adjacent property is not proposed. There would be no specific designated path.

- d. Will the access drive be constructed utilizing the same, or similar, materials and in the same manner as described in the "Typical Access Drive and Turnaround Detail" which appears on CS-IJ-2 and CS-BW-28?

Response: If use of the alternative gate is required by the PUC, then access to that gate would be obtained by traveling over the adjacent property in its current condition. Construction of an access drive over the adjacent property is not proposed.

- e. Identify the total amount of impervious surface associated with the access drive and provide the bases for your answer.

Response: If use of the alternative gate is required by the PUC, then access to that gate would be obtained by traveling over the adjacent property in its current condition. Construction of an access drive over the adjacent property is not proposed.

- f. Has the amount of impervious surface associated with the access drive been included in the 0.41 acres impervious figure identified on page 6 of Ian Jewkes' November 27, 2017 testimony?

Response: If use of the alternative gate is required by the PUC, then access to that gate would be obtained by traveling over the adjacent property in its current condition. Construction of an access drive over the adjacent property is not proposed.

- g. Depict the area of vegetation clearing associated with the access drive on Exhibit CS-IJ-2.

Response: If use of the alternative gate is required by the PUC, then access to that gate would be obtained by traveling over the adjacent property in its current condition. Construction of an access drive over the adjacent property is not proposed.

- h. Describe the vegetation to be cleared for the access drive (e.g., trees, brush, etc.).

Response: If use of the alternative gate is required by the PUC, then access to that gate would be obtained by traveling over the adjacent property in its current condition. Construction of an access drive over the adjacent property is not proposed.

- i. Quantify the total amount of vegetative clearing (in square feet and acres) to be cleared for the access drive.

Response: If use of the alternative gate is required by the PUC, then access to that gate would be obtained by traveling over the adjacent property in its current condition. Construction of an access drive over the adjacent property is not proposed.

- j. Will the access drive be removed and the area restored when the Project is decommissioned? Explain.

Response: If use of the alternative gate is required by the PUC, then access to that gate would be obtained by traveling over the adjacent property in its current condition. Construction of an access drive over the adjacent property is not proposed.

- k. Has Arrowwood performed a natural resources assessment in the area where the access drive will be located? If yes, provide a copy of the assessment report. If no, explain why not and whether, and when, one will be performed.

Response: If use of the alternative gate is required by the PUC, then access to that gate would be obtained by traveling over the adjacent property in its current condition. Construction of an access drive over the adjacent property is not proposed. Arrowwood has not performed a natural resources assessment on the adjacent property that would be used to access the alternative gate. The alternative gate was proposed as a possible option in response to a comment made by an intervening party in November, 2017. There have not been appropriate season/weather conditions for a natural resources assessment since that time. A natural resource assessment will be performed on the adjacent property in June, 2018, with the exception of a survey for RTE species, which cannot be performed until later in the summer (late July / early August).

- I. Describe the types of vehicles that will utilize the access drive.

Response: If use of the alternative gate is required by the PUC, then access to that gate would be obtained by traveling over the adjacent property in its current condition. Construction of an access drive over the adjacent property is not proposed. Vehicles using the adjacent property for the alternative gate if required by the PUC would be typical of the type used for solar plant maintenance, including passenger cars, trucks, and vans, tractors, mowers, and small all-terrain vehicles. As indicated on page 9 of the November 27, 2017 prefiled testimony of Brad Wilson in this case, we anticipate utilizing the O&M access point approximately twice a month on average over the life of the project.

Person responsible for response: Brad Wilson

Q.ANR:Chelsea.1-3. Admit that Exhibit CS-BW-2 does not depict any clearing associated with the O&M access drive described in Mr. Wilson's second supplemental testimony dated February 14, 2018.

Response: Denied. Mr. Wilson's February 14, 2018 supplemental testimony does not describe an O&M access drive. If use of the alternative gate is required by the PUC, then access to that gate would be obtained by traveling over the adjacent property in its current condition. Construction of an access drive over the adjacent property is not proposed.

Person responsible for response: Brad Wilson

Q.ANR:Chelsea.1-4. Admit that, as depicted on Exhibit CS-BW-28, the shortest distance between the "proposed gate" for the O&M access drive and Apple Hill Road exceeds 800 linear feet.

Response: Denied. While Exhibit CS-BW-28 depicts a proposed gate, it does not depict a proposed gate for an O&M access drive. If use of the proposed gate is required by the PUC, then access to that gate would be obtained by traveling over the adjacent property in its current condition. Construction of an access drive over the adjacent property is not proposed. That being the case, the linear distance between the proposed gate and Apple Hill Road appears to be approximately 800 feet.

Person responsible for response: Brad Wilson

Q.ANR:Chelsea.1-5. Mr. Wilson's November 27 testimony, at page 10 states that the gravel driveway (to Willow Road) and the Project fence will remain after the Project is decommissioned. However, Mr. Wilson's December 5, 2017 testimony, at page 2, states that these features will be removed. Please confirm which approach will be followed.

Response: In accordance with Commission Rule 5.900, the approach described in Mr. Wilson's December 5, 2017 supplemental testimony will be followed. The gravel driveway to Willow Road and the Project fence will be removed during decommissioning.

Person responsible for response: Brad Wilson

Q.ANR:Chelsea.1-6. Will the utility poles and power line adjacent to the gravel driveway referenced in the prior question be removed as part of Project decommissioning? If no, explain why not.

Response: Yes, utility poles and power line adjacent to the gravel driveway on the Project property will be removed during decommissioning.

Person responsible for response: Brad Wilson

Q.ANR:Chelsea.1-7. Ian Jewkes, in his November 27, 2017 testimony, discusses the potential use of "Sonotubes" for racking foundation posts. Have Sonotubes been included in the Project's impervious surface calculations? If yes, identify the amount of impervious associated with the Sonotubes and your basis for this number. If not, explain why not.

Response: The potential use of sonotube-style racking foundations was not included in the Project's impervious surface calculations. The potential use of sonotube-style racking foundations is not considered impervious surface if such foundations are installed 6 inches below the ground surface and backfilled and covered with native soil, as would be done in the Project's case.

Person responsible for response: Ian Jewkes

Q.ANR:Chelsea.1-8. Will all Project tree clearing activities which may not be covered under an authorization to discharge under Construction General Permit 3-9020 be conducted in accordance with the Acceptable Management Practices for Maintaining Water Quality on Logging Jobs in Vermont (AMPs).

Response: Yes.

Person responsible for response: Ian Jewkes

Q.ANR:Chelsea.1-9. The RTE Plant Inventory Report dated 11/16/2017 included in Exhibit CS-DB-2 confirms the presence of Nimblewill Muhly (*Muhlenbergia schreberi*), an S2-ranked rare species. However, this plant is not addressed in the RTE Plant Mitigation Report (Exhibit CS-DB-3). Please explain why this plant, identified in the former, is not included in the latter.

Response: *Muhlenbergia schreberi* was not located within the clearing area for the Chelsea Solar Project. The original rare plant survey included the areas for both the Chelsea and Apple Hill Solar Projects. The population of *Muhlenbergia schreberi* identified in the plant list is partially within the Apple Hill Solar Project footprint and is covered in the transplant report in the Apple Hill Solar Project docket.

Person responsible for response: Dori Barton

Q.ANR:Chelsea.1-10. Exhibit CS-DB-2, at pages 8-9, discusses Northern Long-eared Bat (*Myotis septentrionalis*) (NLEB), and represents that the Project clearing (9.64 acres) constitutes less than 1% of the available forest land within a 1 square mile radius. Quantify the amount of clearing associated with each of the following aspects of the Project and indicate whether each is included in the 9.64-acre figure.

- a. The solar array portion (i.e., the fenced and gated area), including the area immediately outside the fence up to the limits of clearing, of the Project.

Response: This portion constitutes approximately 8.03 acres and is included in the 9.64-acre figure.

- b. The Project access drive from Willow Road to the solar array portion.

Response: This portion constitutes approximately 1.61 acres and is included in the 9.64-acre figure.

- c. The GMP distribution upgrade from the Project to East Road (depicted on Exhibit CS-BW-11).

Response: Activities performed by GMP within a public utility right-of-way are not included in the 9.64-acre figure. The 9.64-acre figure covers clearing performed on the Project Site only. Furthermore, substantial clearing related to the installation of the GMP distribution line is not anticipated. While the need for limited spot clearing may be identified during installation, the need for pre-planned clearing was not identified by GMP in their review and design of the distribution line. GMP has indicated they anticipate the need for trimming along the distribution line, but not clearing.

- d. The O&M access drive from Apple Hill Road to the solar array portion.

Response: No O&M access drive from Apple Hill Road is proposed.

Person responsible for response: Brad Wilson

Q.ANR:Chelsea.1-11. Admit that the total amount of tree clearing associated with this Project, the Apple Hill Solar project (Case No. 8454), and the GMP distribution upgrade, combined, exceeds 1% of the available forest land within a 1 square mile radius.

Response: Admitted.

Person responsible for response: Dori Barton

Q.ANR:Chelsea.1-12. Quantify, both in acres and as a percentage of the available forest land within a 1 square mile radius of this Project, the total amount of tree clearing associated with this Project, the Apple Hill Solar project (Case No. 8454), and the GMP distribution upgrade.

Response: Total clearing for both the Project and the adjacent proposed Apple Hill Solar Project is 17.57 acres. 17.57 acres is 1.43% of the available forest land within a 1 mile radius of the Project.

Person responsible for response: Dori Barton

Q.ANR:Chelsea.1-13. Do you intend to perform a NLEB acoustic survey in connection with the Project?

Response: Yes.

Person responsible for response: Dori Barton

Q.ANR:Chelsea.1-14. Answer the following if you intend to perform a NLEB acoustic survey in connection with the Project.

a. Identify the date range within which the survey will be performed.

Response: An acoustic survey for the Project site will be conducted during one week in June/July 2018.

b. Identify who will perform the survey.

Response: Arrowwood will subcontract bat biologist Allen Thompson of Northern Stewards to perform the survey.

c. Identify the survey methodology that will be utilized.

Response: The survey will follow the standard methodology approved by the Vt. Department of Fish and Wildlife for projects of this nature. The specific methodology for this survey will be presented to the Department for comment and approval prior to commencement of the survey.

Person responsible for response: Dori Barton

Q.ANR:Chelsea.1-15. If you do not intend to perform a NLEB acoustic survey in connection with the Project, explain why not.

Response: A NLEB acoustic survey will be performed.

Person responsible for response: Dori Barton