

**MEETING SUMMARY**  
**December 7, 2007**  
**WIND POWER TASK FORCE MEETING**

**Introductory matters**

Chair Alec Giffen opened the meeting and welcomed those in attendance. Mr. Giffen outlined the following as the meeting's focus:

- Continued discussion of straw proposals regarding permitting of grid-scale projects; and
- Discussion of a draft working outline of the Task Force's report

**Community-wind subcommittee report**

Representative MacDonald provided an initial draft report from the Task Force's subcommittee on community-scale wind power. He emphasized that the draft, available on the project website at [www.maine.gov/windpower](http://www.maine.gov/windpower) (follow "Meeting Summaries" link) is a work in progress. Task Force members' comments on the draft included the suggestion that the model ordinance address grid as well as community scale projects and be made the responsibility of a particular state agency for completion by a date certain.

**Presentations**

At the invitation of Commissioner McGowan, Professor Orlando Delogu presented a memorandum outlining economic and other benefits of siting wind power energy projects in Maine at levels sufficient to meet RGGI goals and to make optimal use of this indigenous, renewable resource. A copy of the memorandum is posted on the project website cited above. Professor Delogu encouraged use of a single, PUC-based siting authority, and consideration of Texas' approach to facilitating siting of wind projects and designation of areas where siting would be problematic as suggested in comments provided by University of Maine professor Sam Merrill.

Chair Alec Giffen summarized the siting-related comments provided by Professor Merrill and those of Rob Gardiner, who provided a developer's perspective. Both these comments are available at the project website cited above.

Fred Todd, Manager of the Planning and Administration Division at the Land Use Regulation Commission, presented a memorandum (also available at the above noted project website) outlining LURC's policy perspective on appropriate locations for wind power. In response to questions, Mr. Todd noted that:

- LURC staff is addressing an unprecedented work load, particularly as concerns the type and scale of development proposals;

- Designation of three separate zones regarding wind power development - areas with significant, conflicting natural resources-based values; areas where rezoning would be needed; and areas where wind is zoned an allowable use - is a potentially viable outcome under the straw proposals. Mr. Todd noted that total ban on wind development in a zone would be problematic;
- The straw proposals for consideration at the meeting are not, in concept, necessarily inconsistent with LURC's policy perspective since they envision retention of LURC's roles regarding planning and zoning and maintain a role for LURC in the decision-making process;
- The results of revision of LURC zoning are difficult to predict in detail since it would involve a public process and, accordingly, consideration of diverse perspectives; and
- LURC could address issues regarding transmission line siting through a planning and zoning process, undertaken ideally in consultation with PUC and DEP.

### **Straw Proposals**

Todd Burrowes presented two straw proposals for the Task Force's consideration, one of which employs a new statewide wind power siting authority and the other statewide DEP permitting, including areas in LURC territory where, subsequent to the revision of LURC zoning called for by both proposals, wind power development is made an allowable use. The proposals are available on the above-noted project website.

Chair Alec Giffen emphasized that the objective in presenting these straw proposals is to clarify points of agreement as well as areas where additional investigation may be needed. In its discussion, the Task Force identified a number of concerns with the straw proposals, including those related to:

- Budgetary effects on PUC or DEP due to assumption of significant additional responsibilities and related staffing needs;
- Potential for perception that the new siting authority's decisions would be politically as opposed to technically based;
- Subjecting wind power to PUC-related requirements not equally applicable to other energy generation projects;
- Relationship between rezoning and permitting decisions, particularly the potential for creation of an additional layer of decision making complexity (LURC approval of rezoning, plus DEP permitting) in some instances;
- Manner of consideration of environmental impacts in relation to project benefits; and

- Size and composition of a wind power siting authority.

Following additional discussion, lead by Mr. Giffen, aimed at clarifying ideas to be addressed in preparing a follow up proposal or proposals for the Task Force's consideration, the Task Force requested staff to develop further options for consideration at its next meeting that address issues identified and build on areas of apparent general agreement, such as the need for clarification of approval standards and revision of LURC zoning in a manner tailored to wind power development. In addition, the Task Force asked PUC staff to provide additional information on how the Commission considers public benefits in administering its certification of public convenience and necessity authority.

### **Working outline of Task Force report**

Mr. Giffen presented a draft outline for the Task Force's report to the Governor. He emphasized that it is not final in any sense but presented to get ideas on the table. Given the lack of time for detailed consideration at this meeting, and the Task Force's scheduled reporting date of January 15, 2008, he suggested that Task Force members share comments and suggestions with Ann Gosline by e-mail.

### **Next meeting**

The Task Force confirmed its next meeting for December 18, 2007, at 8 A.M., and adjourned.