June 27, 2016

Dear Stacie,

We would like to submit our comments in support of the wind project in Milton Twp, ME.

Bringing wind into this area would not only boost the economy by creating new jobs but it would provide an opportunity to contribute to the ongoing issue of global warming. We need change and by promoting wind, we would help improve the environment by providing cleaner air for future generations, unlike factories, vehicles, oil and wood burning, to name a few, all the while providing humankind with what they need with no detrimental consequences.

Wind is one of the least expensive renewable energy on the market today. The electricity supply that is added to the grid is distributed into a competitive pricing market to help lower or stabilize the pricing and also reducing dependency on foreign oil. This benefits everyone!

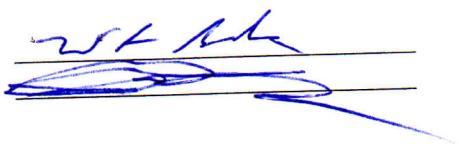
Wind would allow the local communities opportunities from the extra funding for upgrades in critically areas such as roads, bridges and town facilities that they might not otherwise have or they would have to burden the residents by increasing their taxes in order to achieve what they need.

Wind would create tax incentives and it would allow more programs to be offered into the community as well as schools.

This is a great start to an opportunity for future generations to come.

Regards,

Wayne Buck
Deana Buck



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June 29, 2016

Via Electronic Mail and U.S. Mail
Stacie R. Beyer
Chief Planner
Land Use Planning Commission
106 Hogan Road, Suite 8
Bangor, ME 04401

Re: LUPC Substantive Review of Petition to Remove Milton Twp.

Dear Stacie:

In accordance with the First Procedural Order, enclosed please find pre-filed testimony from Stantec Consulting ("Stantec") and EverPower Wind Holdings, Inc. ("EverPower") in support of keeping wind power as an allowed use in Milton Twp. As described in the accompanying testimony, EverPower is in the process of developing a potential 40 MW wind power project on Bryant Mountain in Milton Twp. The site hosts an excellent wind resource, is only one mile from existing transmission infrastructure that can accommodate the project, and is of a size and cost to allow it to compete in today's competitive energy markets and deliver clean renewable energy into the New England system.

In evaluating the petition to remove Milton Twp. from the expedited permitting area the Commission must evaluate whether doing so (i) would have an unreasonable adverse impact on meeting the State's wind energy goals, and (ii) would be inconsistent with the Commission's Comprehensive Land Use Plan (CLUP). If there is going to be meaningful progress toward meeting the wind energy goals, it is critical to keep wind power as an allowed use in areas like Milton Twp. This is particularly true because keeping wind power as an allowed use does not by itself allow a particular project to be built. Here, it would simply allow EverPower to continue to study the site, conduct site specific surveys, and submit a complete application to the DEP for review of whether the project would have an unreasonable adverse impact on wildlife, habitat, scenic or recreational resources, and a host of other rigorous standards that must be evaluated prior to issuance of any permit.

When evaluating whether there would be disproportionate impacts to public resource values, LUPC undertakes a landscape level analysis of the types of public resources that would

be impacted and whether development in this location is consistent with the CLUP. The CLUP specifically encourages the siting of energy facilities (and development generally) near the edge or fringe of the jurisdiction. In these locations, facilities are better situated near compatible uses, existing infrastructure such as roads or transmission lines, and away from more remote undeveloped locations within the jurisdiction. Milton Twp. is exactly the location described in the CLUP. It is located on the periphery of LUPC's jurisdiction, and is surrounded by four organized towns, Bethel, Rumford, Peru and Woodstock. These towns are economic centers with significant existing development and energy infrastructure that includes a paper mill, a wind power project, a 115 kV transmission line, a gas-fired power plant, and a ski area. Milton Twp. is distant from the remote core of the jurisdiction and recognized scenic and recreational resources. In fact, there are no lakes or ponds or any recognized scenic resources within Milton Twp. The predominant land use is forest management, which is compatible with wind power. Indeed, wind power provides a critical additional revenue stream for landowners, which reduces the pressure to convert their land to other uses. Allowing wind power in Milton Twp. advances the CLUP's location, energy and economic goals, and is consistent with the CLUP's goals of protecting and maintaining areas of sensitive recreational, scenic or natural resource value.

While no form of development is without some impacts, allowing wind power in Milton Twp. will bring about economic, energy and environmental benefits, and will not compromise the scenic, natural, or recreational values that are so important to the jurisdiction. Under these circumstances, we believe removing Milton Twp. from the expedited permitting area (i) will have an unreasonable adverse impact on the ability to meet the State's wind energy goals, and (ii) is inconsistent with the CLUP.

Thank you for consideration of these materials.

Sincerely,

Juliet T. Browne

JTB/prf
Attachments
Cc: Harry Benson, EverPower (w/attachments)
Joy Prescott, Stantec (w/attachments)

STATE OF MAINE
LAND USE PLANNING COMMISSION

Substantive Review, Milton Township Petition to Remove Milton from the Expedited Permitting Area for Wind Energy Development	)))	Pre-Filed Testimony of EverPower Wind Holdings, Inc.

A. Introduction to EverPower

EverPower Wind Holding, Inc. ("EverPower") is a fast growing developer, owner, and operator of utility scale wind projects in the US. Wind power is one of the fastest growing sources of electricity worldwide. Our first wind farm became operational in 2008, and since then we have consistently delivered best-in-class wind projects that provide a strong foundation for continued growth into the future.

EverPower's mission to honor our core values and apply integrity and innovation to all we do has made us the success we are today. We take great pride in the positive influence our work has on our industry and the nation's clean energy supply, as well as on the people and places integral to our efforts. We strive to be a good neighbor in the communities in which we operate by working together with local stakeholders from early in the development process right on through the operational life of our wind farms.

EverPower currently owns and operates 752 megawatts ("MWs") of wind turbines across seven sites, in Pennsylvania, Illinois, New York and California, and we are expanding into other markets. EverPower uses a mix of greenfield development and strategic acquisitions to fuel its growth and continues to seek out opportunities to grow the company.

EverPower has been evaluating several projects in Maine since 2013, including one in Milton Twp.

The company's current wind pipeline also includes 20 projects capable of delivering over 2,000 MWs of clean power into the grid in 8 states. 1,000 MWs of that capacity is targeted to come online within the next three years. We are also now progressing targeted solar and battery storage projects where they complement our core wind activities.

EverPower is owned by Terra Firma, a leading private equity firm and is poised to continue our growth in the renewable energy sector.

B. The Bryant Mountain Wind Farm

As a result of the comprehensive siting process, described below, EverPower identified Bryant Mountain in Milton Twp. as a viable site for development of an approximate 40 MW wind power project (the Bryant Mountain Wind Farm of BMWF). We are in the early stages of development. For example, we have commenced collection of met data, conducted a desk-top analysis of potential resource impacts, and will conduct the full suite of surveys required by Maine Inland Fisheries and Wildlife (IFW) and Maine Department of Environmental Protection (DEP) over the course of the next several years. We tentatively expect to be in a position to file an application that fully describes the project and its potential impacts and benefits in the 2nd quarter of 2019.

As part of project development EverPower undertakes a robust stakeholder consultation process. For example, we will consult with agencies, local residents, local and regional officials, economic development groups, recreational groups, wildlife organizations, and other persons or organizations likely to be interested in the potential impacts and benefits associated with a wind power project in this area. Because we are so early in the development process, we have not begun our more formal outreach. The petition to remove Milton Twp. has, however, forced us to initiate an informal process to answer questions about the project. The outreach we have

conducted to date demonstrates that there is support and that people believe we should have the opportunity to present a project for formal review. When we are further along in the development process EverPower will implement a formal stakeholder process that will specifically include outreach not only to residents and stakeholders in Milton, but to the surrounding region, including the surrounding towns.

We have heard people say that removing Milton Twp. from the expedited permitting area is simply a way to ensure people in Milton have a voice in whether a wind project should be approved. EverPower will engage in a formal and comprehensive outreach and will consider carefully the opinions and information gathered during that process. Additionally, as described in the Stantec testimony, there is a comprehensive review process by the DEP that includes multiple opportunities for public comment and input. Projects have been denied by the DEP based on concerns expressed by the public, and conditions have been incorporated into DEP permits in response to input from municipalities. The suggestion that there is not sufficient opportunity for or consideration of local input in the DEP process is misleading and appears to have been an intentional tactic by at least some to garner support for removal.

If Milton Twp. is removed from the expedited permitting area it will, however, short-circuit the stakeholder consultation and subsequent DEP review process, and will halt further development of the project. If LUPC makes the findings necessary for removal it will be an indication to us that LUPC does not believe the area is appropriate for development. Although there is a process for adding the area back into the expedited permitting area at a later date, LUPC would have to make findings that are directly contrary to the findings it would make in granting the petition to remove. EverPower could not justify spending the capital necessary to develop the project based on the clear direction from LUPC that development here is not

appropriate. This reflects the reality of project development and the calculus we must undertake before investing millions of dollars necessary to develop a project. There is no greater disincentive to spending development dollars than the State telling you it does not believe the site is appropriate for development.

C. The Site Selection Process

The process for identifying a site suitable for development of a grid scale wind energy project is complex and requires consideration of many, sometimes conflicting, factors. Four years ago, with the support of Stantec, EverPower mapped out the State, creating what we call a site suitability analysis. We used 10 major factors to select areas of interest for further development. It was clear from this exhaustive search that viable sites are not easy to find. Many suitable sites have already been developed, and remaining sites that satisfy one or more development criteria including wind resource and proximity to transmission, are often eliminated due to public resource values. Here is a summary of the factors[1] and variables that we considered and why Bryant Mountain is a particularly good site.

1. **Overall Economics -** The most important factor in wind development today is having a project that is competitive in the Power Purchase Agreement (PPA) Request for Proposal Market (RFP). There must be a competitive market into which to sell the output and, as a practical matter that usually requires a PPA, which provides a predictable and long-term revenue stream for the project. Furthermore, the cost of electricity in today's cheap natural gas market is becoming more and more competitive, lower in price. While that is good for consumers, it means that the market will only support projects that can built based on a much lower unit cost than was the case even three years ago. A wind project in Maine competes against other renewable energy sources of hydro, biomass, solar and conventional brown power

[1] There are other factors, but these are the key ones we evaluated in Maine.

from the entire New England region and NY markets (Canada now too). PPA prices to some degree are also impacted by lower and lower electricity prices in the mainstream electricity market from gas, nuclear, coal electricity generation. **Overall a project must be of size (economy of scale), wind resource, transmission infrastructure and overall cost to produce a low enough electricity price to be able to compete in today's Renewable RFP/PPA electricity marketplace.**

2. **Wind Resource and Turbine Technology -** The quality of the wind resource and whether there is a turbine well suited to capture that wind are critical variables in identifying a viable wind site. Wind turbine technology is improving, getting taller, using longer blades, getting quieter. These are important developments that expand the universe of viable sites. Matching a wind turbine to a specific wind regime is an important part of the wind siting process. Here are some important factors:

The physics of wind power are:

Wind Power = ½ x Air Density x Blade area (Pie r^2) x Velocity of the $Wind^3$ (cubed)

where r equals the length of the blade.

So what does that mean: it means if you make the blade longer and longer you get increased area and significantly more power. It is like putting a larger sail on a sailboat.

It also means that just a little bit more wind or a little bit less wind makes a big difference (cubic relationship between wind speed and power produced).

While turbines are getting taller with larger blades capable of capturing more wind, in our experience, a site must still have a minimum of approximately 6.5-7.0 m/s (14.54-15.66 mph) annual average wind speeds to compete in the current lower price PPA market. A discussion of the wind data collected at Bryant Mountain and the analysis showing that the site hosts an

excellent wind resource is attached as Exhibit A. **Bryant Mountain hits the sweet spot because it has strong average annual wind speeds and a wind profile that allows use of a turbine design that maximizes capture of the winds**.

We have evaluated wind data for other areas of Maine, but because the power curve falls off quickly, large swaths of the State do not have sufficient winds to compete in today's market.

3. **Construction Costs -** Maine has a significant amount of ledge and rock, which tends to increase overall construction costs. Additionally, areas with particularly steeps slopes or that require specialized construction techniques also increase construction costs. Constructability (whether the site can even be built) and the cost of construction are important variables in determining the viability of a particular site. For example, a site that hosts borderline wind resource that satisfies other siting criteria might be too expensive to build, particularly if the project is relatively small and cannot take advantage of the economies of scale associated with much larger projects (which have their own challenges). **Bryant Mountain does not have expensive construction factors that would unreasonably increase construction costs or create challenges to the constructability of a wind project there**.

4. **Large Blocks of Contiguous Land that are Perpendicular to the Wind -** Commercial scale wind farms need a certain economy of scale to be economically viable. There are many infrastructure items that the project must support, i.e., substation, generator lead line, transmission system upgrades, roads, landowner payments, taxes, payments to townships, etc. Because electricity prices are dropping, smaller projects may not be economic. We find that in today's market, a project must be of at least 8 or 9 turbines or 30 MW, however, the larger the project the better the economics. Large blocks of contiguous land are necessary to accommodate a wind project of size needed to compete in the market place.

Wind turbine generators within a wind farm are aligned in rows facing the most prevailing wind directions, in order to optimize and maximize wind turbine production and to minimize turbulence and wind speed deficits created in the wind stream (wake) of neighboring wind turbines, spacing between turbines must be 5 times the rotor diameter (i.e. 10 times the blade length) at a minimum in the most prevailing wind directions. This can be as much as 550-660 meters or 1,800-2,165 feet apart in the prevailing wind directions. Spacing between turbines within the rows must be at least 3 times the rotor diameter (i.e. 6 times the blade length) or 330-400 meters (1,080-1,300 feet) within the rows. Although not all of that land is cleared (only about 2.5 acres per turbine is cleared for laydown area and turbine), you need to control that land in order to maintain the required separation between turbines.

Large blocks of unencumbered private land needed to accommodate a grid-scale project are becoming increasingly less available. State and federal land in Maine is not available for development, and there are significant conservation lands in Maine that are also off-limits to wind development. Likewise, areas above 2,700 feet, which often host an outstanding wind resource, are essentially unavailable for development.

Turbine strings are best located perpendicular to the wind, which further limits the land available for development.

There is sufficient undeveloped land available in Milton Twp. to host an approximate 40 MW project. It is worth noting, however, that the project covers land that is not under single ownership, which makes acquiring the necessary land interests more challenging. There may be large areas of land that could accommodate a project, but unless there is a willing landowner, that land is not available for development.

5. **Suitable Transmission**

Proximity to Transmission - transmission in Maine is a huge factor in the viability of a wind site. A larger project can afford lengthy and costly generator lead lines, smaller ones cannot. Currently most of Aroostook County, which is an area of Maine that is targeted for large scale wind development, is not part of the NE ISO system and will require lengthy (70-120 miles in length) generator lead lines. While solutions to transmission are being proposed, they entail significant costs. Also there is increased power loss as the output is transmitted along lengthy transmission lines. The Bryant Mountain project requires a very short generator lead line, approximately one mile in length, and therefore benefits from proximity to existing transmission infrastructure.

Transporting power out of Maine - Furthermore the NE-ISO Transmission system is experiencing significant congestion issues within its transmission system. Major system upgrades are currently being discussed to solve these congestion issues, although they come with attendant costs. **The Bryant Mountain interconnection location is excellent. It is located on the western part of the Maine NE ISO system, with the ability to flow the power into New England**.

A more complete discussion of the proximity of the site to existing infrastructure and the suitability of that infrastructure to accommodate the project's output is attached as Exhibit B.

6. **Population Density and Setbacks -** to adhere to DEP sound (42 dBA) and shadow flicker standards and minimize conflicts with residents, a project must pick an area that has as few landowner residences as possible. In selecting a site, we work to minimize the number of residences that are within a certain distance of the possible turbine locations. With the

growing sprawl of residences and cabins throughout Maine, avoiding residents is becoming more and more difficult and further narrows the number of wind energy sites in the State.

EverPower's approach is to use a buffer that we believe minimizes conflicts with residents in the community. As a standard practice, EverPower also approaches all residents that have houses or cabins or properties within an established set back distance. **Bryant Mountain, is an excellent site because there are only a few houses within 4,000 feet, which minimizes potential conflicts with residential uses**. The project has either signed or is negotiating wind farm neighbor agreement with those nearby landowners.

7. **Outstanding and Significant Scenic and Recreational Resources -** Scenic and recreational issues are often a barrier to development, particularly in Maine, and therefore our process for evaluating potential wind project sites in Maine included an analysis of scenic and recreational resources in the project area. **As reflected in the Stantec report, there are very few scenic resources or recreational uses in Milton Twp. that would be adversely affected by a project on Bryant Mountain and therefore it is an excellent site for development.**

8. **Habitat and Wildlife -** Maine has become an increasingly more difficult place to develop a project due to onerous pre and post construction environmental survey requirements. Before undertaking extensive site-specific surveys, EverPower worked with Stantec to evaluate whether the site had high habitat and wildlife constraints. A desktop analysis using available public resources shows that there are very few habitat resources within the vicinity of the project. As with any potential wind development site in Maine, additional site-specific surveys will be conducted to support the DEP permit application, and impacts to potential habitat or sensitive resources will be avoided or minimized as part of the project design. **Compared to other**

potential wind development sites EverPower has explored in Maine and elsewhere, few habitat constraints existed within the project site.

Developer's like EverPower use the best-in-class methodology for performing all studies necessary to meet the local, state and federal permits. While working on our projects in Maine, we will continue to uphold this commitment to high-quality practices and will ensure that any impacts from these projects are mitigated to the greatest extent possible.

9. **Receptive Host Community** - While no community will be unanimous on everything that takes place, we believe it is important to site projects in locations where there is local support for the project. Our initial outreach indicates there is support in Milton Twp., and we will continue to meet with residents and landowners in and around Milton Twp.

10. **Location within the Expedited Permitting area** - Finally, even if a site satisfies screening for all of the above factors, it must be permittable. We do not believe that areas located outside the expedited permitting area or that have been removed from the expedited permitting area are viable development sites. The Maine Legislature sent a clear message to developers that wind energy development should occur in the expedited permitting area. With minor exceptions, we believe it would be difficult if not impossible to permit a project outside of the expedited permitting area. Before submitting an application to review agencies, we typically must spend in excess of $3 million for a 40 MW project to evaluate transmission constraints and costs of interconnection, measure the wind resource, evaluate community support, and conduct a broad array of pre-construction wildlife and habitat surveys that take in excess of 2-3 years. That level of investment is difficult to justify for a project that is in an area the Legislature did not determine was appropriate for wind power and would require a rezoning and then a full permitting by the DEP.

Likewise, there are many towns where wind power is prohibited either expressly, or as a practical matter due to restrictive ordinances. As a result, there are many organized areas that although they are in the expedited permitting area, cannot be developed for wind power.

The site selection process described above significantly limits the areas in Maine that could be developed for wind power. Milton Twp. is a particularly good site with few conflicts with existing uses or cultural and natural resources values. If Maine is going to make meaningful progress toward meeting its State goals for wind energy, these are the types of sites that should remain available for development, subject to a full review for compliance with rigorous environmental and land use permitting standards.

D. Project Benefits

The siting process described above ensures that a project is proposed in an area with minimal conflicts with existing land uses and natural and cultural resource values, and that it can be built economically and its power sold into the competitive energy market. There are also significant economic, energy, and environmental benefits associated with wind power development and that are relevant to LUPC's evaluation of whether keeping Milton Twp. zoned for wind power is consistent the Comprehensive Land Use Plan (CLUP).

Economic Benefits

An economic impact analysis was performed for the BMWF, assuming that it is constructed and becomes operational in 2020 with a rated capacity 39.6MW with 12 turbines sized at 3.3MW. It is an estimated $104 million investment, with a capital expenditure (which is relevant for determining taxes) of approximately $80 million. It will result in an estimated $13.1 million in construction related wages and an estimated $900,000 in annual wages during operation. Local spending during construction is estimated to exceed $23 million, and local

spending during operation is estimated at $1.5 million annually. In addition to wages and local spending during construction and operation, the BMWF will pay significant annual taxes (estimated at $320,000), at least $48,000 annually in community benefit agreements with the host communities, and $40-$50,000 annually to a fund to be administered by a local board.

To quantify the local economic impacts of constructing and operating the BMWF, the Job and Economic Development Impact (JEDI) was used, which was created by the National Renewable Energy. The JEDI model requires project-specific data input (such as year of construction, size of project, turbine size and location), and then calculates the impacts described above through the use of state-specific multipliers. These multipliers account for the change in jobs, earnings, and output likely to occur throughout the local, regional, and statewide economy as a result of Facility-related expenditures. The resulting data are paired with industry standard values (e.g., wage rates) and the data reflecting personal spending patterns (e.g., percent of household income dedicated to housing expenditures) to calculate on-site, supply chain, and induced impacts. This model allows impacts to be estimated for both the construction and operation phases of the proposed development.

1. Construction

The JEDI model resulted in an estimated construction workforce of 52 total full time equivalent positions ("jobs"). Of these, four (4) construction related jobs will include the disciplines of engineers and other professional services, while 48 of the jobs will occur in construction and interconnection labor. This model resulted in total earnings of $2.5 million during the construction period. The secondary employment output would result in 147 jobs in turbine and supply chain impacts and 71 jobs from induced impacts during the construction period. The secondary employment created would result in total earnings of $10.6 million.

Thus, the primary and secondary jobs during the construction phase would result in total earnings of $13.1 million.

2. Operation

Based upon the JEDI model results, the operation and maintenance of the proposed Project is estimated to generate 3 full full-time jobs with combined estimated annual earnings of approximately $200,000. These three jobs are expected to be made up of one site manager and two technicians. The estimated number of secondary employment and economic activity associated with the project operation is 12 jobs with earnings of approximately $700,000. These jobs are created from Local Revenue and Supply Chain Impacts and Induced Impacts.

3. Local Spending

A percentage of the expenditures for this project will be spent in Maine or in the local region. The total local spending from the construction of the project is estimated to be $23.5 million. The total annual local spending from operational expenditures is $1.5 million. These numbers include the wages paid during construction and operation that are noted above.

4. Tax and Community Benefits

Wind power projects pay substantial amounts in annual taxes. While the exact amount cannot be predicted at this time, the project is expected to pay up to $320,000 in average annual taxes. In addition to tax revenue, the project will pay a minimum of $4,000 per turbine per year or $48,000 annually to the host communities pursuant to required community benefit agreements. Finally, EverPower has also proposed creation of a Milton Twp. Project Fund. When the project becomes operational, EverPower would contribute $40,000-$50,000 per year into a designated fund. The Project Fund would have a board, made up of local residents. Individuals or groups from Milton Twp. could pitch project ideas to the board, which would

select the projects to fund. The Project Fund would last for the life of the wind farm and the fund amount would be tied to a consumer price index.

Environmental

The BMWF is expected to result in an avoidance of 14 tons of NO_x, 29.1 tons of SO_x, and 67,697.3 tons of CO_2 emissions annually. The avoided CO_2 emissions are equivalent to the emissions of 14,300 passenger cars driven for one year or the annual energy use of 7,149 homes.

Energy Benefits

Bringing new wind power on line has a downward pressure on electricity prices, which is an important ratepayer benefit. E.g., Pre-Filed Testimony of Abigail Krich on behalf of the Conservation Law Foundation, DEP Bowers Proceeding, #L-25800-24-TE-B-N, March 13, 2013 (discussing studies and analysis). The Legislature has expressly recognized the important energy benefits associated with bringing new wind power development to the State, 35-A M.R.S.A. § 3402, as has the Maine PUC. E.g., PUC Order Approving Term Sheet, Docket No. 2014-00024 (July 13, 2015) (recognizing positive pricing associated with wind power projects and approving terms for the proposed Highland Project at prices substantially below market rates).[2]

Thank you for the opportunity to provide information on potential development of a wind project in Milton Twp. We are in the early stages of development and therefore do not have full site specific data, which will be collected and reviewed as part of the permitting process. Based on our outreach and evaluation of the existing uses in Milton Twp. and surrounding areas, we believe that from a planning and zoning level, Milton Twp. is appropriate for wind development.

[2] We note that the Highland Project was proposed for an area that has since been removed from the expedited permitting area.

EXHIBIT A

Memorandum

To: EverPower Internal Memo

From: Jim Sardonia, Wind Resource Dept.

Date: June 16, 2016

Subject: Evaluation and Summary of the Wind Resource at the Bryant Mountain, Maine project site

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The purpose of this memorandum is to summarize an analysis of the wind resource potential and characteristics at the Bryant Mountain, Maine project site completed by the EverPower Wind Resource department. A meteorological data collection campaign began on site in October 2015 and continues up to the present.

Summary of Bryant Mt Meteorological Tower and Sensors:
The Bryant Mt met campaign utilizes an advanced 60 meter meteorological tilt-up tower equipped with the most accurate meteorological sensors available in the wind power industry. The tower is equipped with Class 1 anemometers and wind vanes at three different heights to provide a detailed and precise calculation of the expected wind speeds, wind directions and wind shear profile of the site. The Class 1 sensors used at Bryant Mountain are calibrated and certified at the Svend Ole Hansen ApS laboratories in Denmark, accredited by DANAK (the Danish Accreditation and Metrology Fund) and known as one of the most precise climate controlled wind tunnel facilities in the world. The Svend Ole Hansen ApS laboratories have over 20 years of experience in the field of wind tunnel measurements and calibration of wind instruments for the wind power industry. In addition, the tower is equipped with a heated Class 1 anemometer and heated Class 1 wind vane in order to ensure data collection during icing events in the winter months, to ensure the highest data recovery rates possible at the site. Backup anemometers, backup wind vanes, multiple ambient temperatures sensors and a pressure sensor completes the sensor array. The table below lists the sensor types, sensor characteristics and heights.

Sensor Information

Logger Channel	Level [m]	Ser. No.	Sensor make & model	Calib. Mult.	Calib. Offset	Boom* Length [m]	Boom** orientation [deg. true N]	Comments:
Ane_1A	58	2794	P2546A	0.61971	0.22190	2.45	259	Wind Speed
Ane_1B	57.94	09154651	Heated Thies	0.04681	0.18161	2.45	350	Wind Speed
WD_1	53.50	09140003	Heated Thies	1	80	2.45	260	Wind Dir
WD_2	53.35	N/A	NRG #200P	260	170	2.45	350	Wind Dir
Ane_2A	48	3672	P2546A	0.62040	0.23055	2.45	260	Wind Speed

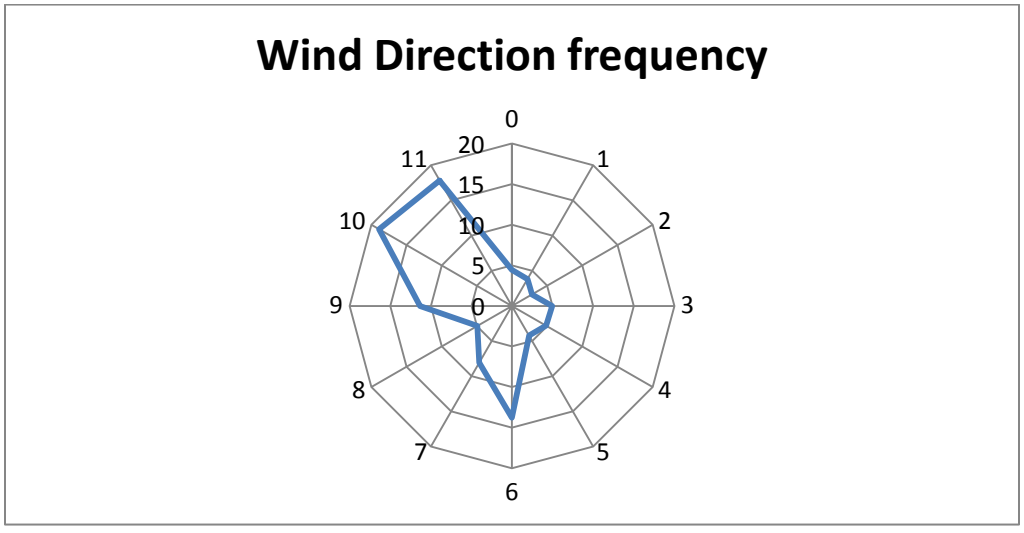
Ane_2B	47.77	00252419	NRG #40C	0.755	0.39	2.45	350	Wind Speed
WD_3	43.7	N/A	NRG #200p	1	170	2.45	260	Wind Dir
Ane_3A	32	8822	P2546A	0.61977	0.20936	2.45	261	Wind Speed
Ane_3 B	31.77	00252417	NRG #40C	.757	0.39	2.45	350	Wind Speed
Temp 1	53.5	N/A	NRG #110S	0.136	-86.38	N/A	North	Temperature
Temp 2	2.2	N/A	NRG #110S	0.136	-86.38	N/A	North	Temperature
Setra	2	6540827	278	.02	600	N/A	N/A	Pressure

.

Wind Measurement Summary

The data collected from the on-site met tower represents the single best source of representative wind data for any project evaluation. The data is a specific record of actual wind and other meteorological conditions at the site. Historical data from nearby airports or weather stations and modeled wind data available from National or third part entities are not specifically designed for wind power applications. The primary benefit of an on-site met tower campaign is to collect real-time data in the actual project site, and to use that data in characterizing the wind flow environment expected at the wind turbine locations.

The data recover rate from October 2015 - May 2016 at the Bryant Mt met tower has been very good with an average of 86% since installation. Considering this 8 month period includes the colder winter months primarily, the recovery rates to date can be characterized as very favorable. Typically, recovery rates > 80% are considered very good in a high latitude environment such as Bryant Mountain. Over the entire 12 month annual cycle, recovery rates are expected to improve to 90-95% as the more favorable summer months see very few gaps in data collection due to moderate temperatures and lack of icing and snow. The observed wind flow can be characterized as being primarily from a westerly direction. Prevailing flow in the winter months are more northwesterly while months in warmers months see a more southwesterly direction. The observed wind direction frequency (wind rose) is below:



Analysis of the on-site wind data has shown the observed wind speeds at the 60m height as being favorable with a moderate wind shear profile, and moderate turbulence intensities. From the data collected to date, we have calculated average observed wind speeds for the period Oct 2015 – May 2016, which included the higher wind months of the winter. We have also extrapolated from the data to calculate a predicted annual mean wind speed at projected hub heights. Wind shear has been observed to increase the wind speeds at a wind shear exponent of 0.20, which is very favorable and does not exceed wind turbine design specifications. Using the shear values and extrapolating from the observed wind speeds, Everpower Wind Holdings expects a mean annual wind speed in the range of IEC Class III wind turbines (6.0 – 7.5 m/s at hub height), which indicates the site hosts an excellent wind resource.

A monthly evaluation of the wind data show that the highest wind speeds will occur in the winter months as expected. The months of October through March will see the highest energy production.

In summary, evaluation of the Bryant Mountain met mast to date, shows that the site is a viable Wind Power site for grid-scale commercial wind farm development. The site would be favorable for IEC Class III wind turbine generators (turbines designed for sites with average annual wind speeds up to 7.5 m/s at hub height) or IEC Class II wind turbine generators (turbines designed for sites with average annual wind speeds up to 8.5 m/s at hub height). Upon completion of a full 12 months of data collected at the site in October 2016, an update and full energy assessment evaluation will be completed. It is expected that the 12 month evaluation will also show the project area to be fully viable for a future wind power project, with the ability to utilize a wide variety of wind turbine generators.

Biography

Jim Sardonia - Director of the Wind Resource department at EverPower Wind Holdings Inc. since Jan 2014. Jim leads a team of wind resource analysts and engineers responsible for investment grade wind resource energy assessments throughout all phases of a wind power project development lifecycle. As director of the Wind Resource department, Jim manages all meteorological data campaigns for new development wind projects and oversees the entire met tower fleet which includes over 40 met towers and two remote sensors located in 8 states. Jim has performed over 300 wind resource assessment and site suitability studies for wind power projects in 13 countries in a variety of terrain and wind flow environments. These studies include a detailed analysis of the site, terrain and wind flow characteristics in order to assess, model and characterize the available wind resource. A key element includes a thorough quality assurance process for the screening and validation of the met tower data. Data is filtered for erroneous values, adjusted to a long-term reference station and then extrapolated to the hub height of the wind turbine type being modeled. Wind turbine siting and wind farm layout designs are then created and optimized using the available suitable land to maximize the expected annual energy production at the site.

Previously, Mr. Sardonia served as Manager of the Turbine and Site Suitability department at Siemens Wind Power in Orlando, Florida USA from 2008 to 2014. Jim managed two teams of Siting Engineers based in Orlando, Florida USA and Sao Paulo, Brazil and was responsible for all technical site suitability studies associated with proposed onshore and offshore wind farms in the western hemisphere. The site suitability and wind resource studies completed during this tenure resulted in over 6 GW of installed wind power assets utilizing Siemens wind turbines.

Prior to joining Siemens, Jim served for 8 years as a Commissioned US Air Force culminating as a Senior Launch Weather Office at Kennedy Space Center in Cape Canaveral, FL providing launch weather support for over 125 NASA manned and unmanned space launch operations. Since 2010, Jim has been a volunteer mentor for returning Combat Veterans aiding in their transition from the military to the civilian workforce through several professional corporate programs.

Jim holds a Graduate degree and Bachelor's degrees from Florida State University, FL and Valdosta State University, GA. Graduated from Florida State University with a Master's of Science in Business Management (MSM) and a B.S. in Meteorology, along with Bachelor's degrees in Physics and Astronomy from Valdosta State University.

EXHIBIT B

I have been a power engineer in Maine since the early 1980's, working directly for a Maine utility for many years, then as a consultant, working for electric utilities as well as power generators and others. I have significant experience working with ISO-NE, power producers, electric utilities and others, helping to ensure a well-designed and operable transmission system. I have been working with EverPower to evaluate interconnection of the Bryant Mountain Wind Farm to the electrical grid.

Bryant Mountain Wind Farm is a proposed approximately 40MW wind generation project located in the Township of Milton Maine on Bryant Mountain. From an electrical transmission perspective, this project has a number of excellent attributes. These include proximity to existing transmission lines, adequacy of these lines to accommodate the projected output, and minimal potential conflict with other projects for transmission access.

1. Proximity to the Existing Electrical Grid

Bryant Mountain is located approximately one miles from an existing Rumford to Woodstock 115 kV transmission line. Other wind projects have been sited further from existing transmission infrastructure and as a result have required significantly longer generator lead lines to connect to the grid. For example, the Kibby Project, which is located in western Maine, required a 27 mile generator lead line to connect to the grid, and the Oakfield Project, located in northern Maine, required a 59 mile generator lead line to connect to the grid. The Bryant Mountain project would require one of the shortest generator lead lines to connect to the electrical grid of any project developed to date in Maine.

2. Adequacy of Existing Transmission Lines to Accommodate the Project

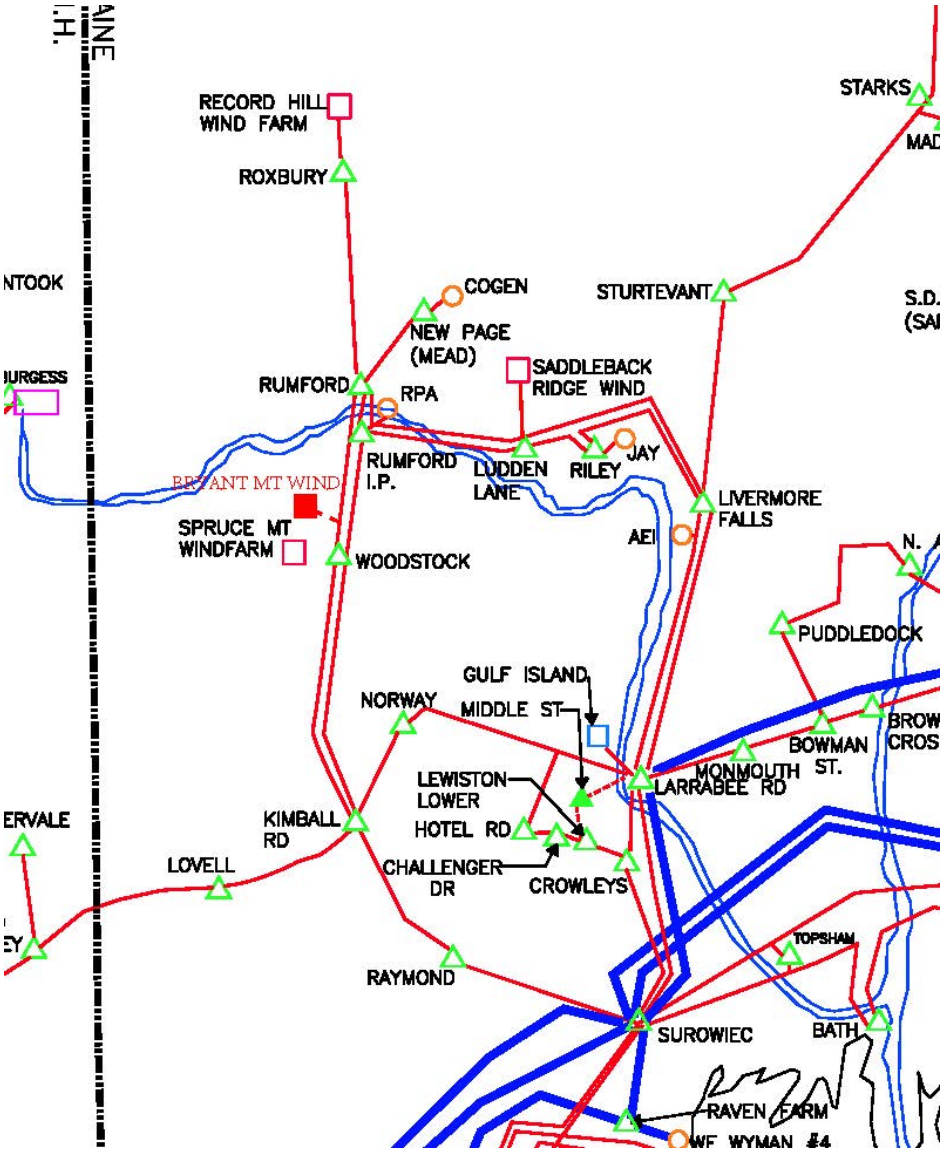
For a project to be able to operate to capacity, the transmission system needs to be adequate to allow the energy to flow without impact to the system. ISO NE has a very precise process for evaluating a proposed project's potential impacts to the system and the individual line the project is attempting to connect into. Initially an optional feasibility study may be done, with the results reported back to the interconnection applicant. After the feasibility phase, a system impact study (SIS) is done. The results of this study give very specific upgrade requirements for the project to interconnect into the system, and the costs of such upgrades. The ISO-New England SIS is an extensive effort that includes numerous phases, multiple software, and months of analysis and internal review. This effort is based on the FERC proforma standard for interconnection, but some consider it the most stringent in the eastern US. One requirement is that the system pass a line out test with no significant impact (significant impact is defined in the various ISO-NE transmission planning documents and is in accordance with NERC requirements as well as NPCC and local to NE needs). This, in general, means that loss of a single line (or in some cases two lines if on common structures), with the project at full output, will not result in a thermal overload, voltage violation, or stability concern. The transmission system in this part of the State includes multiple lines and loops and is therefore capable of accommodating more generation than less well developed areas of the State and satisfy the ISO interconnection requirements. To describe the loop a bit better, on the east it starts in the Lewiston area at Larrabee Rd substation that ties to the 345kV transmission system

(by two lines) as well as multiple 115kV lines to other parts of the transmission system. From here two 115kV lines head north, tying in with another 115kV loop at Livermore Falls. Continuing north west, the loop turns in Rumford and heads south to Woodstock substation (just south of the project's tap) then further south to Kimball Rd substation in the town of Harrison. From Harrison the transmission takes three paths. One to the west tying the Maine 115kV transmission system to the NH transmission system, one to the east tying back into Larrabee Rd substation, and one to the south tying into Suroweic substation (in Pownal), where it is again linked to the 345kV transmission system with multiple lines. A map depicting the system in this region is attached. Along this loop there are a number of generators as well as significant load. Much of the fossil fuel or biomass generation is associated with pulp and paper mills, which are dependent on their steam as well as electrical output. In addition to this there is some hydro generation, which again, is associated with the mill activity, offsetting mill load. There are also several small wind projects such as the Record Hill Wind and Saddleback Wind projects. With the redundancy of the transmission system in the loop configuration, it is not likely that the combination of load and generation will result in significant transmission issues for the Bryant Mountain Wind project. This will be tested in the ISO New England System Impact Study. At the conclusion of that study ISO NE will confirm the viability of the interconnection and identify any required system upgrades to accommodate the project.

3. Competition for Transmission Access

Another point in favor of this project and its location, is that the transmission loop is in western Maine, and somewhat distinct from the areas with significant interconnection activity in other areas of the state. The other areas being noted include Somerset County, Aroostook County and Washington County. There is significant development interest in these other areas, which currently lack sufficient transmission infrastructure to get new proposed generation to the prime energy market in southern New England. Milton Twp. is west and south of areas with significant competition for transmission access.

All the points noted make this project, from a transmission and system impact perspective, an attractive project.



Key
345kV Transmission line
115kV Transmission line
Substation
Wind generator – existing, planned
Fossil Fuel generator

Jeffrey H Fenn P.E.
Director Electrical Engineering

STATE OF MAINE
LAND USE PLANNING COMMISSION

Substantive Review, Milton Township	)	Pre-Filed Testimony of
Petition to Remove Milton from the Expedited	)	Joy Prescott, Stantec
Permitting Area for Wind Energy Development	)	Consulting Services Inc.

A. Introduction

I am a project manager and permitting specialist with Stantec Consulting Services Inc. ("Stantec"), where I have worked for ten years. During that time, I have worked on numerous wind and other projects across Maine and New England. A statement of my experience and qualifications and information on Stantec is included as Exhibit 1.

My testimony is provided in response to the request for substantive review of the petition to remove Milton Twp., as depicted in Exhibit 2, from the expedited permitting area. My testimony will provide an overview of Milton Twp. and the surrounding region, the significance of a wind project being located in the expedited permitting area and the review process that occurs for such projects, and an overview of the criteria that the Land Use Planning Commission (LUPC) must consider when determining whether to remove Milton Twp. from the expedited permitting area. As shown below and discussed in greater detail in the report included as Exhibit 3, removal of Milton Twp. from the expedited permitting area would have an unreasonable adverse impact on the State's ability to meet its wind energy goals, and removal would also be inconsistent with the principal values and goals of the Comprehensive Land Use Plan (CLUP).

B. Project Context and Location

Milton Township is located in Oxford County in western Maine (Exhibit 2, Figure 1), on the periphery of the jurisdiction of the LUPC. The nearest townships within LUPC jurisdiction include Albany Township, approximately 7 miles to the southwest, Perkins Township,

approximately 13 miles to the northeast, and Township 6, approximately 15 miles to the north. Four organized towns are directly adjacent to Milton: Rumford, Bethel, Woodstock, and Peru, with a total population of 11,260. Rumford, to the north, is a regional service center with a population of 5,841 and 3,287 housing units.[1] Major roads in Rumford include Route 2, Route 5, Route 232, and Route 120. Rumford has 329 non-farm businesses, including a paper mill and a natural gas plant. Peru, to the east, has a population of 1,541. Woodstock, to the south, has a population of 1,277. An existing wind project, Spruce Mountain is located in Woodstock, and an existing transmission line is also located in Woodstock. Bethel is a regional service center with a population of 2,607 and 1,121 households. It is located at the intersection of Route 26, Route 2, and 5 and development in Bethel is based on tourist, cultural, and recreational opportunities, including a ski area.

The population of Milton Township is 141, with 208 parcels and approximately 61 housing units are located within Milton.[2] Milton is bisected by the Concord River and by Milton Road/Concord Pond Road. Route 232 is also located in town. The predominant land use in town is forest management. Several parcels are under conservation easement, including several adjacent parcels, approximately 1,970 acres, in the eastern area of town. Bryant Mountain, the area under consideration for development by EverPower, is located in the western area of Milton (Exhibit 2, Figure 2).

C. DEP Permitting Process and Significance of the Expedited Permitting Area

In 2008, the Maine Legislature passed into law An Act To Implement Recommendations of the Governor's Task Force on Wind Power Development, P.L. 2007, ch. 661 (the "Act" or the "Wind Energy Act"), which established aggressive goals for wind development in Maine and, in

[1] Demographic data based on 2010 Census information.
[2] 2014 Annual Estimate of Resident Population.

order to reach those goals, modified the review process to encourage the siting of wind power in areas where it is most compatible with existing patterns of development and resources values. One of the key tools for bringing about wind energy development was to identify specific areas (the so-called expedited permitting area) for development and enact measures to encourage developers to site projects in those areas. A map depicting the expedited permitting area is attached as Exhibit 4.

As reflected on the expedited permitting map, only a small portion of LUPC jurisdiction was included in the expedited permitting area. The expedited permitting areas are typically on the fringe of the jurisdiction where organized townships are intermingled with plantations and organized towns, and other areas within six miles of certain public highways. Excluded were areas that encompass concentrations of ecological, recreational and/or scenic values that are among the most significant in the jurisdiction, and smaller areas that possess ecological, recreational and scenic values of particular significance. See *Report of the Governor's Task Force on Wind Power Development* at 18 (describing expedited areas). Moreover, pursuant to the petition process, 27 townships or plantations have been or will be removed from the expedited permitting area, as of June 23, and an additional 13 townships or plantations have submitted active petitions.

Wind power was made an allowed use in the expedited permitting areas of the unorganized areas, thereby eliminating the requirement to rezone such areas for wind power. Projects are, however, subject to a rigorous permitting process. Specifically, following An Act to Reform Land Use Planning in the Unorganized Territory (the "LURC Reform Bill"), P.L. 2011, ch. 682, responsibility for permitting large scale development within LUPC jurisdiction was transferred to the DEP. Pursuant to the Site Location of Development Act ("Site Law"), the

DEP evaluates whether the project, including those located in LUPC jurisdiction, satisfies 25 standards, including ones related to financial capacity, wildlife and fisheries, and stormwater management. In addition, DEP evaluates additional standards that are unique to wind projects, including sound, visual and scenic impact, shadow flicker, public safety, tangible benefits, decommissioning, and best practical mitigation. All 32 of these standards are listed in Table 1. For projects located in LUPC jurisdiction, DEP may not issue a permit until LUPC has certified that the proposed development is an allowed use in the subdistrict(s) for which it is proposed and meets any LUPC land use standards that are applicable to the project and not considered during the DEP review.

DEP works with other state agencies and third-party reviewers to evaluate whether the project meets the traditional Site Law standards, as well as the standards specific to wind energy developments. For example, the Maine Department of Inland Fisheries and Wildlife provides comments on the project's potential impacts on wildlife, the Maine Natural Areas Program provides comments on rare plants and unusual natural areas, and third-party experts provide comments on a wind project's sound, visual and scenic impacts.

DEP includes multiple points within the permitting process for the public, including municipalities and non-profit organizations, to provide input on the project. Prior to submission of an application, a developer must hold at least one informational meeting open to the public and must provide public notice of their intent to file an application. Once the application has been filed and DEP has accepted it as complete, interested persons may request that a public hearing be held. The DEP Commissioner will review these requests and decide whether to hold a hearing. If no hearing is held, DEP will nonetheless conduct two additional public meetings during review of the application. The first meeting is conducted by DEP staff in the vicinity of

the project and provides an opportunity for the public to comment, ask questions and undertake a general discussion of the project. The second meeting, also held in the vicinity of the project, is conducted by the DEP Commissioner or Deputy Commissioner and provides an opportunity for the public to comment on the draft analysis prepared by DEP staff. The decision to hold two public meetings is specific to wind power projects and was developed to ensure that the public had ample opportunity to provide comment and input into the review process. A copy of the DEP's policy regarding public meetings on wind power projects and general information on providing public comment to the DEP is attached as Exhibit 5.

Throughout the application process, written comment can be submitted to the DEP, and individuals or organizations can also request to be identified as Interested Persons, which allows them to receive specific notice from DEP about certain milestones during the application process. The views of municipalities are given significant weight during DEP review. For example, for the Oakfield wind project, DEP included specific conditions based on concerns raised by the Town of Oakfield. Public input is also significant and was the basis for DEP denying the Bowers wind project in 2012.

Table 1. Standards Evaluated by DEP during Review of Wind Projects

Site Law Standards for all Large Projects
1. Project Description 2. Title, Right, and Interest 3. Financial Capacity 4. Technical Capacity 5. Noise * 6. Visual Quality * 7. Wildlife, Wetlands, and Fisheries 8. Historic Resources 9. Unusual Natural Areas 10. Buffers 11. Soils

12. Stormwater 13. Urban Impaired Streams 14. Basic Standards 15. Groundwater 16. Water Supply 17. Wastewater 18. Solid Waste 19. Flooding 20. Blasting 21. Air Emissions 22. Odors 23. Water Vapor 24. Sunlight 25. Notices
Additional Standards for Wind Projects
26. Shadow Flicker 27. Public Safety 28. Tangible Benefits 29. Decommissioning 30. Visual Impact 31. LUPC Certification 32. Best Practical Mitigation
* Noise and Visual Impact are evaluated under both Site Law and wind-specific standards.

If Milton Twp. were removed from the expedited permitting area, wind power would no longer be an allowed use there. The area would have to be rezoned pursuant to the traditional rezoning process to make wind power an allowed use, or added to the expedited permitting area pursuant to the statutory criteria that allow LUPC to add discrete areas to the expedited permitting area. The statutory criteria for adding an area like Milton Twp. to the expedited permitting area require LUPC to find that doing so is (i) important to meeting the State's wind energy goals, and (ii) consistent with the principal values and goals of the CLUP. 35-A M.R.S.A. § 3453. These are the same criteria LUPC is considering as part of this process. Only

after the area was either rezoned or added to the expedited permitting area, could it be reviewed by DEP pursuant to the Site Law.

D. Summary of Criteria for Removal

In determining whether to remove Milton Twp. from the expedited permitting area LUPC must determine whether doing so (i) would have an unreasonable adverse impact on the State's ability to meet its wind energy goals (Criterion A), and (ii) would be consistent with the CLUP (Criterion B). LUPC has developed guidance on applying each of the statutory criterion and which inform the analysis ("Guidance").

1. Criterion A: Impact of Removal on Ability to Meet State Goals

The testimony from EverPower and Maine Renewable Energy Association demonstrates the importance of keeping Milton Twp. in the expedited permitting area if the State is going to make progress toward meeting its goals for wind energy development. These goals include 2,000 megawatts (MW) of installed capacity by 2015, and 2,700 MW of installed capacity by 2020. With approximately 930 MW currently operating or under construction, Maine is already far short of the 2015 goal, let alone the more ambitious goal of 2,700 MW by 2020. To make meaningful progress toward these goals, it is essential to keep viable sites available for development. As the EverPower testimony demonstrates, Bryant Mountain in Milton Twp. has the wind resource, proximity to and availability of transmission, and overall economic attributes to accommodate an approximately 40 MW project. While a 40 MW project may seem small, Maine has reached the current level of wind development through the additive measure of many small to medium projects.

In its Guidance, LUPC indicates that there is a balancing that must occur in evaluation of Criterion A between (i) the location's potential for wind development, and (ii) the impact such

development might have on public resources or existing uses. In its testimony, EverPower has demonstrated the viability of this particular site for development, as well as the challenges in finding viable sites in Maine and difficulty in meeting the State's goals due to siting constraints. EverPower's testimony is consistent with our experience advising a wide range of developers in Maine. Often times a site that might host a favorable wind resource is eliminated from consideration due to scenic impacts, local opposition, or potential impacts to high value wildlife habitat.

LUPC must also consider whether development of wind power in Milton Twp. would have disproportionate impacts on public resources. As summarized in discussion of Criterion B below and discussed in greater specificity in the report included as Exhibit 3, Milton Twp. does not host high value scenic, recreational, habitat or other public resources that would be disproportionately and adversely impacted due to wind development. Thus, the balancing that occurs as part of Criterion A weighs in favor of keeping Milton Twp. in the expedited permitting area. Where, as here, there are no overriding public resource values that would be adversely impacted from development, removal of Milton Twp. would have an unreasonable adverse impact on the State's ability to meet its wind energy goals.

2. Criterion B: Consistency with Principal Values and Goals of CLUP

For this criterion, LUPC must evaluate whether keeping wind power as an allowed use in Milton Twp. is consistent with the principal values and goals of the CLUP. The CLUP recognizes that the jurisdiction has room for a wide range of uses and seeks to accommodate these multiple uses while retaining the jurisdiction's unique values (CLUP, 4). To do so, the CLUP's development goals seek to guide development to locations near existing towns and communities, and to separate development from incompatible uses, particularly areas of the

jurisdiction that have significant natural values and primitive recreational opportunities. Milton Twp. not only has attributes identified in the CLUP that make it particularly appropriate for wind power development, but eliminating wind power as an allowed use there would compromise many of the CLUP's key goals.

Location of Development

The CLUP recognizes that "[energy] facilities are best located in areas on the edge of the jurisdiction with good existing road access but low natural resource values" (CLUP, 142). Milton Twp. is located in southwestern Maine and is surrounded by 4 organized towns, Bethel, Rumford, Peru, and Woodstock. The surrounding towns host significant development and energy infrastructure, including a paper mill, a wind power project, a gas-fired power plant, and a ski area. Milton is not located in an area of LUPC jurisdiction that is undeveloped or remote from population centers. In contrast, Bethel and Rumford are both regional service centers. The nearest townships in LUPC jurisdiction are Albany Township (approximately 7 miles to the southwest), Riley Township (approximately 12 miles to the west), and Perkins Township (approximately 13 miles to the northeast). Except for a portion of Albany Township, all of the area within 10 miles of Milton is organized towns. Milton has existing access to infrastructure for development, as it is bisected by two roads, and vehicular access is available throughout the area. The western portion of Milton is located within one mile of an existing 115 kV transmission line. As described in Exhibit 3, Milton contains limited high-value natural resources or features.

Guiding wind power development to Milton Twp. is consistent with the CLUP's goal of locating energy development toward the edge of the jurisdiction and other compatible uses, and away from remote undeveloped areas in other parts of LUPC jurisdiction that tend to have high

scenic and primitive recreational values. In fact, eliminating wind as an allowed use in Milton would be directly inconsistent with the CLUP's goal for location of development.

Economic Development

The primary land use within Milton Twp. is forest management. Potential wind development is an additional source of economic value for forest landowners, an important consideration as the value derived from timber and fiber production continues to decline. If wind development occurs, landowners can choose to continue forest management activities and are less inclined to sell parcels of productive forestland for residential development.

The economic benefits extend beyond the landowner, in this case to Oxford County, which would receive additional tax revenue from any wind project located in Milton. Currently, three wind projects are operational or permitted in Oxford County – Record Hill and Spruce Mountain are operational and Canton is permitted. As described in EverPower's testimony, a project located in Milton would likely contribute at least $320,000 per year in taxes and a minimum of $48,000 per year in host community benefits agreement. The additional economic benefits from construction and operation of a project in Milton are discussed further in EverPower's testimony.

Wind projects in western Maine have generated significant economic investment and employment since 2008, as described by Dr. Charlie Colgan, who analyzed the economic impacts of wind development in Maine. He found that western Maine (including Oxford, Franklin and Androscoggin counties) received more than $160 million in increased employee earnings between 2008 and 2016 due to wind energy development.

Therefore, continuing to identify wind development as an allowed use would enhance the value of working forests in Milton and bring much needed economic development to the region.

Energy Resources

The CLUP's energy resources policy encourages renewable energy development in locations where there are not overriding public values that require protection (CLUP, 13). The CLUP acknowledges the energy and environmental benefits associated with development of new renewable energy, and the need to make progress toward meeting the State's goals. A project in Milton Twp. would be an example of an energy generation installation that is consistent with state energy policies, is sited in an appropriate location consistent with the CLUP's development and energy goals, and where there are not overriding public values that require protection. Not only is keeping wind power as an allowed use in Milton consistent with the CLUP, but eliminating it as an allowed use would significantly compromise the CLUP's energy and development goals.

Scenic and Recreational Resources

Limited recreational opportunities exist within Milton Twp. Very limited information is publicly available about specific recreational activities in Milton.[3] The Woodstock ATV Riders Club identifies trails within the eastern side of Milton.[4] Although no other information is available, it is likely that local uses are similar to those popular elsewhere in the region, including hunting, snowmobiling, and ATV riding, primarily on private lands that are not posted. There may be local fishing opportunities on the Concord River, which is considered more similar

[3] The following resources were reviewed to identify scenic and recreational resources in Milton: Maine 2015 State Comprehensive Outdoor Recreation Plan; Mahoosuc Region Resources Report; Mahoosuc Land Trust website; Woodstock ATV Riders Club website; Maine Snowmobilers Association website; Maine Sporting Camp Association website; Maine Wildlands Lake Assessment and Maine Scenic Character Evaluation; Maine Rivers Study; Maine State Parks; Maine Scenic Byways; National Landmarks; National Parks; National Forest Service; National Natural Landmarks; and National Register of Historic Places. A full visual impact assessment would be conducted as part of the application submitted to DEP.

[4] www.facebook.com/notes/woodstock-atv-riders-club/woodstock-atv-trail-map-2015/591204117684246

to a stream[5] as it travels from Abbotts Mill in Rumford to Concord Pond in Woodstock. No Interconnected Trail System (ITS) trails are identified in Milton,[6] and no sporting camps are identified in Milton.[7] Snowmobile and ATV groups have been particularly supportive of wind power development and recognize the compatibility of wind development and snowmobile and ATV use. Conservation land in the eastern side of Milton may also provide limited additional recreational access, although the Mahoosuc Land Trust, holder of the conservation easement, does not identify any public hiking trails on these parcels.[8] More abundant recreational opportunities are located in the Mahoosuc Region (including the towns that surround the Mahoosuc Range) to the west, including trail networks and opportunities for both motorized and non-motorized activities. These networks and opportunities are disconnected from local recreational opportunities within Milton Twp.

No lakes or ponds are located in Milton Twp. Two rivers and multiple streams are located in Milton Twp., outside of areas that would likely be proposed for wind development, and none of these have been identified for their scenic value. No other resources with potential scenic value are located within Milton Twp., such as state or national parks, National Natural Landmarks, national forest land, or structures on the National Register of Historic Places.

The nearest resource with potential scenic value located in LUPC jurisdiction is in Albany Twp., approximately 10 miles distant.

Therefore, continuing to identify wind development as an allowed use does not compromise the natural character of the area or the recreational opportunities available in the area.

[5] Concord River is rated as a P-SL2 by LUPC, which means that it is considered flowing waters upstream from the point where such channels drain 50 square miles.
[6] www.jimapco.com/maproom/snowmobile/me/
[7] www.mainesportingcamps.com/
[8] www.mahoosuc.org/hikes.html

Wildlife Resources

Three known wildlife habitat resources are located within Milton Twp. This includes one deer wintering area, one inland wading bird and waterfowl habitat, and a bat hibernaculum. No other high-value wildlife habitats are located within Milton Twp., such as habitat for rare, threatened or endangered species (e.g., bald eagle, Atlantic salmon, Canada lynx); rare or exemplary natural community or ecosystems; or mapped significant vernal pools.

Impacts to the known wildlife habitat resources and any other habitat areas that might be identified during on-site surveys will be avoided or minimized during the project design and development process. Any unavoidable impacts will be evaluated by the DEP to ensure that they are not unreasonable. While the bat hibernaculum has been identified as a particularly sensitive habitat due to the impact of white nose syndrome on declining bat populations, it will be studied during the siting process and potential impacts will be fully evaluated by both MDIFW and DEP. Appropriate mitigation will be implemented to ensure that there are not unreasonable adverse impacts to bat species; for example, the DEP has typically required modified operations during periods of bat activity to reduce potential interactions between bats and turbines.

Any potential wind project within Milton is likely to utilize existing logging roads when possible, thereby limiting disturbance and retaining connectivity of the existing wildlife habitat. Detailed wildlife surveys will be conducted as part of any permit application and any proposed project will be designed to minimize adverse impacts of wildlife resources.

Therefore, continuing to identify wind development as an allowed use does not compromise the goal to conserve and protect the values of wildlife, plant, and fisheries resources.

E. Conclusion

From a planning perspective and consistent with the CLUP's development, economic and energy goals, Milton Twp. is an ideal location for wind power development. It is surrounded on all sides by organized areas that have significant existing development that is compatible with wind energy development. Milton Twp. is proximate to existing transmission infrastructure, and a wind project would bring much needed economic development to the area. Importantly, from a landscape level, there are no identified natural or cultural resource resources in Milton Twp. that would be disproportionately impacted by wind power. There are no recognized scenic or cultural resources in Milton Twp., and while there are some identified wildlife habitat areas, potential impacts would be studied during the DEP review process and design and operational measures would be implemented to avoid and minimize potential impacts to those areas. Before approving any development in Milton Twp., the DEP must confirm that the site-specific design of the project meets over 25 standards required for large projects and 7 standards specific to wind development, and will consult with sister review agencies and outside experts before doing so. In addition, LUPC must certify that the project meets any LUPC land use standard that is applicable to the project and not considered during the DEP review. As such, based on a landscape-level review, wind development should continue to be identified as an allowed use in Milton Twp.

Exhibits

Exhibit 1: Statement of Qualifications and Experience

Exhibit 2: Maps Depicting Milton Twp., and the Surrounding Region

Exhibit 3: LUPC Petition Review – Milton Township

Exhibit 4: Map Depicting the Expedited Permitting Area

Exhibit 5: DEP Public Input Process

Exhibit 1: Statement of Experience and Qualifications

Exhibit 1: Statement of Experience and Qualifications for Joy Prescott

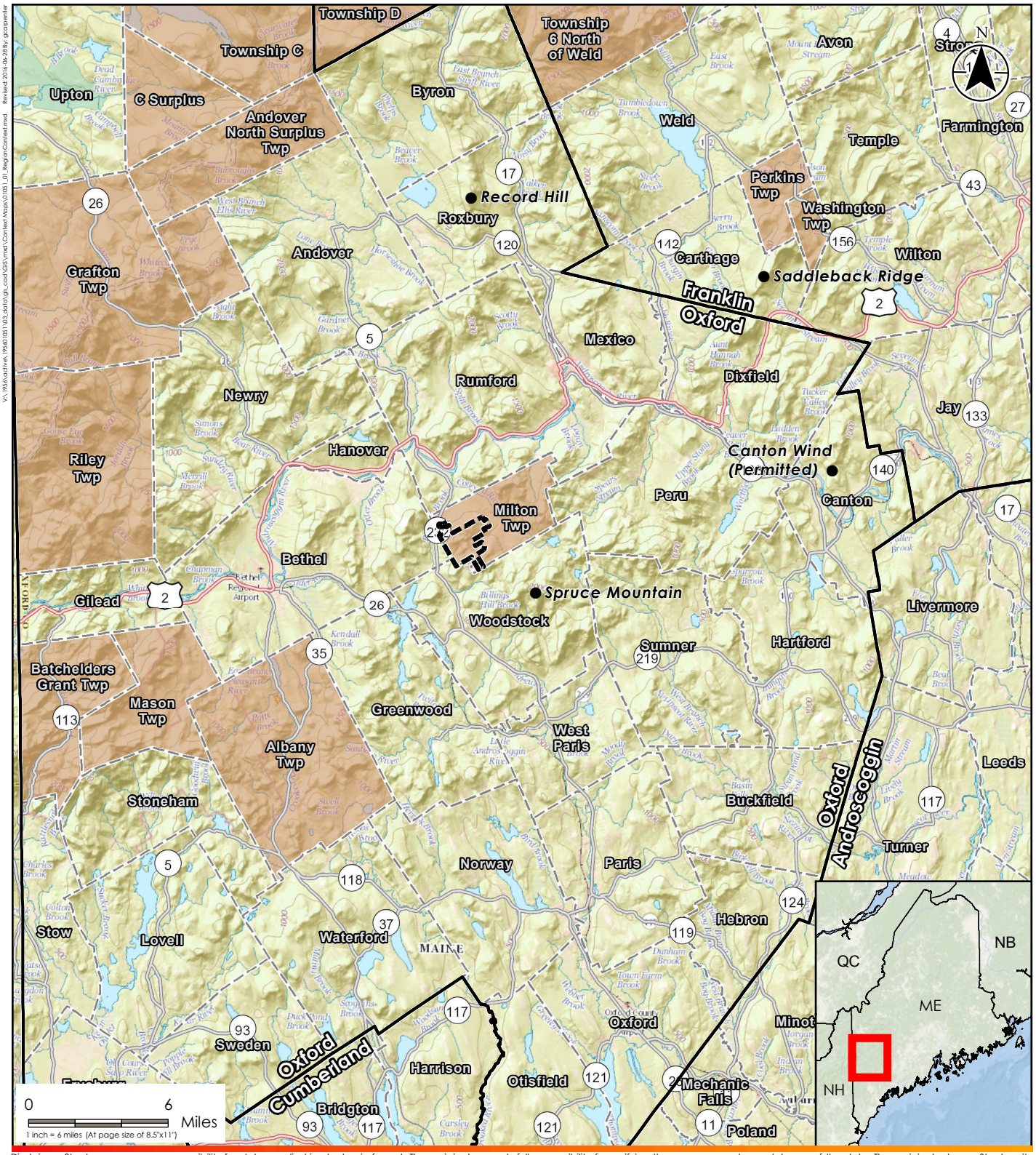
As a project manager and permitting specialist at Stantec Consulting Services Inc. (Stantec), I have worked on wind projects across Maine and New England. These include several within the jurisdiction of the Land Use Planning Commission (LUPC), such as Bowers and Bull Hill in eastern Maine, Bingham in western Maine, and Number Nine in Aroostook County. I have also prepared or reviewed met tower applications for LUPC review and have prepared submissions for LUPC to certify to the Maine Department of Environmental Protection (DEP) that wind projects are consistent with LUPC standards.

I work with a team of environmental scientists at Stantec who conduct natural resource surveys for a variety of types of projects, including wind projects. These staff have broad expertise in particular disciplines and during the development of a wind project, they will provide specific guidance to the developer about ways to design the project that will avoid and minimize impacts to natural resources. This evaluation often starts during the initial site selection process and can continue through post-construction monitoring.

With 13 offices across New England, Stantec's environmental services team of over 100 qualified technical staff has expertise and experience in a wide range of environmental disciplines and is supported by over 3,000 environmental services professionals across North America. Our New England staff includes environmental scientists and engineers with extensive backgrounds in state and federal regulations; marine, aquatic, and terrestrial ecology; wetland and soil science; hydrology; water resource engineering; wildlife management and rare, threatened and endangered species; forestry, botany, and geology; ecological risk assessment; environmental remediation and restoration; natural resource management; land-use planning; mapping and GIS services; and stakeholder coordination. We're active members of the communities we serve. That's why at Stantec, we always design with community in mind.

I have 20 years of professional experience, including 10 years at Stantec. My undergraduate degree is in economics from Smith College, and I have a masters degree in landscape planning and design from the Conway School.

Exhibit 2: Maps Depicting Milton Twp., and the Surrounding Region



195601051

Legend

- Project Area
- Town Boundary
- LUPC Jurisdiction

Stantec

30 Park Drive
Topsham, ME USA 04086
Phone (207) 729-1199

Prepared by GAC on 2016-06-27
Quality Review by JYP on 2016-06-27

01051_01_RegionContext.mxd

Client/Project

Everpower
Bryant Mountain Wind Project
Oxford County, Maine

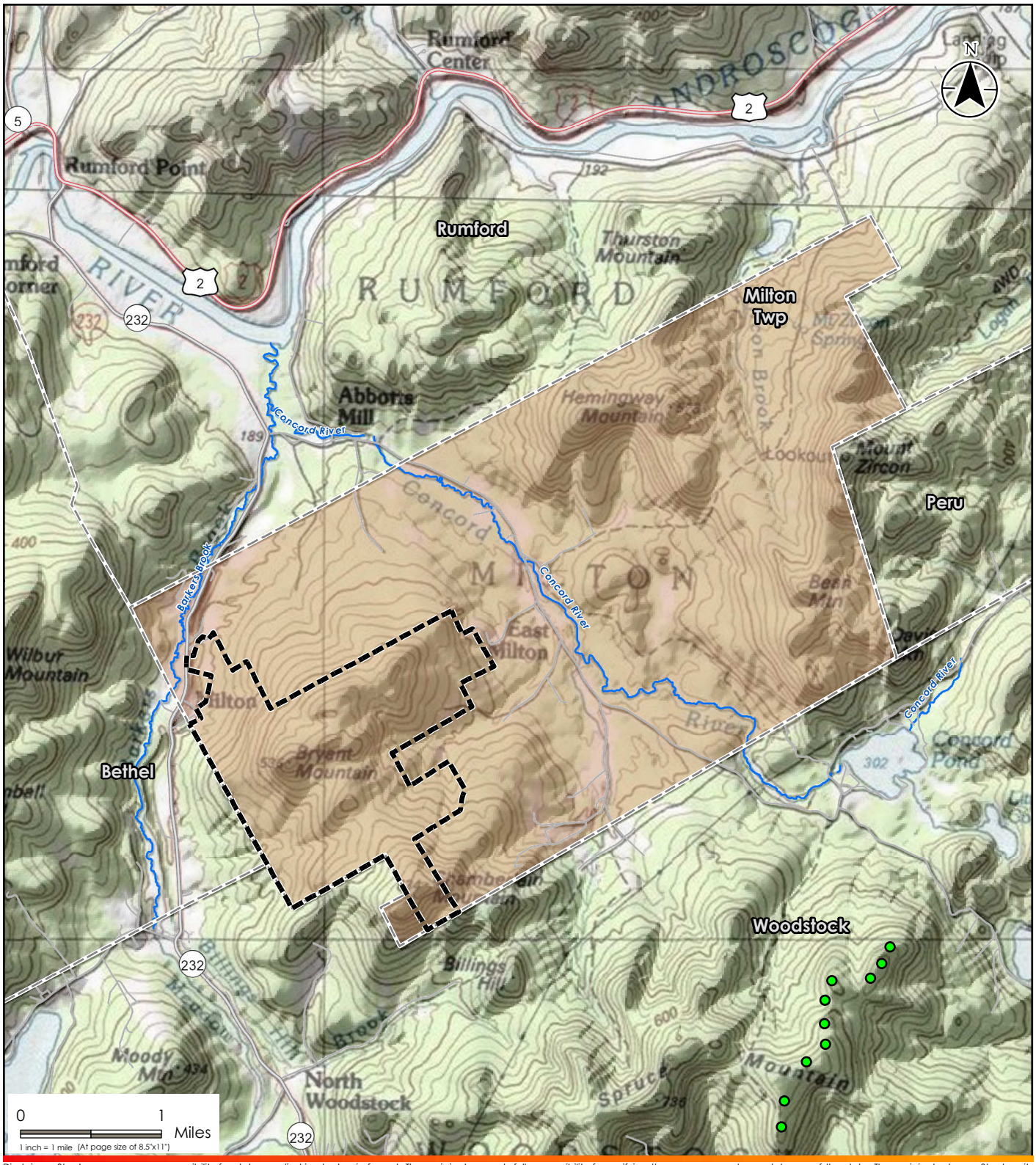
Figure No.

1

Title

Project Context Map

6/28/2016



195601051

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Legend

- Spruce Mountain Wind
- Bryant Mountain Project Area
- Town Boundary
- LUPC Jurisdiction

Client/Project

Everpower
Bryant Mountain Wind Project
Oxford County, Maine

Figure No.

2

Title

Project Location Map

6/28/2016

Prepared by GAC on 2016-06-27
Reviewed by JYP on 2016-06-05

01051_02_Locus.mxd

Exhibit 3: LUPC Petition Review – Milton Township

A LUPC Petition Review – Milton Township

Natural and Cultural Resources and Consistency with the Comprehensive Land Use Plan

Prepared for:
EverPower
1251 Waterfront Place, 3rd Floor
Pittsburgh, PA 15222

Prepared by:
Stantec Consulting Services Inc.
30 Park Drive
Topsham, ME 04086

June 27, 2016

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June 27, 2016

1.0 INTRODUCTION

In response to the petition filed with the Land Use Planning Commission (LUPC) to remove Milton Township from the expedited wind permitting area, Stantec Consulting Services Inc. (Stantec) has prepared an analysis for EverPower related to Criterion B, particularly as it relates to the principal values and goals in LUPC's comprehensive land use plan (CLUP). This desktop analysis was conducted based on a review of landscape-level, publicly available information. Additional site-specific analysis would be conducted as part of future development.

2.0 PROJECT CONTEXT AND SETTING

Milton Township (Milton) is located in Oxford County in western Maine (Figure 1). Milton is located on the outskirts of the jurisdiction of the LUPC. The nearest townships within LUPC jurisdiction include Albany Township, approximately 7 miles to the southwest, Perkins Township, approximately 13 miles to the northeast, and Township 6, approximately 15 miles to the north. Four organized towns are directly adjacent to Milton: Rumford, Bethel, Woodstock, and Peru, with a total population of 11,260. Rumford, to the north, is a regional service center with a population of 5,841 and 3,287 housing units.[1] Major roads in Rumford include Route 2, Route 5, Route 232, and Route 120. Rumford has 329 non-farm businesses, including a paper mill and a natural gas plant. Peru, to the east, has a population of 1,541. Woodstock, to the south, has a population of 1,277. An existing wind project, Spruce Mountain is located in Woodstock, and an existing transmission line is also located in Woodstock. Bethel is a regional service center with a population of 2,607 and 1,121 households. It is located at the intersection of Route 26, Route 2, and 5 and development in Bethel is based on tourist, cultural, and recreational opportunities, including a ski area.

The population of Milton Township is 141, with 208 parcels; approximately 61 housing units are located within Milton.[2] Milton is bisected by the Concord River and by Milton Road/Concord Pond Road. Route 232 is also located in town. The predominant land use in town is forest management. Several parcels are under conservation easement, including several adjacent parcels in the eastern area of town. Bryant Mountain, the area under consideration for development by EverPower, is located in the western area of Milton (Figure 2).

3.0 ANALYSIS OF CRITERIA FOR EVALUATION

The following sections analyze Criterion B, as it applies to the petition to remove Milton from the expedited permitting area of LUPC jurisdiction. Information is provided as discussed in the

[1] Demographic data based on 2010 Census information.
[2] 2014 Annual Estimate of Resident Population.

Overview of the Process for the Maine Land Use Planning Commission's Review of Petitions for the Removal of Places from the Expedited Permitting Area for Wind Energy Development "Overview" (December 2015).

> *Criterion B. The proposed removal is consistent with the principal values and the goals in the comprehensive land use plan adopted by the Maine Land Use Planning Commission pursuant to Title 12, section 685-C.*

The Overview indicates that a substantive review should include "description of how the proposed removal would or would not be consistent with the principal values and goals contained in the CLUP." This section discusses separately each of the 4 principal values, the 3 broad goals, and the 20 specific goals. Because the Overview identifies 12 goals "of particular note," those goals are underlined.

3.1 PRINCIPAL VALUES

The CLUP defines 4 principal values which, "taken together, define the distinctive character of the jurisdiction and do not exist in isolation of one another" (CLUP, 2). Instead, by remaining flexible and adaptable to new issues, such as with the petition process, LUPC can "more effectively guide growth and protect the jurisdiction's principal values while providing greater opportunities for reasonable economic development" (CLUP, 4).

Principal Value 1: Economic Value of 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.*

The primary land use within Milton is forest management and one development permit has been issued in Milton, for a natural resource-based activity (CLUP, 98). Potential wind development is an additional source of economic value for forest landowners, an important consideration as the value derived from timber and fiber production continues to decline. If wind development occurs, landowners can choose to continue forest management activities and are less inclined to sell parcels of productive forestland for residential development. The Center for Research on Sustainable Forests noted that "current prime locations for large (wind) installations are mostly within the forest. Wind turbines are capital intensive to build but have no fuel costs, meaning that leasing space for them can bring major benefits to landowners. Like carbon storage, but in a more tangible way, windpower creates additional value for landowners and helps preserve the larger forest economy."[3] That report also notes that "turbines are fully compatible with most

[3] Keeping Maine's Forests: A Study of the Future of Maine's Forests, November 2009. Coordinated and managed by the Center for Research on Sustainable Forests, University of Maine.

harvesting regimes, and place no additional demands on public services, unlike most other forms of development. Even uses not directly related to fiber production have the potential to produce significant new revenue. Locating wind farms for electric production within the working forest has significant advantages, both in reducing conflicts with other land uses and providing a new revenue stream for landowners."[4]

LUPC has recognized that "[energy] facilities are best located in areas on the edge of the jurisdiction with good existing road access but low natural-resource values" (CLUP, 142). Milton fits all of these criteria.

Because wind development and working forests are compatible and complementary uses that help preserve the working forest, continuing to identify wind development as an allowed use advances the value of the working forests in the region. In contrast, eliminating wind development as an allowed use would compromise the value of the working forests in Milton.

Principal Value 2: Diverse and Abundant Recreational Opportunities

> *Diverse and abundant recreational opportunities, including many types of motorized and non-motorized activities. Unique 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.*

Limited recreational opportunities exist within Milton. More abundant recreational opportunities are located within the nearby Mahoosuc Region (including the towns that surround the Mahoosuc Range), including trail networks and opportunities for both motorized and non-motorized activities. These networks and opportunities are disconnected from local recreational opportunities available within Milton. Although limited information is publicly available about specific recreational opportunities, it is likely that local uses are similar to those popular elsewhere in this region, including hunting, trapping, snowmobiling, and ATV riding, primarily on private lands that are not posted.

Continuing to identify wind development as an allowed use in Milton is consistent with the goal of having available diverse and abundant recreational opportunities in the region.

Principal Value 3: Diverse, Abundant, and Unique High-Value Natural Resources and Features

> *Diverse, abundant and unique high-value natural 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.*

[4] Ibid.

As described in detail below, Milton contains limited high-value natural resources or features.

- Lakes, rivers, and other water resources
  No lakes or ponds are located in Milton. Two rivers and multiple streams are located in Milton outside of areas that would likely be proposed for wind development. Similar to most other areas in Maine, mapped wetlands and streams are located throughout Milton. Detailed wetland delineation surveys will be conducted as part of any permit application and any proposed project will be designed to minimize adverse impacts on water resources, including extensive protection measures to protect water quality.

- Fish and wildlife resources
  Based on review of data from the Maine Department of Inland Fisheries and Wildlife (MDIFW), Milton includes 2 areas identified as Significant Wildlife Habitat, including 1 deer wintering area and 1 inland wading bird and waterfowl habitat. In western Milton, a hibernaculum is also located on the eastern side of Bean Mountain. Based on review of data from the United States Fish and Wildlife Service (USFWS), Milton does not include Critical Habitat for Atlantic salmon or Canada lynx or any mapped bald eagle nests. Detailed wildlife surveys will be conducted as part of any permit application and any proposed project will be designed to minimize adverse impacts on fish and wildlife resources.

- Plants and natural communities
  Based on publicly available data, no rare plants or unusual botanic areas are located within Milton. Detailed rare plant and natural community surveys will be conducted as part of any permit application and any proposed project will be designed to minimize adverse impacts on rare plants and natural communities.

- Scenic and cultural resources
  No recognized scenic or cultural resources are located within Milton. A large parcel with a conservation easement (1,970 acres) is located on the eastern side of Milton, but no designated trails are publicized by Mahoosuc Land Trust, which holds the easement.

- Coastal islands
  Because Milton is inland, it does not compromise any coastal islands.

- Mountain areas and other geologic resources
  Because Milton is located in a low-elevation area of the state (the majority of the township is less than 1,700' in elevation), it does not compromise any mountain areas or other geologic resources. No significant geologic resources have been identified in the western area of Milton; mineral resources have been identified within portions of the eastern area of Milton, including 4 former mines. These areas are not proposed for development by EverPower. Detailed soil surveys will also be conducted as part of any permit application.

Continuing to identify wind development as an allowed use in Milton does not compromise the diversity, abundance, or uniqueness of any resources in the vicinity.

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, due mainly to their increasing rarity in the Northeastern United States. These values may be difficult to quantify but they are integral to the jurisdiction's identify and to its overall character.*

Milton is not located in an area of LUPC jurisdiction that is undeveloped or remote from population centers. In contrast, Milton is surrounded by 4 organized towns, including 2 service centers – Bethel and Rumford, is bisected by 2 roads, and vehicular access is available throughout the area. Transmission infrastructure is also located within 1 mile of the western side of Milton.

The population of Milton is 141 with approximately 61 housing units.[5] Milton is located within 20 miles of 24 organized towns.

The existing development in the area, along with the proximity to road and transmission infrastructure, indicate that Milton would be an appropriate location for additional development.

Continuing to identify wind development as an allowed use in Milton is consistent with maintaining the natural character of the area.

3.2 BROAD GOALS

The CLUP defines 3 broad goals which guide LUPC when establishing policies that will achieve the vision for the jurisdiction (CLUP, 5). Each of the specific goals is also discussed separately in Section 3.3.

Goal 1: Support and Promote Management of All Resources

> *Support and promote the management of all the resources, based on the principles of sound planning and multiple use, to enhance the living and working conditions of the people of Maine and property owners and residents of the unorganized and deorganized townships, to ensure the separation of incompatible uses, and to ensure the continued availability of outstanding quality water, air, forest, wildlife, and other natural resource values of the jurisdiction.*

The primary land uses in Milton are forest management and conservation land, both of which are uses that have been identified as compatible with wind development. It is also suitable for this area in Maine, because of the proximity to existing road and transmission infrastructure

In addition, potential wind development in Milton is an example of resource-based economic development that is consistent with state energy policies and will provide economic benefits to landowners, the residents of Milton, and Oxford County

[5] 2014 Annual Estimate of Resident Population.

Wind development is consistent with the principles of planning and multiple use and natural resource values found in LUPC jurisdiction would continue to be available.

Continuing to identify wind development as an allowed use in Milton advances the goal of supporting and promoting management of all resources. In contrast, eliminating wind development as an allowed use compromises that goal.

Goal 2: Conserve, Protect, and Enhance Natural Resources

> *Conserve, protect, and enhance the natural resources of the jurisdiction primarily for fiber and food production, outdoor recreation and plant and animal habitat.*

Wind development in Milton will not conflict with continued forest management in the area, and will enhance the economic viability of the forest landscape. This lessens the likelihood that forest landowners will sell land for residential subdivision, which could cause habitat fragmentation and increased human interactions with wildlife. Because limited outdoor recreation opportunities exist in Milton, and are primarily located on the eastern side of the township, wind development will not conflict with continued opportunities in Milton or elsewhere in the area.

Continuing to identify wind development as an allowed use in Milton does not compromise the ability to conserve, protect or enhance natural resources of the jurisdiction.

Goal 3: Maintain Natural Character of Certain Areas

> *Maintain the natural character of certain areas within the jurisdiction having significant natural values and primitive recreational opportunities.*

As described above, Milton does not have significant natural values, compared to other areas of LUPC jurisdiction, and does not provide primitive recreational opportunities. The township is surrounded by 4 organized towns and is appropriate for potential wind development because of its proximity to existing roads and transmission. It is not within remote areas of LUPC jurisdiction and will not require construction of major new roads that would degrade character of remote areas.

Continuing to identify wind development as an allowed use in Milton does not compromise the natural character of certain areas within the jurisdiction.

3.3 SPECIFIC GOALS

LUPC has defined specific goals that are intended to guide its actions. Each of these goals is discussed separately, and where applicable specific goals of the CLUP are also referenced. Wind development within Milton does not compromise any of these specific goals. Although all goals are discussed, the goals identified in the Overview as "goals of particular note" are underlined.

I.A. Location of Development

> *Guide the location of new development in order to protect and conserve forest, recreational, plant or animal habitat and other natural resources, to ensure the compatibility of land uses with one another and to allow for a reasonable range of development opportunities important to the people of Maine, including property owners and residents of the unorganized and deorganized townships.*

The CLUP encourages the siting of energy facilities to the edge or fringe of the jurisdiction. In these locations, facilities are better situated near compatible uses, existing infrastructure such as roads or transmission lines, and away from more remote undeveloped locations within LUPC jurisdiction. Milton is located in such a portion of LUPC's jurisdiction and, as such, is appropriately suited for wind power development. Specifically, Milton Twp. is located on the periphery of LUPC's jurisdiction. In keeping with the CLUP's express location of development goal to "guide development to areas near existing towns and communities," (CLUP, 6), Milton Twp. is surrounded by 4 organized towns, Bethel, Rumford, Peru and Woodstock. These towns are economic centers with significant existing development and energy infrastructure that include a paper mill, a wind power project, a gas-fired power plant, and a ski area. Milton Twp. provides access to infrastructure for development as it is bisected by 2 major roads, State Route 232 and Milton Road/Concord Road. The western portion of Milton is located within one mile of an existing 115 kV transmission line. Moreover, with the limited exception of a portion of Albany Township, all areas located within 10 miles of Milton Twp. are comprised of organized towns. As described in Principal 3 above, Milton contains limited high-value natural resources or features. There are no high-value lakes or ponds, important scenic resources or features.

Eliminating wind development as an allowed use would compromise the location of development goal articulated in the CLUP because this is the type of location contemplated from a policy perspective where wind power can compatibly co-exist with existing land uses, discourage growth that results in scattered and sprawling development patterns, and allow a particular type of economic development opportunity important to landowners and residents of Maine.

I.B. Economic Development

> *Encourage economic development that is connected to local economies, utilizes services and infrastructure efficiently, is compatible with natural resources and surrounding uses, particularly natural resource-based uses, and does not diminish the jurisdiction's principal values.*

Wind development in Milton would be a form of economic development located in an area that is appropriate for growth. The primary land use in Milton Twp. is forest management. Wind power development will not diminish the value of nearby forest management activities and, in fact, serves as an additional source of economic value for forest landowners who seek alternative use of forest lands as timber and fiber production declines. Further, any wind development in Milton Twp. is proximate to and can utilize the infrastructure of nearby roads and transmission lines. Any potential project in this site would be connected to local economies and

benefits extend beyond the landowner to Oxford County, which would receive additional tax revenue from constructed wind projects. It is with LUPC policies to "encourage forest … and other resource-based industries" and to "encourage economic development in those areas identified as most appropriate for future growth" (CLUP, 6). Continuing to identify wind development as an allowed use would contribute toward the goal of economic development and would extend potential economic benefit beyond Milton to elsewhere in Oxford County.

The economic benefits extend beyond the landowner, in this case to Oxford County, which would receive additional tax revenue from any wind project located in Milton. Currently, 3 wind projects are operational or permitted in Oxford County – Record Hill andSpruce Mountain are operational, and Canton is permitted. EverPower has indicated that a project located in Milton would likely contribute would likely contribute at least $320,000 per year in taxes and a minimum of $48,000 per year in host community benefits agreement, as well as additional economic benefits during construction and operations.

Wind projects in western Maine have generated significant economic investment and employment since 2008, as described by Dr. Charlie Colgan, who analyzed the economic impacts of wind development in Maine. He found that western Maine (including Oxford, Franklin, and Androscoggin counties) received more than $160 million in increased employee earnings between 2008 and 2016 due to wind energy development.[6]

Keeping wind development as an allowed use will advance the goal of economic development without compromising natural resource and recreational goals that may be incompatible with development.

I.C. Site Review

> *Assure that development fits harmoniously into the existing communities, neighborhoods and the natural environment.*

This Petition is for rulemaking and does not compromise the goal of site review of development. Any potential wind development in Milton would require a permit from the Maine Department of Environmental Protection (MDEP), which would conduct a detailed site review. At that time, LUPC must also conduct detailed review and certify that the development is an allowed use and meets any LUPC land use standard that is applicable to the project and not considered under MDEP review.

I.D. Infrastructure

> *Ensure that infrastructure improvements are well planned and do not have an adverse impact on the jurisdiction's principal values.*

[6] Colgan, Charlie. Economic Impacts of Wind Energy Construction and Operations in Maine 2006 -2018. December 2014.

Infrastructure improvements within Milton would be limited to road improvements or construction and any potential project within this area will utilize the existing logging roads when possible. The western area of Milton is also located within 1 mile of an existing transmission line and is bisected by 2 roads, reducing the need for extensive new infrastructure. These characteristics are consistent with LUPC policies to "consider the capacity of existing infrastructure and services," and to "discourage the construction or establishment of major new public roads" (CLUP, 8).

I.E. Development Rate, Density, and Type

> *Ensure that development is of a rate, density and type conducive to maintaining the jurisdiction's principal values.*

Milton is located in an area in which wind facilities have already been permitted and constructed. Because it is surrounded by organized townships and is within 1 mile of an existing transmission line, it would not compromise the goal to ensure development is of a rate, density, and type conducive to maintaining the jurisdiction's principal values.

I.F. Affordable Housing

> *Facilitate the provision of affordable housing in appropriate locations to households with a full range of incomes.*

Because areas of Milton that would likely be considered for wind development are currently used for forest management, it would not compromise the goal to facilitate the provision of affordable housing in appropriate locations.

I.G. Land Conservation

> *Encourage the long-term conservation of select areas of the jurisdiction that are particularly representative of its cultural and natural values, including working forests, high-value natural resources and recreational resources.*

Milton includes 2 areas of existing conservation land, a small parcel in the southwestern corner and a large parcel in the center of Milton. This parcel bisects the town and is located to the east of Milton Road, including portions of Hemingway Mountain and Bean Mountain. No other high-value natural, cultural, or recreational resources that have been publicly identified for long-term conservation. Development of a limited footprint wind project will relieve economic pressure to divide and sell land, promoting conservation of land with existing forest uses, and the proximity to wind power does not compromise this purpose.

II.A. Agricultural Resources

> *Conserve and protect working farms, encourage the development of new farming enterprises, and conserve agricultural soil resources.*

Milton does not include substantial agricultural land and it is not identified as prime, highly productive farmland, it would not compromise the agricultural resources in the jurisdiction.

II.B. Air and Climate Resources

Protect and enhance the quality of air and climate resources throughout the jurisdiction.

Wind development in Milton would have a positive overall effect on air resources by reducing the amount of electricity generated by fossil fuels. This area has both sufficient wind resource and minimal environmental constraints, and any potential project would harness renewable wind power without creating air pollution. This is consistent with several LUPC policies to "require compliance with all state and federal air quality standards," "encourage state initiatives directed at reducing emissions of air pollutants," "support and comply with Maine's initiatives on global climate change and emissions reductions," and "encourage technologies that support efforts related to Maine's global climate change action plan" (CLUP, 11). Wind development in Milton would increase the potential for energy diversity in the state and help Maine meet its commitments under the Regional Greenhouse Gas Initiative, which establishes limits for emissions associated with the generation of electricity. Therefore, continuing to identify wind power as an allowed use would contribute to the goal to protect and enhance the quality of air and climate resources.

II.C. Coastal Resources

Protect and conserve the special natural and cultural resources of coastal islands and mainland townships, and help sustain the traditional resource-based economies of these areas.

Milton is located inland and therefore continuing to identify wind power as an allowed use will not compromise any coastal resources.

II.D. Cultural, Archaeological and Historical Resources

Protect and enhance archaeological and historical resources of cultural significance.

No recognized cultural, archaeological, or historical resources are located in Milton and therefore continuing to identify wind power as an allowed use will not compromise these resources.

II.E. Energy Resources

Provide for the environmentally sound and socially beneficial utilization of indigenous energy resources where there are not overriding public values that require protection.

By continuing to identify Milton as an area where wind development is an allowed use, LUPC would allow for submission of an application for a potential wind project, a type of renewable energy. This is consistent with LUPC policy to "support indigenous, renewable energy resources" (CLUP, 13). LUPC also has a policy intended to guide LUPC review of wind projects. This includes recognition that "new renewable energy projects displace electrical energy provided by fossil fuels and thus carry the following benefits: reduction of Maine's dependence on imported fuels; improvement of environmental quality; enhancement of state and regional security; and

progress towards meeting Maine's renewable energy and greenhouse gas reduction objectives" (CLUP, 13). A project in Milton would be an example of an energy generation installation that is consistent with state energy policies, is suitable in the proposed location and minimizes intrusion on natural and cultural resources and values, and continuing to identify Milton as an area where wind development is an allowed use is consistent with the CLUP and advances the goal to provide for the environmentally sound and socially beneficial utilization of indigenous energy resources where there are not overriding public values that require protection. Eliminating wind power as an allowed use in Milton Twp. would significantly compromise the CLUP's energy and development goals.

II.F. Forest Resources

> *Conserve, protect and enhance the forest resource in a way that preserves its important values, including timber and fiber production, ecological diversity, recreational opportunities, as well as the relatively undeveloped remote landscape that it creates.*

Portions of Milton are currently managed for active forestry and, if the landowners choose, this activity may continue if a potential project is permitted and constructed in Milton. This is consistent with the LUPC policy to "support uses that are compatible with continued timber and wood fiber production" (CLUP, 14). The potential presence of a wind facility would support the goal to conserve, protect, and enhance the forest resource.

II.G. Geologic Resources

> *Conserve soil and geological resources by controlling erosion and by protecting areas of significance. Allow environmentally responsible exploration and mining of metallic and non-metallic mineral resources where there are not overriding, conflicting public values which require protection. Conserve and protect the values of high-mountain areas from undue adverse impacts.*

The majority of Milton is under 1,700'. Small portions of Mount Zircon in the eastern side of Milton is 1,900 to 2,221' and small portions of Chamberlain Mountain in southwestern Milton is 1,900' to 2,064. Therefore, allowing wind development would not compromise any mountain areas or other geologic resources. LUPC has identified an Unusual Area subdistrict in the eastern area of Milton, likely for the geologic resources in this area associated with Mount Zircon, and the former gold mine located near there.

II.H. Plant and Animal Habitat Resources

> *Conserve and protect the aesthetic, ecological, recreational, scientific, cultural and economic values of wildlife, plant and fisheries resources.*

Based on review of publicly available data, 3 high-value wildlife habitats are located within Milton. Those are described in further detail below. No other high-value wildlife habitats are located within Milton, such as habitat for rare, threatened, or endangered species (e.g., bald eagle, Atlantic salmon, Canada lynx); rare or exemplary natural community or ecosystems; or mapped significant vernal pools.

One mapped waterfowl and wading bird habitat is located on the east side of the Concord River in an area that is not suitable for wind development.

One mapped deer wintering area is located on the west side of Bryant Mountain in the western area of Milton. During project development, site-specific surveys will be conducted to characterize this deer wintering area. Project layout and design will also consider avoidance and minimization and MDEP will evaluate any potential impacts during the permitting process.

A mapped hibernaculum is located in a cave on the west side of Bean Mountain (also identified as an abandoned gold mine shaft, known as the Mount Zircon Mine). Based on information from the U.S. Geological Survey, this mine is owned by the State of Maine.[7] This hibernaculum is more than 2.5 miles from the proposed project area, which is greater than the 1/4-mile "zone of concern" identified by the United States Fish and Wildlife Service.

While the bat hibernaculum has been identified as a particularly sensitive habitat due to the impact of white nose syndrome on declining bat populations, it will be studied during the siting process and potential impacts will be fully evaluated by both MDIFW and DEP. While wind development can post a threat to bats, 3 migratory species make up the majority of bat species killed each year at wind farms across the country, and none of these species use hibernaculum during the winter. The most recent surveys indicate that as a result of white nose syndrome, no bats are currently using this hibernaculum.

Any potential wind project within Milton is likely to utilize existing logging roads when possible, thereby limiting disturbance and retaining connectivity of the existing wildlife habitat.

Continuing to identify wind development as an allowed use is consistent with the goal to conserve and protect the values of wildlife, plant, and fisheries resources.

II.I. Recreational Resources

> *Conserve the natural resources that are fundamental to maintaining the recreational environment that enhances diverse, abundant recreational opportunities.*

Limited recreational opportunities exist within Milton and are likely similar to those popular elsewhere in this region, including hunting, trapping, snowmobiling, and ATV riding, primarily on private lands that are not posted. The Woodstock ATV Riders Club identifies trails within the eastern side of Milton.[8] No Interconnected Snowmobile Trail (ITS) trails[9] or sporting camps are identified in Milton.[10] Snowmobile and ATV groups have been particularly supportive of wind power development and recognize the compatibility of wind development and snowmobile and ATV use. There may be local fishing opportunities on the Concord River, which is considered

[7] U.S. Geological Survey. my.usgs.gov/bpd/studyLocation/list?sort=state&max=1000&offset=7000
[8] Woodstock ATV Riders Club. www.facebook.com/notes/woodstock-atv-riders-club/woodstock-atv-trail-map-2015/591204117684246
[9] Maine Snowmobile Association. www.jimapco.com/maproom/snowmobile/me/
[10] Maine Sporting Camps Association www.mainesportingcamps.com/

more similar to a stream[11] as it travels from Abbotts Mill in Rumford to Concord Pond in Woodstock.

Conservation land in the eastern side of Milton may also provide limited additional recreational access, although the Mahoosuc Land Trust, holder of the conservation easement, does not identify any public hiking trails on these parcels.[12] More abundant recreational opportunities are located in the Mahoosuc Region (including the towns that surround the Mahoosuc Range) to the west, including trail networks and opportunities for both motorized and non-motorized activities. These networks and opportunities are disconnected from local recreational opportunities within Milton.

Limited recreational opportunities exist in Milton Twp. that would not be adversely affected by wind development, and as a result, continuing to identify wind development as an allowed use is consistent with this goal.

II.J. Scenic Resources

> *Protect the high-value scenic resources of the jurisdiction by fitting proposed land uses harmoniously into the natural environment.*

No identified scenic resources are located within Milton, such as lakes or ponds, scenic byways, state or national parks, viewpoints within national forests, or structures on the National Register of Historic Places. Two rivers and multiple streams are located in Milton, outside of areas that would likely be proposed for wind development, and none of these have been identified for their scenic value.

The closest recognized scenic resource in the unorganized area is in Albany Township located approximately 6 – 20 miles from Milton. Albany has 2 recreational resources that could have scenic value, including portions of the White Mountain National Forest and the Crooked River. Based on a landscape-level analysis, portions of the White Mountain National Forest could have some level of visibility of a wind project in western Milton. Site-specific analysis would be needed to characterize and evaluate the level of visibility at these locations, which are generally more than 10 miles from potential development in Milton. Based on a landscape-level analysis, a wind project in western Milton would not be visible from the Crooked River. The next nearest unorganized township is Perkins Township, located approximately 13 – 23 miles from Milton. No scenic or recreational resources are identified within Perkins.

These characteristics are consistent with LUPC policies to "encourage concentrated patterns of growth to minimize impacts on natural values and scenic character" and to "identify and protect areas that possess scenic features and values of state or national significance" (CLUP, 18).

Pursuant to the landscape-level analysis described in the Overview, there are no recognized scenic resources in Milton Twp., and the closest scenic resource with potential visibility in LUPC

[11] Concord River is rated as a P-SL2 by LUPC, which means that it is considered flowing waters upstream from the point where such channels drain 50 square miles.
[12] Mahoosuc Land Trust. www.mahoosuc.org/hikes.html

jurisdiction is in Albany Twp. at a distance of more than 10 miles. A detailed survey of scenic and cultural resources, including a visual impact assessment, will be conducted as part of any permit application and any proposed project will be designed to minimize adverse impacts on scenic and cultural resources.

II.K. Water Resources

> *Preserve, protect and enhance the quality and quantity of surface waters and groundwater.*

No lakes or ponds are located within Milton. Two rivers and multiple streams are located within Milton, all of which are identified as P-SL2, which means that they are located upstream from the point at which the flowing water drains an area larger than 50 square miles. Any potential project within Milton would be designed to exceed LUPC's minimum distances to rivers or streams, which LUPC would certify during review of the application of any project.

Therefore, continuing to identify wind development as an allowed use is consistent with the goal to preserve, protect, and enhance surface waters and groundwaters.

II.L. Wetland Resources

> *Conserve and protect the ecological functions and social and economic values of wetland resources.*

Any potential project within Milton would be designed to avoid or minimize any alteration of wetland areas. Therefore, continuing to identify wind development as an allowed use is consistent with the goal to conserve and protect wetland resources.

III. Compliance Goals

> *Administer an effective education and enforcement program in regard to the laws, regulations and standards of the Commission in order to ensure landowner and public awareness and compliance.*

This would not compromise the goal of an effective education and enforcement program.

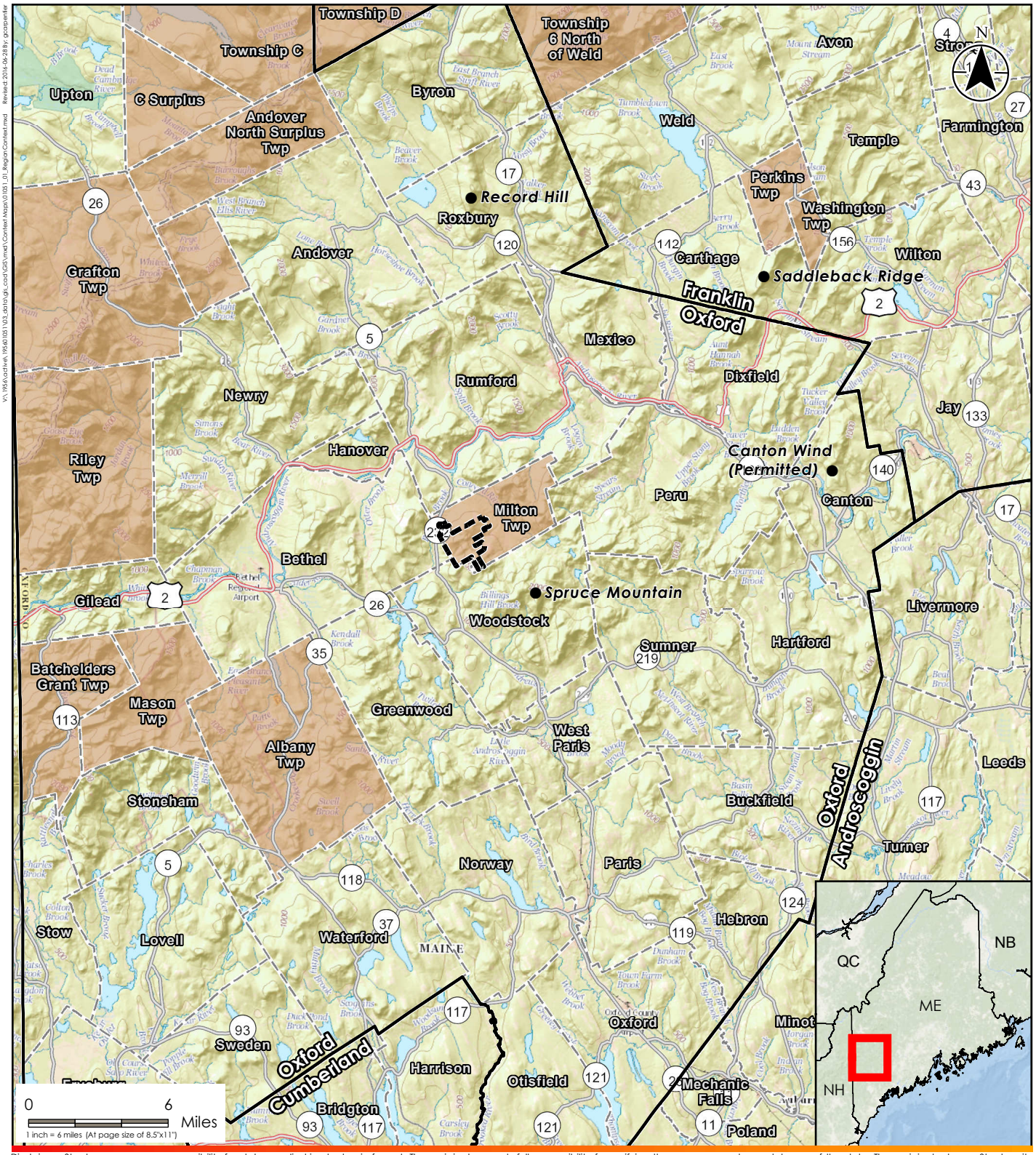
IV. Cooperative Initiatives

> *Encourage landowner initiatives and cooperative efforts which further the Commission's objectives of protecting natural resources and guiding growth through nonregulatory or voluntary actions.*

This would not compromise the goal of landowner initiatives and cooperative efforts.

4.0 CONCLUSION

Based on this landscape-level review, development of a wind project in the western area of Milton would not compromise the principal values and goals identified in the LUPC comprehensive land use plan. It is surrounded on all sides by organized areas that have significant existing development compatible with wind energy projects. Milton has existing transportation and transmission infrastructure, and a wind project provides economic development to the region. There are no recognized scenic or recreational resources in Milton, and while there are some identified wildlife habitat areas, potential impacts would be studied during the DEP review process and design and operational measures would be implemented to avoid and minimize potential impacts to those areas. As such, based on a landscape-level review, wind development should continue to be identified as an allowed use in Milton Twp.



195601051

Legend

- Project Area
- Town Boundary
- LUPC Jurisdiction

Stantec

30 Park Drive
Topsham, ME USA 04086
Phone (207) 729-1199

Prepared by GAC on 2016-06-27
Quality Review by JYP on 2016-06-27

01051_01_RegionContext.mxd

Client/Project

Everpower
Bryant Mountain Wind Project
Oxford County, Maine

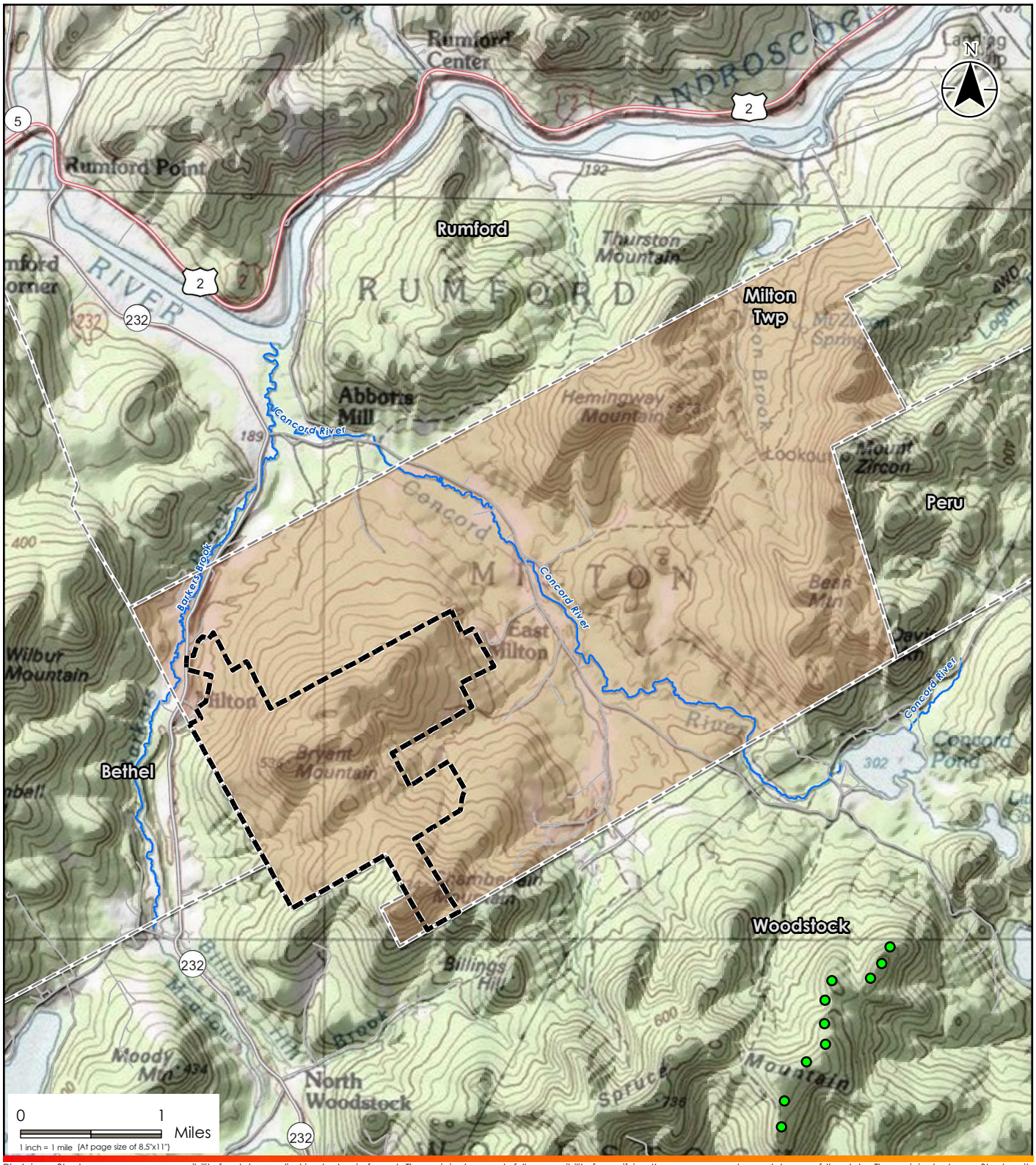
Figure No.

1

Title

Project Context Map

6/28/2016



195601051

Stantec

30 Park Drive
Topsham, ME USA 04086
Phone (207) 729-1199

Legend

- Spruce Mountain Wind
- Bryant Mountain Project Area
- Town Boundary
- LUPC Jurisdiction

Client/Project

Everpower
Bryant Mountain Wind Project
Oxford County, Maine

Figure No.

2

Title

Project Location Map

6/28/2016

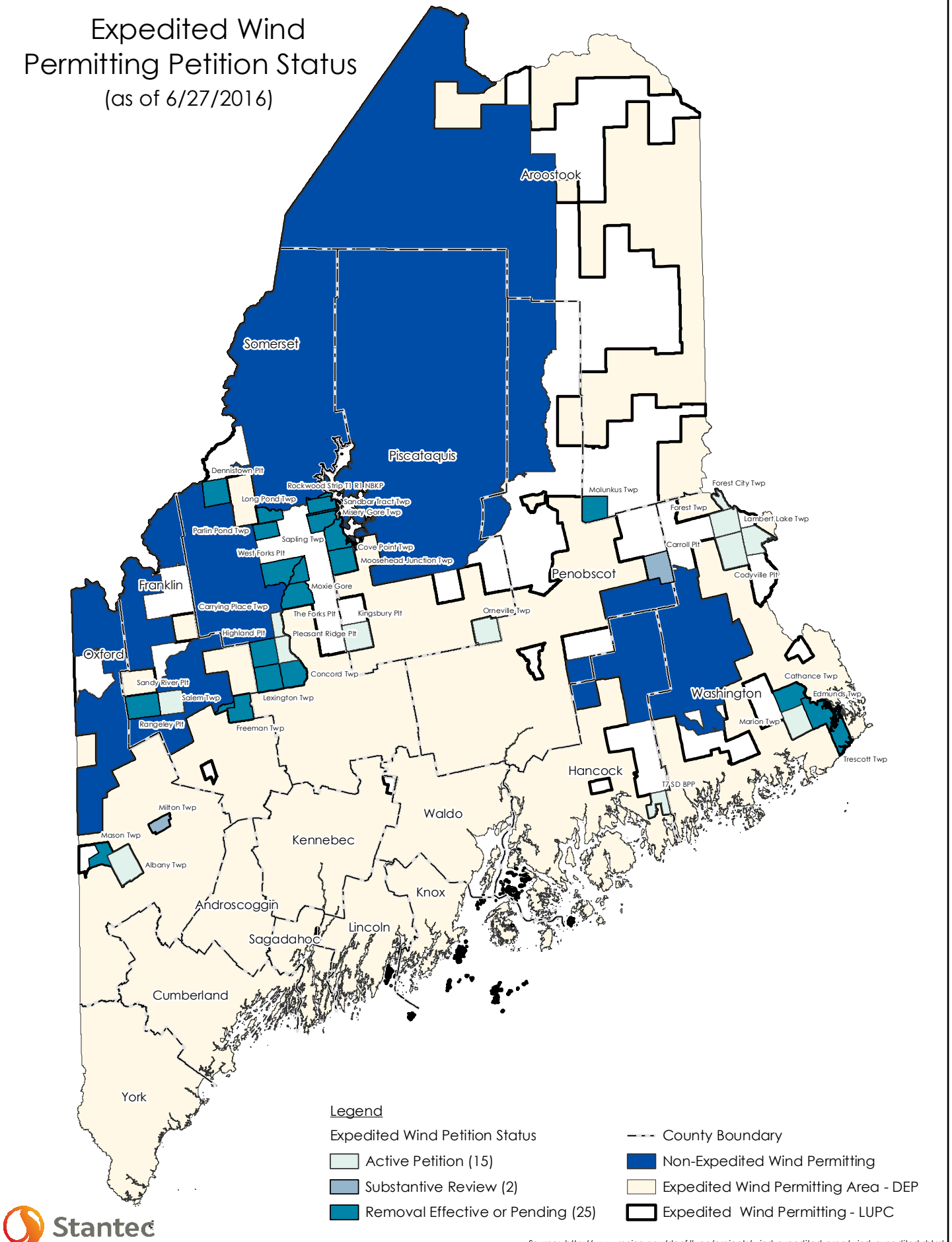
Prepared by GAC on 2016-06-27
Reviewed by JYP on 2016-06-05

01051_02_Locus.mxd

Exhibit 4: Map Depicting Expedited Permitting Area

Expedited Wind Permitting Petition Status

(as of 6/27/2016)



Stantec

Source: http://www.maine.gov/dacf/lupc/projects/wind_expedited_area/wind_expedited.shtml

Exhibit 5: DEP Public Input Process

STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION

PAUL R. LEPAGE
GOVERNOR

PATRICIA W. AHO
ACTING COMMISSIONER

MEMORANDUM

TO: Mike Mullen, Acting Director, BLWQ

FROM: Patricia Aho, Acting Commissioner

SUBJ: Grid-scale wind power permitting policy

DATE: August 29, 2011

In order to provide for additional opportunities for public comment and input related to an application for a grid-scale expedited wind power project, the Maine Department of Environmental Protection will undertake the following process:

- An application is filed and, once deemed complete, a public meeting in the vicinity of the project location will be held by staff. Interested parties and members of the public, will have an opportunity to comment, ask questions and undertake a general discussion of related points.
- Staff will work to view application materials and will issue a draft analysis.
- A second public meeting in the vicinity of the project will be held with the Commissioner or Deputy Commissioner presiding. Interested parties and members of the public will have an opportunity to comment on the draft analysis.
- The additional comments and information will be considered and a final decision will be issued by the Department.

In order to allow for potential applicants to factor-in the more robust public process as part of their application time line, the new public comment policy relating to the permitting process will apply to applications submitted to the department after September 5, 2011.

CC: Jerry Reid, Office of the Attorney General
DEP Senior Management Team
Kenneth Fletcher, Director, Office of Energy Independence & Security
Carlisle McLean, Senior Policy Advisor, Office of the Governor

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website: www.maine.gov/dep

DEP INFORMATION SHEET

Public Participation in the Licensing Process

Dated: October 2008 **Contact: (207) 287-7688**

SUMMARY

Maine law charges the Commissioner of the Department of Environmental Protection (D.E.P.) with evaluating license applications for many different activities that affect Maine's environment. Individuals and legal entities may participate at various points during license application processing. Individuals must recognize that the Commissioner's charge may, under certain circumstances, be overtaken by the Board of Environmental Protection (Board). This INFORMATION SHEET, in conjunction with consulting statutory and regulatory provisions referred to in this document, will assist with your understanding of the potential opportunities for participation in the Commissioner's process; other specific provisions that apply to the Board are not addressed in this INFORMATION SHEET. A failure to participate during the licensing process will result in a person's only option for influence over that decision being the filing of an appeal. D.E.P.'s *Rules Concerning the Processing of Applications and Other Administrative Matters (Chapter 2)*, 06-096 CMR 2, was promulgated, in part, to provide guidance on this process.

1. **PUBLIC ACCESS TO INFORMATION.** Records submitted to D.E.P. are generally available to the public under Maine's Freedom of Access Law, 1 M.R.S.A. §§ 401-410. Other than portions claimed to be confidential by law when submitted to D.E.P., all license application materials are readily available for review and copying at our offices in Augusta, Portland, Bangor, and Presque Isle.

2. **PUBLIC NOTICE.** Maine law requires applicants to publicly make known their intent to submit an application to D.E.P. It is the responsibility of an individual who is interested in following or participating in the license decision-making process to act after seeking out that notice or, if you are an abutter, to act when noticed directly by mail.

   A. **Public Informational Meetings.** Informational meetings are held by persons prior to submitting a licensing application to D.E.P. for the purpose of informing the public about an anticipated project. These meetings are held at a location near to a proposed project and are by design open to the public. Abutters to the anticipated project location receive notice in the mail of the meeting time and location, and notice is also published in newspapers serving the area of the project.

   B. **Application Filing.** Prior to filing an application with D.E.P., abutters to the project location receive notice in the mail of the anticipated filing date, and it is also published in newspapers serving the area of the project.

3. **INTERESTED PERSONS.** Individuals can acquire materials submitted to D.E.P., attend public informational meetings, provide comments and request that a public hearing be held on a filed application, request that the Board take jurisdiction over an application, and provide comments on a draft decision.

   A. **Maximum Participation.** Participation in a D.E.P. licensing decision to the maximum extent possible requires a person to submit a written request stating his or her desire to acquire material related to an application. The individuals who do are known as "interested persons." Once a request is filed, interested persons will be provided with the opportunity to inspect and copy materials on file at D.E.P.; they also receive direct notice of public informational, pre-application and pre-submission meetings, and public hearings. The timing of an interested person's request to be part of the process will determine the number of events potentially available to him or her.

B. Public Informational Meetings. Informational meetings are held to inform the public about environmental impacts that are anticipated from a project. Interested persons may ask questions at such a meeting. Questioners should be aware that answers may not be available during the meeting.

C. Pre-application and Pre-Submission Meetings. D.E.P. often meets with potential applicants to identify regulatory and processing issues that need consideration. Pre-application and pre-submission meetings will typically not be attended by interested persons, in part because such a meeting is not, by law, a "public proceeding" freely open to attendance under Maine's Freedom of Access Law. Although the decision to allow individuals other than an applicant to attend is D.E.P.'s to make, interested persons invited to attend such a meeting should expect only to observe, since public input cannot be received at this time in the licensing process.

D. Application Comments. Interested persons and any other member of the public may submit written comments, including technical information, at any time during the course of an application's processing. It is in that person's interest to submit information early in the process in order to ensure adequate time for consideration by the D.E.P. staff member evaluating the application.

E. Draft Order Comments. Interested persons will receive the Commissioner's draft licensing decision at least five (5) working days prior to final action. Written comments may be submitted on that draft decision. Reasonable notice of when the Commissioner anticipates issuing a final decision on the draft order will also be provided to interested persons.

F. Public Hearing Requests. People may request that a public hearing be held on a filed application within 20 days after its acceptance as complete for processing by D.E.P. Such a request must satisfy requirements found in Section 7 of Chapter 2. The Commissioner will typically order that a hearing be held where credible conflicting technical information appears to exist regarding a licensing criterion.

G. BEP Jurisdiction Requests. People may request that the Board assume jurisdiction over a filed application within 20 days after D.E.P. accepts it as complete for processing. Such a request must satisfy Section 17 of Chapter 2. Board jurisdiction is not available for windpower development projects.

ADDITIONAL INFORMATION

If you have questions or need additional information on the appeal process, contact the D.E.P.'s Director of Procedures and Enforcement by calling (207) 287-7688. All Maine D.E.P. rules and laws are available via the internet by following the links provided at: http://www.maine.gov/dep/.

Note: D.E.P. provides this INFORMATION SHEET for general guidance only; it is not intended for use as a legal reference. Maine law governs every citizen's rights.