

Governor's panel to tackle renewable energy debate

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Gov. Peter Shumlin's blue-ribbon panel begins this week to re-examine the way Vermont makes decisions about commercial-scale renewable energy projects, including mountaintop wind turbines, wood-burning power plants and fields of solar panels.

The five-member Vermont Energy Generation Siting Policy Commission has the task of reconciling conflicting requests for change from supporters and opponents of rapid renewable energy development.

Supporters would like the permit process to produce quicker, more certain project approvals. Skeptics and opponents want a larger voice for local opposition and greater weight given to environmental concerns.

Polls continue to show that Vermonters support construction of renewable projects, and state government has adopted a goal of obtaining 90 percent of the state's energy from renewable sources by 2050.

But in towns where those energy projects are to be built, opposition has become more common and more vociferous. Four towns in Rutland County are rewriting their town plans in an attempt to prevent multiple turbines on a ridgeline known as Grandpa's Knob. Two widely separated towns, Newark and Windham, have written town plans to bar even the installation of wind-measuring towers, a precursor of wind development. Northeast Kingdom lawmakers are pressing for a wind energy moratorium.

"Vermont's landscape is intimate compared to some landscapes. Because of that, the things we do are more intimately felt and that causes people to react a lot more," commission member Jim Matteau of Windham, a retired regional planner, said last week.

"The commission's work is going to be challenging. I'm not coming with any specific idea, but with an open mind," he said.

In light of recent, growing local opposition to wind turbine projects in particular, the five-member Vermont Energy Generation Siting Policy Commission seems certain to weigh such questions as:

- Does the approval process for power projects allow the public a sufficient voice?
- Do host communities have too great, or too little, a role in deciding whether a project is approved?
- Should Vermont develop guidelines for siting energy projects, or plan in advance where such projects will and will not be allowed? Do the review criteria sufficiently protect Vermont's environment, particularly its mountaintops and ridgelines?
- Has the review process become so cumbersome or conflict-ridden that energy developers are discouraged from investing in Vermont?

A legislative backlash?

Energy projects now must obtain what is called a "certificate of public good" from the three-member state Public Service Board before they can be built. The review, commonly referred to as the Section 248 process, is heavily dependent on expert witnesses and legal arguments, with almost no room to consider public opinion.

The PSB's charge is to balance the benefits of a project against its drawbacks, including local opposition. Thus communities whose town plans oppose ridgeline wind development have no assurance that the PSB will therefore reject a project.

That has led to a sense of powerlessness among some host communities.

"This whole concept of being a 'host community' is ridiculous — we didn't invite them in," Newark Selectboard Chairman Mike Channon said recently of plans by a New Hampshire developer for a turbine project on a local ridgeline. "We feel we are being bulldozed."

The naming of the special commission is a sign that the tide of local opposition has gotten the attention of state politicians.

In recent weeks, for example, the governor repeatedly promised to support towns that do not wish to host wind turbines. (Decisions, however, remain in the hands of the independent Public Service Board). He named the special commission after he was urged to do so by the state's six leading environmental and land conservation groups.

The chorus of opposition has provoked a backlash as well.

House Natural Resources and Energy Chairman Tony Klein, D-East Montpelier, sounding exasperated with the opposition, said he might introduce a bill to repeal this year's legislation — of which he was a sponsor — that banned hydrofracking for natural gas in Vermont.

"These opponents of renewable projects, they are consciously or unconsciously saying it is OK to use natural gas, it is okay to use coal, it is okay to use nukes. So I'm partly doing this tongue-in-cheek, and partly to expose their hypocrisy," he said.

More seriously, he said he is drafting legislation that would revive a 40-year-old proposal for a statewide land use map — referred to by critics as statewide zoning — that lays out where development of all kinds would be allowed.

"We have spent the last 12 to 15 years writing a clean energy policy. We have clearly said, build as much in-state renewable power as quickly as possible," he said last week.

"When you call for a moratorium on anything you may be well-intentioned, but you are killing an industry," he said. "I would rather have at the legislative level a discussion of what we want Vermont to look like in 50 years."

The ups and downs of wind

While state leaders continue to encourage renewable projects, on-the-ground opposition is slowing attempts to put up new wind turbines and, in some cases, commercial-scale solar developments.

The fight in Newark, over plans by Eolian Renewable Energy of Portsmouth, N.H., to erect a wind-measuring tower on Hawk Rock, gets broader and lengthier by the week.

In the last 10 days:

- The Hong Kong-based owner of the Hawk Rock ridgeline filed suit in Superior Court to overturn town plan amendments intended to bar commercial wind development.

- The town of Newark asked the state Public Service Board to dismiss Eolian's application for what the town describes as the developer's third failure to notify all abutting landowners of its plans.
- A PSB hearing officer set a schedule for considering the Eolian application that would result in a decision in late February or early March, at the earliest. That is a full year after Eolian submitted its application for wind-measuring towers.

Newark opponents of Eolian's plans say they do not care that their objections cause delays in the PSB's decision-making.

"We are happy to see it go on and on," said Cynthia Barber, coordinator of Newark Neighbors United, an opposition group. "We don't want the towers."

While Eolian CEO Jack Kenworthy said his company "is hanging in," he said, "absolutely, we're surprised that we're likely to get a decision a year or so after the initial application. It's intended to be an expedited permit process."

He contrasted Vermont's process for approving wind-measuring towers with Maine's, where he said the towers require only the approval of a local code enforcement officer.

David Blittersdorf, majority owner of the Georgia Mountain Community Wind development under construction in Milton, said the conflicts and delays have a cost if Vermont is committed to getting 90 percent of its power from renewables.

"Anytime you throw hurdles in the way, it is going to slow down development. We'll get a reputation that you can't do business here," he said. "If you can go out to Texas and not have any of these hassles, you'll go."

(Blittersdorf added that the expiration at year's end of federal tax credits for wind projects is a much greater threat to his industry at the moment. "The whole wind industry is collapsing," he said.)

'Overwhelmed' by changing politics?

It will be the job of Shumlin's Energy Generation Siting Policy Commission on the one hand to address the concerns of developers like Blittersdorf and Kenworthy, who would prefer a review process that comes with an assured, and speedy, timeline.

On the other hand, communities and individual residents are likely to seek changes in the review process that would make it more open to public involvement, and thus less swift and certain.

Among the commission's members is Louise McCarren of Charlotte, a former PSB chairwoman and the retired CEO of the company responsible for the Western power grid. She has followed the debate over renewable energy installations like wind turbines, she said, and will come to this week's meeting with questions about the scope of the commission's work.

If the charge is simply to improve the Section 248 process, she said, there are limits to what should be expected from those improvements if public support for renewable projects goes away.

"You can have the best crafted process in the world, but if the politics of the issue overwhelm it ... well, it gets overwhelmed," she said. "The electricity industry is overrun with these kinds of problems, with issues that have popular support — until they don't."

<http://www.burlingtonfreepress.com/article/20121029/NEWS02/310290024/Governor-s-panel-to-tackle-renewable-energy->

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