FLATIRON energy

Treebeard Storage

Draft Application for a Certificate of Environmental Compatibility and Public Need

October 15, 2025

Certified B Corporation

Draft Application by

Treebeard BESS Project Co LLC for a Certificate of Environmental Compatibility and Public Need, Pursuant to Connecticut General Statutes § 4-176 and § 16-50*l*, for the Proposed Construction, Operation and Maintenance of a 140 MW/560MWh Battery Energy Storage Facility Project Located at Aspetuck Ridge Road, New Milford, Connecticut

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Prepared for

The Connecticut Siting Council

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1. Introduction

This is an Application for a Certificate of Environmental Compatibility and Public Need ("Certificate") for the development, construction, operation and maintenance of a battery energy storage facility project (the "Project") proposed by Treebeard BESS Project Co LLC ("Applicant"), in the Town of New Milford, Connecticut. The Project consists of the development of a 140-megawatt ("MW") 560-megawatt-hour ("MWh") battery energy storage system facility ("Facility" or "BESF") located off of Aspetuck Ridge Road, in New Milford, Connecticut ("Property"). See **Figure 1 – Site Location Map**.

Authorization by the Connecticut Siting Council ("Council") this Application would assist the State of Connecticut in achieving its goals of energy conservation and sustainability. Pending approvals, the Project will commence financing, detailed engineering, procurement, and construction efforts in 2026, with commercial operation planned for the entire Project in 2028.

The Project is proposed on three parcels within the Town of New Milford's Residential 40 zone and would utilize approximately 10 acres of a combined 112-acre total parcel area. ("Project Area"). See **Figure 2 – Zoning Map**. The Town of New Milford's Assessor's Office has the parcels listed as 42-2-1A, 42-2-2, and 42-2-1B respectively. The parcels are currently owned by Aspetuck Farms, LLC. See **Figure 3 – Tax Parcel Map** and **Figure 4 – Site Survey**.

The Project has executed a Large Generator Interconnection Agreement with ISO New England ("ISO-NE") and Eversource Energy d/b/a Connecticut Light and Power Company ("Eversource") dated September 12, 2025.

1.A Authority and Purpose

Pursuant to Connecticut General Statutes ("Conn. Gen. Stat.") §§ 4-176(a) and 16-50k and *l* and Regs. Conn. State Agencies § 16-50j-56 et seq., Applicant hereby submits this Application for a Certificate of Environmental Compatibility and Public Need for the proposed construction, operation, and maintenance of the Treebeard BESF. The proposed installation would consist of a 140 MW, 560- MWh BESF located off of Aspetuck Ridge Road, in New Milford, Connecticut.

Conn. Gen. Stat § 16-50k(a) states, in relevant part:

> Except as provided in subsection (b) of section 16-50z, no person shall exercise any right of eminent domain in contemplation of, commence the preparation of the site for, commence

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> the construction or supplying of a facility, or commence any modification of a facility, that may, as determined by the council, have a substantial adverse environmental effect in the state without having first obtained a certificate of environmental compatibility and public need, hereinafter referred to as a "certificate", issued with respect to such facility or modification by the council. Any facility with respect to which a certificate is required shall thereafter be built, maintained and operated in conformity with such certificate and any terms, limitations or conditions contained therein.

In accordance with this provision, the Applicant respectfully requests that the Council find that the construction, operation and maintenance of this facility would not cause a substantial adverse environmental effect and issue this Project a Certificate.

2. Applicant Legal Name, Background, and Address

Treebeard BESS Project Co LLC ("Treebeard") is wholly owned by Flatiron Energy Development LLC ("Flatiron"), which is a limited liability company headquartered at 2101 Pearl St, Boulder, CO 80302. Flatiron is a partially woman-owned independent power producer (IPP) exclusively focused on the development, construction, and operation of utility scale standalone energy storage projects. The company has a pipeline of over 14 GWh of standalone storage projects primarily located in the Northeast. The Flatiron leadership team has over 60 years of collective experience working in standalone energy storage and over 100 years of combined experience working in the power and finance industries. Flatiron's managing partners have worked together in various formations for over ten years and across three organizations. During that time, the Flatiron leadership team has been directly responsible for successfully developing and delivering over 20 operational and profitable standalone energy storage projects. The Flatiron team has deep expertise in standalone energy storage greenfield development and the skills needed to navigate the complexities of energy storage permitting and interconnection. The team also boasts expertise in standalone energy storage EPC and project management, as well as energy storage project operations and optimization in wholesale markets.

The Flatiron team brings to the development of the Project strong regional expertise. Flatiron recently closed over $500 million in project financing from top tier financial institutions to begin construction on the largest utility scale standalone energy storage project in the Northeast region. Flatiron oversaw successful execution on all aspects

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of this project including design and engineering, permitting, community and stakeholder engagement, as well as negotiation of offtake and procurement agreements.

Flatiron is a portfolio company of Hull Street Energy ("HSE"), a well-capitalized woman-led private equity firm dedicated to investing in the clean energy transition. Formed in 2016, Hull Street Energy has successfully raised multiple fund investments. Beyond providing funding, HSE brings over 25 years of senior management experience in power plant development, energy markets, asset operations, and finance to benefit the Flatiron team. Hull Street Energy currently operates over 1 GW of gas and hydro projects across 50+ assets in the U.S. and Canada including 372 MW of projects operating in ISO-NE.

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3. Project Description

The Project site is located on 3 parcels, totaling approximately 102-acres along Aspetuck Ridge Road, in New Milford Connecticut ("Project Area"). The Town of New Milford Assessors Office has the parcels listed as 42-2-1A, 42-2-2, and 42-2-1B respectively. See **Figure 3 – Tax Parcel Map**. The overall land use of the parcels/properties consists of undeveloped woodland which has been mowed or cleared in various areas, with access paths. An Eversource transmission easement and associated infrastructure runs north to south through the site as well. There is a river and wetland areas on the host parcels to the west and south. See **Figure 4 – Site Survey**.

3.A Site Selection

Flatiron conducted an extensive search of both public and private land, resulting in the selection of the Property. Ideal site qualifications include proximity to existing transmission infrastructure, availability to interconnect to the grid with minimal network upgrades, sufficient participating real estate, and little to no detrimental impacts on natural and historical resources or surrounding stakeholders.

To support this search, Flatiron used a combination of internal analysis and third-party consultation. Initial diligence included a review of public data for environmental classifications/hazards to understand the biological, environmental, historical, and archeological impacts of BESF development on the selected area, as well as a site visit. Alternative sites were considered, and as discussed below, ultimately deemed unsuitable for the development of the Project. Based on this review, the social and environmental impacts of this Project are expected to be a net positive.

The Project as designed will not have adverse effects on quality forested areas or the designated wetlands and aquatic resources, and the Project is not anticipated to diminish the quality of life of those who live in the vicinity.

Additionally, the proposed Project site allows for ready interconnection to the Eversource grid system via a short generation tie line with limited network upgrades required.

Once the site was selected, numerous on-site field studies have been completed to inform the Project design to minimize impacts. The Project design was reconfigured multiple times to incorporate new information from field studies, research, and public engagement and to minimize impacts on the environment and community. Every attempt has been made to minimize adverse effects of development on the land, and this will continue with any future design iterations.

3.B Project Description

The current BESF site plan has a nameplate capacity of 140 MW / 560 MWh and is designed with 208 Tesla Megapack 2XL battery storage containers and associated equipment. Medium-voltage transformers are proposed adjacent to the battery pads and electric cables connecting the transformers to the project substation. The power from the batteries would be directed to a high voltage transformer, meter, disconnects, and switchgear prior to interconnecting with a proposed Eversource Switchyard. The Eversource Switchyard would interconnect with the existing Eversource 115kV transmission line located on the west side of the Property. The Project would install a

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7-foot-high chain link and barbed wire fence for safety around the perimeter of the facility in accordance with National Electric Code requirements. There would be three access gates, with locking hardware, proposed along the perimeter for access to the BESF and permanent stormwater basins. See **Appendix A – Civil Site Plans**.

The Project has executed real estate option agreements with Aspetuck Farms LLC for placement of the BESF. Aspetuck Farms LLC purchased the Property in 1993. Imagery suggests that farming operations have not been conducted on site since at least 1985. The Project Area has since been largely left dormant, although there are some areas that have been disturbed via mowing in select locations around the site. Aspetuck Farms sought to supplement their income by selling or developing a portion of their land. It considered opportunities for residential development of multi-family housing and prefer not to revert the property to farmland. Alternatively, it opted to partner with a BESF project on the site, which allows them to retain ownership of the Property while generating a supplemental source of income through a real estate agreement with Flatiron in a less impactful, more ecologically beneficial development way than housing.

According to the Town of New Milford's Zoning Map, the principal use of the parcel is designated for residential and located in Residential District 40. There is currently limited activity on the Property. Access to the Property will be maintained through two proposed driveways and gravel access roads off Aspetuck Ridge Road. All construction, maintenance, and all other activities related to the Project Area will use the access road. The Residential zone of New Milford is characterized by agricultural uses and low-density housing. The zone allows for certain uses to be permitted via a special permit. Some of the uses requiring a special permit are Hospitals, Aircraft Landing Fields Commercial Kennels, Child Day Care Centers, Public Utility buildings, and Extraction/Earth Removal. The proposed Project falls within the intensity of the uses allowed via special permit in Residential District 40 of New Milford.

This area of New Milford is approximately 1.5 miles northwest of the center of town and is characterized by having wooded areas. The Project site is bordered to the east by Aspetuck Ridge Road and sits off a secluded access road connecting to Aspetuck Ridge Road, known as Timothy Lane. To the west and south of the site is wooded area. A branch of the West Aspetuck River runs from north to south through the site. The site is partially within the Aquarion Water Company's Fort Hill Road Aquifer Protection Area. To the north is the New Milford Swim and Tennis Club, and there are residences to the east on the opposite side of Aspetuck Ridge Road.

The Project facilities have been sited east of the river located on the Project property, outside of the flood plain and wetland areas. There are undeveloped portions of the site along the river that will remain unaltered, adding

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conservation value to the local environment and broader community. The Project will be set back from the eastern roadway such that the dense existing vegetation provides a natural viewshed buffer, further harnessing the existing undeveloped nature of the surrounding acreage. The proposed Project is consistent with this area, as it is largely undeveloped and is directly adjacent to the electrical transmission infrastructure which will provide ease of interconnection. Compared to other potential uses, the Project will help maintain the rural character of the area as it will not increase traffic, will not impact viewshed or create nuisance noise, will not rely on municipal resources, and will not cause pollution.

3.C Interconnection

The Project is a BESF with a net capacity of 140 MW/ 560 MWh at its Point of Interconnection ("POI"). The Project is proposed to be connected to the Eversource 115 kV Line 1555 between the Bull Bridge and Rocky River Switchyards, located in New Milford. The interconnection request for the BESF was submitted to ISO-NE on October 7, 2022, under Queue Position QP1319. ISO-NE conducted a System Impact Study (SIS) of the Project under the ISO-NE Open Access Transmission Tariff Schedule 22-Standard Large Generator Interconnection Procedures and Interconnection Planning Procedures for Generation and Elective Transmission Upgrades PP5-6. The studies completed to date have determined the Project does not have an adverse impact on the transmission system. The Project has a Large Generator Interconnection Agreement that was fully executed on September 15, 2025. The Project is participating in the 2025 Interim Capacity Qualification Process. Preliminary results determine the Project's 140 MW output is fully deliverable. The Interim Capacity Qualification Process final results report is expected to be received by November 2025. See **Appendix B - Equipment Specifications**.

3.D Operations and Management

Flatiron is committed to the safety and success of its plant operations, and as the long-term owner of the asset, it has developed an operations and maintenance ("O&M") plan centered around long-term service agreements (LTSA) with top tier and experienced service providers. This approach ensures stability for the Project while leveraging the scale and depth of experience from dedicated O&M service organizations.

The Project will have up to three (3) FTE technicians on-site maintaining the BESS, building mechanical plant, and Project substation. These technicians will be employees of the O&M service providers who will have LTSAs with Flatiron Energy that cover both preventative maintenance and corrective maintenance scopes. For this Project, the service providers are currently expected to be the integrated BESS equipment supplier (Tesla or equivalent)

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and NovaSource Power Services. Both providers bring extensive energy storage O&M experience to the Project. Technicians will have access to spare parts that will be stored in temperature-controlled facilities on site to enable rapid issue resolution. On-site staff will be supplemented by regional technicians.

As the expected operator of the Project, Novasource would be responsible for monitoring the project on a 24/7/365 basis. Operators on any given shift monitor approximately 30 utility scale BESS sites within a specific region. There are lead operators available on all shifts to assist operators and serve as escalation points. Additionally, alarm systems provide real-time backup to the entire control room, alerting operators when a site is not performing as expected. All monitoring is compliant with North America Electric Reliability Corporation's (NERC) Critical Infrastructure Protection (CIP) standards.

Flatiron Energy will develop and own the Project; as owner, it will manage the activities of its outside contractors to ensure O&M activities meet the required standards and performance guarantees. The integrated BESS equipment supplier will provide extended warranties and LTSA services to Flatiron. This ensures that the service provider has access to the technology know-how and spare parts needed for long-term safety and success of the project. NovaSource is expected to provide LTSA services for the building and electrical substation and support extended warranties on balance of plant equipment procured directly by Flatiron.

Equipment testing will form a key part of the Project's preventative maintenance plan and ensure safety. The BESS will be tested at least annually to ensure the plant is meeting key power capacity, energy capacity, and round-trip efficiency guarantees. Metering equipment, relays, fire protection systems, and other balance of plant equipment will be tested to meet or exceed requirements from ISO-NE, NERC, local AHJs, and the CSC. All equipment will be tested in accordance with OEM service manuals. These test requirements will be contracted with the LTSA providers.

Any BESS manufacturer Flatiron ultimately partners with will have conducted multi-level UL 9540A fire testing to inform and validate design and installation requirements, ensure compliance with fire codes, and to further inform Emergency Response Plans. All installation and maintenance activities will be in full compliance with the latest governing National Fire Protection Association (NFPA) codes and standards, and project operations will be remotely monitored on a 24/7/365 basis ensuring that any operational abnormalities are detected and instantaneously addressed. More specifically, the Project will be equipped with state-of-the-art software /

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hardware systems such as Energy Management Systems (EMS), Battery Management Systems (BMS), and Power Conversion Systems (PCS). These systems enable monitoring and control at all levels of the Project operation.

Flatiron will collaborate with the Town of New Milford officials and first responders and third-party plus internal fire safety experts to create an Emergency Response Plan (ERP). This plan will detail elements such as procedures to safely shut down the system, the process for removal of damaged equipment, and general emergency procedures among other relevant safety best practices. Flatiron will also convene reoccurring emergency response trainings for the fire department and other relevant first responders throughout the operational life of the BESF utilizing third-party fire safety consultants with an expertise in BESF technologies. A draft Emergency Response Plan is available in **Appendix C - Draft Emergency Response Plan**.

4. Project Benefits and Public Need

The Project is anticipated to provide multiple benefits to the Town of New Milford, the State of Connecticut, and New England. As the Council is aware, the State of Connecticut aims to meet specific clean energy goals that this Project helps support. BESF projects enable greater renewable energy penetration which in turn helps to reduce greenhouse gas emissions, support regional habitat conservation, promote energy independence, underpin a robust and reliable grid, and better level costs for both taxpayers and ratepayers.

The Project is an enabling technology for the grid's transition to renewable energy. The BESF will charge from the grid at non-peak hours when there may be surplus energy and prices are lower and then return or "discharge" that electricity back to the grid at peak demand when electricity prices are high. For instance, surplus energy from wind or solar generation, which would otherwise go unused, can instead contribute to the charging of the BESF. This stored energy can then be released back onto the grid during periods when wind or solar output is low or when the electricity supply is insufficient to meet demand. By discharging electricity back on to the grid during peak demand, BESF projects, including the proposed Project, can reduce or eliminate the need for carbon-intensive and expensive fossil fuel generation sources, such as coal or natural gas.

At a local level, this "peak-management-focused" operational approach will take stress off the local distribution grid, increasing grid reliability by helping to reduce the frequency of outages and relieving stress on the local network's infrastructure. The BESF also allows the utility to defer or delay expensive system upgrades, which is a cost often realized by local ratepayers in the form of strategic rate hikes. Put simply, the Project will be a critical part of a larger strategy to reduce costs, reduce outages, and improve the reliability of energy for both the

community's businesses and residents. The Project aims to add critical energy storage capacity to meet Connecticut's mandate of 1,000 MW of energy storage deployed by 2030. As designed, the project will provide ~15% of capacity required to meet the total mandate, and over 30% of capacity designated for transmission-scale storage by DEEP. The Project will deliver the following benefits recognized by the Authority in Docket No. 23-08-05:

(1) Economic Benefits: The Project will support the Energy Storage Solutions Program's economic goals by reducing peak grid demand, lowering ratepayer costs, and adding capacity to help utilities avoid costly infrastructure upgrades. Revenue from local taxes can fund infrastructure projects and increase support for schools and community initiatives. Additionally, it will enhance business uptime by preventing outages, facilitate the integration of cheaper renewable resources like solar and wind, and mitigate the healthcare and economic costs linked to higher-polluting energy sources.

(2) Resiliency Benefits: The Project will, in the long-term, assist in maintaining the stability and efficient operation of the electric grid by providing peaking capacity and balancing services including reserve capacity, frequency regulation, voltage, and support. Stress relief also means improved system reliability. BESS' modern power electronics systems allow grid balancing and stabilization services within milliseconds, preserving the safe, efficient operation of the grid. As a larger portion of the grid's energy is composed of intermittent renewable resources (such as solar and wind), distributed energy storage systems can help "smooth" the surge and lull of voltage, frequency and harmonic distortions that are inherent with the rapid integration of renewable energy systems.

(3) Environmental Benefits: BESS are used as localized peaking power suppliers. As such, BESS will help reduce air quality impacts of high emitting Peaker plants which are called on as resources of last resort during peak demand. Further, to achieve its renewable energy goals, Connecticut is relying in part on the installation of a substantial amount of energy storage to balance the grid and "smooth" the intermittent output of solar and wind generation resources. The adoption of renewable power can only happen effectively with energy storage to assist the grid in accommodating the added resources. Locally, the host Site's environmental footprint will improve since the BESS will charge at night when the ISO-NE's power supply is comprised of a higher percentage of non-carbon-based resources, and then discharge that energy to serve the facility and grid during peak demand hours when the high emitting, least efficient,

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fossil fuel-based Peaker plants are typically used. The result is overall positive net value to the host and all ratepayers as sought in the PURA and CTGB's ESS Program.

5. Public Outreach

Flatiron has been in communication with and has engaged state and local regulators regarding the design and development of the Project.

On Tuesday December 6, 2022, Flatiron attended a New Milford Department Services team meeting to introduce the proposed Project and preliminary plans. The Project design that was shown during this meeting was different than the current design included in this application and had the Project switchyard and substation on the west side of the river and the battery containers on the east side of the river. In this meeting, they discussed the Connecticut Siting Council permitting process and sixty-day municipal consultation requirement. They reviewed the Project design and associated impacts to aquatic resources. The town expressed concern about the structural integrity of an existing bridge that spans the river on site, which was used to access the western portion of the Project area in the original design, and whether it would be washed out in a flood event, limiting access to the Project's substation and switchyard. They also expressed concerns about an aquifer protection area on site and how the Project may impact it. Flatiron provided information on the hazardous materials in BESF and their toxicity characteristics to discuss the minimal risk to the aquatic resources on site. During this meeting, they discussed fire safety and Flatiron expressed interest in scheduling a meeting with the New Milford Fire Department. Following this meeting, Flatiron attempted to engage the fire department but did not receive a response.

One follow-up action taken by Flatiron at the request of the Town of New Milford stemming from these meetings was a diligent feasibility analysis of the former Century Brass Mill at 12 Scovill Street in New Milford as a potential alternative development location. The Town of New Milford's Assessor's Office has the parcel ID listed as 35/4. This site is deemed a hazardous waste site through the Resource Conservation and Recovery Act and is deferred for cleanup. Flatiron worked with external consultants to review previously conducted Phase I and Phase II Environmental Site Assessment reports. Ultimately, this location was deemed unsuitable due to the timeline for remediation, interconnection, and real estate due diligence necessary.

In April 2024, Flatiron attended a pre-application meeting with Connecticut Department of Energy and Environmental Protection ("DEEP" or "CTDEEP"). The summary of this meeting is included in **Appendix L – Public Outreach Documentation**.

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On Tuesday July 29, 2025, Flatiron sent an email to Mayor Pete Bass and Zoning Enforcement Officer Laura Regan providing updates on the Project status, introducing a new Project manager, and requesting a follow up meeting.

On Friday August 1, 2025, Flatiron had a meeting with Mayor Pete Bass and Wetland Enforcement Officer, Jim Ferlow, to review the most current Project layout, share information on the Project timeline, and address questions. At this point, the Project design had not materially changed from what was shown to the town during the December 6, 2022, meeting. The Wetland Enforcement Officer expressed similar concerns as had been expressed in the December 6, 2022, meeting regarding impacts to aquatic resources and the potential for the access bridge to be washed out in a flood event.

As a result of the feedback received from the Town of New Milford, the Project team reconfigured the Project layout to site all the Project infrastructure on the east side of the river. The current design no longer requires access via the bridge on site, eliminating concerns about accessing equipment if there was a washout. Through proactive and early engagement with town of New Milford officials, the Project early-stage layouts were already able to incorporate informal public comment and preference.

6. Project Will Not Cause Adverse Environmental Effects

6.A Public Health and Safety

The proposed Project is not expected to create any adverse impact with regard to public health or safety. The proposed Project will meet or exceed all local, state, national, and industry health and safety standards and requirements. During construction and post-construction operations and maintenance, workers and personnel would follow all health and safety standards applicable to battery energy storage facilities.

A site-specific construction health and safety plan is typically developed prior to initiation of any on-site Project-related tasks. During the construction phase of development, all contractors, sub-contractors and all personnel on site will be appropriately trained and briefed on any potential site health and safety issues. There will be a designated construction manager and site safety officer or representative present at all times during construction, and such individuals will be responsible for overseeing/implementing the site construction health and safety plan.

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Construction traffic relative to the site includes standard construction trucks, earth moving equipment, and all-terrain forklift equipment. Vehicle trips would be relative to scheduled deliveries of the major equipment such as battery containers and electrical equipment to serve the BESF site, and fencing materials to be installed around the perimeter of the facility. Construction activity and associated traffic would generally take place from 7:00 a.m. to 5:00 p.m. daily Monday through Fridays. Notice will be provided to the Council in the event that Saturday work or overtime work is required.

Potential pollutants that may be present on the site would include polyvinyl chloride ("PVC") glue for use with electrical conduit installations, FR-3 or ester fluid contained in the transformers, dust resulting from construction activity, coolant internal to the batteries, and carbon-based fuels for vehicles and equipment. The Applicant would keep all flammable liquids in code compliant cabinets and containers and would keep spill kits in all vehicles and equipment on-site. Additionally, the Applicant would monitor chemical usage daily to ensure compliance to requirements. No risk of release to the environment is anticipated.

Lithium-ion BESS do not release pollutants or hazardous materials during normal operation. Lithium-ion batteries are hermetically sealed within their casing and do not off-gas or contain free flowing liquids that could leak during normal charging and discharging like other batteries chemistries (such as lead-acid). In addition, the batteries are installed within enclosures rated for outdoor installations, further separating the batteries from the environment. The containers also carry an IP66/NEMA 3R ingress protection rating, which ensures they are protected against water and dust intrusion. Air, water, and soil testing conducted by multiple agencies and organizations following BESS fires have shown no impact to public safety or environmental health.

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6.B Air Quality

Normal operations of the Project will not produce hazardous air emissions, and thus no air emissions will be generated during operations and, therefore, an air permit would not be required. Temporary, potential, construction-related mobile source emissions would include those associated with construction vehicles and equipment. Any potential air quality impacts related to construction activities can be considered de minimis. Such emissions would be mitigated using available measures including limiting idling times of equipment; proper maintenance of all vehicles and equipment and watering/spraying to minimize dust and particulate releases. In addition, all on-site and off-road equipment would meet the latest standards for diesel emissions, as prescribed by the United States Environmental Protection Agency ("USEPA") and, with the above mitigation measures, should reduce the exhaust emissions.

6.C Scenic and Recreational Values

The site is not located in close proximity to any publicly used spaces, such as parks, trails, or ballfields. It is intended to leave a portion of existing trees along Aspetuck Ridge Road to provide screening benefit to the project. A visual cross section was prepared for the single property closest to the edge of the development area and is attached as **Appendix I - Visual Impact Assessment**.

6.D Historic and Archaeological Resources

A Phase 1A cultural site assessment dated June 2025, prepared by Heritage Consultants, was submitted to the State Historic Preservation Office ("SHPO") for review. The results of the Phase 1A study concluded that portions of the 25+ acres of the reviewed site contained a moderate/high sensitivity for archaeological resources and recommended a Phase 1B study be performed. A Phase 1B cultural resource reconnaissance survey will be performed in the near future. Although unlikely, if any sensitive resource areas are found, impacts would be mitigated or avoided. See **Appendix F - Cultural Resource Assessment Documentation.**

6.E Habitat and Wildlife

A request for species list was received from CTDEEP Wildlife Division, Natural Diversity Database, on July 14, 2025. The results of the application, which was entered using the location and description of the limits of the proposed project site, stated that there was an expectation of the presence of turtles, bats, and rare or threatened

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vegetation within the Project area. In accordance with protective measures outlined in the report, various surveys will be conducted to define exact locations of these species. The contractor will not disturb suitable habitat areas during hibernation/roosting periods, they will perform turtle sweeps around equipment and stockpiles prior to starting activities for the day, and ensure silt fencing is secure to the ground to create an exclusionary barrier around the site. See **Appendix H - Wildlife and Habitat Review Documentation**.

6.F Water Quality

The Project will incorporate multiple permanent stormwater basins which will provide water quality treatment from the associated impervious areas. Based upon a desktop review of NRCS Web Soil Survey, it is anticipated that the site soils will be well-draining to allow for the infiltration of stormwater runoff, and in situ testing is proposed at a later date to confirm this assumption. Given the Project is partially sited within an aquifer protection area, CTDEEP's Best Management Practices for Temporary Construction and Reconstruction Operations in Aquifer Protection Areas will be employed as necessary during construction.

6.G Stormwater Management

The stormwater control plan outlines procedures for installing erosion and sediment controls and monitoring these controls as well as the stormwater features to ensure they remain in proper functioning order. All guidance provided to project personnel through the control plan is in adherence with the latest CT Stormwater General Permit, CT Stormwater Quality Manual, and CT Guidelines for Soil Erosion & Sediment Control. See **Appendix E - Stormwater Report**.

6.H Noise

Potential Project-related noise is regulated by Conn. Gen. Stat. § 22a-69, which prescribes a maximum level of 55 dBA for daytime hours and 45 dBA for nighttime hours for Class A Emitters at property boundaries. Construction noise is exempt from the statute. Due to the nature of the use, facility design, required equipment and distance from potential noise receptors, the proposed Project is expected to have no adverse noise-related impact on the surrounding area. To ensure the proposed Project falls within local and State guidance criteria, Flatiron conducted a Noise Study. See **Appendix K – Noise Study**.

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6.I FAA Determination

The Applicant used the Federal Aviation Administration ("FAA") Notice Criteria Tool to screen the Project Area to assess the Project. The result of the initial screening on October 8, 2025, confirms that the Project is not required to file notice with FAA. See **Appendix J - FAA Consultation**.

6.J Viewshed Impact

The Applicant selected the Project's location in part due to its limited impact on public viewsheds and to abutters. The Project has been sited on land which generally has little visibility from public recreation areas (i.e., playing fields, walking trails, or parks). Visual impacts of the Project from multiple directions are naturally mitigated due to a variety of distance, topography, and existing vegetation. Discussions between the Applicant and abutting parcel owners to the Project are ongoing and the Applicant intends to incorporate mitigation screening into the site development plan based upon ongoing discussions with the abutting parcel owners and the Town of New Milford.

6.K Electric and Magnetic Fields

Battery energy storage systems do not produce dangerous levels of EMFs. EMFs are generated any time an electric current flows through a wire or electronic device. In a battery, energy is stored chemically, not electrically, so no EMF is produced while the batteries are in their default state. When the batteries are discharged, the stored chemical energy is converted into electrical energy using standard equipment such as inverters and transformers. The EMF levels from this equipment are comparable to those emitted by everyday household devices like refrigerators, computers, or Wi-Fi routers.

Extensive research by the World Health Organization and the International Commission on Non-Ionizing Radiation Protection ("ICNIRP") confirms that EMF exposure from electrical infrastructure, including BESS, does not cause

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adverse health effects when within established safety limits. Data shows that EMF levels near BESS equipment consistently remain well below the ICNIRP's international exposure guidelines1,2.

During Project operation, electric and magnetic fields on the Project site are expected to derive from the following sources: (1) the power inverters that convert the DC power to AC power and vice versa; (2) the transformers that increase or decrease voltages; (3) substation components, including high-voltages buses, switchgear, and circuit breakers; (4) the AC and DC cabling that connect the batteries to the inverters and the inverters to the substation; and (5) the electrical components in the battery management systems (BMS), site controllers, and thermal management systems for cooling. All this equipment will be located more than 100 feet from the boundaries of the site, with the nearest residences even farther away. The EMF levels from this equipment decreases to near background levels within a few feet of distance from this equipment; therefore, the operation of these sources is not anticipated to change the EMF levels outside the Project site.

7. Conclusion

The Project clearly meets the standards set forth in Conn. Gen. Stat. §16-50*l*. This Project is precisely the type of project that Connecticut legislature, regulatory agencies, environmental groups, utilities, and ratepayers have been promoting to support our State's energy goals and provide savings and tax benefits to municipalities like New Milford. Accordingly, and for the reasons stated herein, the Applicant respectfully requests that the Council issue a Certificate of Environmental Compatibility and Public Need.

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[1] World Health Organization, *Electromagnetic Fields*, accessed October 9, 2025, https://www.who.int/health-topics/electromagnetic-fields#tab=tab_1.

[2] International Commission on Non-Ionizing Radiation Protection (ICNIRP), *Guidelines for Limiting Exposure to Electromagnetic Fields (100 kHz to 300 GHz)*, ICNIRP Publ. 2020, Health Physics 118(5):483–524, DOI:10.1097/HP.0000000000001210, https://www.icnirp.org/cms/upload/publications/ICNIRPrfgdl2020.pdf.