

Deepwater Wind Settlement Agreement

SEPTEMBER 12, 2018

Agenda

- Background
- Settlement Agreement
- Next Steps

Background

- In 2016, Connecticut, Rhode Island and Massachusetts issued a joint Clean Energy RFP for renewable energy projects of 20 megawatts or greater; Deepwater Wind's solar project, sited in Simsbury, was selected
- Under Connecticut state law, projects that would generate more than 1 megawatt of energy are permitted through the CT Siting Council and are not subject to local zoning and land use requirements
- In June 2017, the Town secured party status with the Siting Council; DWW held a public hearing in Simsbury on September 12, 2017, and the Town actively participated in the Siting Council proceedings in November 2017

Background (continued)

- On December 21, 2017, the CT Siting Council ruled that no Certificate of Environmental Compatibility and Public Need is required for the project
- On January 22, 2018, the Board of Selectmen voted unanimously to appeal the Siting Council's ruling in order to retain the right to appeal the decision at a later time if the Town's concerns were not adequately addressed through negotiations with DWW

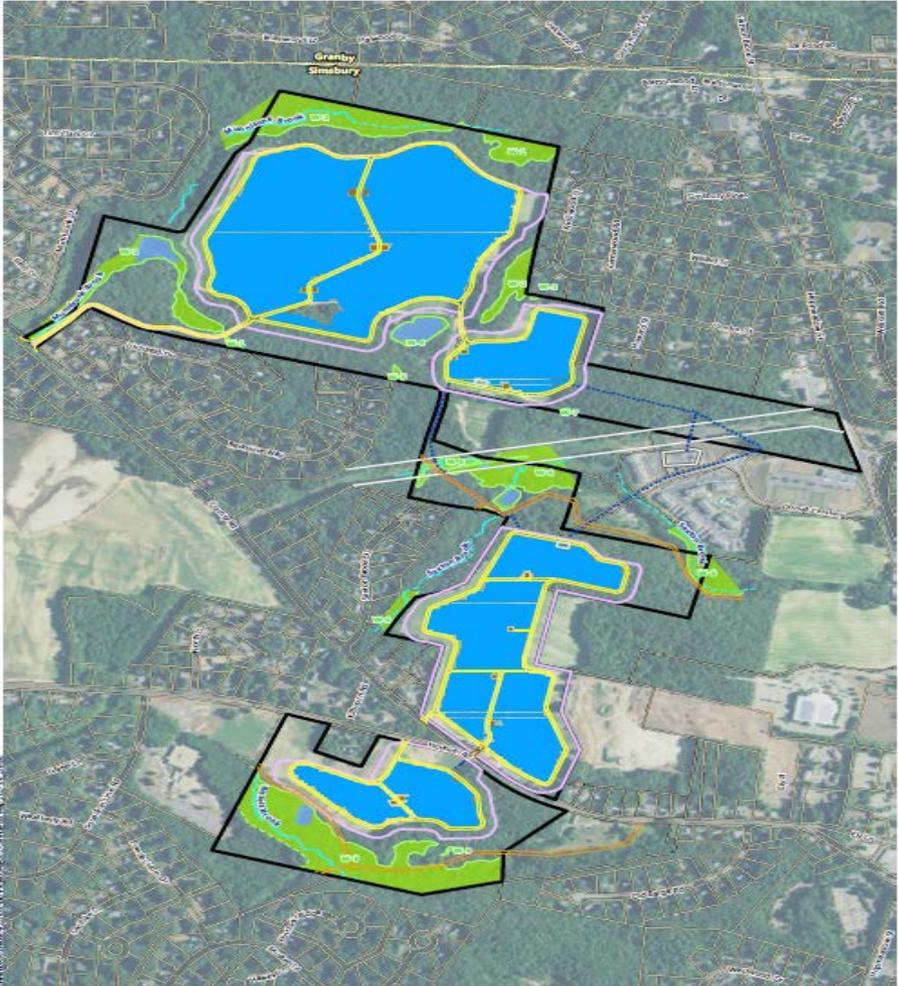
Settlement Agreement

The Town had two primary objectives:

1. Protect public health and safety
 - Soil and water quality
2. Minimize the impact to the neighboring community
 - No development on Parcel 5 (south of Hoskins)
 - Appropriate screening and landscaping, including preservation of barns
 - Decommissioning process
 - Guaranteed option to purchase

Approved Plan

vhb June 27, 2017

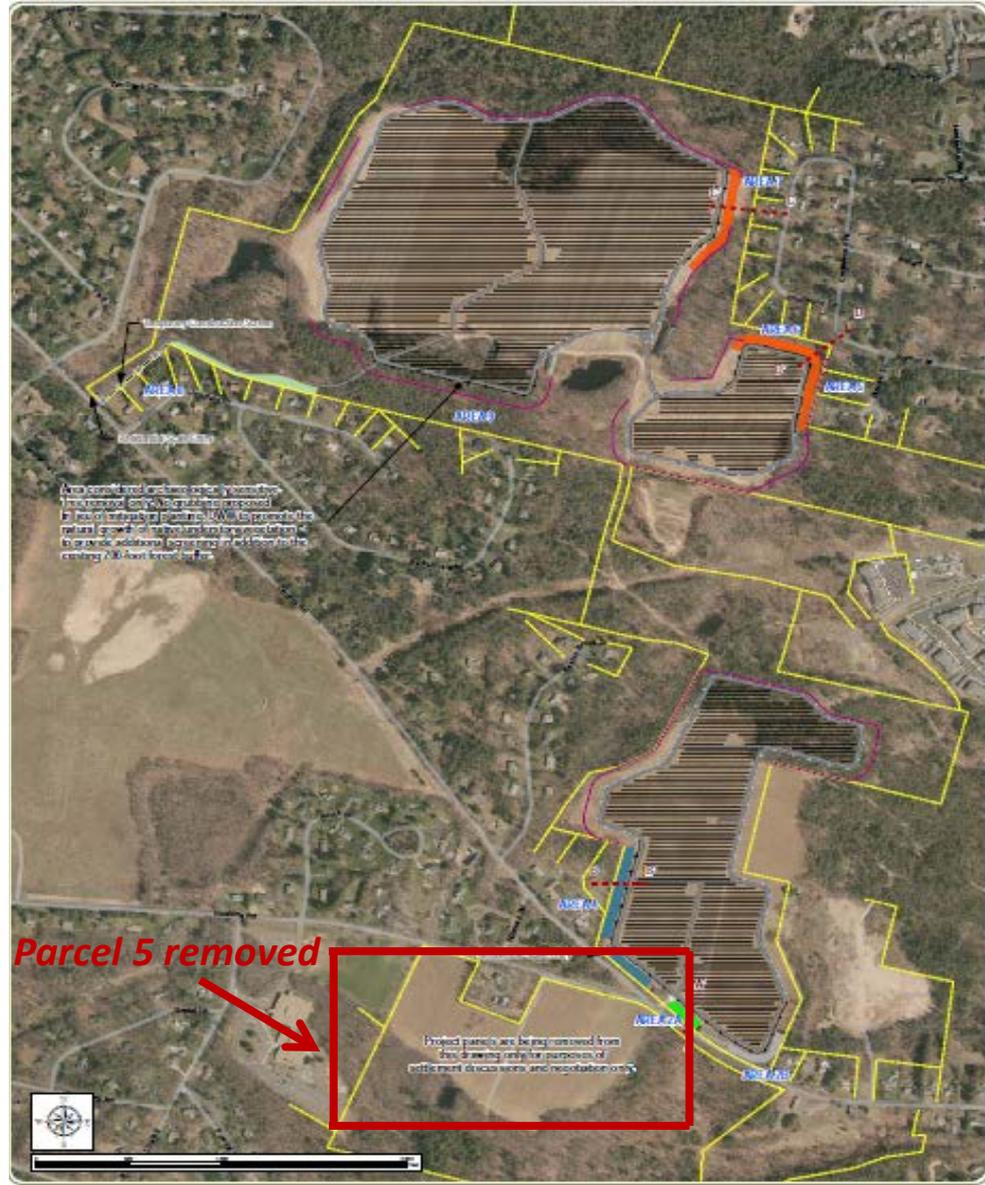


| Tobacco Valley Solar | | Simsbury, Connecticut | |
|-----------------------|--------------------------|-----------------------|--|
| Property Boundary | Wetland Resource Area | Solar Array | Proposed Road |
| Limit of Work | Farm Pond | Equipment Pad | Temporary Access Point - Construction Only |
| Adjacent Parcel | Delineated Wetland Edge | Substation | Sewer Easement |
| Town Boundary | Approximate Wetland Edge | Switchgear | Potential Cable Route |
| Existing Easement ROW | Stream | Approximate Stream | |

Project Layout Map

Source: VHB, CTDEEP ESRI

Amended Plan



Soil Management Plan

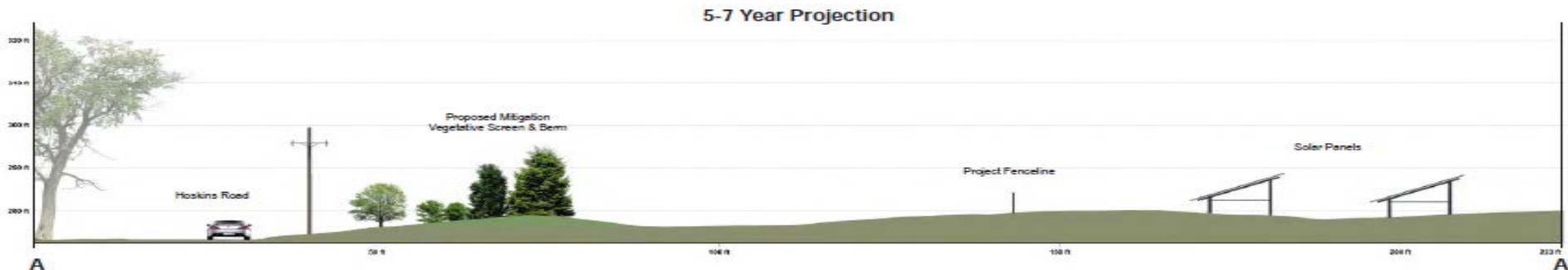
- During excavation activities, contractor will be required to comply with the following:
 - Testing of materials potentially requiring special management (farm dump or buried debris) encountered during excavation. Coordinate with the contractor and consultant for this.
- Comply with requirements of the following:
 - CTDEEP General Permit for Discharge of storm water during construction (including water quality testing or discharge)
 - CTDEEP 2002 Erosion and Sediment Control Guidelines
 - Dust Control
 - Classification of soils for onsite reuses
 - Compliance with Health and Safety Plan

Water Testing

- DWW will perform a well receptor survey which will identify wells providing potable water within a 500 ft radius of the project
- DWW will test wells of home owners that grant permission within the area identified in the well receptor survey for the following compounds: EDB, DBCP and 123TCP by EPA Method 504.1 or Method 524.3, VOCs by EPA Method 524.2, chlorinated pesticides by EPA Method 8081, and the metals arsenic and copper by EPA Method 6010C.
- Testing of wells (with home owner's permission) would occur prior to start and finish of construction activities
 - Results from the testing will be shared with The Town of Simsbury and homeowners
 - Home owners are responsible to notify CTDEEP when result exceed the MDLs
- Town has committed to pay up to \$25,000 toward survey and testing

Visual Screening (continued)

Visual simulations have been prepared to illustrate how the methods of screening will look at the time of installation and in years 5-7. Two existing Barns along Hoskins Road will be retained and maintained.



Next Steps

- Town and DWW will execute Release and Settlement Agreement and Option to Purchase Agreement
- DWW will submit its development and management plan to the CT Siting Council for approval
- Local and state agency permitting process
- Construction
 - Approximately 18 months
 - Water testing
 - Soil management

Next Steps

- Long-term
 - Decommissioning
 - Option to Purchase Land