

Appeal In The Matter Of Department Permits L-24572-24-C-N, L-24572-TF-D-N, L-24572-IW-E-N, L-24572-24-F-N and L 24572-TF-G-N // Approval for Oakfield Wind Project Expansion

- Licensee Exhibit G

December 22, 2011 Evergreen Response to Visual Impact Comments

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Many of the comments received by the Department allege that the visibility of the Oakfield Wind Project will have a serious adverse effect on the use and enjoyment of the surrounding area, particularly Pleasant and Mattawamkeag Lakes. This speculation is not supported by either the specific user surveys done for the project, or the growing body of user survey information. The results of surveys conducted in 2011 show that the majority of users surveyed on Pleasant and Mattawamkeag lakes will not be adversely impacted by the presence of turbines in the viewshed. Specifically, 62% of the respondents stated that the turbines would have no impact or a positive impact on their enjoyment of visiting Pleasant Lake, and 66% of the respondents stated that the turbines would have no impact or a positive impact on their enjoyment of visiting Mattawamkeag Lake. The majority of respondents (over 70% in all categories) similarly indicated that the project would not adversely affect their use of either resource for boating, canoeing or kayaking, fishing, ice fishing or swimming.

These results are consistent with the themes in user surveys completed in other Maine projects. In user surveys completed for the Redington Wind Project, the Highland Wind Project, the Bull Hill Wind Project, the Bowers Wind Project and the Spruce Mountain Wind Project:

- Visibility of wind projects is viewed as positive or neutral by the majority of respondents;
- Visibility of wind projects overall does not have a substantial negative impact on recreational users;
- Visibility of wind turbines does not significantly affect the likelihood of users to return;

The results of the surveys undertaken for the Oakfield Amendment are also consistent with a growing body of evidence beyond Maine that visibility of wind turbines does not adversely impact use and enjoyment of recreational resources.¹ The June 17, 2011, Rebuttal Testimony of David Raphael of Landworks, a visual expert, in the Bowers Wind Project (Attachment 1), provides a relevant discussion of those recent studies.

These themes are also supported by a recent study entitled “Baskahegan Stream Watershed Recreation Use and Resource Analysis”, conducted in 2010 to evaluate recreational use patterns in the Baskahegan watershed, including Baskahegan Lake (Attachment 2). This was not a study to evaluate the impacts of the operating Stetson Wind Project, which is completely visible from the lake, at distances of 5 to 9 miles. Although the study evaluated many kinds of users, **not a single user even mentioned the presence of 38 turbines on the horizon.** This

¹ See also: Wind Energy Report: Views of Residents of PEI and Visitors to PEI, Tourism Research Centre at University of PEI School of Business, September 4, 2008.
 Public Acceptance Study of the Searsburg Wind Power Project: Year One Post-Construction, James F. Palmer, December 1997.
 Do Wind Farms Affect Tourism?, Réseau de Veille en Tourisme (Quebec Tourism Intelligence Network, UQAM), December 9, 2009.
 Economic Research Findings: The Economic Impacts of Wind Farms on Scottish Tourism, The Scottish Government, March 2008.
 Wind Turbines in Tourism Landscapes, Frantal and Kunc, *Annals of Tourism Research*, Vol. 38, No. 2, at 499-519 (April 2011).

study included both casual and frequent visitors, and provides a clear demonstration that the visibility of wind turbines does not substantially affect the user experience.

In her October comments, Ms. Lynn Williams also states that Mattawamkeag Lake is rated as outstanding for wildlife, shore character, cultural features and physical features, and that it is one of the “highest quality waterbodies in the state.” In fact, there are many lakes that scored higher for scenic quality than either Mattawamkeag or Pleasant lakes. Specifically, the State Planning Office published the *Scenic Lakes Character Evaluation in Maine’s Unorganized Towns*, which evaluated the scenic characteristics of all 1,509 lakes and great ponds in LURC territory on a scale of 0-100. Mattawamkeag Lake is ranked only as “significant,” not outstanding, and received a score of 30 out of a possible 100 points in the scenic rankings. See Application, Section 30, VIA at 15, 19-20. Mattawamkeag Lake is not managed for or protected as a remote pond by LURC, nor does it exhibit the characteristics of remoteness that form the basis for management as a remote pond. For example, there is a public motorized boat and road access to the lake, as well as some development, principally along the northeastern shore. Pleasant Lake was also rated significant for scenic quality, although it received a score of only 20, which placed it at the very low end of the significance scale. *Id.* at 15. There were a total of 118 lakes that scored 50 points or higher and therefore were identified as outstanding. *Id.* Thus, it is not accurate to state that Mattawamkeag Lake is one of the “highest quality waterbodies in the state.”

In his December 2, 2011 comments on the user survey, James Palmer has suggested a new methodology for measuring scenic impacts. See Section 2.5 of Palmer’s December 2, 2011 Comments. While we appreciate Dr. Palmer’s interest in developing new methodologies for evaluating, characterizing, and ultimately attempting to quantify, scenic impacts, we have several concerns with his proposed methodology. First, as Dr. Palmer notes, he has proposed this methodology for discussion purposes only. *Id.* at 5. His methodology is not set forth in any regulatory guidance, nor has it gone through formal or informal rulemaking or otherwise been peer reviewed. We believe that at a minimum there should be a stakeholder or other regulatory process to review the merits of such an approach and provide appropriate adjustments before it is adopted for use in any particular proceeding. Second, while the statistical tools Palmer relies on may be appropriate for measuring the effect size, i.e., the perceived change in scenic quality, they are not appropriate for making the ultimate determination of overall impact. For example, the effect size may demonstrate that the presence of the project has changed the landscape, but it does not, by itself, provide information on the significance of that impact. Dr. Palmer’s Table 2 appears to equate effect size with overall impact under the Wind Energy Act. The determination of whether the change in visual quality has a positive, neutral, or adverse impact, however, requires consideration of other factors, including, for example, assessment of how observers respond to that change. In particular, how does the change in scenic quality impact use and enjoyment, and likelihood to return? Any determination of overall impact must take those factors into consideration.

Finally, because Dr. Palmer’s proposed methodology seems more appropriate for discussion in a rulemaking or a stakeholder process, we will defer any detailed comments or analysis for that alternative forum.

