

ATTACHMENT 1

STATE OF VERMONT
PUBLIC UTILITY COMMISSION

Case No. 21-0401-NMP

Petition of Putney Green Acres Solar LLC, for a certificate of public good, pursuant to 30 V.S.A. §§ 248 and 8010, authorizing the installation and operation of a 500-kW (AC) solar electric generation system in Putney, Vermont	
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Order entered: 09/08/2021

CERTIFICATE OF PUBLIC GOOD (“CPG”) ISSUED
PURSUANT TO 30 V.S.A. SECTION 248

IT IS HEREBY CERTIFIED that the Vermont Public Utility Commission (“Commission”) this day found and adjudged that the site preparation, construction, operation, and maintenance of a 500-kW solar electric generation facility off River Road South in Putney, Vermont (the “Project”) by Putney Green Acres Solar LLC (“CPG Holder”), in accordance with the evidence and plans submitted in this proceeding, will promote the general good of the State, subject to the following conditions:

1. Site preparation, construction, operation, and maintenance of the Project shall be in accordance with the plans and evidence submitted in this proceeding. Any material deviation from these plans or a substantial change to the Project must be approved by the Commission. Failure to obtain advance approval from the Commission for a material deviation from the approved plans or a substantial change to the Project may result in the assessment of a penalty pursuant to 30 V.S.A. §§ 30 and 247.

2. Before beginning site preparation, construction, operation, or maintenance of the Project, the CPG Holder shall obtain all other necessary permits and approvals. Site preparation, construction, operation, and maintenance of the Project shall be in accordance with such permits and approvals, and with all other applicable regulations, including those of the Vermont Agency of Natural Resources (“ANR”).

3. The CPG Holder shall restrict construction activities and related deliveries to the hours between 7:00 A.M. and 7:00 P.M. Monday through Friday and between 8:00 A.M. and

5:00 P.M. on Saturdays. No construction activities shall occur on Sundays or state or federal holidays.

4. The CPG Holder shall be responsible for all costs of distribution and transmission system upgrades that are necessary in order to address adverse impacts to system stability and reliability due to the Project, as determined by the feasibility study.

5. Before operating the Project, the CPG Holder shall enter into an interconnection agreement with Green Mountain Power Corporation that conforms to the requirements of Public Utility Commission Rule 5.500. The CPG Holder shall be responsible for the cost of electrical system upgrades reasonably necessary to implement interconnection for the Project and such other costs appropriately submitted to the CPG Holder in accordance with Commission Rule 5.500.

6. The CPG Holder shall remove the facilities authorized by this CPG once they are no longer in service and restore the site to its condition prior to installation of the facility to the greatest extent practicable.

7. Before beginning site preparation, the CPG Holder shall file with the Commission, the parties, and the Town of Putney a letter stating that it has fulfilled all pre-site preparation CPG conditions, and that it intends to commence site preparation for the Project.

8. Before operating the Project, the CPG Holder shall file with the Commission, the parties, and the Town of Putney a letter confirming that it has fulfilled all pre-operation CPG conditions and that it intends to commence operation of the Project.

9. As required by 30 V.S.A. § 248(a)(7), within 45 days of the date of this Order, the CPG Holder shall record a notice of the CPG on the form available at <http://puc.vermont.gov/document/cpg-municipal-notice-form> in the land records of each municipality in which a facility subject to the CPG is located. The CPG Holder shall also file proof of this recording with the Commission.

10. As provided in 30 V.S.A. § 248(t), notwithstanding any contrary provision of the law, primary agricultural soils as defined in 10 V.S.A. § 6001 located on the site of a solar electric generation facility approved under Section 248 shall remain classified as such soils, and the review of any change in use of the site subsequent to the construction of the facility shall treat the soils as if the facility had never been constructed.

11. The CPG Holder shall pay all invoices (if any) from any State agency that (a) are related to this proceeding and (b) are not still under review by the Commission.

12. This Certificate of Public Good shall not be transferred without prior approval of the Commission.

13. The CPG Holder shall not commence site preparation and construction until the landfill owner has obtained approval for a Post-Closure Certification Amendment from ANR for the former Putney Paper (Green Acres) landfill. Before commencement of decommissioning, the CPG Holder shall obtain approvals as required under ANR regulations effective at the time of decommissioning.

14. The CPG Holder shall maintain an undisturbed, naturally vegetated riparian zone along the Connecticut River. The river riparian zone shall be measured inland, perpendicular to and horizontally 100-feet from the mean water level and extend to the water's edge at base flow conditions. The term "undisturbed" means no activities that may cause or contribute to ground or vegetation disturbance, or soil compaction, including but not limited to construction; earth-moving activities; storage of materials; tree trimming or canopy removal; tree, shrub, or groundcover removal; plowing or disposal of snow; grazing; and mowing. Where the Project is within 100 feet of the river riparian zone boundary, the CPG Holder shall install a continuous line of visible flagging outside the riparian zone boundary, before commencement of site preparation and construction to remain for the duration of construction.

15. The CPG Holder shall limit disturbance within the Connecticut River tributary riparian zone to the existing access footprint and to install and maintain the overhead electric line. Disturbance shall be minimized to the extent practicable. The tributary riparian zone shall be measured inland, perpendicular to and horizontally 50-feet from the top-of-bank/slope and extend to the water's edge at base flow conditions.

16. If installing electric conduit and the AC combiner pad with imported material of any kind (i.e., fill) in a trench in areas of prime agricultural soils, the CPG Holder shall remove soil in a manner that separates soil horizons, stockpile the layer(s) displaced by the layer of imported material for the life of the Project, and replace the remaining soil horizons in original sequence to fill the trench after installation of the conduit. When decommissioning and removing electric conduit from any trench(es), the CPG Holder shall excavate and replace soil horizons in the same

way, this time removing the conduit and imported material and replacing it with the stockpiled layer(s) that the imported material previously displaced. If no imported material is used for underground electric conduit installation and for the AC combiner pad and AC disconnect pedestal, no soil stockpiling shall be required for the associated excavation as long as the CPG Holder ensures that any prime agricultural soils removed (during construction and again during decommissioning) are replaced in a manner that retains the integrity of the prime agricultural soils and the proper sequencing of soil horizons consistent the AAFM Act 250 Procedure: Reclamation of Vermont Agricultural Soils, currently available online at https://agriculture.vermont.gov/sites/agriculture/files/documents/land_use/ReclamationGuidelinesforAgriculturalSoils_.pdf (rev. Oct. 30, 2014).

17. In areas of tree cutting, if stumps are to be removed, stump removal will occur simultaneously with tree cutting and other construction activities using light equipment such as a skid steer or small excavator. Grubbing in the proposed tree cutting/grubbing area will minimize soil disturbance to include only what is necessary to effectively remove tree stumps and woody debris to construct the Project. Tree stumps that are removed will be shaken clean over the area from which they were removed. Stumps will either be chipped or ground up. Chips and ground wood will be used to fill any minor depressions from areas from which trees were removed, widely dispersed so as not to form significant piles, and/or transported off the site for proper disposal. Wood in any form shall not be piled on the site after construction is complete.

18. To reduce impacts from soil compaction, the CPG Holder shall not use any vehicle or equipment with an axle load (the fraction of gross weight distributed over each axle) of more than 12,000 pounds on wet soils at the site. Wet soils exist when the site has seen higher than average rainfall for a trailing 30-day period, based on National Weather Service or similar state or federal rainfall data. This prohibition shall not apply to the use of the existing access road.

19. In order to return the site to its pre-construction condition to the extent possible at the end of the Project to enable use of the site for agricultural purposes, the CPG Holder shall:

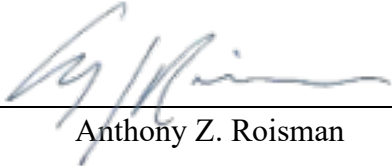
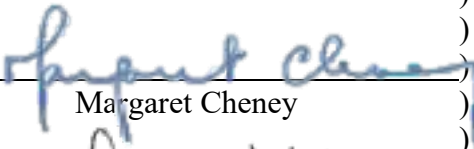
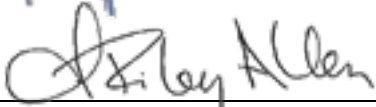
- a. Remove all infrastructure and properly dispose of Project components off-site.
- b. Test soil bulk density and, if necessary, mitigate for compaction as follows:
 - i. Before installation, test to a depth of at least one foot in primary agricultural soil at the following locations (lat/long coordinates):

Location 1: 42.9682°, -72.4954°

Location 2: 42.9683°, -72.4952°

- ii. At the end of the decommissioning process, the CPG Holder shall repeat the subsoil bulk density testing at the same locations where the pre-construction testing was done. If post-decommissioning testing shows material soil compaction (i.e., ten percent or greater increase in bulk density), then the CPG Holder shall perform agricultural subsoiling and/or other strategies to remediate compaction until soil bulk density is materially the same as it was at the onset of the Project.
- iii. For all tests, the CPG Holder shall file test results with the Commission within 60 days of performing the tests. The results of tests done before installation shall be filed in ePUC in the compliance subcase for this case. The results of the tests done at the end of decommissioning shall be filed with the Commission, as directed by the Commission at that time.

Dated at Montpelier, Vermont, this 8th day of September, 2021.

 _____) Anthony Z. Roisman)) PUBLIC UTILITY)) COMMISSION) OF VERMONT
 _____) Margaret Cheney)	
 _____) J. Riley Allen)	

OFFICE OF THE CLERK

September 8, 2021

Filed:

Attest:



Clerk of the Commission

Notice to Readers: This decision is subject to revision of technical errors. Readers are requested to notify the Clerk of the Commission (by e-mail, telephone, or in writing) of any apparent errors, in order that any necessary corrections may be made. (E-mail address: puc.clerk@vermont.gov)

PUC Case No. 21-0401-NMP - SERVICE LIST

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