

**STATE OF VERMONT
PUBLIC UTILITY COMMISSION**

Case No. _____

Williston G Katie Lane Solar, LLC's Petition
for a Certificate of Public Good in accordance
with 30 V.S.A. § 248 regarding a proposed 2.9
MW ground-mounted solar array located off
Mountain View Road in Williston, Vermont.

**PREFILED TESTIMONY AND DECLARATION OF
ADAM CRARY
ON BEHALF OF
WILLISTON G KATIE LANE SOLAR, LLC**
This document and associated exhibits have been filed ePUC

Summary of Testimony

Mr. Crary's testimony assesses the Project's impacts to the following 30 V.S.A. § 248(b)(5) natural environment criteria, including: water pollution, 10 V.S.A. § 1424a(d) outstanding resource waters, headwaters, floodways, streams, shorelines, wetlands, rare and irreplaceable natural areas, necessary wildlife habitat and endangered species, sufficiency of water, burden on existing water supply, and existing water supply. His testimony also addresses natural resources-related comments received during the Project's 45-day advance notice period.

EXHIBITS

Exhibit WGKL-AC-1	Resume of Adam Crary
Exhibit WGKL-AC-2	Natural Resources Assessment Memorandum

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**PREFILED TESTIMONY OF
ADAM CRARY
ON BEHALF OF
WILLISTON G KATIE LANE SOLAR, LLC**

1 **Introduction**

2 Q1. Please state your name, current employer, business address, and position.

3 A1. My name is Adam Crary, employed at Vanasse Hangen Brustlin, Inc. ("VHB"), and my
4 business address is 40 IDX Drive, Building 100, Suite 200, South Burlington, Vermont. I
5 am currently VHB's Regulatory Team Leader, Renewables in Vermont.

6

7 Q2. What is your education background, qualifications, and work experience?

8 A2. I have a B.S. in Natural Resources (Natural History and Ecology concentration) from the
9 University of Maine. I have been a Senior Ecologist and then Director of Natural Sciences
10 at VHB since 2009, where I am responsible in part for managing projects, technical staff,
11 and technical work in conduct of various ecological surveys and reporting, typically under
12 the requirements of federal, state, and local environmental regulatory programs. I also
13 manage and coordinate the work of various other VHB services with a particular focus on

1 energy-related projects. I have been a professional environmental consultant since 2001,
2 specializing in natural resources identification and assessments. In addition to assessments
3 conducted for numerous projects under 30 V.S.A. Section 248(b)(5) review, I have
4 prepared and coordinated applications for the acquisition of numerous federal and state
5 environmental impact permits, which involve application of expert ecological and natural
6 resource assessment disciplines. A copy of my resume is attached as ***Exhibit WGKL-AC-***
7 ***1.***

8
9 Q3. Have you testified previously before the Public Utility Commission?

10 A3. Yes. I have testified (through prefiled testimony and/or live hearings) for numerous
11 projects located across Vermont, particularly those related to electric infrastructure
12 upgrades or replacement, or new energy generation, particularly renewables, and energy
13 storage. I have also provided technical support to expert witnesses providing testimony for
14 other projects under PUC review, including utility-scale projects, a sample of which are
15 listed on my resume.

16
17 Q4. What is the purpose of your testimony?

18 A4. My testimony supports Williston G Katie Lane Solar, LLC's ("Applicant") petition for a
19 Certificate of Public Good ("CPG") pursuant to 30 V.S.A § 248 with respect to the
20 Applicant's proposal to construct and operate an approximately 2.9-megawatt ("MW")
21 alternating-current ("AC") solar electric generation facility to be installed on fixed-tilt
22 racking systems within two array pods contained within an approximately 11.1 acre total

1 perimeter fenced area on GlobalFoundries property located north of Mountain View
2 Road in Williston, Vermont (the “Project”). Specifically, I examine whether the
3 construction and operation of the Project complies with the following criteria:

- 4 • Outstanding Resource Waters (10 V.S.A. § 1424a(d));
- 5 • Water Pollution (10 V.S.A. § 6086(a)(1));
- 6 • Headwaters (10 V.S.A. § 6086(a)(1)(A));
- 7 • Floodways (10 V.S.A. § 6086(a)(1)(D));
- 8 • Streams (10 V.S.A. § 6086(a)(1)(E));
- 9 • Shorelines (10 V.S.A. § 6086 (a)(1)(F));
- 10 • Wetlands (10 V.S.A. § 6086(a)(1)(G));
- 11 • Water supply (10 V.S.A. § 6086(a)(2) & (3))
- 12 • Rare and Irreplaceable Natural Areas (10 V.S.A. § 6086(a)(8)); and
- 13 • Necessary Wildlife Habitat and Endangered Species (10 V.S.A. § 6086 (a)(8)(A)).

14 Under my direction, VHB prepared a Natural Resource Assessment Memorandum (“NR
15 Memo”), provided as *Exhibit WGKL-AC-2*, on which I rely when making my assessments
16 per these criteria.

17 As described in the NR Memo, natural resources assessments were conducted within an
18 overall approximately 31.4-acre “Study Area,” which includes the Project components
19 (e.g., the array, access road, perimeter fence, staging areas, and interconnection, etc.). In
20 making my assessments, Project support staff at VHB and I have relied upon the Project
21 plans developed by VHB using information provided by Petitioner and its

1 design/consultant team. In making my assessments, I also rely on the Project description
2 supplied by the Petitioner's Project Manager, Mr. Clark. Project support staff and I have
3 also reviewed the site plans for the Project, *Exhibit WGKL-JC-2*. The results of VHB's
4 specific assessments are included in detail in the above-referenced memorandum and
5 generally summarized below.

6 **SECTION 248 CRITERIA**
7 **Outstanding Resource Waters**
8 (10 V.S.A. §1424a(d)(2) & (13))

9 Q5. Is this Project located on or would it affect any segment of the waters of the State that have
10 been designated as outstanding resource waters by the Water Resources Board, former
11 Water Resources Panel, or the Agency of Natural Resources?

12 A5. No. As described in *Exhibit WGKL-AC-2*, the Project is not located in the vicinity of
13 waters that have been designated outstanding resource waters.

14 **Water Purity, the Natural Environment**
15 **and Public Health, Safety, and Water Pollution**
16 (30 V.S.A. § 248(b)(5) & 10 V.S.A. § 6086(a)(1)-(8))
17

18 Q6. Will this Project result in undue water pollution?

19 A6. No, for the reasons enumerated under the specific water-related criteria discussed below,
20 and as also discussed in the prefiled testimony of VHB civil engineer and Project witness,
21 Stephanie Wyman.

22 **Headwaters**
23 (10 V.S.A. § 6086(a)(1)(A))

1 Q7. Is the Project located in a Headwaters area, and if so, will it reduce the quality of ground
2 or surface water?

3 A7. No. As described in ***Exhibit WGKL-AC-2***, it is VHB's opinion that the Project is not
4 located in a headwaters location. Regardless, the Project will adhere to applicable
5 regulations regarding the quality of groundwater and surface waters, which are also
6 discussed in more detail through evaluation of Project waste disposal and stormwater
7 considerations by Project witness Stephanie Wyman.

8 **Floodways**

9 (10 V.S.A. § 6086(a)(1)(D) & 1424a(d)(3))

10 Q8. Is the Project within a floodway, floodway fringe, or river corridor, and if so, will it have
11 an undue adverse effect on such areas, or endanger the health, safety, and welfare of the
12 public or riparian owners during flooding?

13 A8. No. There are no areas that would be considered under the Floodways criterion within the
14 Project's Study Area. Therefore, the Project will not have any potential to restrict or divert
15 the flow of flood waters (floodway or floodway fringe), or endanger the health, safety, and
16 welfare of the public, or of riparian landowners during flooding or from potential erosion.

17 ***Exhibit WGKL-AC-2*** provides further details behind VHB's assessment and these results.

18 **Streams**

19 (10 V.S.A. § 6086(a)(1)(E))

20 Q9. Please describe any streams or waterways in the Project vicinity and any aspect of the
21 Project that may impact the streams.

22 A9. As described in detail in ***Exhibit WGKL-AC-2***, VHB conducted on-site investigations for
23 and delineations of the streams and surface waters within the Project Study Area. VHB

1 delineated one intermittent stream channel in the Project vicinity (2024-SC-11) which
2 originates downgradient of the existing access drive and flows north toward the offsite
3 Winooski River, but is not a continuous channel to the river, rather it is a channelized
4 segment within wetlands. Due to the presence of this stream channel, it and its associated
5 riparian wetlands are afforded a 50-foot riparian buffer. A complete description of
6 methodologies and findings from VHB's natural resources assessments, including details
7 of on-site stream delineation, is included in *Exhibit WGKL-AC-2*.

8
9 Q10. Will the Project maintain the natural condition of streams?

10 A10 Yes. The Project avoids any work within the delineated stream and therefore will not result
11 in any direct impact. Indirect impacts will also be avoided through the use of erosion
12 prevention and sediment control measures during construction, the proper sizing of the up-
13 gradient access road culvert to maintain existing wetland hydrology conditions above the
14 stream, and the implementation of riparian buffers. Therefore, the Project will not alter the
15 natural condition of any streams. See *Exhibit WGKL-AC-2* for more details.

16
17 Q11. Will the Project impact stream buffers?

18 A11. Yes. The impacts are unavoidable as they are due to the crossing of the riparian wetland
19 system where upgrades are necessary to the existing access road crossing. These impacts
20 are minimized by the Project's proposed use of the existing access road location and co-
21 locating the electric collection line in a narrowed corridor along the access road that will
22 not require cutting of forested area for construction. The Project arrays and vegetation

1 management areas are designed to entirely avoid riparian buffers, which will maintain and
2 protect existing riparian and stream function, including downstream water quality and
3 wildlife movement functions onsite. Although there will be necessary activities within
4 riparian buffers, there will be no functional impact as the activities are minimal in extent
5 and do not introduce any new impact locations. See *Exhibit WGKL-AC-2* for more details.

6 **Shorelines**

7 (10 V.S.A. § 6086(a)(1)(F))

8 Q12. Does the Project involve the development of any shorelines?

9 A12. No, as there are no shoreline areas within or near the Project site. See *Exhibit WGKL-AC-*
10 *2* for more details.

11 **Wetlands**

12 (10 V.S.A. § 6086(a)(1)(G))
13

14 Q13. Will the Project comply with the rules of the Secretary of the Agency of Natural Resources
15 relating to significant wetlands?

16 A13. Yes. VHB conducted wetland investigations within the Study Area and delineated portions
17 of several wetland areas, five of which are considered state significant (Class II) wetland
18 areas, and subject to 50-foot buffers. The delineations were reviewed with the Vermont
19 Department of Environmental Conservation (“DEC”) Wetlands Ecologist Tina Heath in
20 September 2024.

21 At cost to Project size and efficiency, the Project arrays and vegetation management areas
22 have been designed to avoid direct impacts to proposed Class II wetlands and buffers.
23 There will be unavoidable buffer impacts to a minor amount of Class II wetland and some

1 buffer impacts associated with the proposed access road upgrades to the existing access
2 and extension of a short segment of access road required for the Project. The overhead
3 collection line corridor will be co-located with this access road, and the maintained corridor
4 narrowed, to minimize new impacts.

5 The Petitioner will be required to obtain a Vermont Wetland Permit (“VWP”) authorization
6 for those activities that are not Allowed Uses under the Vermont Wetland Rules. All
7 Project work will be conducted in accordance with the permit conditions. The Project has
8 already submitted forecasted impacts from this Project to the DEC as part of an overall
9 “master plan” type application for a VWP, which will be revised with the additional detail
10 of this proposed design. Accordingly, the Project will conform to the Vermont Wetlands
11 Rules and will not have an undue adverse impact on wetlands. See *Exhibit WGKL-AC-2*
12 for further details regarding the delineations and this assessment, including minimization
13 measures.

14
15 **Rare and Irreplaceable Natural Areas, Necessary Wildlife Habitat,**
16 **Endangered Species**

17 (10 V.S.A. § 6086(a)(8) & 1424a(d)(4)-(9))

18 Q14. Is the Project located in any significant natural communities or rare and irreplaceable
19 natural area (“RINA”), or will it have any impact on any such areas?

20 A14. No. As described in *Exhibit WGKL-AC-2*, there are no areas that would be considered
21 state significant natural communities and also thus no RINA within the Project Area.

22

1 Q15. Will the Project destroy or significantly imperil any necessary wildlife habitat?

2 A15. No. As described in more detail in *Exhibit WGKL-AC-2*, VHB reviewed databases and
3 the Project site for several habitats that could be considered necessary wildlife habitat
4 (“NWH”) within the setting of the Study Area, including for deer wintering area (“DWA”),
5 vernal pools, and grasslands birds. From this, no areas that NWH occur within the Study Area.

6
7 Q16. Will the Project destroy or significantly imperil any rare, threatened, or endangered
8 (“RTE”) species?

9 A16. No. As described in more detail in *Exhibit WGKL-AC-2*, based on database and field
10 surveys in 2024 and 2025, there are no previously known RTE plants or new occurrences found
11 on the Project site. It is VHB’s understanding that the extent of the Project’s proposed tree
12 clearing remains below the threshold for warranting additional study or conservation measures
13 regarding protected bat species known in the region (none are documented nearby the Project
14 site). As further detailed in *Exhibit WGKL-AC-2*, the Project will not affect any RTE species.

15
16 **Sufficiency of Water/Burden & Conservation**
17 (10 V.S.A. § 6086(a)(1),(2),(3))

18 Q17. Will the project require a temporary or permanent water supply?

19 A17. No. The Project will not require a water supply during construction or operation and thus
20 has no need to incorporate water conservation measures.

21

1 Q18. Were there any natural resources related comments received during the Project's 45-day
2 advance notice period that you can address?

3 A18. Yes. Natural resources related comments were made by the Vermont Agency of Natural
4 Resources ("ANR"), the Town of Williston's Planning Commission ("Town"), and the
5 Chittenden County Regional Planning Commission ("CCRPC") on the 45-day notice (see *Exh.*
6 *WGKL-JC-4*). Where applicable, *Exhibit WGKL-AC-2* incorporates the responsive analysis
7 or answers to comments. ANR made comments regarding mapped DWA, the need to
8 appropriately size the access road culvert, and include information to support a VWP
9 application, which are each addressed in VHB's review of the NWH, Streams and the Wetlands
10 criteria sections of the memo, respectively. The Town made comments regarding the concern
11 with impact to mapped habitat features in the town plan current at that time, specifically around
12 the Project's potential to impact wildlife movement, which has been addressed in VHB's
13 review of the analogous mapping in the current (2025 adoption) Town plan, presented in the
14 NWH section of the memo. The CCRPC comments regarding the presence of State known
15 and possible constraints from natural resources are covered under the corresponding criteria
16 section in the memo (except agricultural soils, which are covered in the testimony of Project
17 witness Stephanie Wyman).

18
19 Q19. Does this conclude your testimony?

20 A19. Yes.

EXHIBIT LIST

Exhibit WGKL-AC-1	Resume of Adam Crary
Exhibit WGKL-AC-2	Section 248 Natural Resources Assessment Memorandum

WITNESS DECLARATION

I, Adam Crary, being over 18 years of age, and competent to testify on these matters declare that on behalf of Petitioner, I prepared my prefiled testimony and exhibits in the above captioned matter and I have the necessary expertise to testify to the same information. I declare that my testimony and exhibits are true and accurate to the best of my knowledge and belief. I understand that if such responses are false, I may be subject to sanctions by the Commission pursuant to 30 V.S.A. § 30.

Dated at Monkton, Vermont, this 25th day of September, 2025.

/s/ Adam Crary

Adam Crary