

STATE OF VERMONT
PUBLIC SERVICE BOARD

Docket No.

Application of Seymour Lake Solar, LLC for a)
certificate of public good, pursuant to 30 V.S.A.)
§§ 219a and 248 and Board Rule 5.100, for a)
500 kW photovoltaic group net-metering system to)
be located in Morgan, Vermont)

APPLICATION FOR A CERTIFICATE OF PUBLIC GOOD
PURSUANT TO 30 V.S.A. §§ 219a & 248 AS IMPLEMENTED BY
PUBLIC SERVICE BOARD RULES 5.106 and 5.110(C)

Contents of Filing

APPLICATION.....	1
Applicant Name	1
Host Landowner	1
Project Description	1
Meters Included in Group.....	4
Method for adding/Removing Meters	4
Method for Credit Allocation	5
Designated Group Administrator.....	5
Dispute Resolution Process	5
Disposition of RECs	5
Application Review Criteria Per Rule 5.108(B) and 5.109	5
<i>Orderly Development of the Region</i>	<i>5</i>
<i>Aesthetics</i>	<i>6</i>
<i>Historic Sites.....</i>	<i>6</i>
<i>System Stability and Reliability</i>	<i>6</i>

<i>Outstanding Resource Waters</i>	7
<i>Headwaters</i>	7
<i>Waste Disposal</i>	7
<i>Floodways</i>	7
<i>Streams</i>	8
<i>Shorelines</i>	8
<i>Wetlands</i>	8
<i>Soil Erosion</i>	9
<i>Rare and Irreplaceable Natural Areas</i>	9
<i>Necessary Wildlife Habitat and Endangered Species</i>	9
<i>Traffic During Installation</i>	10
<i>Development Affecting Public Investments</i>	10
Certification of Compliance with Notice and Filing Requirements	10
LIST OF ATTACHMENTS	11
Proposed Findings and CPG	
Adjoining Landowner List	
Notice and Service Lists	
Exhibits	
<i>Exhibit SLS-1 Site Plan</i>	
<i>Exhibit SLS-2 Elevation Drawing</i>	
<i>Exhibit SLS-3 Environmental Assessment</i>	
<i>Exhibit SLS-4 One-Line Drawing & Equipment Schematic</i>	
<i>Exhibit SLS-4a Select Equipment Cut Sheets</i>	
<i>Exhibit SLS-5 VEC Fast Track Study Results</i>	
<i>Exhibit SLS-6 Aesthetic Impact Assessment</i>	
<i>Exhibit SLS-7 Archeological Resource Assessment</i>	
<i>Exhibit SLS-8 Floodways Map</i>	
Affidavits	
<i>Affidavit of Martha Staskus – Project Manager</i>	
<i>Affidavit of Douglas MacDonald – Electrical Engineer</i>	
<i>Affidavit of John Zimmerman – Aesthetics Impact Assessment</i>	
<i>Affidavit of Michael Lew-Smith – Environmental Assessment</i>	
<i>Affidavit of Ellen Cowie – Archeological Resource Assessment</i>	

APPLICATION

Applicant Name

The Applicant is Seymour Lake Solar, LLC (SLS or Applicant), a Vermont Limited Liability Company located in Williston, Vermont. Vermont Environmental Research Associates, Inc. (VERA) is developing the Project on behalf of the Applicant.

Host Landowner

The Host Landowner is David C. Blittersdorf. His mailing address is 1041 Dorset Street, Charlotte, VT 05445. The Project location is 590 Valley Road, Morgan, VT 05853

Project Description

The SLS Project is proposed for an existing open field off Valley Road approximately 2 miles as the crow flies east of the Morgan town offices. The Project site is surrounded predominantly by existing vegetation and trees along property boundaries. The array will be set back 100 feet from the closest public road and at least 50 feet from each property boundary. A Site Plan and Elevation Drawings are submitted with the Application as Exhibits SLS-1 and SLS-2.



Photo 1: Project site view to the south from the midwestern corner of the proposed array. Vegetation on the right is along the western property line between the open field and Valley Road.

The Project will consist of one hundred (100) 5 kW AllEarth Series 20 dual axis solar trackers, manufactured by AllEarth Renewables, Inc. and associated equipment installed on approximately 7± acres of a larger 57±-acre parcel. Each tracker includes a base, mast, frame and PV racking structure, 20 PV panels and an inverter that converts the DC power produced by the tracker to AC power useable on the electric grid. The specific make and model of PV panels and inverters used for the Project will depend on market availability at the time of installation. Each tracker has a maximum installed height of 18 feet above ground level and a width of 25.5 feet. When flat or horizontal, the frame/racking structure and panels of each tracker are 11 feet above ground level. Combined output of the array will not exceed 500 kW (AC). A One-Line Drawing and equipment schematic are submitted with the Application as Exhibit SLS-4.

Communications and electric wiring for the array will be installed in underground conduit and will interconnect with the existing Vermont Electric Cooperative (VEC) distribution system along Valley Road. The Project will require an approximate ½ mile distribution line upgrade from single to three phase along Valley Road, a one-pole line extension onto the property and three 167 kVA pole-mounted transformers for interconnection. Please refer to the Site Plan (Exhibit SLS-1).

The Project will comply with the National Electric Code (NEC). All energized equipment and wiring will be inaccessible, underground or within locked or sealed enclosures, thereby protecting public. The solar array will not make discernible sound while operating.

Access to the site will be via Host Landowner's existing access way off Valley Road (See Photo 1 above and the Site Plan) and will be improved and maintained only to accommodate installation and the long-term, but infrequent access needs of the interconnecting utility. Installation staging and parking during the 8-12 week installation period will be on the Project site. Project materials and equipment will be transported to the Project site using ordinary transportation services on local roads. No oversized or overweight trucks or permits are necessary. The Project will obtain and comply with any permits necessary for the use of the existing access way. The Project will not cause traffic congestion or unduly burden state or local transportation systems, and no public infrastructure or investments will experience adverse impacts from the Project.

Less than one acre of earth disturbance is required to install the array and ancillary equipment, and it will be limited to installing underground conduit and solar tracker support structures (bases), which are augured in place. Native soils are to remain in place. The total amount of new impervious surfaces after installation will be approximately 1,486 square feet. The height and 50-foot spacing of the solar trackers

will allow re-vegetation of the ground beneath and continued movement of wildlife in the area. Installation of the Project will be done in accordance with the Vermont Standards and Specifications for Erosion Prevention and Sediment Control and will follow ANR's Low Risk Site Handbook for Erosion Prevention and Sediment Control (August 2006). An Environmental Assessment is submitted with the Application as Exhibit SLS-3.

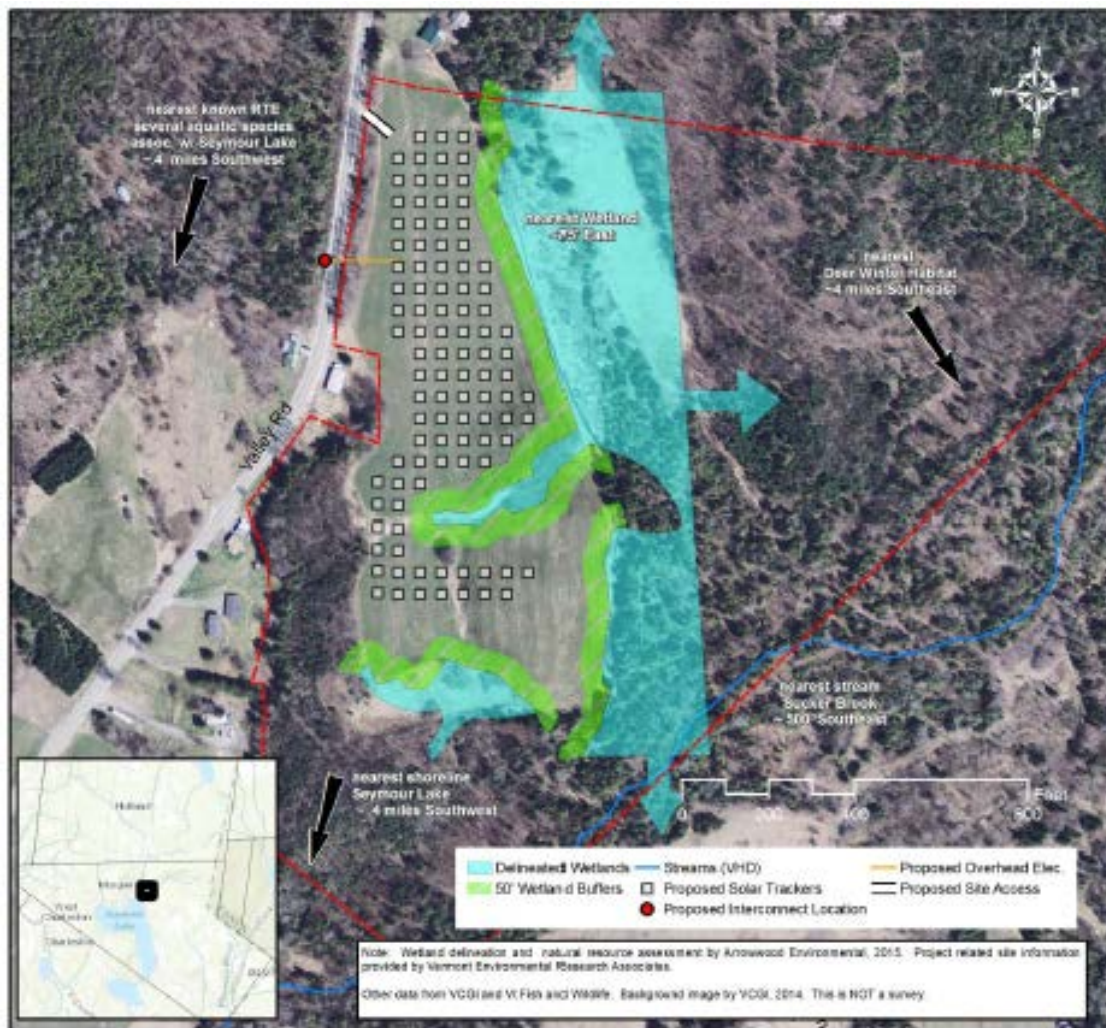


Figure 1 Natural Resource Assessment Map from Exh. SLS-3 (by Arrowwood Environmental)

A wetland is delineated along the eastern boundary of the property. (See Figure 1 and Exhibit SLS-3). The wetland and its 50-foot protective buffer will be avoided during installation and operation. There are no other protected natural resources, such as rare, threatened or endangered species (RTE), headwaters, necessary wildlife habitat, streams, shorelines, or outstanding resource waters on the site. The site is not located in

a floodway or floodway fringe. The Project as designed will not have an undue adverse impact on natural resources. Please see Exhibits SLS-3.

The Project will have statewide and local benefits. The Project is employing Vermont consultants during all phases of project development and is using a locally manufactured solar trackers from AllEarth Renewables, Inc. of Williston, which utilizes and maintains a significant Vermont-based supply chain for manufacturing materials. The solar array will also benefit the VEC distribution system by acting as a load reducer during peak periods in the summer months.

The Applicant, via the Host Landowner, engaged with several neighbors about the Project during the 45-day notice period. For example, in early June (June 5, 2015), Tim Flynn of 306 Valley Road inquired about the continued use of the Host Landowner's property for hunting, snowmobiling and ATVing, which the Host Landowner authorized. In late July, a neighbor at 481 Valley Road (Susan Draper) asked about the permit (CPG) process, the location of property lines and panels for the array, and the location of the water supply on the Host Landowner's property that serves her property. On August 9, 2015, Cory Carpenter of 650 Valley Road and the Host Landowner discussed the Project. Mr. Carpenter indicated that he had removed all of the trees on his property that blocked his view of the lake. No new trees are wanted or needed to mitigate his view over the trackers, which will be under the southern tree line.

The Applicant plans to install the Project once it receives authorization from the Public Service Board, but it will not interconnect and commission the Project until sometime after January 1, 2016 to accommodate the interconnecting utility's 2015 net metering program cap.

Meters Included in Group

Two meters will be included in the group, the new service production meter for the array to be located at the Project and the Jay Peak Inc. Account 308055500.

Method for adding/Removing Meters

Meters will be added and removed from the group by agreement of the Applicant and the group members.

Method for Credit Allocation

100% of the net metering credits will be allocated to Jay Peak Inc. Account 308055500.

Designated Group Administrator

Martha Staskus is administrator for the group and responsible for all communications about the group with the utility, except billing, payment and disconnection.

Christie Hutchins, Accounting Manager AllEarth Renewables, Inc., is contact for accounting information.

Dispute Resolution Process

Disputes within the group system will be resolved by the administrator in her sole discretion and without the involvement of the utility, the Vermont Department of Public Service or the Public Service Board.

Disposition of RECs

The Applicant will retain the RECs (environmental attributes) of the group net metering system's output.

Application Review Criteria Per Rule 5.108(B) and 5.109

Orderly Development of the Region

- Relevant sections of the Town and Regional Plans are submitted as part of the Aesthetic Impact Assessment attached as Exhibit SLS-6.
- No land or conservation measures in the applicable town or regional plans aim to prevent development in the area were the Project is proposed.
- The Project will not cause adverse impacts on the public roadways or on other types of municipal or state services or infrastructure.
- The Project will not adversely impact views from mapped scenic roads, Route 111, Valley Road, or Lake Seymour. Only the bottom of some of the trackers will be intermittently visible from Valley Road.

- At the time the Project ceases to operate, the Applicant will restore the site by removing all above-ground equipment and all parts of the Project installed up to 24" below ground level.

Aesthetics

- The Project will not have an adverse impact on the aesthetics of the surrounding area.
- The Project meets the state solar setback requirements because it is more than 50 feet from the property boundaries and more than 100 feet from Valley Road.
- Public views of small portions of the Project structures from Valley Road and Lake Seymour will be of short duration and will not be significant, in the context of the total developed landscape north of Lake Seymour. In accordance with the Town of Morgan Plan, the Project is sited outside or to the edge of scenic views so that the Project is not a prominent focal point.
- The Project is compatible with its surroundings and contributes to Vermont's working landscape.
- An Aesthetic Impact Assessment is submitted with the Application as Exhibit SLS-6.

Historic Sites

- The Project is not on or near a historic site or within a historic district.
- The Archaeological Resource Assessment for the Project indicates the Project area is not considered archeologically sensitive. Please refer to the Archaeological Resource Assessment offered as Exhibit SLS-7.

System Stability and Reliability

- The Project will comply with the recommendations of VEC's Fast Track Analysis, submitted with the Application as Exhibit SLS-5.
- VEC's review of the Project concluded that the addition of the Project will have no adverse impacts on the safety and reliability of the distribution system if the Applicant installs distribution system modifications.

- The Project will comply with the National Electric Code and all energized equipment and wiring will be inaccessible, underground or within locked or sealed enclosures.
- The Application will enter into an Interconnection Agreement with VEC before the Project is commissioned and commences operation, and it will pay for all reasonable costs to interconnect the Project consistent with the requirements of the Interconnection Agreement and applicable rules.
- A One Line Drawing and equipment specification sheets are submitted with the Application as Exhibit SLS-4.

Outstanding Resource Waters

- The Project is not located on or near any outstanding resource waters.
- Please refer to the Environmental Assessment prepared by Arrowwood Environmental, LLC submitted with the Application as Exhibit SLS-3.

Headwaters

- The Project is not located on or near any headwaters area.
- Please refer to the Environmental Assessment prepared by Arrowwood Environmental, LLC submitted with the Application as Exhibit SLS-3.

Waste Disposal

- Waste generated during installation and operation of the Project will be handled and disposed of in accordance with applicable Department of Environmental Conservation (DEC) regulations and transported to appropriately licensed facilities. The Project will not involve the injection of waste materials or any harmful or toxic substances into ground water or wells.

Floodways

- The Project is not located on or near a mapped floodway or floodway fringe.
- Please refer to the Floodways Map submitted with the application as Exhibit SLS-8.

Streams

- The closest stream is down gradient from the Project site approximately 500 feet to the southeast.
- Please refer to the Environmental Assessment prepared by Arrowwood Environmental, LLC submitted with the Application as Exhibit SLS-3.

Shorelines

- The Project is not located on or near a shoreline.
- Please refer to the Environmental Assessment prepared by Arrowwood Environmental, LLC submitted with the Application as Exhibit SLS-3.

Wetlands

- Arrowwood Environmental identified and delineated a wetland on the property which includes part of the hayfield and adjacent marsh and Northern White Cedar Swamp. Please refer to the Environmental Assessment prepared by Arrowwood Environmental, LLC submitted with the Application as Exhibit SLS-3.
- The array has been designed to avoid impacts to the wetland as well as its 50-foot buffer. No wiring or other Project elements will be located within any portion of the wetland or the wetland buffer. Thus, the Project does not require a wetland permit.
- The Applicant shall maintain all wetlands and associated 50-foot wetlands buffers zones, located on the Project property, in an undisturbed state. The term “undisturbed” means the absence of activities that may cause or contribute to ground or vegetation disturbance, or soil compaction, including but not limited to construction; driving upon; earth-moving activities; storage of materials; tree trimming or canopy removal; tree, shrub or groundcover removal; plowing or disposal of snow; and mowing.
- Prior to site preparation, installation and maintenance that involves earth disturbance or decommissioning, the Applicant will install a continuous line of flagging tape along the wetland buffer zone boundary to identify the wetland buffer zone as protected areas.

Soil Erosion

- The Project will not involve grading, but will require some earth disturbance to install the tracker bases, panel boards, underground conduit and utility upgrades.
- The total amount of earth disturbance associated with installation will be less than 1 acre.
- The combined new impervious surfaces of the Project are limited to under 1,500 square feet.
- Installation of the Project will be done in accordance with the Vermont Standards and Specifications for Erosion Prevention and Sediment Control and will follow ANR's Low Risk Site Handbook for Erosion Prevention and Sediment Control (August 2006).
- Native soils area to remain in place and, after the Project is installed, the height and 5-foot spacing of the solar trackers will allow re-vegetation of the ground beneath.
- No construction or operational stormwater permits are required because the Project's temporary earth disturbance and new impervious surface areas are not enough to trigger the need for such permits. Please refer to the Site Plan at Exhibit SLS-1.
- Please refer to the Environmental Assessment prepared by Arrowwood Environmental, LLC submitted with the Application as Exhibit SLS-3.

Rare and Irreplaceable Natural Areas

- There are no rare and irreplaceable natural areas present within the Project area.
- Please refer to the Environmental Assessment prepared by Arrowwood Environmental, LLC submitted with the Application as Exhibit SLS-3.

Necessary Wildlife Habitat and Endangered Species

- The Project is not located within an area with necessary wildlife habitat.
- The Project site is a mowed hayfield and not likely habitat for rare, threatened or endangered (RTE) plant species.

- The Project will not require perimeter fencing and will thus enable the continued movement of wildlife through the area.
- Please refer to the Environmental Assessment prepared by Arrowwood Environmental, LLC submitted with the Application as Exhibit SLS-3.

Traffic During Installation

- During installation, the Project will cause only a minimal and temporary increase in traffic.
- The Project will not cause traffic congestion or unduly burden state or local transportation systems.
- Materials and equipment will be transported to the site using ordinary transportation services on local roads without the need for special permits.
- The Project will obtain and comply with any permits necessary for the use of the existing access way.

Development Affecting Public Investments

- The Project will not unnecessarily or unreasonably endanger any public or quasi-public investment in any facility, service, or lands, and will not materially jeopardize the function, efficiency or safety of, or the public's use or enjoyment of or access to any facility, service, or lands.
- No public infrastructure or investments will experience adverse impacts from the Project.

Certification of Compliance with Notice and Filing Requirements

The Applicant certifies that the notice requirements of Rule 5.110(C) were met. Applicant mailed a 45-day pre-filing notice of this Application to the parties entitled to such notice under Rule 5.110(C). A 45-Day Notice List is enclosed with this Application.

Applicant served a copy of this Application and supporting materials on the parties entitled to such service under Rule 5.110(C). An Application Service List is enclosed with this Application.

Applicant sent written notice of the filing of this Application to adjoining landowners and the Morgan Town Selectboard as required by Rule 5.110(C). A Notice of Filing Service List is enclosed with this Application.

LIST OF ATTACHMENTS

Proposed Findings and CPG

Adjoining Landowner List

The list was obtained from the most recent version of the Town's grand list as required by Rule 5.110(C).

Notice and Service Lists

Exhibits

Exhibit SLS-1 Site Plan

Exhibit SLS-2 Elevation Drawing

Exhibit SLS-3 Environmental Assessment

Exhibit SLS-4 One-Line Drawing & Equipment Schematic

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Affidavit of Douglas MacDonald – Electrical Engineer


Affidavit of John Zimmerman – Aesthetics Impact Assessment

Affidavit of Michael Lew-Smith – Environmental Assessment

Affidavit of Ellen Cowie – Archeological Resource Assessment

Dated at Rutland Town, Vermont, September 2, 2015.

By Its Attorneys:



Bridgette Remington

Leslie A. Cadwell

Legal Counselors & Advocates, PLC

P.O. Box 827

Castleton, VT 05735

(802) 279-7948

bridgette@lac-lca.com