

Senate Finance Committee
January 31, 2024
Testimony shared by Alison Despathy

Thank you Chair Cummings and Senators for the opportunity to provide testimony on S.236.

I am currently on the Planning Commission for the town of Danville. I want to ensure you are aware that I am testifying for myself and not on behalf of the Danville Planning Commission.

There are several primary messages that I am hoping to convey and I will try my best to achieve this goal.

Vermont's natural scenic beauty. We are all fortunate to live here and take in our state's absolutely beautiful environment everyday, we all know this. We are surrounded by vast tracks of intact ecosystems healthy pastoral lands and unspoiled beautiful mountains. Vermont is rich an overflowing with nature and wild and everything this cultivates such as immense biodiversity, complex ecology, outdoor careers and recreation and living closely with the land.

Vermonters have a responsibility for stewardship and many of us take this seriously. The poems, stories, art, photographs, activities even our land use planning reflects how deeply embedded the scenic beauty and precious natural resources are entwined with our culture and priorities as Vermonters.

Vermonters have been invested in the stewardship and care of our local environments an natural resources for centuries. We are intimately connected to our lands. All Vermonters know this and feel it, this love of nature and gratitude for our beautiful state bonds us all together and guides our values and decisions as state. This is reflected in Act 250 which in essence evolved so that the environment and our beautiful state could have a voice and a say in the future.

Not only does this natural scenic beauty feed our soul an recharge our spirit, it also drives tourism and is a fundamental component of our economy. Vermont towns and the state as a whole thrive due to a healthy tourist industry, which grows every year as many seek natural beauty and all that Vermont has to offer We take great pride and great care of our charismatic and unique communities, our view sheds and our aesthetic and historical heritage. We care about what happens in our environment and communities.

As reported by the Agency of Commerce and Community Development, ACCD Vermont

“Tourism in Vermont is a \$3 billion industry that supports over 30, 000 jobs (Over 10% of Vermont's workforce)”

Last year at the Tourism Day at the Statehouse, The Vermont Chamber of Commerce shared that as the second largest economic contributor in the state, Vermont's visitor economy brought 13 million annual visitors, an influx of 3.2 billion dollars with a 387.3 Million annual tax revenue.

Vermont Chamber of Commerce Visitor Economy

Vermont is attractive for so many reasons-
Natural Scenic beauty

Biking, walking, driving the scenic byways Vermont Vacation- Explore Vermont Byways
Kind People
Quaint communities
Great food especially from our local farmers and food economy
Outdoor recreation

We have all prioritized living in Vermont because of its natural beauty and the lifestyle and culture. We may have more job opportunity or access in some regards in other places but we remain here because we know Vermont is special and so many who visit Vermont learn this and come back often and even move here because of its unique beauty and way of life.

Vermont looks like it does today because of all of us, dedicated Vermonters who understand our role as stewards of this precious environment that sustains us- physically, spiritually, mentally, emotionally, and economically. It is this natural scenic beauty that brings visitors to our state to recharge, connect with nature, to escape the work grind, industrialization, urbanization, crowding,

We all know that nature is part of us, it is where we come from and where we will return. I wanted to share these quotes which I am sure you have heard before, especially Senator McCormack who I believe has more quotes tucked away in his mind than any of us.

“The mountains are calling and I must go”- John Muir

“All good things are wild and free”- Thoreau

“Going to the mountains is going home” -John Muir

“Not all those who wander are lost” -Tolkien

“The richness I achieve comes from nature, the source of my inspiration” – Claud Monet

“We still do not know one thousandth of one percent of what nature has revealed to us” Einstein

“In nature, nothing exists alone. But man is a part of nature and his war against nature is inevitably a war against himself.” Rachel Carson

I share these quotes because they remind us of the foundation that nature provides for all of us, it is our source and strength. This has been known since the beginning of time, people have expressed and shared this sentiment in many forms of expression and here in Vermont we know this and are fortunate to live in this space.

With this gift we are surrounded by, we have a duty and obligation as stewards and community members to keep an eye on our wild spaces and help guide and protect these areas that we inhabit through this lifetime. Section 248, honors and allows people and especially neighbors to have a full seat at the table and fully engage

We just finished the enhanced energy plan for our town of Danville. The commission was empowered to carefully and responsibly think about the renewable energy siting and practices that will encourage sound practices and efficiency locally. Thank you to Senator Bray, who I believe is responsible for the substantial deference aspect of this plan which ultimately honored and elevated a community's knowledge and understanding of their space and directed the PUC to take this plan as priority guidance.

S.236 compromises this plan and the fact that local residents are key to responsible energy siting in their communities.

Renewable Energy Vermont-

Renewable Energy Vermont

Renewable Energy Vermont Member Directory

As I am sure you all know but I want to recognize here that Renewable Energy Vermont is promoting and lobbying for an industry. We may believe with all of our heart that this industry is the answer and will save us but we must keep in mind that they are driven by their members and board which are the renewable energy industry. There is tremendous money to be made at this time in this realm with Inflation Reduction Act subsidies. If S.236 is to pass, it opens up the flood gates for the industry. We must ensure that the industry does not steamroll Vermont communities and take advantage of Vermonters and the environment.

Section 248 allows for the full engagement of any party affected by projects that come to their homes promoted by industry driven by for profit projects. It creates a space to respect the uniqueness of each project, honors Vermonters love of their environments and local spaces and creates the path for meaningful, broad spectrum involvement.

I do not know Joslyn Wilschek but I was here for her testimony on S.236 and it was brutal. In speaking about neighbors who seek party status for a multitude of reasons, she referred to the situation as “self interested and occasionally irrational opposition... from NIMBYs.”

Wilschek speaks of NIMBY's in a derogatory tone versus recognizing it is these Vermonters who are the stewards of their local lands and hold both a right and duty to engage on all levels of the conversation regarding these projects proposed in their communities. It is critical that affected parties can submit a notice that identifies their concerns and explains how the commission might be able to address their concerns as Wilschek mentioned. Section 248 allows for a critical analysis of the plan by those who understand and know the environment best and definitely more than the developers

These local neighbors often have no idea how to engage in the process and ensure that they projects are done right when it comes to their village. Now picture Joslyn Wilschek representing the interests of the developers, this is overwhelming for many. Industry has access to the money and players who understand the ins and out of the entire process, Wilschek used words such as classist and racist and privileged but when we understand that our scenic natural beauty represents true environmental health and is integral to the character and brand of Vermont, it is clear that all projects deserve scrutiny while being evaluated by communities and neighbors who are the local stewards and are directly impacted by these projects.

My last point regarding the renewable energy industry, is that towns talk and there have been multiple projects that have broken trust with communities. There is a warranted and real lack of faith and trust in these developers coming into communities. A prime example of this is the recent Stamford Wind Project. After reading an article in the Seven Days about the Stamford Wind Situation and seeing that Annette Smith of Vermonters for a clean Environment was helping Stamford engage in the process with the PUC, I reached out to her for an interview.

Smith was integral in helping the community of Stamford understand the regulatory process and how to participate effectively. This project did not meet the stated goals of the town's enhanced energy plan or that of the Bennington regional plan. Specifically, it did not meet the mandatory setback requirement of 1 kilometer, which would have placed the turbine in dangerously close proximity to many residential homes. It also was not sited in the area specified for preferred wind tower placement as determined by the town.

In an interview with Annette Smith, I requested a summary of what Stamford just experienced:

“Norwich Solar is giving Vermonters the perfect example of how to turn people against renewable energy.

1. Find a site two years ago in a town whose village has views of a ridgeline full of Massachusetts wind turbines, in which the Vermont town had no say. Don't tell anyone.
2. Get a standard offer contract a year ago. Don't tell anyone.
3. Clear-cut forest and install a wind measurement device and gather data for a year, don't tell anyone.
4. Meet with regional planners and choose to ignore town and regional plans that mandate a setback of 1 kilometer from year-round residential buildings.
5. Make it clear the project will proceed giving the finger to town and regional plans that will receive substantial deference from the Public Utility Commission.
6. File an advance notice giving the community only 45 days before filing the petition, file (twice) for extensions of the standard-offer contract deadline for filing the petition, file another 45-day advance notice for a wind measurement tower.
7. Create a confusing mess in the regulatory process with four different Public Utility Commission cases.
8. Attend town board meetings but don't answer questions.
9. Disrupt sales and construction plans in the nearby development during a housing crisis.
10. Give the town the challenge of raising \$100,000+ to participate at the PUC, consuming the lives of the community for more than a year.”

It is important for other Vermont towns to understand what Stamford experienced so they can be prepared if a similar project situation presents in their community. Ensuring projects of this scale and impact will include the town in the conversation and decision, is paramount.

Those who have been involved in proposals for industrial wind projects in Vermont know Martha Staskus, of Norwich Solar. Staskus was involved in the Holland, Swanton, Irasburg, Pittsford Ridge Vermont wind project proposals, all of which became highly contentious and eventually failed. Staskus was also project manager for the Georgia Mountain Wind Project, working for David Blittersdorf, owner of AllEarth Renewables, who sued the neighbors to keep them off their own property, and then threw dangerous flyrock during blasting. The Department of Public Safety inspected the site and found large amounts of flyrock on the neighboring property large enough to cause harm. The project was fined three times for running the turbines under icing conditions in violation of its winter operating protocols.

Times Argus Article about Stamford Vermont

It is essential that Vermonters can continue to hold a meaningful and engaged role in the development of their communities. Having the ability to intervene and receive party status will allow for the responsible siting of renewable energy projects in Vermont. Renewable Energy Vermont who wrote this bill with Senator Anne Watson as Joslyn Wilschek discussed is the industry, they have money, connection, power, an entire lobbying outfit and a deep familiarity of the Section 248 process.

Fortunately Vermonters have you their legislators representing their best interests and that of their towns. Fortunately they also have Annette Smith of Vermonters for Clean Environment and Brook Dingleline to help them attempt to understand and navigate this complicated process in order to hold a real seat at the table and positively influence and guide projects that directly impact their homes, communities and local environments and honestly our entire state.

I urge you not to move this bill forward and to assess the recent analysis shared of actual PUC cases that were rejected and why. These are minimal and all with good warranted reasons as you will find. You will easily find that This bill is not necessary. In reality, this Bill appears to offer industry the ability to steamroll projects though communities at the expense of neighbor participation and quite possibly at the risk to lcoal environments and communities. Keeping Act 48 in tact will result in Vermont achieving the goal of responsible and well thought out siting of renewal energy projects with minimal impact on our natural scenic beauty which is Vermont's true wealth

Thank you so much for your time
Gratefully and Respectfully
Alison Despathy
Danville, Vermont
January 31, 2024