

March 5, 2025

Holly R. Anderson
Clerk of the Public Utility Commission
112 State Street
Montpelier, VT 05620-2701

Re: Williston G Mountain View Solar, LLC (GlobalFoundries) Petition for 2.375 MW AC Solar Array off Mountain View Road, Williston (case #25-0209-AN)

Dear Ms. Anderson,

The Chittenden County Regional Planning Commission ("CCRPC") has received the 45-day notice of the above-named application submitted by Encore Renewable Energy to develop a 2.375 MW solar array to be located off Mountain View Road in Williston on a parcel owned by GlobalFoundries, Inc.

CCRPC has reviewed this project's conformance with CCRPC's *2018 Chittenden County ECOS Plan* ("the Plan"), which gained a Determination of Energy Compliance from the Vermont Department of Public Service on August 9, 2018.

ECOS Energy Goal

CCRPC finds that this project meets the intent of the Energy Goal (Goal #17) of the Plan: "Move Chittenden County's energy system toward a cleaner, more efficient and renewable system that benefits health, economic development, and the local/global climate by working towards the State's Comprehensive Energy Plan goals."

Strategy 2, Action 4b of the Plan states "CCRPC supports the generation of new renewable energy in the County to meet the Vermont Comprehensive Energy Plan's goals of using 90% renewable energy by 2050, in a manner that is cost effective and respects the natural environment." Development of this solar facility helps implement this action.

Constraints Policies

The *2018 ECOS Plan* states that renewable energy facility development should be located to avoid state and local known constraints that have been field verified, and to minimize impacts to state and local possible constraints that have been field verified (Strategy 3, Action 1.f and Strategy 4, Action 1.f and Action 2.e). Our review indicates that the following constraints are located on the property:

State Known Constraints

- **State-significant natural communities and rare, threatened and endangered species.** The desktop analysis showed an area onsite mapped with a rare, threatened, or endangered plant. The proposed project is not located in the mapped area. CCRPC requests more information about whether or not this constraint will be impacted by the proposed project. If there are impacts, CCRPC requests that the applicant work with the Agency of Natural Resources to ensure that impact to this resource are avoided.
- **Class 1 and 2 wetlands (VSWI and advisory layers).** Wetlands are mapped onsite. The proposed project is proposed in a location that impacts to this resource will be avoided.

State Possible Constraints

- **Agricultural Soils.** Primary Agricultural Soils underlie a majority of the site, some of which may be considered previously impacted by the development of the existing parking lots. CCRPC requests that further impacts to the agricultural soils be minimized in accordance with the recommendations of the Vermont Agency of Agriculture, Food, and Markets.
- **Deer Wintering Areas.** The mapped deer wintering areas were shown to be outside of the project area in the desktop analysis. CCRPC recommends working with the Agency of Natural Resources to verify the presence/location of the constraint and to ensure that any potential impacts to this constraint be minimized.

Additionally, the site meets the following 2018 ECOS Plan's suitability standards, which define characteristics of sites where CCRPC encourages renewable energy generation facilities. These relevant standards for this project are:

1. Strategy 2, Action 4(b)(i): Locate energy generation proximate to existing distribution and transmission infrastructure with adequate capacity and near areas with high electric load: The project is located with direct access to three-phase power and is near both Green Mountain Power and VELCO transmission lines without distribution constraints. In addition, the project is located close to GlobalFoundries, which is among the single largest users of electricity in the state, as well as the areas of highest development density and electric load in Williston and surrounding communities.
2. Strategy 2, action 4(b)(iv): Locate ground-mounted solar larger than 15 kW...outside of state designated...growth centers: The project is located outside of Williston's designated growth center.

The project meets CCRPC's suitability policies and constraints policies provided the applicant works with the appropriate State agencies to mitigate impacts to the above cited constraints.

This review is based on the information currently available. CCRPC will review and comment on materials submitted as the Section 248 review process continues.

Thank you for your time and attention.

Sincerely,



Charlie Baker
Executive Director

CC: CCRPC Board
Matt Boulanger, Williston Planning & Zoning Director

From: Melinda Scott <mscott@willistonvt.org>

Sent: Wednesday, April 23, 2025 3:24 PM

To: PUC - Clerk <PUC.Clerk@vermont.gov>

Subject: Town of Williston comment letters for Williston G and Williston H solar projects

You don't often get email from mscott@willistonvt.org. [Learn why this is important](#)

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

To the Public Utility Commission Clerk,

The Town of Williston would like to submit the attached comment letters for Williston H Solar - 25-0211-AN and

Williston G Katie Lane Solar - 25-0209-AN. If you could reply to let us know that you received the attached letters, I would appreciate it.

Best,

Melinda

Melinda Scott

Senior Planner

Town of Williston

7878 Williston Rd.

Williston, VT 05495

(802) 878-6704

April 15, 2025



Town of Williston
7900 Williston Road
Williston, VT 05495
FAX (802) 764-1140

1763

Holly R. Anderson
Clerk of the Public Utility Commission
112 State Street
Montpelier, VT 05620-2701

Re: Williston G Katie Lane Solar, LLC (GlobalFoundries) Petition for 2.375 MW Solar Array off Mountain View Rd, Williston (case #25-0209-AN)

Dear Ms. Anderson,

The Town of Williston has received the 45-day notice of the above-named application submitted by Encore Renewable Energy to develop a 2.375 MW solar array to be located off Mountain View Road in Williston on a parcel owned by GlobalFoundries, Inc.

The Town has reviewed this project's conformance with the 2016 Comprehensive Plan ("the Plan") and Enhanced Energy Plan ("the Energy Plan"), which received an affirmative determination of energy compliance under 24 VSA § 4352 from the Chittenden County Regional Planning Commission.

The Town strongly supports the proposed project as it furthers the Williston Energy Plan's goal to double the amount of renewable energy generation sited in Williston. To this end, the Energy Plan states that the town will "seek opportunities to encourage Utility-Scale Renewable Energy Projects" such as the proposed project.

The Town's Energy Plan has siting policies to use when deciding whether projects meet the orderly development criterion (Policy 6.7). The State of Vermont defines known and possible constraints which are protected during the PUC review process. The Town has also identified additional local constraints that are discussed in the siting policies as follows.

Siting Policies

Policy 2. Scenic Viewsheds (possible constraint)

Large scale solar facilities and wind turbines should be located to preserve the scenic quality of the viewsheds identified in Chapter 13 of the Comprehensive Plan. The Planning Commission and Selectboard will review viewshed relevance to a proposed renewable energy generation project on a case-by-case basis. Measures to preserve the scenic quality include, but are not limited to, selecting and siting equipment which keeps the project from being the dominant feature of a viewshed. The project should be positioned in such a way so that it blends into the site. This can be achieved by following state setback requirements and using the natural topography to break the mass of the project.

The project area is not located in a mapped scenic viewshed on Map 24b of the 2016 Williston Town Plan. Policy 2 does not apply.

Policy 3. Habitat (possible constraint)

Development, including energy generation, distribution, storage, transmission facilities and fencing, should be carefully located and designed to avoid habitat fragmentation and impacts that would demonstrably reduce the ecological function on a parcel in conservation areas/wildlife travel corridors/wildlife core habitat.

The project area is within a Significant Wildlife Habitat Area (SWHA) due to its designation as Core Habitat on Map 18 of the 2016 Comprehensive Plan. The town is requesting that a Habitat Disturbance Assessment (HDA) or similar be prepared by a qualified wildlife biologist and submitted by the applicant as part of the application for the Certificate of Public Good. The town

Town Manager
878-0919
•
Town Clerk/Treasurer
878-5121
•
Planning/Zoning
878-6704
•
Lister/Assessor
878-1091
•
Public Works
878-1239
•
Recreation
878-1239
•
Police
878-6611
•
Fire
878-5622
•
Dorothy Alling
Memorial Library
878-4918
•
Williston Central
School
878-2762

has specific concerns about the potential impact of the perimeter fence on wildlife travel and requests the applicant to address those concerns.



Town of Williston
7900 Williston Road
Williston, VT 05495
FAX (802) 764-1140

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Policy 4. Watershed Protection Buffers (known constraint)

Watershed protection buffers shall remain undeveloped with the exception of consolidating existing utility infrastructure (See Table 1 in the 2016-2024 Comprehensive Plan for specific buffer distances).

The applicant's preliminary site plan shows a Class 2 wetland, and the project will require upgrade and use of an existing access drive through the wetland buffer. The town requests that impacts to the wetland and buffer be minimized to the extent feasible.

Policy 5. Location – The project location meets the intent of the town's siting policy to “*Locate energy generation proximate to existing distribution and transmission infrastructure with adequate capacity and near areas with high electric load.*”

The project narrative states that the project will provide locally generated renewable energy to GlobalFoundries. As its own electric utility, the Project will contribute to GlobalFoundries' achievement of the requirements under the Vermont Renewable Energy Standards by creating new, locally generated renewable energy. The Global Foundries grid is independent of and not connected to GMP's grid and thus will not impact the capacity of existing distribution and transmission infrastructure of electricity supplied to the town.

Policy 6. Wind Energy System Location

Not applicable

Policy 7. Historic Districts

Not applicable.

Policy 8. Utility Lines

Locate utility lines serving new developments underground and site transmission lines, substations, and similar support facilities within existing utility corridors and placed underground except where the presence of bedrock or other environmental constraints makes underground installation prohibitively expensive. Careful siting and screening will be required for above ground utility lines. Impacts to constraints identified in the constraints section should be minimized according to applicable policies in this section and in the comprehensive plan.

The town recommends that the utility lines be placed underground where reasonably feasible and located so as to minimize impacts to any identified constraints.

Policy 9. Energy Storage

Renewable energy generation projects that can accommodate energy storage are strongly encouraged.

The town would be interested in learning whether and how the proposed project plans to incorporate energy storage.

This review is based on the information currently available. The town will review and comment on materials submitted as the Section 248 review process continues.

Sincerely,

Shayla Livingston, Chair and Hana Kessler, Vice Chair
Williston Planning Commission



Fw: 25-0209-AN Williston G Solar - ANR Comments

Mon, Mar 17, 2025 at 3:06 PM

Hi Jake, please see ANR Comments on the GF Project G. Please confirm receipt.

Joslyn Wilschek, Esq.
Wilschek Iarrapino Law Office PLLC
35 Elm Street, Suite 200
Montpelier, VT 05602
802-249-7663
Joslyn@ilovt.net (e-mail)
<https://wilovt.com> (website)



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From: Einhorn, Donald <Donald.Einhorn@vermont.gov>
Sent: Monday, March 17, 2025 2:57 PM
To: Joslyn Wilschek <joslyn@ilovt.net>
Subject: 25-0209-AN Williston G Solar - ANR Comments

Hi Joslyn,

The Agency has reviewed the January 29, 2025, 45-day notice for Encore's proposed Williston G Solar LLC 2.375 MW project in Williston, Vermont (PUC Case No. 25-2009-AN) and provides the following preliminary comments. Please be advised that the Agency's review is based on the limited information provided in the 45-day notice. The notice does not contain the full suite of information typically contained in a Section 248 petition, including any impacts due to distribution upgrades required to serve the proposed project. Therefore, these comments are preliminary only and should not be considered final or complete.

Deer Wintering Habitat

The proposed project is located adjacent to mapped necessary wildlife habitat for white-tailed deer (*Odocoileus virginianus*), referred to as deer wintering habitat. The Section 248 petition will need to address how project activities (site

preparation, construction, operations and maintenance, and decommissioning) will be conducted in a manner that avoid direct and indirect impacts (e.g., seasonal restrictions, etc.) to the habitat.

Any questions you may have *prior to filing your Section 248 petition* concerning deer wintering habitat should be directed to Private Lands Section Chief Noel Dodge (Noel.Dodge@Vermont.gov).

Streams and Riparian Buffers

To access the northern portion of the array, the project proposes to upgrade of an existing access drive that extends through a wetland buffer which also includes an intermittent stream. While the stream is not mapped on the western side of the access road, it appears the wetlands are hydrologically connected. The project plans submitted with the Section 248 petition will need to indicate whether the existing culvert under the access road is adequately sized. If the culvert is not adequately sized, it should be upgraded to meet current standards as part of the proposed road improvements

Any questions you may have *prior to filing a Section 248 petition* concerning streams and riparian buffers should be directed to Fisheries Biologist Lee Simard (lee.simard@vermont.gov) and Fish Program Manager James Brady (james.brady@vermont.gov).

Wetlands

The site plan included with the 45-day advance notice depicts wetlands in and adjacent to the proposed project area. The Section 248 petition will need to include a current wetland assessment which identifies all wetlands within and adjacent to the project site, the distance between the wetlands (and their associated buffers) and the proposed areas of disturbance and project infrastructure and describes the specific measures the project will take to avoid, minimize, and mitigate impacts to wetlands, including measures to prevent the introduction and spread of non-native invasive species. A Vermont wetland permit application should be submitted in advance of, or concurrent with, the Section 248 petition if any impacts to wetlands or their buffers are proposed.

Any questions you may have *prior to filing your Section 248 petition* concerning wetlands should be directed to Wetland Ecologist Tina Heath (tina.heath@vermont.gov).

As indicated above, the Agency may amend or modify its position with respect to any issue identified in these comments based on review of information provided in any future petition, may raise new and additional issues, and may provide recommendations and evidence to the Commission that differ from these comments once a complete petition has been filed.

Please contact me if you should have any questions.

Thanks,

Don



The Agency of Natural Resources supports telework, and there are times when I may be working from another office location. I am available to connect by phone and email. I am

also available to connect in-person upon request.

Donald J. Einhorn, Esq. | Senior Environmental Litigation Attorney

Vermont Agency of Natural Resources

Office of General Counsel

Davis 2, [1 National Life Dr](#) | Montpelier, VT 05620-3901

802-249-1720 cell

anr.vermont.gov



Agency of Agriculture, Food & Markets
116 State Street
Montpelier, VT 05620-2901
(Phone) 802.828.2430

February 4, 2025

Essex C Parking Lot Solar, LLC (25-0204-AN)
Williston H Solar, LLC (25-0209-AN)
Williston G Katie Lane Solar, LLC (25-0211-AN)

by e-mail to: Jake Clark: Jake@Encore.eco

Re: Case numbers 25-0204-AN, 25-0209-AN, and 25-0211-AN

Dear Jake Clark:

The Agency of Agriculture, Food & Markets (AAFM) provides the following background for an eventual application or petition for a Certificate of Public Good (CPG), followed by specific recommendations for conditions to include in a CPG, as applicable, to avoid undue adverse impact to primary agricultural soils (PAS).

After the application or petition is submitted, AAFM is authorized to provide project-specific review and bill back for its time pursuant to [30 V.S.A. § 20](#) and [30 V.S.A. § 21](#).

Section 248 requires that petitions for electric-generation facilities greater than 50 kW include information that delineates the presence and total acreage of PAS as defined in 10 V.S.A. § 6001 on each tract to be physically disturbed, the amount of those soils to be disturbed, and any other proposed impacts to those soils. Physical disturbance includes construction, excavation, grading, placing items on the soil, cutting or clearing trees, and areas of vehicle usage or other soil compaction.

Section 248 requires that petitioners show their proposed facilities “will not have an undue adverse effect on ... the natural environment, the use of natural resources, ... with due consideration having been given to ... impacts to... primary agricultural soils as defined in 10 V.S.A. § 6001.” [30 V.S.A. § 248](#)(b)(5). Primary agricultural soils as defined in [10 V.S.A. § 6001](#)(15) include: (A) soils that the Natural Resources Conservation Service of the U.S. Department of Agriculture (NRCS) has mapped as



having a rating of prime, statewide, or local importance; and (B) soils on the project tract that are of agricultural importance “due to their present or recent use for agricultural activities.” The petition should delineate both types of PAS on the project tract.

For AAFM to efficiently review site plans, please show the PAS and the limits of disturbance on one map. In addition, the site plan filed with the petition should show the location of any proposed primary agricultural soil stockpiles.

AAFM presumes that PAS under the definition in § 6001(15)(A) (sometimes referred to as “mapped PAS”) are intact. AAFM will consider claims that PAS is not intact only if sufficient evidence is provided in the petition. If the project site is subject to an Act 250 permit, please include in the petition the Act 250 permit number(s) and any language in the permit pertaining to primary agricultural soils.

If there are primary agricultural soils on the Project site, please include the following conditions in the proposed CPG, as applicable:

1. As provided in 30 V.S.A. § 248(t), notwithstanding any contrary provision of the law, primary agricultural soils (PAS), as defined in 10 V.S.A. § 6001, located on the site of a solar electric generation facility approved under this section, shall remain classified as such soils, and the review of any change in use of the site after construction of the facility shall treat the soils as if the facility had never been constructed.
2. In areas where PAS will be excavated, the CPG Holder shall stockpile the PAS separately by soil horizon, making sure these piles are located and planted with ground cover as appropriate to prevent erosion and preserve integrity, and shall comply with AAFM’s *Act 250 Procedure: Reclamation of Vermont Agricultural Soils*, https://agriculture.vermont.gov/sites/agriculture/files/documents/land_use/ReclamationGuidelinesforAgriculturalSoils_.pdf (rev. Oct. 30, 2014) (“AAFM Guidelines”). The CPG Holder shall stockpile the PAS within the project fence or in a similarly secure place and on slopes less than 15%. The CPG Holder shall also comply with the AAFM Guidelines when sequencing returned soils at the conclusion of construction or project decommissioning. The requirements of this paragraph shall not apply



- to driven piles or posts to support the solar array, fence posts, and any other driven posts necessary to support infrastructure without the use of concrete or masonry.
3. If installing electric conduit or other project features using fill or other imported material of any kind in areas of PAS, the CPG Holder shall remove any PAS in a manner that separates soil horizons, stockpile the displaced layer(s) for the life of the Project, and replace the remaining soil horizons in their original sequence to fill the trench after installation of the conduit or other project feature. When decommissioning and removing electric conduit or other project features, the CPG Holder shall excavate and replace soil horizons in the same way, this time removing the conduit or other items and imported material and replacing it with the stockpiled layer(s) that the imported material previously displaced, restoring the original sequence of soil layers.
 4. The Project shall not include any grading of PAS, unless required to manage stormwater associated with construction of the access road. Any soil or gravel used for roads or staging areas shall be separated from native soils by a suitable barrier, such as geotextile fabric.
 5. In areas of tree cutting within PAS, any stump removal shall occur using light equipment, such as a skid steer or small excavator, at the time of tree cutting and other construction activities. To minimize soil disturbance, grubbing in the proposed tree cutting/grubbing area shall involve only what is necessary to remove tree stumps and woody debris to construct the Project. Tree stumps shall be shaken clean over the area from which they were removed and either chipped or ground up. Chips and ground wood shall be used to fill any minor depressions in areas where trees were removed, widely dispersed so as not to form significant piles, and/or transported offsite for proper disposal. Wood in any form shall not be piled onsite after construction is complete.
 6. To reduce impacts to PAS 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 over 12,000 pounds on wet soils. 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 any onsite gravel roads that are constructed with geotextile fabric, a minimum of 10" of gravel, and a 1" or thicker cap of crushed aggregate.

7. Prior to construction and again at the end of decommissioning, the CPG Holder shall test bulk density of the soil on each mapped soil unit containing primary agricultural soils within the Project limits to ensure that the primary agricultural soils on the site are materially the same after the Project as they were before construction. "Materially the same" means an increase in soil bulk density of no more than 10 percent.

- a. The CPG Holder shall undertake the soil tests and mitigate any material change in soil bulk density as follows:
 - (I.) Before construction, for each area of direct impact such as staging areas, access roads, and any area on the Project site where axle loads (the fraction of the gross weight distributed over each axle) of construction vehicles or equipment will exceed 12,000 pounds per vehicle, the CPG Holder will collect two soil samples at least 100 feet apart and test them using the method "Bulk Density Test" described in the Natural Resources Conservation Service "Soil Quality Test Kit Guide." (Currently available online at https://efotg.sc.egov.usda.gov/references/public/WI/Soil_Quality_Test_Kit_Guide.pdf.)
 - (II.) In any areas of primary agricultural soils on the Project site where axle loads of construction vehicles or equipment will not exceed 12,000 pounds, the CPG Holder shall collect and test one sample for each mapped soil unit before construction and shall otherwise follow the same testing protocols.
- b. At the end of the decommissioning process, the CPG Holder shall repeat the testing at the same locations tested before



construction. If the post-decommissioning soil bulk density for any sample shows an increase in soil bulk density from preconstruction soil bulk density that is greater than 10 percent, then the CPG Holder shall conduct agricultural subsoiling and/or other strategies to decompact soil until soil bulk density is materially the same as it was prior to Project construction.

- c. The CPG Holder shall serve test results upon AAFM within 60 days of the test, as follows:
 - (I.) By email and U.S. Mail to counsel of record in this matter, as listed in PUC records at the time of service; and
 - (II.) By email to AGR.Notice@vermont.gov, as may be updated in PUC records at the time of service.

To determine the 30-day trailing average rainfall compared to normal for that period, as a percentage, for the purposes of condition 6 above:

Navigate to <https://water.noaa.gov/>.

In Map, choose “satellite” to navigate to your project site.

In Layers, collapse River Gauges drop down. Scroll down to Precipitation Estimate. Enable the check box.

Open the drop down.

Scroll down past the year, month, day drop-down options to the drop-down for days.

Select Last 30 days.

Click the radio button “Percent of Normal” and choose an opacity

Below the opacity slider, view the legend for “RAINFALL (percentage)”

AAFM may provide additional comments and propose additional CPG conditions after reviewing the application or petition.

Sincerely,



Alexander DePillis
Senior Agricultural Development Coordinator

