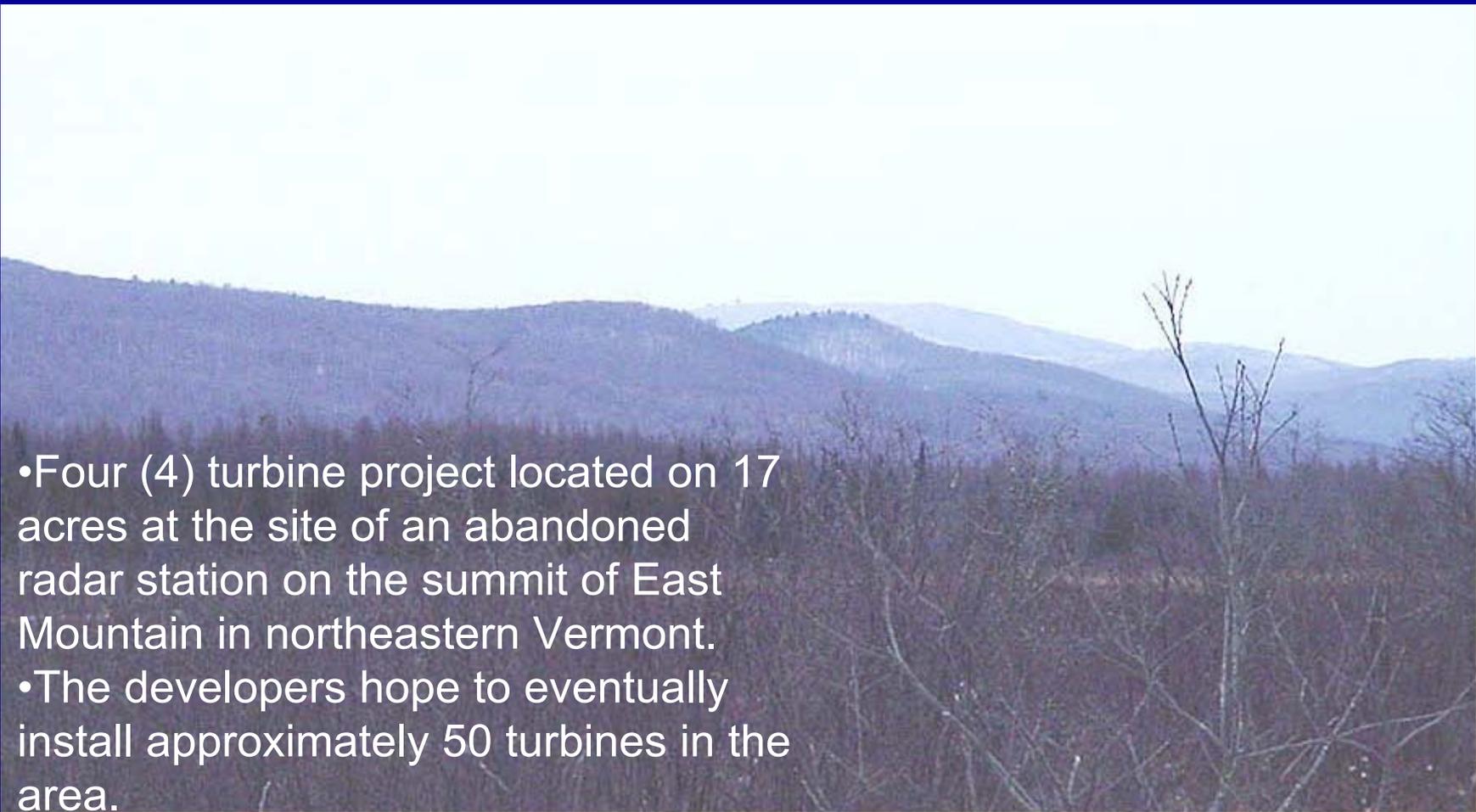
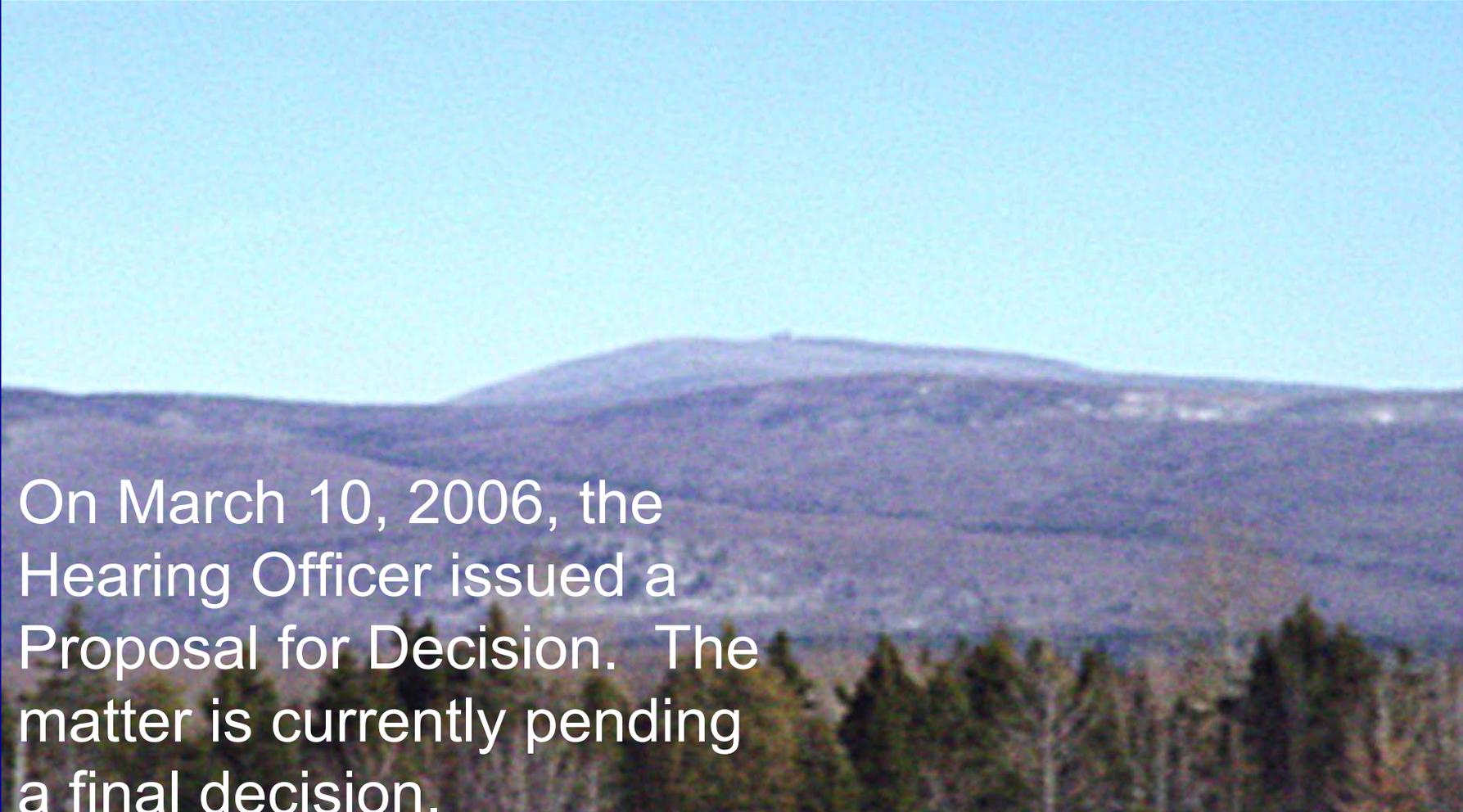


EAST HAVEN WINDFARM

- 
- Four (4) turbine project located on 17 acres at the site of an abandoned radar station on the summit of East Mountain in northeastern Vermont.
 - The developers hope to eventually install approximately 50 turbines in the area.

• www.easthavenwindfarm.com

Proposal for Decision



On March 10, 2006, the Hearing Officer issued a Proposal for Decision. The matter is currently pending a final decision.

www.state.vt.us/psb

- The Vermont Public Service Board (PSB) has jurisdiction over electric generation and transmission projects including, wind projects. In order to construct a wind project the proponent must receive a Certificate of Public Good (CPG).
- The statute which sets forth the criteria for a CPG incorporates criteria from the Vermont Land Use Statute.

In accordance with Title 30 V.S.A. §248(b)(5), prior to issuing a CPG, the Board must find that an in-state facility “will not have an undue adverse effect on aesthetics, historic sites, air and water purity, the natural environment and the public health and safety, with due consideration given to the criteria specified in 10 V.S.A. §1424a(d) and §6086(a)(1) through (8) and 9(K).”

- water or air pollution
- headwaters
- waste disposal
- floodways
- streams
- shorelines
- wetlands
- water supply

- soil erosion
- scenic or natural beauty of the area
- aesthetics
- historic sites
- rare and irreplaceable natural areas
- necessary wildlife habitat
- endangered species
- public investment

Necessary wildlife habitat...

“means concentrated habitat which is identifiable and is demonstrated as being decisive to the survival of a species of wildlife at any period in its life including breeding and migratory periods.”

A project will not be granted if it is demonstrated by any party in opposition that the development will significantly imperil necessary wildlife habitat or any endangered species; and ...

- The benefits will not outweigh the loss of habitat or endangered species;
- All feasible and reasonable mitigation has not been applied; or
- A reasonably acceptable alternative site is owned or controlled by the applicant.







**Bear scarred
beech may be
considered
necessary
wildlife habitat.**



The Decision

After a hearing, the Hearing Officer recommended denial of the project. He found that “[t]here is insufficient information to determine whether the proposed Project would have an adverse impact” on:

- ❖ BATS, and

- ❖ BIRDS

Bat Species found in Vermont

- Big brown bat
- Eastern pipistrelle
- Eastern small-footed myotis
- Indiana bat
- Little brown myotis
- Northern myotis
- Eastern red bat
- Hoary bat
- Silver haired bat



Bicknell's Thrush



Black-backed Woodpecker



Recommendations...

if the Board issues a CPG

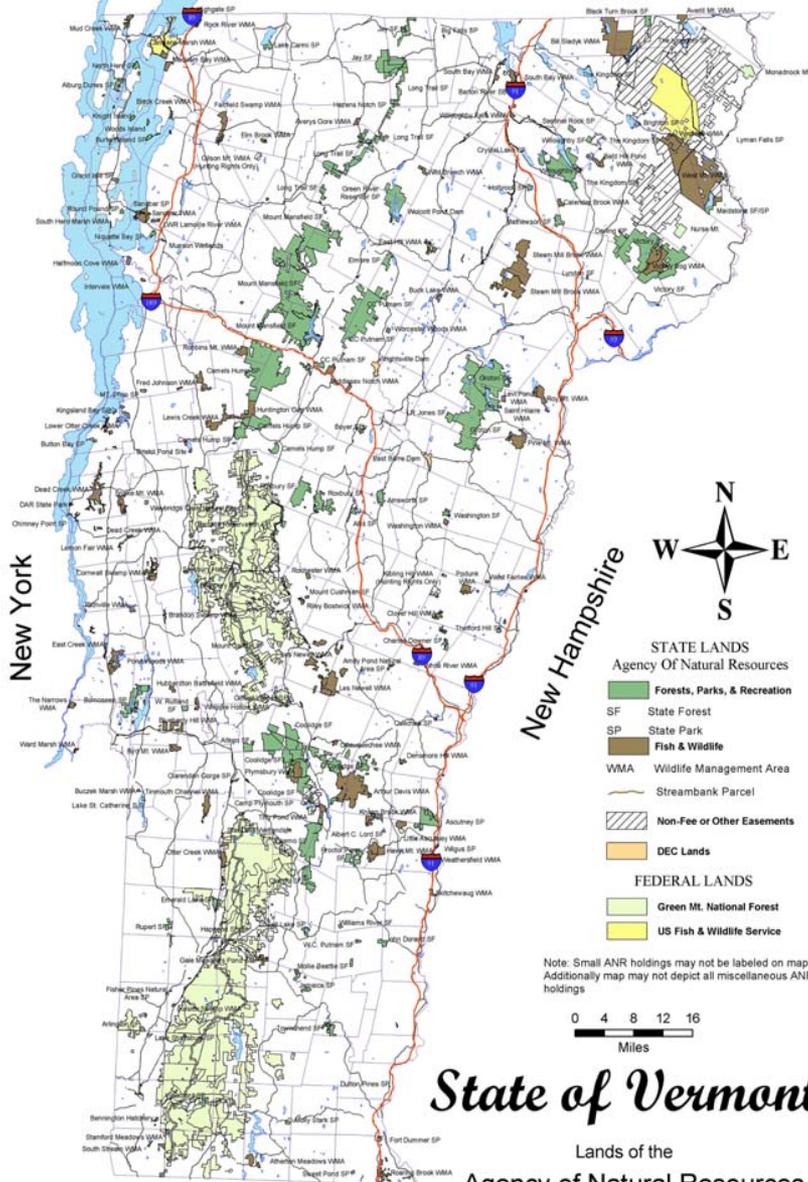
BATS

- ❖ Minimum 1 season of fall radar and acoustic monitoring for bats;
- ❖ 3 years of post mortality studies developed in conjunction with the Agency;
- ❖ Applicant to mitigate in the event of unacceptable levels of mortality;

BIRDS

- ❖ Construction restrictions associated with Bicknell's Thrush;
- ❖ 1 year of preconstruction avian radar studies;
- ❖ Post construction mortality studies developed in cooperation with the Agency.

Canada



New York

New Hampshire



STATE LANDS
Agency Of Natural Resources

- Forests, Parks, & Recreation
- SF State Forest
- SP State Park
- Fish & Wildlife
- WMA Wildlife Management Area
- Streambank Parcel
- Non-Fee or Other Easements
- DEC Lands

FEDERAL LANDS

- Green Mt. National Forest
- US Fish & Wildlife Service

Note: Small ANR holdings may not be labeled on map. Additionally map may not depict all miscellaneous ANR holdings

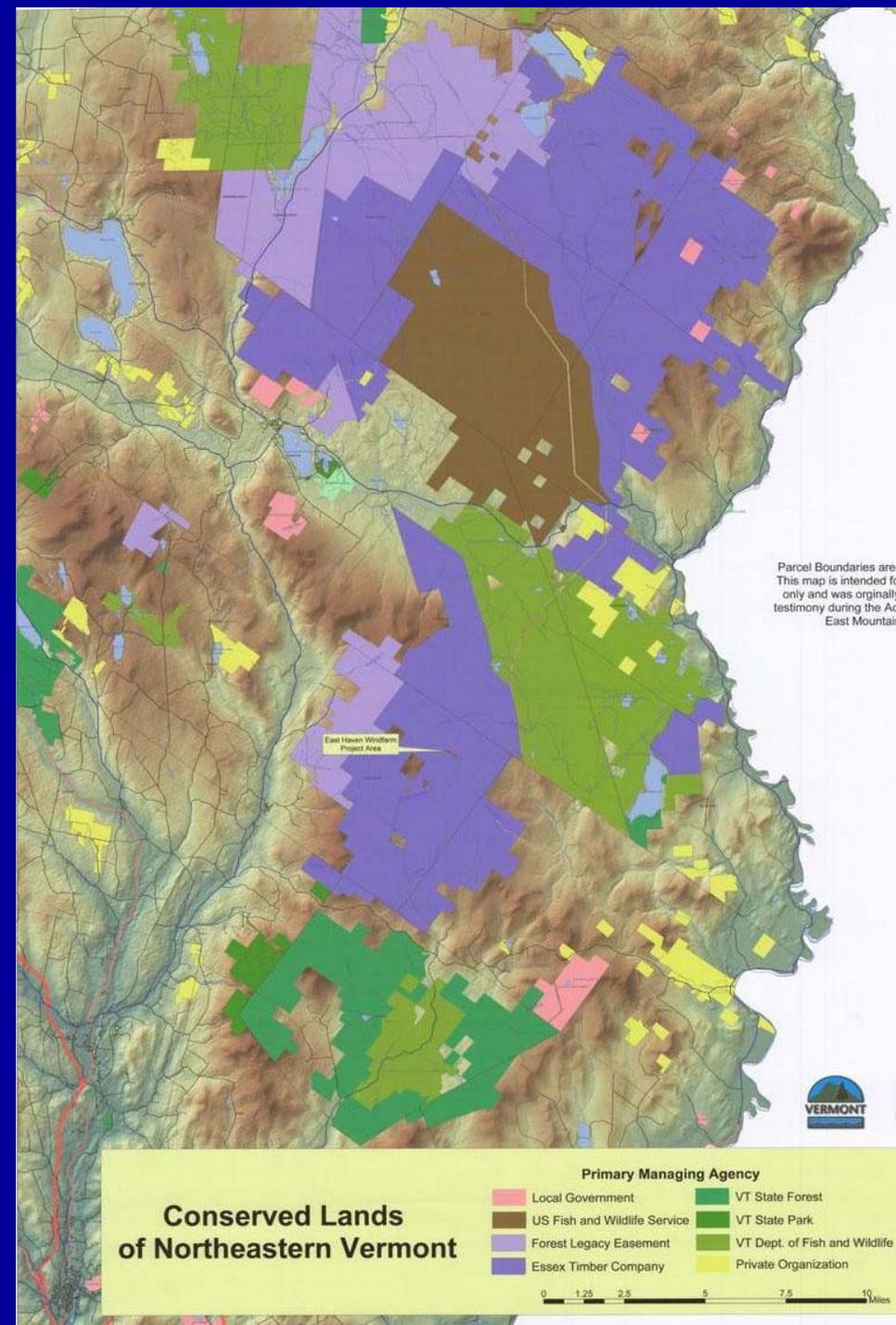


State of Vermont

Lands of the
Agency of Natural Resources

Massachusetts

Date: January 2005
Forests, Parks, and Recreation, State Lands Administration



Parcel boundaries are not shown on this map. This map is intended for general informational purposes only and was originally developed for testimony during the Act 100 hearings on the East Mountain

**Conserved Lands
of Northeastern Vermont**

Primary Managing Agency

- Local Government
- US Fish and Wildlife Service
- Forest Legacy Easement
- Essex Timber Company
- VT State Forest
- VT State Park
- VT Dept. of Fish and Wildlife
- Private Organization



The Hearing Officer also found that...

- ❖ The project will materially jeopardize or interfere with the public investment in the Champion lands.
- ❖ The project consists of 17 acres in the midst of 132,800 acres. 84,400 acres are subject to an easement, 22,500 acres are owned by the State of Vermont and 26,500 acres are owned by the federal government.
- ❖ These lands represent a substantial public investment of public funds.

“The industrial and highly visible nature of the proposed 329 foot tall wind turbines would detract significantly from the recreational experience and, more generally, would be fundamentally incompatible with the remote, rugged and undeveloped nature of the conserved lands that surround the project site.”