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From: Prescott, Joy [joy.prescott@stantec.com]
Sent: Friday, October 01, 2010 2:59 PM
To: Todd, Fred
Cc: Neil Kiely; Browne, Juliet
Subject: Testimony from Neil Kiely
Attachments: Champlain Wind.pdf

Fred – Neil asked that I forward a copy of his written comments from the public hearing. Thanks. – Joy

From: Neil Kiely [mailto:NKiely@firstwind.com]
Sent: Friday, October 01, 2010 9:21 AM
To: Prescott, Joy
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Champlain Wind, LLC

9/22/10 Presentation to LURC

Introduction:

Good afternoon, I am Neil Kiely, Director Development, New England for First Wind Energy, LLC. We are pleased to have the opportunity to present Champlain Wind's Petition to incorporate certain land into the expedited wind zone. I will introduce the project briefly before walking through each of these criteria.

The Proposed Addition is part of an extended ridgeline being evaluated for the Bowers Project. At this point, the Bowers Project is projected to include 25-27 turbines for a total of 57-62 megawatts (MW). The Bowers Project will be located approximately 8 miles south of Stetson and 5 miles south of Line 56, the transmission line serving Stetson. With the construction of Bowers, the capacity on Line 56 will be fully utilized. The project is adjacent to Route 6 and has existing logging road access. Elevations range from 750 to 1120 feet. Landscape is regenerating Beech-Birch-Maple forest. The Proposed Addition is limited to ridgeline areas suitable for turbine placement, and it is anticipated that the final development area, including roads and turbine areas, will be less than 60 acres. We recognize the opportunity for conservation in the area and have initiated conversations in that regard with various stakeholders. We look forward to presenting a substantial conservation benefit as part of the Tangible Benefits package that would be presented as part of the full development application.

Photos of the area: These were taken as part of the on-going field work that will support the materials to be included in a complete development application. The photos reflect the active forestry activities, improved roads, and low elevation features of the site.

1. Geographic Extension: The Proposed Addition is a logical geographic extension of the currently designated expedited permitting area.

As illustrated on the elevation and aerial maps, the Proposed Addition is part of a low elevation ridgeline that ranges in elevation from 750 to 1120 feet and is situated south of Route 6. As the aerial map illustrates, this area has been heavily harvested, and all three landowners for the project have had active forestry operations.

The map of the boundaries of the expedited area illustrates that the Penobscot County line and Route 6 were used as convenient boundary lines for the designated expedited wind area. The proposed addition is thus a natural extension across a political boundary that is unrelated to geography, an example specifically noted in the Guidelines.

The proposed addition is not a broad area but is limited to the ridgelines that would be suitable for potential wind turbines and associated infrastructure, with the anticipated footprint limited to approximately 60 acres.

Approximately 72 percent of both the project footprint and total MW capacity of the Project would be located in Carroll Plantation within the currently designated expedited area.

2. Meets State Goals: The Proposed Addition is important to meeting the state goals for wind energy development established in 35-A MRSA Section 3404

Guidelines set forth four factors to consider.

First, “the primary factor will be the progress the state has made in achieving the goals set forth in section 3404.” In its letter dated September 20, 2010, responding to the Commission’s request for expert advice, the Maine PUC noted that Maine was far short of reaching its statutory wind power goals, and that the expansion of the expedited permitting area to accommodate 57 MW of wind power should be considered as important to meeting the State’s goals for wind power development.

The second factor is the project’s potential for Energy Generation. In its Sept. 20, 2010, letter, the Maine PUC estimated that a 57-MW facility would generate enough energy to serve the electricity needs of approximately 23,500 Maine households. The PUC also notes that the energy generated is from a renewable resource and, when operating, would tend to displace fossil fuel generation.

The third factor is project viability. The Maine PUC writes that although it has not conducted an analysis of the viability of the Bowers Project, it concludes that it is reasonably likely that the proposed project is viable. It supports this conclusion by noting that the Bowers Project is proximate to Stetson which also is owned by First Wind. It will be able to utilize the transmission line built for Stetson, and First Wind’s technical and financial ability to build the project is demonstrated by its development and operation of three existing wind energy facilities in the state.

I would like to expand on one of the points noted by the PUC, which is Bowers’ proximity to the Stetson Wind Project. Approximately 9 years of wind data have been collected by meteorological wind towers at Stetson, which is relevant to Bowers because of its proximity and similar elevation. Furthermore, Stetson has been actually producing energy since January 23, 2009. In addition, the Bowers Project has been collecting wind data from 3 meteorological towers since November of 2009.

The fourth factor is an evaluation of the impact to public resources and public infrastructure, compared to the energy generated and associated benefits. The Bowers project would have no impact on public infrastructure other than potential access off Route 6. There are no public resources located within the Proposed Addition that would be impacted. The public benefits of wind energy generation generally are presumed by Section 3404 and would be further augmented by both the economic impacts of construction and tax revenues in Carroll Plantation and Washington County, as well as the additional Tangible Benefits package that would attend the project and will be presented at the Application stage.

3. **Principal Values and Goals:** The Proposed addition would not compromise the principal values and goals identified in the comprehensive land use plan adopted by the Maine Land Use Regulation Commission pursuant to Title 12, Section 685-c.

The CLUP defines four principal values that we shall evaluate in turn.

Principal Value 1: Economic Value to the Jurisdiction: The economic value of the jurisdiction derived from working forests and farmlands, including fiber and food production, largely on private lands. This value is based primarily on maintenance of the forest resource and the economic health of the forest products industry. The maintenance of farmlands and the viability of the region's agricultural economy is also an important component of this value.

Land within the Proposed Addition is primarily managed for timber harvesting, and it has been harvested in the past. Wind projects provide an alternative source of revenue to landowners during a period in which the value derived from timber and fiber production continues to decline. This revenue affords greater flexibility in forest management practices, as well as greater stability in large tract land ownership and stewardship.

As described in a recent report on the future of forests in Maine, "wind power creates additional value for landowners and helps preserve the forest economy." It further noted that "turbines are fully compatible with most harvesting regimes and place no additional demands on public services, unlike most other forms of development."

Principal Value 2: Diverse and abundant Recreational Opportunities: Diverse and abundant recreational opportunities exist for recreational activities which require or are significantly enhanced by large stretch of undeveloped land, ranging from primitive recreation in certain locations to extensive motorized trail networks. Recreation is increasingly an economic driver in the jurisdiction and the State.

Land within the Proposed Addition includes limited recreation opportunities, primarily a network of former logging trails that have been used by local residents for hunting and snowmobiling. Development within the Proposed Addition would not materially impact these activities. In fact, a local snowmobile club indicates that the Stetson Wind Project has attracted substantial interest from snowmobilers who desire to ride to the farms as a destination. Two years ago, a snowmobile ride-in organized at Stetson attracted approximately 150 riders. A similar event planned for last year evoked interest well in excess that number but was cancelled due to lack of snow.

Principal Value 3: Diverse Abundant and unique high value resources and features, including lakes, rivers and other water resources, fish and wildlife resources, plants and natural communities, scenic and cultural resources, coastal islands, mountain areas and other geologic resources.

It is important to note that the Proposed Addition area does not include any high value natural resources or features identified by this Principal Value. There are no lakes, rivers, ponds or mapped LURC wetlands. There are no Significant Wildlife habitats, such as Significant Vernal Pools and deer

wintering yards. Nor does it contain any federally protected species. There are no rare or significant plants or natural communities, and no scenic or cultural resources located within the Proposed Addition. The Proposed Addition will be visible from some scenic resources in the area, and we will discuss that in greater detail in a few minutes.

Principal Value 4: Natural Character: Natural Character, which includes the uniqueness of a vast forested area that is largely undeveloped and remote from population centers. Remoteness and the relative absence of development in large parts of the jurisdiction are perhaps the most distinctive of the jurisdiction's principal values. These values may be difficult to quantify but they are integral to the jurisdiction's identity and to its overall character.

The Proposed Addition is not located in an area of LURC jurisdiction that is undeveloped or remote from population centers. It is adjacent to Route 6, and automobile access is available through existing improved logging roads. The Proposed Addition is located within 10 miles from the organized towns of Springfield, Topsfield, and Talmadge and adjacent to Carroll Plantation. The Proposed Addition is within eight miles of an operating wind energy facility and within five miles of the transmission line connecting that facility to the electrical grid. It is also bounded by DEP jurisdiction.

The Goals of the CLUP are too numerous to review in detail, though as discussed in the Petition, like the Principal Values they would not be compromised by the Proposed Addition.

I would like to focus on three goals for further discussion.

Scenic Resources:

As a threshold matter, there are no identified scenic resources of local, state, or national significance within the proposed petition area. For example, there are no hiking trails, no great ponds, no rivers, no scenic byways or other areas of unique scenic or recreational value. Turbines located within the petition area would be visible from recreational resources outside the petition area, and would be fully evaluated as part of any development application. Importantly, the area is not known for primitive recreational pursuits, and by allowing wind energy development here, the Commission can accommodate renewable energy projects important to advancing the Commission's climate change and energy goals while keeping the more remote regions of the jurisdiction intact and protecting the abundant primitive recreational opportunities that such areas provide.

The only scenic/recreational resources of state or national significance in the area within eight miles of Kossuth are eight lakes or ponds. As part of any subsequent permit application, we would conduct a detailed visual impact assessment, including specific turbine locations and overall impacts. As the Guidelines state, "a detailed scenic review including appearance of a proposed project is more appropriately conducted at the development permit application stage and is not required for an expansion petition." According to the Guidelines, the appropriate standard of review for the Petition is a landscape level analysis. A landscape level analysis indicates the following.

In general, the area lakes do not possess unique features that are found only in association with these landscapes.

- To the contrary, there are many lakes that offer similar scenic and recreational value within the region and within the jurisdiction generally.
- The landforms are similar throughout the region and do not include dramatic mountain views or complex landforms that are more typical of areas of unique visual or scenic value.

The predominant use of the lakes is for boating and fishing, and allowing wind power within the viewshed of these lakes will not unreasonably affect the users' recreational experience of the resource.

- In many instances, there will be only limited views of turbines and at distances that will diminish the significance of the views.
- Although the turbines will be visible on the horizon, they will not loom over the lakes or dominant the views from the lakes.
- In all instances, the views of turbines within the petition area will be an incremental visual impact from turbines in Carroll.

Thus, while the lakes are an important recreational resource, they do not rise to the threshold of rendering the area fundamentally incompatible with the development of wind power.

Local Public Resources Not of State or National Significance in Relation to the Proposed Addition.

As discussed in your last meeting about revisions to the Guidelines, one of the differences between evaluating a project within the Expedited Permitting area is that only those scenic resources with state or national significance are considered. Local scenic resources that do not meet that threshold are not evaluated. We have provided a list of these resources that could have views of the turbines. With the assistance of our visual consultant, LandWorks, we have identified 13 such viewpoints. Seven of those likely would have views of the project in Kossuth. Of those seven, all of those also would likely have views of the project in Carroll.

Energy Resources:

The CLUP specifically states that “wind power is increasingly recognized as the most significant renewable source of electricity that is economically viable at the utility scale.” CLUP at 187.

Of the 12 policies directed to the CLUP’s energy resources goals, 8 are directly related to wind power. See CLUP at 13.

Finally, the CLUP discusses the significant economic, energy independence, and environmental benefits of wind energy, highlighting the ability of such projects to “reduce the region’s dependence on imported fossil fuels, reduce greenhouse gas emissions, increase fuel diversity and [provide] price stability, and provide economic and employment benefits for Maine citizens.” See CLUP at 187; see also CLUP at 193-94.

A project in the location of the Proposed Addition furthers this goal.

Economic Development:

The Proposed Addition is a form of economic development that is located in the area that is appropriate for growth. It would generate substantial economic benefits from construction, taxes, tangible benefits, and conservation funds. The Proposed Addition would extend these benefits to Washington County rather than limiting them to Carroll Plantation.

Population Density

There are only six structures located within a mile of Proposed Addition.

In Summary

We believe that the Proposed Area in Kossuth is an appropriate place to locate a wind project, and we have demonstrated how it meets the three criteria LURC has set forth in its Guidelines. I appreciate the opportunity to present this information, and I would welcome any questions you might have at this point.