

**STATE OF VERMONT
PUBLIC UTILITY COMMISSION**

Petition of Essex A North Lot Solar, LLC for a	)	
certificate of public good pursuant to	)	
30 V.S.A. § 248 for a 3.5 MW	)	Case Number 24-1898-PET
ground-mounted solar array located off	)	
Robinson Parkway in Essex Junction, Vermont	)	

**VERMONT AGENCY OF AGRICULTURE, FOOD AND MARKETS’
FIRST SET OF INTERROGATORIES AND
AND REQUESTS TO PRODUCE UPON PETITIONER**

The Vermont Agency of Agriculture, Food and Markets (AAFM), by and through counsel, pursuant to Public Utility Commission Rule 2.214 and V.R.C.P. 33 and 34, serves the following discovery requests upon Essex A North Lot Solar, LLC (Petitioner).

DEFINITIONS

For purposes of these Interrogatories and Requests to Produce, the following definitions shall apply in conjunction with the terms’ ordinary meanings:

“**Describe**” means provide a detailed narrative account and description, with or without reference to one or more plans or other documents.

“**Document**” means any and all records of every type in your actual or constructive possession, control or custody, including without limitation, all electronically stored information, writings, memoranda, correspondence, letters, reports, surveys, notes, diaries, log sheets, ledgers, transcripts, microfilm, computer printouts, emails, work papers, engineering diagrams, mechanical or electrical recordings, data, video tapes, audio tapes, telephone and telegraphic communications, and all other records, written, electrical, mechanical or otherwise, as covered by V.R.C.P. 34(a).

“Explain” means provide a detailed narrative account and justification, with or without reference to one or more plans or other documents.

“Identify” when used in connection to areas of land means provide the location of the area, in relation to the Vermont Agency of Natural Resources Atlas and the site plan(s), and the size of the area in acres.

“Petitioner” means Essex A North Lot Solar, LLC.

“Project” refers to the project that is the subject of this proceeding, Public Utility Commission Case No. 24-1898-PET, regarding the installation of a 3.5-MW ground-mounted solar array located off Robinson Parkway in Essex Junction, Vermont.

“You” or **“Your”** refers to Essex A North Lot Solar, LLC.

INTERROGATORIES

1. The proposed project would be installed and operated on the parcel with the unique School Property Account Number (SPAN) 208-066-13088, identified in the prefiled testimony of Jake Clark on page 5 (Clark prefiled at 5) as occurring on “on tax parcel ID 1002008000.” The parcel is subject to 14 Land-use Permits, as detailed in the two attachments.

- a. Please identify any of the 14 land-use permits that place protections and/or that specify mitigating action the permit holder must undertake to preserve, protect, reclaim, replace, or restore primary agricultural soils (PAS) as that term is defined in 10 V.S.A. § 6001 (15), including requirements pertaining to topsoil and similar ways of referring to soil as a natural resource that must be protected.
- b. For each of the 14 land-use permits under which the permit holder is required to take such action, please explain the action specified and identify and explain whether the permit holder undertook the action.

2. Exhibit EANL-SW-3 at page three refers to prior impacts to PAS, classification of some areas as wetlands, and fragmentation of existing PAS.
 - a. Please identify each of these areas.
 - b. For each area, please explain whether it conforms with each of the four considerations in 10 V.S.A. § 6001 (15)(A) (i) – (iv), and the evidence you relied upon to decide whether the area conforms.
 - c. Please describe any tests you undertook on the site to determine whether any of the important farmland soils map units that the Natural Resources Conservation Service of the U.S. Department of Agriculture (NRCS) has identified and determined to have a rating of prime, statewide, or local importance were intact and explain the findings and your interpretation of them.
3. Clark prefiled at 12 mentions that grading may be necessary because the proposed layout is incompatible with the uneven terrain and that these areas would be identified in the stormwater permitting process.
 - a. Please describe and identify any proposed grading and the dimensions, area in square feet, and depth of all proposed soil disturbance.
 - b. Please describe the status of the stormwater permitting process, including the application and/or permit number(s).
4. Clark prefiled at 9 states that driven post foundations will be used, generally without the use of concrete.
 - a. What circumstances require concrete?
 - b. Please identify where concrete foundations will be used.
 - c. Please describe the concrete foundations.

5. A substantial portion of the proposed site for the solar panels is paved. Exhibits EANL-JC-2 at C1.00 and EANL-SW-3 at 3. Will the pavement be removed during the construction process?
6. Please refer to Exhibit EANL-JC-9 (the decommissioning plan).
 - a. Please describe and explain industry standards, estimating tools, prior petitioner experience, and other information that support the estimates to decompact the soils, redistribute the soil, and to remove posts or foundations that support solar racking in Attachment A.
 - b. Do the estimated expenses to remove posts in Attachment A include removing posts and foundations which use concrete?

REQUESTS TO PRODUCE

1. Please produce each document that you identified or cited in your responses to these interrogatories.
2. Please produce each document that otherwise supports your responses to these interrogatories.
3. Please produce each additional document that is otherwise responsive to these interrogatories, including any you referred to or relied upon in responding to these interrogatories.
4. For each land-use permit identified in response to the first interrogatory, please produce any documents from the land-use permits containing the required action to be undertaken and any documents detailing whether the action was completed.
5. Please produce any documents containing the results of the soil-related testing referenced in interrogatory (2)(c).

6. Please produce any documents relating to the plans for grading, the stormwater permitting process, and the fate of pre-existing paving.
7. Please produce any documents describing the equipment and showing the specifications for the racking installations mentioned in Clark prefiled at 12, the racking systems and concrete foundations mentioned in Clark prefiled at 9, and the ballasted posts noted in Exhibit EANL-JC-2 on sheet C2.00.
8. Please produce any documents relating to industry standards, estimating tools, prior petitioner experience, and other information that support the estimates to decompact the soils, to redistribute the soil, and to removing posts in Attachment A.

Dated at Montpelier, Vermont this 16th day of October 2024.

By: /s/ WillyJane Patry
WillyJane Patry
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LEGEND

Soils - Primary Agricultural

- Local
- Local (b)
- Not rated
- Prime
- Prime (b)
- Prime (f)
- Statewide
- Statewide (a)
- Statewide (b)
- Statewide (c)

Parcels (standardized)

ACT250 Permits

Roads

- Interstate
- US Highway; 1
- State Highway
- Town Highway (Class 1)
- Town Highway (Class 2,3)
- Town Highway (Class 4)
- State Forest Trail
- National Forest Trail
- Legal Trail
- Private Road/Driveway
- Proposed Roads

Town Boundary

1: 5,835

September 10, 2024



296.0 0 148.00 296.0 Meters

WGS_1984_Web_Mercator_Auxiliary_Sphere

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1" = 486 Ft. 1cm = 58 Meters

THIS MAP IS NOT TO BE USED FOR NAVIGATION

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NOTES

Approximate limits of disturbance: 17 acres.



LEGEND

- Parcels (standardized)
- ACT250 Permits
- Roads**
 - Interstate
 - US Highway; 1
 - State Highway
 - Town Highway (Class 1)
 - Town Highway (Class 2,3)
 - Town Highway (Class 4)
 - State Forest Trail
 - National Forest Trail
 - Local Trail



1: 11,670

September 10, 2024



593.0 0 296.00 593.0 Meters

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1" = 972 Ft. 1cm = 117 Meters

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NOTES

SPAN 208-066-13088