

STATE OF VERMONT
PUBLIC UTILITY COMMISSION

Docket 7250

Amended Petition of Deerfield Wind, LLC, for a certificate of public good authorizing it to construct and operate a 15-turbine, 30 MW wind generation facility, and associated transmission and interconnection facilities, on approximately 80 acres in the Green Mountain National Forest, located in Searsburg and Readsboro, Vermont, with 7 turbines to be placed on the east side of Route 8 on the same ridgeline as the existing GMP Searsburg wind facility (Eastern Project Area), and 8 turbines along the ridgeline to the west of Route 8 in the northwesterly orientation (Western Project Area)	
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Order entered: July 27, 2023

ORDER RE: BIRD AND BAT MONITORING COMPLIANCE

This case pertains to the amended certificate of public good (“Amended CPG”) issued by the Vermont Public Utility Commission (“Commission”) to Deerfield Wind, LLC (“Deerfield”) for construction and operation of a 30 MW wind electric generation facility located in Searsburg and Readsboro, Vermont (the “Project”).

Condition 16 of the Amended CPG requires that the CPG Holder review bird and bat mortality data. The CPG Holder must develop an adaptive management plan if the data indicate an undue adverse impact. The Commission has final review and approval authority regarding implementation of any adaptive management plan.

On February 28, 2023, the CPG Holder filed the final study report regarding bird and bat mortality monitoring with the Commission. The CPG Holder concurrently provided the report to the Vermont Agency of Natural Resources (“ANR”) and the United States Forest Service (“USFS”). In a letter to the Commission dated November 18, 2022, the CPG Holder stated, “Following completion of the third year of monitoring, Deerfield will consult with ANR and the USFS (pursuant to the federal Record of Decision for the Project) to engage in a cooperative team-based process to review the [Post-Construction Monitoring Plan] data and determine

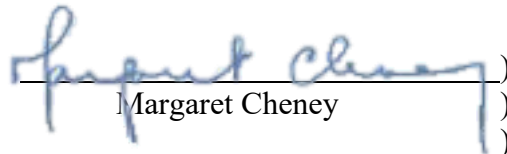
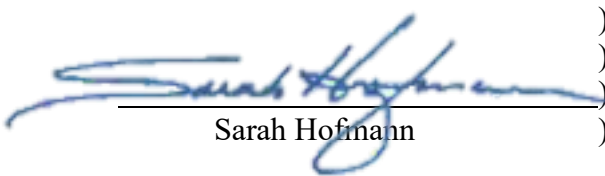
whether adaptive management measures are necessary.”¹ Further, the CPG Holder committed to submitting any proposal for adaptive management to the Commission.

On June 26, 2023, the CPG Holder filed a letter addressing whether an adaptive management plan is needed. The CPG Holder consulted with ANR and USFS regarding the final study report of bird and bat mortality data. ANR and USFS agree that the results of the bird and bat mortality data demonstrate that the Project is not having an adverse impact on birds or bats and that an adaptive management plan is unwarranted. We conclude that the CPG Holder has satisfied all requirements of Condition 16 of the CPG.

SO ORDERED.

¹ Letter from Geoffrey H. Hand, Esq., Dunkiel Saunders Elliott Raubvogel & Hand, PLLC on behalf of Deerfield, to Holly Anderson, Clerk of the Commission, dated November 18, 2022.

Dated at Montpelier, Vermont, this 27th of July, 2023.


Margaret Cheney) PUBLIC UTILITY
) COMMISSION
) OF VERMONT

Sarah Hofmann)

OFFICE OF THE CLERK

Filed: July 27, 2023

Attest: 
Clerk of the Commission

Notice to Readers: This decision is subject to revision of technical errors. Readers are requested to notify the Clerk of the Commission (by e-mail, telephone, or in writing) of any apparent errors, in order that any necessary corrections may be made. (E-mail address: puc.clerk@vermont.gov)

Appeal of this decision to the Supreme Court of Vermont must be filed with the Clerk of the Commission within 30 days. Appeal will not stay the effect of this Order, absent further order by this Commission or appropriate action by the Supreme Court of Vermont. Motions for reconsideration or stay, if any, must be filed with the Clerk of the Commission within 28 days of the date of this decision and Order.

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