

## Applicant Checklist for Ground-Mounted Net-Metering CPG Application Greater Than 50 kW

<b>Instructions</b> Please see Commission Rule 5.106 to review the specific applicable standards and procedures. You are required to submit this document with your application. Please indicate in the right column where in your application the relevant information is contained. For example, "Project Narrative of Jane Doe at page 2," or "Exhibit JD-5 at page 3."	
<b>General Information</b>	
5.106(D)(3) <b>Adjoining landowners.</b> Names and addresses of all adjoining landowners from the most recent version of the town's grand list.	
5.106(D)(4) <b>Advance submission.</b> Certification that advance submission requirements have been met for the application type. <ul style="list-style-type: none"> <li>Check the list of abutters against the site plan to verify that all adjacent parcels on the site plan have received notice.</li> </ul>	
<b>Preferred Site Information</b>	
Is the Project on a preferred site? Check one:	<input type="checkbox"/> <b>Yes</b> <input type="checkbox"/> <b>No</b>
If the Project is on a preferred site, please indicate which type, and provide the corresponding supporting documents <sup>1</sup> :	
<div style="display: flex; flex-wrap: wrap;"> <div style="width: 50%;"><input type="checkbox"/> BUILDING</div> <div style="width: 50%;"><input type="checkbox"/> PARKING LOT</div> <div style="width: 50%;"><input type="checkbox"/> LANDFILL</div> <div style="width: 50%;"><input type="checkbox"/> PREVIOUSLY DEVELOPED TRACT</div> <div style="width: 50%;"><input type="checkbox"/> BROWNFIELD</div> <div style="width: 50%;"><input type="checkbox"/> RESOURCE EXTRACTION</div> <div style="width: 50%;"><input type="checkbox"/> MUNICIPAL PLAN SITE</div> <div style="width: 50%;"><input type="checkbox"/> NPL SITE</div> <div style="width: 100%;"><input type="checkbox"/> LETTERS OF SUPPORT SITE</div> <div style="width: 100%;"><input type="checkbox"/> &gt;50% OF OUTPUT ALLOCATED TO HOST CUSTOMER OR ADJACENT PROPERTY</div> </div> <ul style="list-style-type: none"> <li>If a brownfield site:             <ul style="list-style-type: none"> <li>A site investigation report, as required by the Agency of Natural Resources' Investigation and Remediation of Contaminated Properties Rule, or a letter from the Secretary of Natural Resources stating that a site investigation report is not necessary.</li> </ul> </li> <li>If a sanitary landfill site:             <ul style="list-style-type: none"> <li>Certification from the Secretary of Natural Resources that the land constitutes a landfill and contiguous land, structures, appurtenances, or improvements, and that the landfill is actively maintained under the authority of a post-closure certification, administrative order, or assurance of discontinuance, or in custodial care as recognized by the Agency of Natural Resources.</li> </ul> </li> </ul>	

<sup>1</sup> The qualifying criteria for "preferred sites" are set forth in Commission rule 5.103. Systems with a capacity greater than 150 kW must be on a preferred site.

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<ul style="list-style-type: none"> <li>• If a resource extraction site:               <ul style="list-style-type: none"> <li>○ Evidence depicting what is or was the disturbed portion of the site, which may include plans for the extraction site, aerial photographs, topographic surveys, and information about vegetative communities; and</li> <li>○ If the extraction site has state or local permits with reclamation requirements, copies of such permits and documentation from the permitting agency stating that all permit reclamation requirements have been or will be satisfied before operation of the plant.</li> </ul> </li> <li>• If a municipal and regional planning commission preferred site:               <ul style="list-style-type: none"> <li>○ A letter or letters from the municipal legislative body and the municipal or regional planning commissions based on their evaluation after receiving the 45-day advance submission for the Project.</li> </ul> </li> <li>• If an NPL site:               <ul style="list-style-type: none"> <li>○ Confirmation from the U.S. Environmental Protection Agency or the Agency of Natural Resources that the site is listed on the National Priorities List established under the Comprehensive Environmental Response, Compensation, and Liability Act; and</li> <li>○ Evidence demonstrating that (1) development of the plant on the site will not compromise or interfere with remedial action on the site, and (2) the site is suitable for development of the plant.</li> </ul> </li> </ul>	
<b>5.106(D)(5) Site plans</b> Plans must be formatted so that they display all required information clearly.	
5.106(D)(5)(a) Proposed facility location, any project features, and project limits	
5.106(D)(5)(b) Property boundaries and setback distances from those boundaries to the corner of the nearest project-related structure, distances to any nearby residences, and dimensions of all proposed improvements.	
<div style="display: flex; justify-content: space-between;"> <div style="width: 45%;">ft to nearest road;</div> <div style="width: 45%;">ft to nearest property boundary</div> </div>	
5.106(D)(5)(c) Proposed utilities, including approximate distance from source of power, sizes of service available and required, and approximate locations of any proposed utility or communication lines.	
5.106(D)(5)(d) Locations, specific descriptions, and the total acreage of any areas where vegetation is to be cleared or altered, proposed earth disturbance, a description of any proposed direct or indirect alterations to or impacts on wetlands or other natural resources protected under 30 V.S.A. § 248(b)(5), including the project limits, and the total acreage of forest clearing.	
A description of any proposed direct or indirect alterations to or impacts on wetlands or other natural resources protected under 30 V.S.A. § 248(b)(5), including the limits of disturbance and the total acreage of any disturbed area. "Other natural resources" include rare and irreplaceable natural areas, necessary wildlife habitat (including deer wintering areas), and areas hosting threatened or endangered species.	

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5.106(D)(5)(e) Detailed plans for any drainage of surface and/or sub-surface water and plans to control erosion and sedimentation both during construction and as a permanent measure.	
5.106(D)(5)(f) Locations and specific descriptions of  <input type="checkbox"/> proposed screening, <input type="checkbox"/> landscaping, <input type="checkbox"/> groundcover, <input type="checkbox"/> fencing, <input type="checkbox"/> exterior lighting, and <input type="checkbox"/> signs.  If such features are not proposed, mark "n/a."	
5.106(D)(5)(g) Plans of any proposed access driveway, roadway, or parking area at the project site, including grading, drainage, and traveled width. If proposing improvements to existing roads, provide a description of improvements and show all proposed fill areas on the site plan.  A cross-section of the proposed access drive indicating the width, depth of gravel, paving, or surface materials. For proposals to improve an existing road, the cross-section must show existing and proposed conditions.	
5.106(D)(5)(h) The latitude and longitude coordinates for the Project.	
5.106(D)(12)(b) The presence and total acreage of primary agricultural soils to be physically disturbed in connection with the construction and operation of the Project, the amount of those soils to be disturbed, and any other proposed impacts on those soils. "Primary agricultural soils" is defined in 10 V.S.A. § 6001.	
<b>5.106(D)(11)(c) Elevation drawings</b>	
5.106(D)(12)(c) Elevation drawings for each proposed structure. The elevation drawings must be to appropriate scales but no smaller than 1"/20'.	
5.106(D)(12)(c) Two elevation drawings of the proposed structures drawn at right angles to each other, showing the ground profile to at least 100 feet beyond the edge of any proposed clearing, and showing any guy wires or supports. The elevation drawings must show height of the structure above grade at the base and must describe the proposed finish of the structure.	
5.106(D)(12)(c) The elevation drawings must indicate the relative height of the facility to the tops of surrounding trees as they presently exist.	
<b>Rule 5.106(D)(12)(a) Project narrative and exhibits containing sufficient facts to support a positive finding by the Commission under each of the applicable Section 248 criteria</b>	
<b>248(b)(1) Orderly Development</b> <ul style="list-style-type: none"> <li>• Must state whether the Project will comply with any applicable land conservation measures contained in applicable town or regional plans.</li> <li>• Must respond to any comments from municipal legislative and planning bodies, as well as regional planning bodies.</li> <li>• Must provide relevant excerpts of town and regional plans.</li> <li>• Must address compliance with municipal screening bylaws or state that there are no such bylaws.</li> </ul>	

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<p><b>248(b)(2) Need</b></p> <ul style="list-style-type: none"> <li>Only applicable if customer <b>retains</b> ownership of renewable energy credits (RECs); otherwise this criterion is conditionally waived.</li> <li>If applicable, the Applicant must describe why the Project is required to meet the need for present and future demand for electric service that could not otherwise be provided in a more cost-effective manner through energy conservation programs and measures and energy-efficiency and load-management measures.</li> </ul>	
<p><b>248(b)(5) Aesthetics, Historic Sites, Air and Water Purity, Natural Environment, Use of Natural Resources, Public Health and Safety</b></p> <ul style="list-style-type: none"> <li>Narrative and exhibits must address each of the criteria listed below.</li> </ul>	
<p><b>248(b)(5) Air Purity and Greenhouse Gases</b></p> <ul style="list-style-type: none"> <li>Testimony and exhibits must identify all sources of air pollution created by the Project and state why such air pollution does not constitute an undue adverse effect on air purity.</li> </ul>	
<p><b>248(b)(5) Water Purity</b></p> <ul style="list-style-type: none"> <li>Narrative and exhibits must describe all impacts on water purity and explain why those impacts are not undue.</li> </ul>	
<ul style="list-style-type: none"> <li><b>10 V.S.A. § 6086(a)(1)(A) Headwaters</b> <ul style="list-style-type: none"> <li>The Applicant should state whether the Project will be located on lands devoted to intensive development. If yes, then this criterion is satisfied.</li> <li>The Applicant must state whether the Project will be in a headwaters area. A project is in a headwaters area if any of the following apply: <ul style="list-style-type: none"> <li>headwaters of watersheds characterized by steep slopes and shallow soils;</li> <li>drainage areas of 20 square miles or less;</li> <li>waters above 1,500 feet in elevation;</li> <li>watersheds of public water supplies designated by the Agency of Natural Resources; or</li> <li>areas supplying significant amounts of recharge waters to aquifers.</li> </ul> </li> <li>If the Project will be in a headwaters area, then the Applicant must address compliance with any applicable Department of Health and Department of Environmental Conservation regulations regarding reduction of the quality of the ground or surface waters. Testimony must clearly identify which regulations are applicable and state why the Project will comply with such regulations.</li> </ul> </li> </ul>	
<ul style="list-style-type: none"> <li><b>10 V.S.A. § 6086(a)(1)(B) Waste Disposal</b> <ul style="list-style-type: none"> <li>Must state whether waste will be disposed of in accordance with applicable Department of Environmental Conservation regulations.</li> <li>Must identify all sources of waste.</li> </ul> </li> </ul>	

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<ul style="list-style-type: none"> <li>• <b>10 V.S.A. § 6086(a)(1)(D) Floodways</b> <ul style="list-style-type: none"> <li>○ Must state whether the Project will be in a floodway or floodway fringe. This includes 100-year floodplains and ANR-mapped river corridors.</li> <li>○ If the Project will be in a floodway, must demonstrate that the Project will not restrict or divert the flow of flood waters, or endanger the health, safety, and welfare of the public or of riparian owners during flooding.</li> <li>○ If the Project will be in a floodway fringe, must demonstrate that the Project will not significantly increase the peak discharge of the river or stream within or downstream from the area of development or endanger the health, safety, or welfare of the public or riparian owners during flooding.</li> </ul> </li> </ul>	
<ul style="list-style-type: none"> <li>• <b>10 V.S.A. § 6086(a)(1)(E) Streams</b> <ul style="list-style-type: none"> <li>○ Must identify all streams on or near the project site.</li> <li>○ If the Project is on or adjacent to the banks of a stream, must demonstrate that the Project will, whenever feasible, maintain the natural condition of the stream, and will not endanger the health, safety, or welfare of the public or of adjoining landowners.</li> </ul> </li> </ul>	
<ul style="list-style-type: none"> <li>• <b>10 V.S.A. § 6086(a)(1)(F) Shorelines</b> <ul style="list-style-type: none"> <li>○ Must state whether the Project will be located on or near a shoreline.</li> <li>○ If the Project will be located on a shoreline, must demonstrate that it is necessary for the Project to be located on or near a shoreline; and that the Project will: <ul style="list-style-type: none"> <li>▪ retain the shoreline and the waters in their natural condition;</li> <li>▪ allow continued access to the waters and the recreational opportunities provided by the waters;</li> <li>▪ retain or provide vegetation that will screen the Project from the waters; and</li> <li>▪ stabilize the bank from erosion, as necessary, with vegetation cover.</li> </ul> </li> </ul> </li> </ul>	
<ul style="list-style-type: none"> <li>• <b>10 V.S.A. § 6086(a)(1)(G) Wetlands; 5.106(D)(6)</b> <ul style="list-style-type: none"> <li>○ Must address whether the Project will be located in or near any significant wetlands or their buffers. Class 1, 2, and 3 wetlands and associated 50-foot buffer zones in the vicinity of the Project must be identified.</li> <li>○ Must describe how the Project will comply with the Vermont Wetland Rules, if applicable.</li> <li>○ Must provide a wetland delineation or letter from a qualified consultant stating that no delineation is necessary.</li> </ul> </li> </ul>	

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<ul style="list-style-type: none"> <li>• <b>10 V.S.A. § 6086(a)(4) Soil Erosion or Reduction in the Capacity of Land to Hold Water</b> <ul style="list-style-type: none"> <li>○ Must demonstrate why the Project will not result in unreasonable soil erosion or reduce the capacity of the land to hold water so that a dangerous or unhealthy condition may result.</li> <li>○ Must address whether construction and operational stormwater regulations are applicable and, if so, how the Project will comply with those regulations.</li> </ul> </li> </ul>	
<ul style="list-style-type: none"> <li>• <b>10 V.S.A. § 6086(a)(8) Aesthetics; 5.112</b> <ul style="list-style-type: none"> <li>○ Must demonstrate that the Project will not have an undue adverse effect on the scenic or natural beauty of the area and aesthetics.</li> <li>○ Must address the “Quechee Test,” as set forth in Commission Rule 5.112.</li> </ul> </li> </ul>	
<ul style="list-style-type: none"> <li>• <b>10 V.S.A. § 6086(a)(8) Historic Sites</b> <ul style="list-style-type: none"> <li>○ Must demonstrate that the Project will not have an undue adverse effect on historic sites, which include historic structures, historic districts, and archaeological sites.</li> <li>○ Must provide either a statement from the Department for Historic Preservation regarding effects of the Project on historic sites or testimony from a consultant who has performed a Phase I historic site assessment.</li> </ul> </li> </ul>	
<ul style="list-style-type: none"> <li>• <b>10 V.S.A. § 6086(a)(8)(A) Necessary Wildlife Habitat and Endangered Species</b> <ul style="list-style-type: none"> <li>○ Must demonstrate that the Project will not destroy or significantly imperil necessary wildlife habitat or any threatened or endangered species.</li> <li>○ Must state whether there is any necessary wildlife habitat present at or near the Project site and whether there is evidence that any endangered species may be present at the Project site.</li> </ul> </li> </ul>	
<ul style="list-style-type: none"> <li>• <b>10 V.S.A. § 6086(a)(8) Rare and Irreplaceable Areas</b> <ul style="list-style-type: none"> <li>○ Must state whether there are any rare and irreplaceable natural areas at or near the Project site and how the Project will affect such areas.</li> </ul> </li> </ul>	
<ul style="list-style-type: none"> <li>• <b>10 V.S.A. § 6086(a)(9)(K) Development Affecting Public Investments</b> <ul style="list-style-type: none"> <li>○ Must demonstrate that the Project will not unnecessarily or unreasonably endanger or interfere with public investments (public roads, public buildings, public lands, etc.).</li> </ul> </li> </ul>	
<ul style="list-style-type: none"> <li>• <b>248(b)(5) Public Health and Safety</b> <ul style="list-style-type: none"> <li>○ Must address the effect of the Project on public safety. Glare may be an issue if the Project is near roads or airports.</li> </ul> </li> </ul>	
<ul style="list-style-type: none"> <li>• <b>248(b)(5) Primary Agricultural Soils</b> <ul style="list-style-type: none"> <li>○ Narrative and exhibits must describe all impacts on primary agricultural soils and explain why such impacts do not constitute an undue adverse effect on such soils.</li> </ul> </li> </ul>	

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<p><b>248(b)(8) Outstanding Resource Waters</b></p> <ul style="list-style-type: none"> <li>• Must state whether the Project will affect or be located on any segment of waters that have been designated as outstanding resource waters.</li> </ul>	
<p><b>248(s) Setbacks</b></p> <ul style="list-style-type: none"> <li>• Must describe how the Project complies with minimum setback requirements. (See Commission Rule 5.113.)</li> </ul>	
<p><b>Other filing requirements</b></p>	
<p><b>5.106(D)(12) Project narrative, draft order, and CPG</b></p> <ul style="list-style-type: none"> <li>• The Applicant must file a project narrative describing the Project in plain terms.</li> <li>• The Applicant must file proposed findings of fact and a proposed certificate of public good ("CPG").</li> <li>• The draft order must address all applicable criteria and must cite supporting evidence for each finding.</li> <li>• Examples of Commission orders may be found online at: <a href="https://epuc.vermont.gov/?q=node/95">https://epuc.vermont.gov/?q=node/95</a></li> </ul>	
<p><b>5.106(D)(11) Adjacent Facilities</b></p> <p>The Applicant must identify any known existing or planned generation facilities on the same or an adjacent parcel as the proposed net-metering system (e.g., visible from the project site, or developed by the same applicant, developer, installer, or an affiliated entity).</p> <p>The Applicant must:</p> <p>(a) State the distance between the facilities;</p> <p>(b) Identify the owner(s) of the facilities and explain their relationship, if any;</p> <p>(c) Describe the timing of the construction of the facilities;</p> <p>(d) Identify and describe any infrastructure shared by the facilities; and</p> <p>(e) Provide a site plan showing the two facilities.</p>	
<p><b>5.106(D)(7) Response to advance submission comments</b></p> <p>The Applicant must summarize the comments and recommendations received in response to the 45-day advance submission. The Applicant must respond to the issues raised in those comments and recommendations and must state what steps the Applicant has taken to address those issues or why the Applicant is unable to do so.</p>	
<p><b>5.106(D)(12)(e) Decommissioning plan</b></p> <p>All applications for projects with capacities equal to or greater than 150 kW must include a decommissioning plan that provides for the removal and safe disposal of project components and meets the requirements of Commission Rule 5.904(A). Commission Rule 5.904(A) states: "Facilities in this category shall be removed once they are no longer in service, and the site shall be restored to its condition prior to installation of the facility to the greatest extent practicable."</p> <p>All applications for projects with capacities equal to or greater than 150 kW must include a plan for the restoration of any primary agricultural soils, if such soils are present within the project's limits of disturbance.</p>	

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<p><b>Copy of Agency of Natural Resources Fee Form</b> 30 V.S.A. § 248b.</p> <p>Applicants seeking a CPG for a system with a capacity of more than 50 kW must pay a fee to the Agency of Natural Resources. Applicants must include a copy of the Fee Form with their application. Do not send payment to the Commission; payment should be directed to the Agency of Natural Resources.</p>	
<p><b>Copy of Department/Commission Fee Form</b> 30 V.S.A. § 248c.</p> <p>Applicants must attach a copy of the completed Application Fee Form that was submitted to the Department of Public Service.</p> <p>Send the original of the Fee Form and the fee payment to the Department of Public Service. Do not send the fee payment to the Commission.</p> <p>The Fee Form is available <a href="#">on the Department of Public Service website</a>. If you have questions about the Fee Form, please contact the Department of Public Service's Administrative Services Division at (802) 828-2811 or (800)-734-8390, or via email at <a href="mailto:psd@vermont.gov">psd@vermont.gov</a>.</p>	
<p><b>5.700 Sound rule</b></p> <p>For wind projects only, applications must include testimony and exhibits demonstrating compliance with the requirements of the Commission's Rule on Sound Levels from Wind Generation Facilities.</p>	