

# PERSPECTIVES FROM CITIZEN INTERVENORS

## VERMONT ENERGY GENERATION SITING POLICY COMMISSION

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Friday, November 30, 2012



## **Issue #1 – Commission's Charge is Flawed**

# **For the Commission to begin with siting is too late**

- Developer-driven process
- Not a siting process, a permitting process
  - Projects are led by developers' wishes,  
not by community input or needs

## Issue #1 – Commission's Charge is Flawed

# Commission's process misses important unanswered questions

- Is there a need for these projects?
- Will they reduce GHG emissions?

## Issue #1 – Commission's Charge is Flawed

**PSB process helps  
developers, treats  
citizens and towns as  
complications**

*“The PSB and ANR work very well with the lawyers and developers but my personal experiences with their approach and lack of openness has given me the feeling that they see the average citizen as a pain in the butt.”*

## Issue #2 – Towns and Citizens are Outgunned

**Towns are  
unprepared,  
caught off  
guard**



Participating in the PSB Section 248 process is an unbudgeted-for full time job that overwhelms small towns, volunteer boards, and local residents.

## Issue #2 – Towns and Citizens are Outgunned

In the areas of East Haven, Londonderry, Sheffield, Albany, Craftsbury, Lowell, Georgia Mountain and Springfield citizens have spent over \$1.7 million on PSB intervention

- Fundraising Burdens = Need for Intervenor Funding
- True cost goes beyond the money – the distraction to communities not working on other issues is profound.
- Thousands of hours of unpaid time by selectboards, planning commissions, community volunteers and abutters. Time and travel easily exceeds \$500,000.

## Issue #2 – Towns and Citizens are Outgunned

**Town plans  
are not  
binding.**



Towns are left to figure out how to get rid of unwanted “guests”.

## Issue #2 – Towns and Citizens are Outgunned

### Citizens Become Compliance Officers

- PSB has no enforcement mechanism
- No complaint resolution process
- Citizens finding application flaws, lower impact options, and doing their own sound monitoring



*Lowell noise complaints:  
GMP says call us,  
not the Public Service  
Department*

## Issue #3 – Citizen/Community Input Not Heard



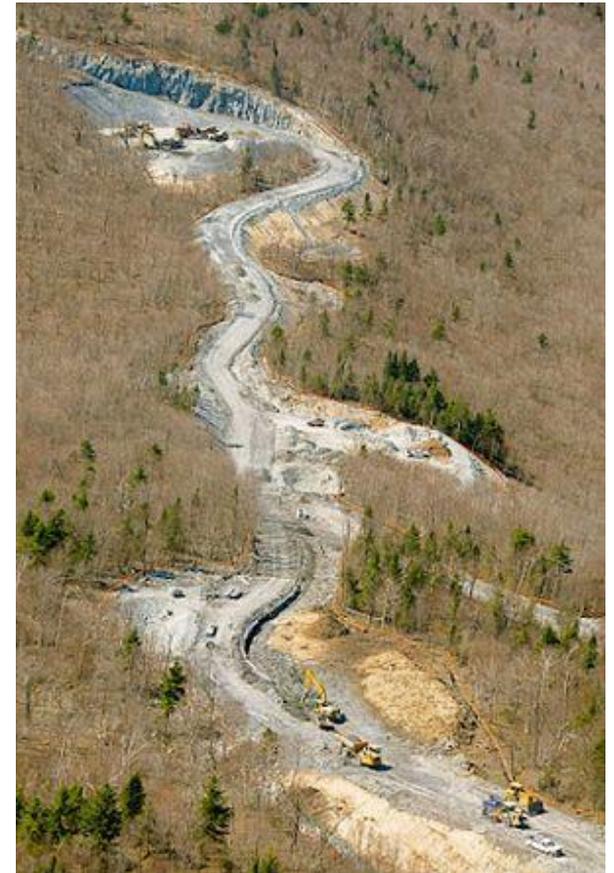
**The Board ignores citizens’  
and towns’ experts.**

“It’s like we weren’t even there.”

## Issue #4 – Environmental/Human Health Protection

### ANR is allowing:

- Road construction “like an interstate”
- Violations of the Clean Water Act and Vermont Water Quality Standards
- The killing of endangered bats and the taking of endangered birds
- Fragmentation of critical habitat necessary for climate change adaptation



## What are they protecting?

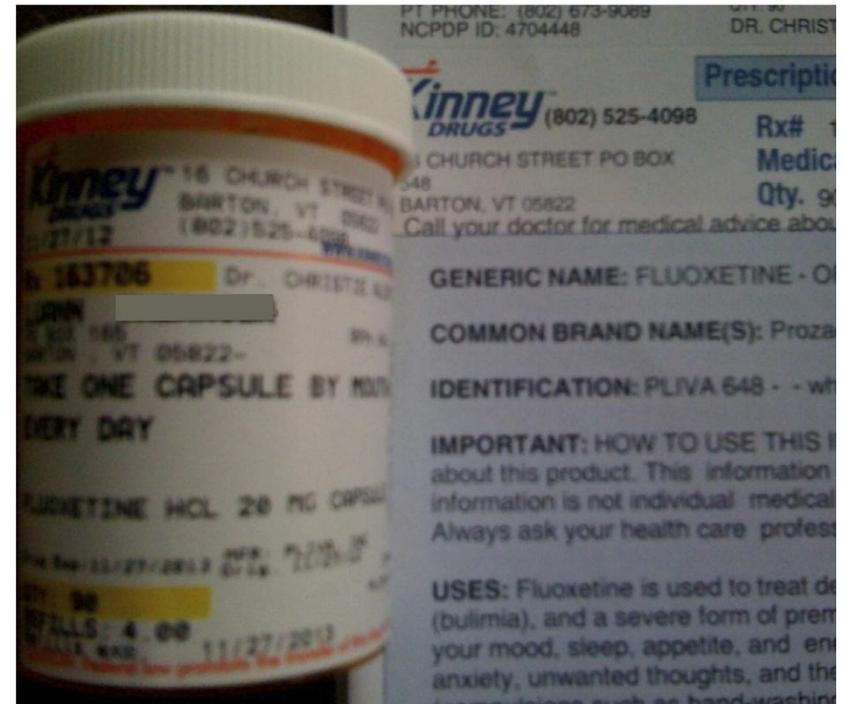
## Issue #4 – Environmental/Human Health Protection

Long-time residents reported flows, **“never seen in the past 40 years,”** in the East Branch and Truland Brook. (Lowell)



## Issue #4 – Environmental/Human Health Protection

The VT Dept. of Health denies any health impacts from noise, despite credible science and evidence from around the world, and serious noise problems occurring in Vermont.



Process has no recourse for someone suffering...

## Conclusion: Time-Out Until Reforms Happen

### **Time-Out on all large projects until impacts are understood and process is improved**

- Natural resources are not valued, impacts are enormous
- Noise and property value impacts are serious
- Damage to neighbors and communities is not assessed
- Value of electricity generated is unknown
- Effectiveness in reducing GHG emissions is unknown
- No pressing need for more electricity – focus on efficiency, home heating, transportation and reducing consumption
- Process needs multiple improvements before fair review can take place

## Conclusion: Time-Out Until Reforms Happen

### Citizens' Recommendations and Opportunities for Improvements

- Eliminate “dueling experts” problems by changing how experts are hired and paid for
- Equalize power of towns/citizens in process
- Fully scrutinize the need for individual projects, and their ability to reduce/eliminate GHG emissions
- Give full deference to town plans, as interpreted by the towns not the PSB

# Conclusion: Time-Out Until Reforms Happen

*(Recommendations, continued)*

- Make developers pay for costs to state agencies and intervenors who are reviewing their proposals
- Compensate impacted private property owners when they are sacrificed for the “public good”
- Create a process whereby the state and towns identify what they want and then approach developers, rather than allowing developers to dictate “siting” process
- Move environmental/community impact review of projects to the Act 250 process

“All, too, will bear in mind this sacred principle, that though the will of the majority is in all cases to prevail, that will to be rightful must be reasonable; **that the minority possess their equal rights, which equal law must protect, and to violate would be oppression.** Let us, then, fellow-citizens, unite with one heart and one mind.”

*Thomas Jefferson's First Inaugural Address*  
*March 4, 1801*