

# **VT Energy Generation Siting Process Strengths & Weaknesses**

## **Newark Planning Commission Perspective**

Presented to:

***VT Energy Generation  
Siting Policy Commission***

Meeting #4 – Learning from Participants in the  
Process

(Dec 6, 2012)

# Vision Statement, Newark Town Plan

Newark is a rural town with a beautiful natural setting. Woodlands, open fields, hills, scenic vistas, clean water and air, and clean streams and pristine ponds make Newark a unique and pleasant community to visit and live in. The environment is clean and healthy.

It is these characteristics which the Town of Newark intends to protect and preserve.

# Newark

- Northernmost town in Caledonia County
- Population: 581
- Volunteer select board and planning commission
- No full-time employees
- One paved road
- No commerce, no industry, no traffic lights
  
- We like it that way

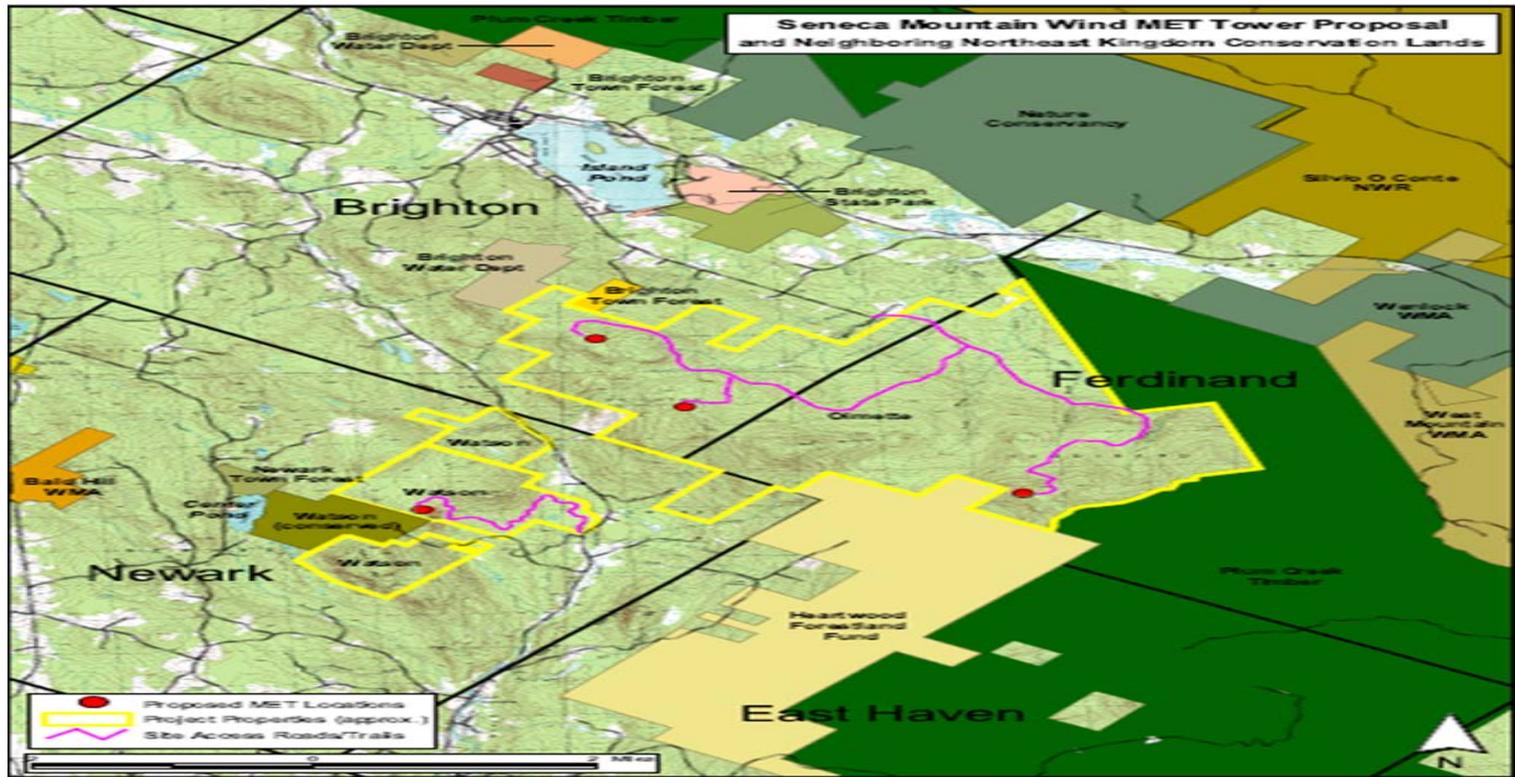
# “Our” Project

- Newark, Brighton, and Ferdinand targeted by an out-of-state developer
- Leased land from out-of-state property owners
- Developer seeks CPG for four MET towers
- Goal: 35-40 ~500-foot industrial wind turbines

# “Our” Project

- Project property includes Bull Mountain tract:
  - Vital wildlife corridor connecting two conserved areas: Seneca Mountain uplands and Nulhegan River wetlands
  - Part of 113,000 acre, largely unfragmented Northeastern Highlands landscape
- Home to rare, threatened, and endangered species
- Portions of the project property are conserved lands
- Close proximity to extensive federal, state, municipal, and private conservation lands
- The area is a treasure

# Project and Conservation Lands



# The Day After Town Meeting!

- Newark learned of developer plans the day after Town Meeting
- Developer was already on first-name basis with ANR, DPS
- We didn't know how to spell PSB
- Developer has taken every opportunity to compress timeframe\*, exclude participants, limit the discussion, and bully the towns
- From the outset it has seemed that the developer has been trying to put one over on us

\* Developer failures have doubled process timeframe

# Newark's Reaction

- Outrage: the developer misconstrued our town plan
- The town and citizens groups held informational sessions

The developer	Dr. Ben Luce (Lyndon State College)
John Beling (DPS)	Chris Recchia (ANR)
Senator Jane Kitchel	Senator Joe Benning
Representative Bill Johnson	Vermonters for a Clean Environment
Dr. Harry Chen	VELCO

- We amended the Town Plan to clarify its support for appropriate renewables & opposition to industrialization
- Special Town Meeting approved Town Plan 169 to 59: not “just a few vocal opponents”
- Established legal defense fund

# Process Highlights

- Section 246 is about MET towers—you can't talk about turbines: “It's like talking about the tracks and ignoring the oncoming train”
- PSB limits discussion to a small set of issues while ignoring:
  - RTE species at 3 sites that are known homes to them
  - aesthetics
  - orderly development of the region
- PSB does not recognize amended Newark Town Plan (the plan will be recognized should turbines be proposed)

# •More Process Highlights

- PSB has not acknowledged NVDA call for a moratorium on industrial wind (passed by its board 39 to 3)
- Developer has had to submit its application 3 times and 3 times they have failed to notify all adjoining; PSB overlooks statutory requirements
- Their failures have doubled the length of the process, and cost the Town of Newark considerable legal fees
- Process does not allow consideration of “developer fitness”

# Why Does This Project Serve The Public Good?

- Do we need the electricity? No.
- Can we move it to where it might be needed? No.
- Will it reduce GHG emissions? No.
  - Only 4% of VT's GHG emissions come from electricity
  - This electricity may displace other renewables on the grid
  - VT operators can sell RECs, enabling others to pollute
- Will it lower our energy bills? No.
- These contentious projects are a distraction
  - Giving all renewables a bad name
  - Delaying meaningful work we can all agree on

# Certificate of Public Good?

- This project will enrich a few at the expense of many

Wildlife habitat, tourism, public health, communities, property values, ratepayers, and taxpayers

- We need a process that first considers the necessity of a project and never loses sight of the public good. The public good in Vermont.

# Recommendations

- Suspend processing industrial wind applications until legislature has a chance to act upon your recommendations
- Require developers to prove need, demonstrate public good
- Require developers of large projects to fund intervenors
- Stiffer penalties for those starting development without a CPG

# Recommendations

- Require developers to find willing host towns, instead of targeting victim towns
- Require earlier involvement of towns
- Require conformance to regional/municipal plans
- Give strong consideration to neighboring towns
- Better screening of unfit applicants—if a developer can't even file a proper application, they're probably not fit to receive a CPG