

**STATE OF VERMONT
PUBLIC UTILITY COMMISSION**

Petition of Novus Buck Solar LLC for a	)	
Certificate of Public Good, pursuant to 30	)	
V.S.A. § 248, authorizing the installation	)	
and operation for a 4.999 MW ground-	)	Case No. 26-____-PET
mounted solar array in Newport Town,	)	
Vermont to be known as the “Novus Buck	)	
Solar Project”	)	

PREFILED DIRECT TESTIMONY OF DORI BARTON

May 7, 2026

Exhibits

NBS-DB-1: Resume

NBS-DB-2: Natural Resources Assessment

Summary: Ms. Barton’s testimony addresses the Novus Buck Solar Project’s compliance with certain Section 248(b)(5) criteria related to natural resources.

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

2 A1. My name is Dori Barton. I am a wetland ecologist and an owner and one of the managing
3 partners of Arrowwood Environmental (“AE”), a firm that provides environmental
4 services, including ecological assessments and natural resource mapping. Our primary
5 office is located at 950 Bert White Road, Huntington, Vermont, 05462.

6
7 **Q2. What is the purpose of your testimony?**

8 A2. My testimony supports the petition of Novus Buck Solar LLC (“NBS”) for approval to
9 construct and operate a 4.999 megawatt (“MW”) solar electric generation facility, to be
10 known as the Novus Buck Solar Project (“Project”), in Newport Town, Vermont. I am
11 testifying on the Project’s compliance with certain Section 248(b)(5) criteria related to
12 natural resources.

13
14 **Q3. Please describe your professional background, qualifications, and experience.**

15 A3. I have a Master of Science degree in Watershed Science from Colorado State University,
16 with a focus on surface water hydrology. I have been a consulting ecologist in the State
17 of Vermont since 1997 and have conducted numerous environmental assessments for
18 proposed developments. See my resume, *Exhibit NBS-DB-1*.

19
20 **Q4. Have you previously testified before the Public Utility Commission?**

21 A4. Yes. I have provided prefiled testimony, affidavits, and/or exhibits on behalf of a number
22 of projects, including recent cases such as Novus 242 Solar (Case No. 26-0261-PET),
23 Canaan 102 Solar LLC (25-3111-NM), and Berlin Williams Solar LLC (24-3485-PET).

1
2 **Q5. What work have you conducted with respect to the Project?**

3 A5. Under my direction in whole or part, AE has reviewed the Project site for natural
4 resources and prepared a technical report which I rely on when making my assessments
5 under the Section 248(b)(5) natural resources criteria described in further detail below.
6 See *Exhibit NBS-DB-2*.

7 In making my assessments, support staff at AE and I have relied upon the Project
8 site plans developed by Krebs & Lansing Consulting Engineers, Inc. (“K&L”) (*Exhibit*
9 *NBS-AB-2*) as well as information provided by NBS. My understanding of the Project
10 comes from design planning coordination with K&L’s engineer and NBS. The results of
11 AE’s specific assessments are included in detail in the above-referenced report and
12 generally summarized below.

13
14 **SECTION 248 CRITERIA**

15 **Q6. Which Section 248 criteria does your testimony address?**

16 A6. My testimony addresses in whole, or pertinent parts of, 30 V.S.A. § 248(b)(5) including
17 the following Act 250 criteria incorporated by reference: 10 V.S.A. §§ 6086 (a)(1)(A)
18 (Headwaters), (a)(1)(D)(Floodways), (a)(1)(E) (Streams), (a)(1)(F) (Shorelines),
19 (a)(1)(G) (Wetlands), (a)(8) (Rare and Irreplaceable Natural Areas), (a)(8)(A) (Rare
20 Threatened and Endangered Species and Necessary Wildlife Habitat); 10 V.S.A.
21 §1424a(d) (Outstanding Resource Waters), and Section 248(b)(5)(Use of Natural
22 Resources).

23

Headwaters – 10 V.S.A. § 6086 (a)(1)(A)

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

A7. The Project is not located in a headwater area. Nonetheless, the Project will comply with applicable health and environmental regulations and will not result in a reduction in the quality of ground or surface waters. For these reasons, the Project will have no undue adverse impact on headwater areas. See further details in my report, *Exhibit NBS-DB-2*.

Floodways – 10 V.S.A. § 6086 (a)(1)(D)

Q8. Is the Project within a floodway or floodway fringe, and if so, what are the potential impacts?

A8. The Project is not located within a flood zone or floodway and or river corridor and will not restrict or divert the flow of floodwaters or significantly increase the peak discharge of a river or stream within or downstream from the area of development. Therefore, the Project will not have any adverse impacts on floodways or river corridors, nor will it endanger the health, safety, and welfare of the public or riparian owners as it relates to flood events or fluvial erosion. See also *Exhibit NBS-DB-2*.

Streams – 10 V.S.A. § 6086 (a)(1)(E)

Q9. Is the Project on or adjacent to the bank of a stream?

A9. There are no surface waters within the Project area. The closest stream/river is an unnamed tributary to Dunn Brook located approximately 520' to the southwest of the Project. The Project will not result in any clearing of forest vegetation within the riparian

1 buffer zones (as measured 50' from top of bank/top of slope) of stream resources.

2 Therefore, the Project will have no adverse impacts on stream resources. See *Exhibit*
3 *NBS-DB-2*.

4
5 **Shorelines – 10 V.S.A. § 6086 (a)(1)(F)**

6 **Q10. Is the Project located on a shoreline?**

7 A10. The site of the proposed Project is not located on the shoreline of a river, lake, pond, or
8 reservoir. The closest shoreline to the Project is that of Smith Pond approximately 1,200'
9 to the southeast of the Project. The Project will not result in any clearing of forest
10 vegetation along the shores of the pond. Therefore, the proposed Project will result in no
11 adverse impact to shorelines. *Exhibit NBS-DB-2*.

12
13 **Wetlands – 10 V.S.A. § 6086 (a)(1)(G)**

14 **Q11. Is the Project located in or adjacent to a wetland or wetland buffer? If so, will the**
15 **Project comply with the rules of the Agency of Natural Resources (“ANR” or**
16 **“Agency”) regarding significant (Class 1 or 2) wetlands?**

17 A11. AE field review confirmed the presence of a presumed Class II wetland adjacent to the
18 Project area (approximately 60' to the east) and presumed Class III wetlands within and
19 adjacent to the Project area. The Project will have no impacts on the presumed Class II
20 wetland or associated buffer zone. The presumed Class III wetland within the Project site
21 is a small, isolated depression in an active cornfield that lacks any significant wetland
22 functions and values. Petitioner has engaged with the U.S. Army Corps of Engineers
23 (“USACE”) and obtained confirmation that the proposed impacts to the Class III wetland

1 qualify under the USACE Nationwide Permit #51. ***Exhibit NBS-DB-2***. For these reasons,
2 the proposed Project will have no undue adverse impact on significant wetland
3 resources.

4
5 **Rare and Irreplaceable Natural Areas – 10 V.S.A. § 6086 (a)(8)**

6 **Q12. Is the Project located in or adjacent to any rare and irreplaceable natural areas, or**
7 **will it have any undue adverse impacts on any such areas?**

8 A12. No. As described in ***Exhibit NBS-DB-2***, there are no significant natural communities
9 that would be considered Rare and Irreplaceable Natural Areas within the Project area
10 and thus, there will be no adverse impacts on Rare and Irreplaceable Natural Areas.

11
12 **Endangered Species and**
13 **Necessary Wildlife Habitat – 10 V.S.A. § 6086 (a)(8)(A)**

14 **Q13. Is the Project located in or adjacent to any necessary wildlife habitat (“NWH”)? If**
15 **so, will the Project destroy or significantly imperil necessary wildlife habitat?**

16 A13. No. AE reviewed the site for potential deer wintering, bear habitat, grassland bird
17 habitat, and vernal pools and confirmed that there is no NWH present within the Project
18 area. The Project will not result in any undue adverse impacts to NWH. See ***Exhibit***
19 ***NBS-DB-2*** for further detail.

20
21 **Q14. Is the Project located in or adjacent to habitat of any rare, threatened, or**
22 **endangered (“RTE”) species? If so, will the Project destroy or significantly imperil**
23 **any endangered species?**

1 A14. The Project area is within predicted summer ranges for both Northern long-eared bat
2 (State and Federally listed) and Tricolored bat (State listed). The Vermont Fish and
3 Wildlife Department has issued guidance that project clearing constituting greater than
4 1% of the total forested area within a 1 square mile radius of a project triggers review for
5 habitat loss of this endangered species. The Project involves no tree clearing and will
6 therefore have no impact on roosting bats and does not trigger any additional
7 conservation measures.

8 The Project is not in an area that potentially provides summer roosting habitat for
9 Indiana bat, there are no old or abandoned buildings potentially providing roosting
10 habitat for little brown bat proposed for demolition, and there are no known bat
11 hibernacula or maternity roosts within one mile of the Project site. The Project will have
12 no undue adverse impact on RTE animal species.

13 There are no known records or occurrences of RTE plant species at the site. An
14 RTE plant survey will be conducted to confirm the absence of RTE plant species prior to
15 construction. See *Exhibit NBS-DB-2*.

16
17 **Outstanding Resource Waters – 10 V.S.A. § 1424a(d)**

18 **Q15. Is the Project located on or would it affect any segment of any outstanding resource**
19 **waters designated by the former Water Resources Board, former Water Resources**
20 **Panel, or ANR?**

21 A15. No. As described in *Exhibit NBS-DB-2*, no outstanding resource waters will intersect
22 the Project and as such the Project will not affect any segment of any outstanding
23 resource waters.

Use of Natural Resources – 30 V.S.A. § 248(b)(5)

Q16. Will the Project have an undue adverse impact with respect to the use of natural resources?

A16. No, it will not. The Project proposes no vegetative management or clearing and is proposed on a previously disturbed extraction site. Furthermore, as described in *Exhibit NBS-DB-2*, and my testimony above, the Project will not have an undue adverse impact on headwaters, floodways, streams, shorelines, wetlands, rare and irreplaceable natural areas, rare threatened and endangered species and necessary wildlife habitat, or outstanding resource waters. Overall, the Project will not have an undue adverse impact with respect to the use of natural resources or on the natural environment.

Q17. Does that conclude your testimony at this time?

A17. Yes.