

June 26, 2023

By E-Mail and First-Class Mail

Ms. Holly Anderson, Clerk
Vermont Public Utility Commission
112 State Street, Drawer 20
Montpelier, VT 05620-2701

Re: Docket No. 7250 – Deerfield Wind Project Update Re: Adaptive Management Plan

Dear Ms. Anderson,

The following letter is provided on behalf of Deerfield Wind, LLC (“Deerfield Wind”) in response to the Public Utility Commission’s (“PUC” or the “Commission”) March 6, 2023, request for an update regarding whether an adaptive management plan is needed for the Project under Condition 16 of Deerfield Wind’s Amended Certificate of Public Good (“CPG”).

Consistent with Condition 16, Deerfield Wind met with staff from the Vermont Agency of Natural Resources (“ANR”) and the United States Forest Service (“USFS”) to discuss the bird and bat mortality data contained in the Post-Construction Monitoring Report Year 3, which was submitted to the Commission on February 28, 2023. After reviewing this data, and in light of the already approved mitigation measures, including required curtailment conditions, both ANR and USFS have concluded the Project is not having an undue adverse impact on bird and bat species, and that no adaptive management plan is required. Letters from ANR and USFS are attached. Based on this consensus, Deerfield Wind respectfully submits that an adaptive management plan is not required under Condition 16.

Deerfield Wind thanks the Commission in advance for its consideration of the above information. Please let us know if you have any questions or require further information.

Sincerely,



Geoffrey H. Hand, Esq.
SRH LAW, PLLC

Encl.

cc: Service list (via first-class mail)





File Code: 2720
Date: June 12, 2023

Deerfield Wind, LLC
Attn: Amy Parsons
2701 NW Vaughn St, Suite 300
Portland OR 97210

Dear Ms. Parsons:

The Green Mountain National Forest (GMNF) has received the required Post-Construction Monitoring Reports for the Deerfield Wind Project turbine site from Avangrid Renewables. The reports documented the results of bat and bird fatality surveys conducted at the site in years one, three, and five of operations (2018, 2020, 2022) as mandated by the *Deerfield Wind Project Final Environmental Impact Statement and Record of Decision* (signed January 2012). All reports were received by February 28 of the year following the surveys.

The results included in the monitoring reports were reviewed and discussed by USFS and Vermont Agency of Natural Resources personnel during a meeting on April 7, 2023. The consensus was that these results **do not** demonstrate that the Deerfield Wind Project is having an adverse impact on birds or bats. Changes to the approved mitigation measures regarding curtailment of wind turbines are not currently warranted. The current curtailment measures are also in compliance with the most recent *Land-based Wind Energy Interim Voluntary Guidance for the Northern Long-eared Bat* issued by the US Fish and Wildlife Service in March 2023.

Please reach out to Shawn Langston, Wildlife Biologist, shawn.langston@usda.gov or Jen Edmonds, Special Uses Permit Administrator, jennifer.edmonds@usda.gov if you have any questions or concerns. Thank you.

Sincerely,

X

Signed by: JOHN SINCLAIR
JOHN A. SINCLAIR
Forest Supervisor

cc: Martina Barnes, Jen Edmonds



Fish & Wildlife Department
1 National Life Drive, Dewey Building
Montpelier, VT 05620-3208
www.VTFishandWildlife.com

[phone] 802-828-1454
[fax] 802-828-1250
[tdd] 802-828-3345

Agency of Natural Resources

June 8, 2023

Amy E. Parsons
Avangrid Renewables
2701 NW Vaughn St, Suite 300
Portland OR 97210
Via email:

Re: Public Utility Commission Docket 7250, Order dated March 6, 2023

Dear Ms. Parsons,

I am writing to follow up on the above referenced Vermont Public Utility Commission Order regarding bird and bat compliance monitoring.

On February 28, 2023, Avangrid Renewables filed the final study report regarding bird and bat mortality monitoring with the Commission, the Vermont Agency of Natural Resources (VTANR) and the United States Forest Service (USFS). In accordance with Condition 16 of the Amended Certificate of Public Good (CPG) in Docket 7250, Avangrid was required to review the bird and bat mortality data to determine whether it was necessary to develop an adaptive management plan, in consultation with VTANR and USFS.

On May 22, 2023, Avangrid, VTANR, and USFS staff met to discuss the bird and bat mortality data. All parties agreed that the results of the mortality monitoring do not demonstrate Deerfield is having an undue adverse impact on birds and bats and that an adaptive management plan is not warranted.

VTANR notes that the CPG and VTANR threatened and endangered species permit conditions, including reporting and turbine curtailment conditions, effectively ensure that there are no adverse impacts to threatened and endangered species, and bats in particular. And as such, an adaptive management plan is not necessary.

We appreciate the ongoing collaboration with Avangrid and USFS regarding these matter. Please let us know if you have any questions or concerns. Thank you.

Sincerely,

Catherine J. Gjessing

Catherine Gjessing
General Counsel

**STATE OF VERMONT
PUBLIC UTILITY COMMISSION**

Amended Petition of Deerfield Wind, LLC for)
a certificate of public good authorizing it to)
construct and operate 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))

Docket No. 7250

CERTIFICATE OF SERVICE

I, Melinda Devoid-Siel, certify that on June 26, 2023, I forwarded copies of Deerfield Wind, LLC's: *Letter to the PUC re Adaptive Management Plan* to the following service list by the delivery method noted:

By Email and First-Class Mail:

Ms. Holly Anderson, Clerk
Vermont Public Utility Commission
112 State Street, Drawer 20
Montpelier, VT 05620-2701
PUC.Clerk@vermont.gov

By First-Class Mail:

Ms. Deidre Matthews
National Grid
40 Sylvan Road
Waltham, MA 02451

By Email:

Erin Brennan, Esq.
Vermont Dept. of Public Service
112 State Street, Drawer 20
Montpelier, VT 05620-2601
erin.brennan@vermont.gov

Kristin Carlson
Green Mountain Power
163 Acorn Lane
Colchester, VT 05446
Kristin.Carlson@greenmountainpower.com

Catherine Gjessing, Esq.
John Zaikowski, Esq.
Vermont Agency of Natural Resources
1 National Life Drive, Davis 2
Montpelier, VT 05620-3901
catherine.gjessing@vermont.gov
john.zaikowski@vermont.gov

Clifford and Diana Duncan
Duncan Cable TV Services
P.O. Box 685
Wilmington, VT 05363
c.duncan@duncancable.com

Vermont Dept. of Housing & Comm. Affairs
Agency of Commerce and Community Dev.
c/o John Kessler, Esq.
One National Life Drive
Deane C. Davis Building, 6th Floor
Montpelier, VT 05620-0501
john.kessler@vermont.gov

Jamey D. Fidel, Esq.
Vermont Natural Resources Council
9 Bailey Avenue
Montpelier, VT 05602
jfidel@vnrc.org

Owen J. McClain, Esq.
Sheehey Furlong & Behm P.C.
30 Main Street, 6th Floor
P.O. Box 66
Burlington, VT 05402-0066
(For Green Mountain Power)
omclain@sheeheyvt.com

Chris Campany, Executive Director
John Bennett, Senior Planner
Windham Regional Commission
139 Main Street, Suite 505
Brattleboro, VT 05301
ccampany@windhamregional.org

Nancy S. Malmquist, Esq
Downs Rachlin Martin PLLC
90 Prospect Street
P.O. Box 99
St. Johnsbury, VT 05819-0099
(For National Grid)
nmalmquist@drm.com

Lisa Linowes, Executive Director
Industrial Wind Action Group
286 Parker Hill Road
Lyman, NH 03585
lisa@linowes.com

Thomas Shea
380 Lafayette Road
Unit 11-144
Seabrook, NH 03874
tomshea@alum.mit.edu

Paul Burns, Executive Director
Vermont Public Interest Research Group
141 Main Street, Suite 6
Montpelier, VT 05602
pburns@vpirg.org


Sandra Levine, Senior Attorney
Conservation Law Foundation
15 East State Street, Suite #4
Montpelier, VT 05602
SLevine@clf.org

Gerald DeGray
P.O. Box 1717
Wilmington, VT 05363-1717
gerryd161@aol.com

Robert Batarags
Deerfield Wind, LLC
Avangrid Renewables
1125 NW Couch St., Suite 700
Portland, Oregon 97209
Rob.Batarags@avangrid.com

Dated at Burlington, Vermont, this 26th day of June 2023.

By:



Melinda Devoid-Siel
Paralegal