

Exhibit CS-BW-50

Docket 8302

Prefiled Testimony of Dori Barton

STATE OF VERMONT
PUBLIC SERVICE BOARD

Petition of Chelsea Solar LLC for a)
certificate of public good, pursuant to) Docket No. _____
30 V.S.A. § 248, authorizing the)
installation and operation of the)
“Sudbury Solar Project” consisting of a)
2.0 MW solar electric generation)
facility to be located at 500 Apple Hill)
Road in Bennington, Vermont)

PREFILED DIRECT TESTIMONY AND EXHIBITS OF DORI BARTON

EXHIBITS

Exhibit CS-DB-1

Résumé of Dori Barton

Exhibit CS-DB- 2

Arrowwood Environmental Assessment

1 **Q1. Please state your name, occupation and business address.**

2 A1. My name is Dori Barton. I am a Wetland Ecologist. My business address is 950
3 Bert White Road, Huntington, Vermont.

4 **Q2. Please describe your educational background and professional experience.**

5 A2. I have a Master of Science degree in Watershed Science from Colorado State
6 University with a focus on surface water hydrology. I have been a consulting ecologist in
7 the State of Vermont since 1997. Attached hereto as ***Exhibit CS -DB-1*** is a copy of my
8 resume, which sets forth my educational background and professional experience.

9 **Q3. Have you previously testified before the Public Service Board or in other**
10 **judicial or administrative proceedings?**

11 A3. Yes. I have most recently provided testimony before the PSB in support of a
12 petition filed by Charter Hill Solar, LLC for a Certificate of Public Good for a 1 MW
13 photovoltaic generation facility, as well as a petition filed by Sudbury Ervin GMC Solar
14 for a 500 kW (AC) photoelectric facility. I have also provided testimony for New
15 England Waste Services, Inc. for a 248 Certificate of Public Good for a 2.2 MW (AC)
16 Photovoltaic Electric Generation Plant to be located in Coventry, Vermont. I have
17 provided expert testimony for various Act 250 proceedings, including in the Frog City
18 Gravel Pit project in Plymouth, Vermont. In addition, I have also provided expert
19 testimony before the Environmental Court, most recently in the case Bibby Final Plat 5
20 Lot SD & Waiver (Docket No. 189-11-10 Vtec).

21 **Q4. What is the purpose of your testimony?**

1 A4 Arrowwood Environmental (AE) evaluated the proposed Project as related to a
2 suite of environmental resources including streams, shorelines, outstanding resource
3 waters, wetlands, rare and irreplaceable natural areas, necessary wildlife habitat and rare,
4 threatened and endangered animal and plant species.

5 **Q5. What work have you conducted with respect to the Project?**

6 A5. AE was retained to conduct an environmental assessment for the proposed
7 Chelsea Solar Farm solar electric generation facility on Apple Hill Road in Bennington,
8 Vermont. The results of our assessment are reflected in the attached report, ***Exhibit CS-***
9 ***DB-2.***

10
11 **Section 248(b)(5): Impact on Aesthetics, Air and Water Purity, Historic Sites, Use of**
12 **Natural Resources, the Natural Environment and Green House Gas Emissions**
13

14 **Streams**

15 **Q6. Is the Project located adjacent to or near a stream?**

16 A6. No. The project is not near a perennial stream. The closest mapped stream is
17 approximately 1600' to the west of the Project area.

18 **Q7. Will the Project have an undue adverse impact on streams?**

19 A7. The Project will have no impact on perennial streams. AE is currently
20 communicating with ANR to clarify the regulatory status of an isolated ephemeral
21 drainage channel within the Project Area.

22
23 **Shorelines**

1 **Q8. Is the Project located adjacent to or near a shoreline?**

2 A8. No. The closest shoreline is approximately 0.8 miles to the west of the Project
3 area.

4 **Q9. Will the Project have an undue adverse impact on shorelines?**

5 A9. There are no shorelines in the Project area. The Project will have no undue
6 adverse impact on shorelines.

7
8 **Outstanding Resource Waters**

9 **Q10. Is the Project located in any segment of waters of the state that has been**
10 designated as outstanding resource waters by the Agency of Natural Resources?

11 A10. No. The Project is not located in any segment of waters designated as outstanding
12 resource waters.

13 **Q11. Will the Project have an undue adverse impact on outstanding resource**
14 **waters of the state?**

15 A11. No. There are no outstanding resource waters on or near the Project area. The
16 Project will not have an undue adverse impact on outstanding resource waters of the
17 state.

18
19 **Wetlands**

20 **Q12. Is the Project located on or near wetlands?**

21 A12. No. There are no mapped Class 2 wetlands within the Project area. The closest
22 mapped Class 2 wetland is approximately 1600' to the east of the Project area. AE

1 mapped a small wetland to the south of the Project Area. The proposed Project is located
2 more than 50' away from this resource.

3 **Q13. Will the Project have an undue adverse impact on wetlands?**

4 A13. No. The proposed Project will have no impacts on wetland or 50' wetland buffer
5 resources. For this reason, the proposed Project will have no adverse impact on wetlands.

6
7 **Rare and Irreplaceable Natural Areas**

8 **Q14. Will the Project have an undue adverse impact on rare and irreplaceable**
9 **natural areas?**

10 A14. AE preliminarily identified an area of Mesic-Maple-Ash-Hickory-Oak forest
11 within the southeastern Project Area. It is likely that the entire site was this natural
12 community prior to logging activities and colonization by invasive species of buckthorn
13 and honeysuckle. Given its size and condition, it is our preliminary opinion that this
14 forest would not qualify as a significant natural community or a Rare and Irreplaceable
15 Natural Area. AE will finalize the RINA assessment concurrently with the RTE plant
16 survey in the summer of 2014.

17
18 **Necessary Wildlife Habitat**

19
20 **Q15. Will the Project have an undue adverse impact on necessary wildlife habitat?**

21 A15. No. The Project area does not contain necessary wildlife habitat, and is not in
22 close proximity to any necessary wildlife habitat.

1

2

Rare, Threatened and Endangered Species

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Q16. Will the Project have an undue adverse impact on rare, threatened or

4

endangered animal species?

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A16. No. In reviewing the NNHP digital database, there are no records or occurrences

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on the Project site. The closest mapped RTE occurrence is approximately 1 mile to the

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south west of the Project Site. Mr. Scott Darling from the Vermont Fish and Wildlife

8

Department has indicated that the Project is not located within the range of the Indiana

9

Bat.

10

Q17. Will the Project have an undue adverse impact on rare, threatened or

11

endangered plant species?

12

A17. An RTE plant survey shall be conducted in the summer of 2014 to determine the

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presence/absence of RTE plant species at the Site.

14

Q18. Does this conclude your testimony?

15

A18. Yes. This concludes my testimony at this time.