

STATE OF VERMONT
PUBLIC SERVICE BOARD

PSB Docket No. 7628

Joint Petition of Green Mountain Power Corporation,
Vermont Electric Cooperative, Inc., and Vermont
Electric Power Company, Inc. for a Certificate of
Public Good pursuant to 30 V.S.A. Section 248 to
Construct up to a 63 MW Wind Electric Generation
Facility and associated Facilities on Lowell Mountain
In Lowell, Vermont and the Installation of approximately
16.9 miles of Transmission Line and associated
Substations in Lowell, Westfield, and Jay, Vermont.

**Prefiled Testimony of
John Buck**

On Behalf of the Vermont Agency of Natural Resources

Summary of Testimony

Mr. Buck is a wildlife biologist for the Department of Fish and Wildlife. The purpose of Mr. Buck's testimony is to provide the Board with information regarding the proposed project and its potential impact on public investment under criterion 9(K). Specifically, the Wild Branch WMA, which lies less than one mile from the project site.

Q1. Please state your name, place of employment, and your position?

A1. John Buck. I am a wildlife biologist with the Vermont department of Fish and Wildlife

Q2. Please describe your educational background and any relevant certifications that you hold.

A2. I hold a BS and an MS in wildlife biology from the University of Vermont. I have worked for the Department for 27 years, much of that time has been time spent overseeing conservation wildlife and management of the Department's Wildlife Management Areas (WMAs). Until recently, I was the project leader for Department's Deer Management Project.

Q3. Have you previously testified before the Public Service Board or the Environmental Court or District Commissions.

A3. Yes. I have testified numerous times before Act 250 District Commissions.

Q4. Please briefly describe the responsibilities of your current job responsibilities.

A4. Fish and Wildlife lands management is one of two major job responsibilities I am charged with. I am responsible for the design, implementation, and maintenance of wildlife habitat management efforts and public recreation opportunities on the approximately 7000 acres I am responsible for. My other responsibility is the oversight of the migratory bird management projects for which the Department is statutorily responsible.

Q5. What is the purpose of your testimony?

A5. The purpose of my testimony is to provide the Board with information regarding the proposed project and its potential impact on public investment under criterion 9(K). Specifically, the Wild Branch WMA, which lies less than one mile from the project site.

Q6. Have you reviewed the petition and prefiled testimony and exhibits?

A6. Yes. In particular, I have read the testimony and exhibits of David Raphael.

Q7. What is your opinion of the petition?

A7. The Petitioner has not provided sufficient detail for the Board or parties to determine whether there would be an undue adverse impact to public investment, as I will describe in more detail below.

Q8. First, please describe what a Wildlife Management Area is and describe the public investment made in the acquisition and maintenance of a WMA.

A.8. A Wildlife Management Area (“WMA”) is an upland or wetland property that has been acquired by the Department of Fish and Wildlife for the dual purpose of providing habitat for native birds and mammals and providing a source of public wildlife-based recreation. The Department typically spends years finding and acquiring appropriate parcels. This takes the several staffers as well as outside lawyers and consultant in the process. Funds are acquired and used to conservation and preservation of the land depending on the management activities. The

Department then develops long-management plans for each WMA. Ongoing investments range from capital infrastructure such as parking lots and bridges to boundary line maintenance, to habitat management projects such as mowing for early succession grassland habitat.

Over the past 50 years, the Department has spent hundreds of millions of state and federal dollars in the acquisition and maintenance of these lands. Many of the funds include funding from the Pittman-Robertson fund that specifically require that any lands purchased with those funds, be managed to be used first and foremost to wildlife conservation and wildlife based activities such as hunting, fishing, trapping, photography, and wildlife viewing.

Each year, the DFW spends more than one millions dollars on managing WMAs. These resources are used for a variety of purposes including habitat management and the development and management of related infrastructure.

Across Vermont, Vermont the Department owns 87 individual WMAs, constituting nearly 200,000 acres of land. The public with the opportunity to pursue wildlife-based activities.

Q9. What is your experience with the Wild Branch WMA?

A9. I have managed the WMA for the past 27 years. I have been involved in every aspects of its management and planning, everything from habitat works to boundary line drawings, and infrastructure maintenance.

Q10. Please describe Wild Branch and the reason for its acquisition.

A10. The property was acquired by the DFW because of its remote, forested characters, that provides a variety of upland types that provides a broad array of food resources for wildlife. The habitat and the setting allows the public opportunities to hunt, fish, trap, bird watch, and undertake other land-based activities in a remote, quiet, wild setting.

The Wild Branch WMA was purchased in 1967, and is a 410 acre parcel of upland forest habitat that lies in the remote northeast corner of the town of Eden. It abuts the Town of Craftsbury's western boundary and extends westward to the summit of the Lowell Range. Wild Branch lies approximately one mile south of the border with the Town of Lowell. It is surrounded by large tracts of forestland with an occasional hunting camp. The WMA is bisected by the Wild Branch of the Lamoille River as well as a Class 4 town road that is not plowed during the winter.

There are no major fragmenting features on or near the WMA, including highways, transmission lines, or other major anthropogenic features.

Q11. Can you describe the public investment in the Wild Branch WMA?

A11. Over past the 40+ years, the Department has been managed the WMA by Department biologists for wildlife habitat, including releasing apple trees, maintaining open meadows, protecting riparian corridors, as well as habitat-related timber harvests. Between planning, maintenance, and other management-related activities, the Department has expended tens of thousands of public dollars.

Q12. Describe the location of the project relative to the WMA?

A12. My understanding is that the project lies within 1 mile of the WMA.

Q13. Will the project interfere with the public's use or enjoyment of or access to the WMA?

A13. Based on the information provided by the Petitioner it is difficult to determine the extent to which the project will impact the public use and enjoyment of the property. The report appears to only consider the aspect of visibility from various viewpoints away from the project site and concludes no impact will occur at the Wild Branch site because the project is not visible from a majority of area. The project will certainly impose an industrial-scale wind facility in close proximity to the WMA that will alter the remote, wilderness-like experience the public has by going to Wild Branch WMA.

Q14. Does this conclude your testimony?

A14. Yes it does.

