Dear Friends,

VCE has made a stand
To battle corporate greed
That destroys the things we love
This we have decreed.

They have taken on Goliaths
That haunt us – one and all
We need to keep the end in sight
So we can all stand tall.

Vermonters need to show the world
That with a loving hand
We can keep the best we have
And not destroy our land.

The green of Vermont’s landscape
Should not be scarred and torn
We need to find a kinder way
For its history to be worn.

VCE is helping us
By giving us a voice
Within the walls of government
To craft and mold that choice.

Annette has helped so many
She’s really led the way
To help us all along the road
And fight for us each day.

If we all pay it forward
And help her with the fight
And we each send a little…. (or a lot)
It will keep our future bright.

Thank You for Your Support,

Don and Shirley Nelson
ARE THERE PROBLEMS WITH SOLAR?

During the last decade, Vermont's legislature has enacted policies to promote renewable energy. Vermont communities are presently experiencing the results of these policies, which primarily benefit utilities, out-of-state developers and investment bankers while providing few benefits to local communities that are expected, without necessary planning, to host new technologies and industrial energy facilities.

For more than five years, VCE has watched how the state's energy policies have played out in the development of industrial wind turbines to the detriment of the environment and people who live around the mountains where the big wind towers are sited. And now, thanks to the same policies the legislature enacted, we are witnessing a similar lack of respect for the areas where solar projects are being sited, while developers and their financiers profit.

The system in place for siting solar projects starts with what is sometimes called a feed-in tariff; in Vermont it is called a “Standard-Offer contract” that gives developers above-market prices for the solar power as an incentive to construct new renewable electricity generation. The process for choosing contract winners was initially a lottery that resulted in too-expensive contracts. Now developers place bids and the process locks the project into the site and if it is chosen as a lowest bid, there is no way to change the location.

The state legislature has also established policies to promote net-metered projects, some of which do not require any notice to towns or neighbors. Projects of certain sizes go through an expedited process that require decision-makers to issue permits within 30 days. To date, the PSB has not turned down any solar projects based on the issues at the site. The few exceptions where the Board has denied solar projects have had to do with technical details such as exceeding a certain size for the process chosen, or two sites next to each other that are claiming to be unconnected.

In a recent decision, the PSB wrote: “Under the recently expanded Standard-Offer Program, 77.5 MW of additional Standard-Offer contracts will be issued over the next decade. For illustrative purposes, this represents approximately 35 more 2.2 MW projects.” The PSB has repeatedly said they are doing what the legislature is telling them to and they will continue to do so until they are told by the legislature to do something different.

Ecos Energy of Minnesota has plans for a 10 - 12 MW Solar Project on 50+ acres of forest east of Rutland's Diamond Run Mall.
This newsletter has developed a theme along the lines of “investment bankers see gold in Vermont’s fields and mountains.” That was not necessarily the intention, but as we continue to work with Vermonters on issues of concern to them, the overwhelming and undemocratic nature of solar development is right up there with wind energy and natural gas pipelines as compelling examples of big money running over our communities.

Undeterred after 15 years of doing this work, we continue to support protecting our right to have a say in what goes on in our communities and empowering Vermonters to be effective advocates for themselves, their properties, the environment and this beautiful state.

Yes, 15 years is a big deal and so our Board president Steve Burzon decided at our annual meeting it was time to celebrate. VCE members from all over the state came to share in what turned out to be a wonderful party. We gave out 15 clay medallions (above left) made by Felix and Olga of artdep.com, each one acknowledging a different aspect of VCE’s work. Through the process of giving out the awards, the story of VCE unfolded with all the areas in which we have worked including energy, water, agriculture, mining and mineral processing, and more. Thank you one and all for helping us share in the miracle of VCE.

Change is happening. Amidst the “bad news” of conventional media it may seem very depressing, but we are aware that it is necessary to bring bad things to light in order to see progress. The very existence of VCE is proof that good people can come together to bring about positive change. And that often means fighting against greed and corruption. We all know that the best part of this work is meeting all the wonderful people that join VCE as we work together to find the path that leads to a bright future. Thank you for supporting and being a part of this amazing and unique organization. — Annette
WIND ENERGY IS BECALMED... FOR NOW

FIRST WIND & SUNEDISON - Sheffield
Last month, solar developer SunEdison announced its purchase of First Wind, whose Sheffield wind project has been in operation in Vermont since November 2011.
SunEdison purchased First Wind for $2.4 Billion. At the time of the sale, First Wind was losing money and heavily in debt. The company needed a buyer to pay off their investors DE Shaw and Madison Dearborn.
Enter SunEdison, which was also reported to be losing money as recently as August 2014. Before changing its name to SunEdison, the company was called Monsanto Electronic Materials Corp. MEMC was founded by Monsanto in the 1950s. In August 2014, investment advisors said “(SunEdison) is not profitable and revenues are not growing. Its debt-to-assets ratio has been climbing steadily and operating cash flow is negative. TheStreet Ratings has it rated as a sell.”
Enter Barclays, Morgan Stanley, Goldman Sachs, Macquarie Bank, First Reserve Corp., Citi, Bank of America Merrill Lynch and Morgan Stanley, and magically two companies that were bleeding cash are now profitably on their way to covering more mountains, fields and forests with their renewable energy projects. This deal opens up SunEdison's international market network to First Wind, and we are already seeing SunEdison's presence in Vermont as backers of Encore Redevelopment's 500 kW solar project on land owned by the Town of Bennington. (more on SunEdison, see page 4)

LOWELL AND GMP AND THE NELSONS
After more than a decade trying to protect the Lowell Mountain range from destruction by two different wind developers, Don and Shirley Nelson reluctantly sold their farm to Green Mountain Power. In the settlement, the Nelsons received an admission from GMP that the company took land from the Nelsons for the wind project, and all pending charges against so-called trespassers were dropped. The Nelsons have relocated and some of us joined them for a housewarming party. Selling the farm to GMP was an extremely difficult and painful decision, but they had no choice. Their health was being destroyed, they had no quality of life, and noone else would buy the property. GMP continues to show what inconsiderate stewards they are by letting this year's hay crop go to waste. The Nelsons report that their health is improved, they can sleep, and are finding joy in life once again. We wish them all the best. They truly are heroes who have done more than their share to raise awareness about the destructiveness of wind energy development.

WIND PROJECTS HANGING OUT
• Iberdrola has met towers up in Windham and Grafton
• NextEra has a SODAR wind measure unit up in Vershire
• Northeast Wind is looking at a site on Rt.105 in St. Albans
• GMP’s Mary Powell told a Lowell resident GMP is working on two big wind projects, but would not say where

VCE LITIGATION AGAINST U.S. FOREST SERVICE OVER IBERDROLA’S “DEERFIELD WIND”

George D. Aiken Wilderness is in the foreground. Existing Searsburg wind turbines are visible in the distance. Proposed expansion involves 400+ ft. wind turbines on ridge- lines to the right and left of the existing 197 ft. wind turbines.

We patiently await Federal Judge J. Garvan Murtha's decision on our lawsuit against the Department of Justice USDA Forest Service over its approval of Iberdrola's 15-turbine Deerfield Wind proposal for public lands in Searsburg and Readsboro. Thank you for supporting this important, precedent-setting initiative.

THERRIEN FAMILY UPDATE
If all goes as planned, by the time you read this the Therrien family will have fled their home too close to First Wind's wind turbines in Sheffield, Vermont and moved into a trailer purchased for them (personally) by VCE's executive director on a lot owned by Steve Therrien's mother. This effort has been assisted by numerous Vermonters who have made strategic donations to make it happen. As of this writing, there is still much work to complete. We wish the Therriens a Merry Christmas with hopes that the New Year brings the family peace and renewed health. Thank you to everyone who has helped make their relocation possible.

REMEMBERING TINA FITZGERALD—We extend our condolences to the family of Tina FitzGerald of Milton who fiercely fought against the Georgia Mountain Wind project, and recently lost her battle to the rare cancer she developed four months after the wind project began operating.
SHINING SUNLIGHT ON SOLAR DEVELOPERS

The Developers, The Sites, The Permitting System

With Federal and State subsidies and a virtual mandate to build new in-state renewables, the Public Service Board’s (PSB) near-100% approval rate is challenging Vermont towns and neighbors to have any voice at all in how their communities are changing. The “all renewables are good everywhere” policy is running into opposition as developers like GroSolar, SunEdison, Ecos Energy and many more LLCs choose sites with beautiful aesthetics, wetlands, forests, prime agricultural soils, active hay and corn fields, in residential neighborhoods and with impacts on public investments.

The system for approving energy projects never envisioned the PSB serving as the decision-makers on statewide land use issues. Many of the controversial sites the PSB is approving would not be permitted under Act 250. Towns and neighbors who have participated in the PSB process have had their requests for public hearings denied, their municipal plan language twisted or cherry picked to support the project. Where projects are large enough to merit technical hearings, when the public does participate and the decisions come out, they ask “Why did we bother?” because the PSB ignores or does not respond to legitimate issues raised by Intervenors. “All solar is good everywhere” is now de facto state policy as the law is interpreted by the PSB.

Ecos Energy of Minnesota is a unit of Allco Renewable Energy

One company in particular that has caught VCE’s attention is Ecos Energy LLC. According to its website, Ecos Energy “is a Minnesota-based renewable energy development and services company that develops, owns and operates distributed generation solar projects throughout the U.S.” Ecos Energy’s spokesperson Brad Wilson told Sudbury residents at a public meeting in May, “We’re a very small company. There are only five employees.”

Recently, some filings at the PSB were made in the Sudbury Solar case which is a project of Ecos Energy. However, the letterhead used in the correspondence with the PSB was Allco Renewable Energy Limited of New York City. Allco’s website does not mention Ecos Energy, so further searching revealed: “A unit of Allco Renewable Energy, Ecos Energy is diversifying into solar energy, having focused on wind power project development to this point.”

From Allco’s website, we learn Allco also invested in SunEdison and groSolar:

“Allco was an early investor and principal shareholder, alongside Goldman Sachs and MissionPoint Capital, in SunEdison LLC. SunEdison is now one of the largest integrators and installers of solar power systems in the United States, focused on large commercial and municipal systems as well as utility-scale projects, and the company and its markets are growing rapidly. Allco was instrumental in implementing new forms of financing for SunEdison’s projects. In late 2009, SunEdison was acquired by MEMC Corporation, a leader in the semiconductor industry. For more information, see www.sunedison.com.

“Together with SJF Ventures, the Calvert Funds and NGP Energy Technology Partners, Allco is also one of the shareholders in groSolar, a Vermont-based solar distributor, integrator and installer primarily focused on the residential and small commercial markets nationwide. For more information, see www.groSolar.com.”

Ecos Energy is proposing three large solar projects in Vermont — in Sudbury, Bennington and Rutland Town.

*See Page 3 for more about SunEdison and MEMC, a Monsanto Co.*
MORE ABOUT SOLAR DEVELOPERS

The role of Goldman Sachs in Solar and Aluminum

Big investment banks are investing heavily in renewables. Goldman Sachs is mentioned on page 3 as one of the financiers of SunEdison’s purchase of First Wind. Goldman has invested $40 billion in an “incredibly compelling” market at a “transformational moment in time.” They currently have a stake in the world’s largest solar thermal plant in California’s Mojave Desert and have also invested in First Solar (the largest solar PV manufacturer in the US), SunEdison, and Solar City.

Goldman has also invested in commodities including aluminum, a major component of solar arrays. More than a quarter of the supply of aluminum available on the market is kept in the company’s Detroit-area warehouses. Now that Goldman owns the company, the wait for delivery has grown more than tenfold — to more than 16 months, according to industry records.

Last month, Sen. Carl Levin held hearings and released a 400 page report about manipulations in the commodities markets. The primary focus of the report and the hearings was a specific case study looking at the long wait time required to get aluminum out of Goldman’s Detroit warehouses, an issue that was previously explored in an article in The New York Times. The Senate report said that the wait time was caused by Goldman policies and pushed up the price of the metal.

SunEdison is making its first appearance in Vermont partnering with Encore Redevelopment to site a 500 kW solar array on Bennington town-owned land that is described in the town’s Open Space and Recreation Plan as a Special Use Park providing public access to the river. No public access is shown in the solar project plans.

Sudbury Solar -- Alco Renewable’s Ecos Energy

Addison County residents have been contacting VCE about the installation of poles and wires along Route 30 and on the project site to serve Ecos Energy’s Sudbury Solar project. At the PSB’s May site visit, the developer said that seven new poles along the highway and a new pole on the project site would be required to bring 3-phase power to the site. The PSB has scheduled the technical hearing for this project for mid-February 2015. Reasonable people question why GMP has already installed poles and wires that are exclusively to provide electrical service to a project that does not have a Certificate of Public Good. One Sudbury resident wrote, “This is all very sickening to me.” VCE filed a formal complaint with the PSB two weeks ago. No response has been received.

Cold River Road Solar - groSolar

This case provides an example of how the PSB twists town plan language to approve solar projects. The town of Rutland adopted a Solar Siting Standard that is intended to augment language in the Town Plan. The PSB Hearing Officer, in his proposal to approve the project, calls the language in the Plan and Standards “inconsistent” ignoring the obvious intent of the Town was to clarify their position and the language in the Plan by adopting new Standards:

Both the Neighbors and the Town point out that the Project would be inconsistent with provisions in the Plan that discourage development on lands with high quality agricultural soils, as well as a prohibition in the Standards against ground-mounted solar installations on lands containing primary agricultural soils, a provision that is designed to preserve those lands for future agricultural uses. However...I recommend the Board find that this asserted inconsistency does not support a finding that the Project would unduly interfere with regional development...The Plan and Standards are inconsistent because the Plan “discourages” development on lands with primary agricultural soils, while the Standards would prohibit the placement of ground-mounted solar arrays on those same lands.”

Barton Solar - Essex Capital Partners, MA

This case was featured on the cover of VCE’s 2014 Mid Year Report. The PSB approved the project to meet the developer’s time frame. Neighbors asked the PSB to provide a process for mediating disputes, which they foresaw could occur based on their prior interactions with the developer. The PSB did not respond to the request. During construction, neighbors provided photographic evidence to the Board that an unapproved area was being used for staging, and reported that Barton Solar’s contractors were working at times not approved by the Board. The Board denied the complaints about work hours and staging area, but did respond to a complaint about a night-time delivery when the truck driver backed into the neighbor’s driveway and damaged their fence. The Department of Public Service backed up the neighbor’s complaint which led to the Board proposing a $1000 fine. Barton Solar has the opportunity to request a hearing, which they have done. Even though the truck driver admits he was there and damaged the fence the developer continues to deny knowledge of the problem.
ACRPC Solar Workshop

Addison County Regional Planning Commission’s Energy Committee hosted a ‘workshop’ on October 30th to discuss best practices for siting solar power facilities.

Addison County has seen a significant increase in solar development in 2014. Its existing open agricultural fields, proximity to three-phase power and location between two major population centers (Chittenden and Rutland counties) all make it a desirable place for solar development.

The workshop was billed to focus on practices Addison’s municipalities and citizens can employ to participate in the process and help guide solar development to places where it can fulfill its economic and social mission, but also incorporate sensitivity to Vermont’s rural aesthetic and the interests of municipalities, neighbors and the tourism economy.

Speakers at the workshop included Johanna Miller, Billy Coster, and Derek Moretz. Miller, the energy program director of the Vermont Natural Resources Council and the administrator of the Vermont Energy Climate Action Network, gave a brief overview of solar best practices. Coster, who is with the Agency of Natural Resources office of planning and legal affairs, shared some of the guidelines that the agency uses in evaluating solar development sites and reviewed ways to participate in the PSB process. Moretz of Encore Redevelopment, one of the many developers currently working in the region, gave a perspective on “Best Practices for Siting Solar Projects”. Many of the questions and comments by the audience reflected concerns about impacts of the rapid pace of development of agricultural and residential areas and frustration with the PSB permitting process particularly regarding the inadequate attention to the concerns and interests of towns and citizens in granting CPG’s to developers.

SOLAR - PSB Public Hearings

The following excerpt from the Final Order issued by the PSB on November 14 that grants approval of Docket 8212, Petition of Charter Hill Solar, LLC, for a certificate of public good, pursuant to 30 V.S.A. § 248, authorizing the installation and operation of a 1 MW (AC) solar electric generation facility to be located on Grandview Terrace in the City of Rutland, Vermont sums up the story on the Public Service Board hearings on solar development in the state.

“On April 3, 2014, I conducted a public hearing at the Rutland High School in Rutland, Vermont, at which 12 people spoke in opposition to the Project. In addition, over the course of this proceeding, several area residents have filed written comments with the Board, some expressing support for and some expressing opposition to the Project. Members of the public opposing the Project primarily expressed concerns related to the Project’s impact on aesthetics, local property values, and water pollution, while those in favor noted the benefits of providing an additional source of renewable energy and observed that approval of the Project would preclude the use of the area for additional housing development, which could result in its own set of environmental and aesthetic impacts.”

Vermont Rail Advisory Council

VCE has been attending meetings of the VT Rail Advisory Council in order to keep up with rail-related issues.

Initially our interest was in following Omya's rail initiatives including the proposed Middlebury rail spur, however over time we recognize the importance of participating in these discussions as the sole environmental group advocating for increased passenger rail, especially along the Western Corridor where a train from Bennington to Burlington and back several times a day would have great environmental and economic benefits.

The Rail Council advises the Agency of Transportation on statewide rail issues, including enhancing freight railway service and examining existing rail passenger services and the availability of passenger station facilities. The Council also serves as a forum for those interested in rail-related issues.

**Ethan Allen Express Extension to Burlington**

Among other issues this year the Council has been focused on the progress of grant-funded work approved last year to upgrade a 20 mile stretch of railroad track north of Rutland. The work will bring the state significantly closer to its goal of bringing Amtrak passenger rail service back to what is known as the Western Corridor. The state's long-term plan is to run passenger rail service from Albany, N.Y., to Burlington through Bennington, Manchester and Rutland. After the work covered by the grant is completed just 11 miles of track will need to be improved on the 75 miles of track between Rutland and Burlington. Rail managers in the Agency continue to pursue additional grant funding to needed to reach the goal of full service on the Western Corridor.

Amtrak reviewed and presented high-level financials on the cost to provide extended Amtrak service from Rutland to Burlington and gave examples of train schedules with variations in equipment used. (Using two locomotives on the train set would eliminate backing up and turn around time.) Council members expressed concerns about Amtrak's estimates for ridership, schedule and cost effectiveness of investment. Amtrak will refine the information for future discussion, which will consider scheduling and include possibilities of cost and equipment sharing.

**Report on State Rail Plan**

As a part of the Vermont State Rail Plan Update the Council has been reviewing state owned rail line options (status quo, state own and upgrade lines, sell some lines, sell all lines) and considering associated advantages/disadvantages. Presently rail lines are state-owned and managed by Vermont Rail Service.

**Commuter Rail**

Costa Pappas, who heads the AOT rail program, reported commuter rail should be a component of the Public Transit Plan because commuter rail is not under the purview of the rail program. The FTA will fund commuter rail operations. The Public Transit Plan will be updated within the next few years and commuter rail will be included.

**Freight Topics**

Bridge Management Program
- Bridge inspections will be complete by the end of the year.
- Load ratings on 98 bridges are done (32 need to be verified). There are 26 bridges remaining to do and 33 no load rating bridges to be inspected.
- All work must be complete by 2017.

**Rail Construction Program Update**

In review of the 2014 construction project list it was noted there are 11 construction projects slated to be finished in 2014, 7 projects ready to be advertised, 10 public crossing projects completed and 6 crossing projects to be done. Four of the projects were emergency repairs to keep the line in service. Final inspection of the finished work is underway.

**High Speed Inter-City Rail**

Rail Council members and others on the mailing list will soon receive notice regarding meetings in November on the high speed inter-city rail service from Boston to Montreal.

**VNRC Water Caucus**

The mission of the VNRC Water Caucus is to better involve the environmental community in the development and implementation of sound water policy and legislation in Vermont. The Caucus brings relevant information to watershed organizations and other interested parties to enable them to engage on these issues in a constructive, efficient and effective manner. At quarterly meetings topics covered have included overviews of current water legislation, river corridor/buffer legislation, dam inspection legislation, and status of Lake Champlain TMDL. Policy and rule updates include VT Water Quality Standards, Underground Injection Control rule, Wastewater rules, Vermont Stormwater Manual, Wetland rules, CLF Ag Best Management Practices petition, and Flood Hazard Area and River Corridor rule. Vermont Conservation Voters working with VNRC is providing ways for citizens to be involved and to engage in legislation.

**Green Mountain Water Environment Assoc. (GMWEA)**

Mission: To promote public awareness of water quality issues and support water quality professionals working to protect Vermont’s water resources. GMWEA Fall Tradeshow & Technical Sessions 11/6/ 2014: GAC vs. UV/Chloramines for DBP Control

This session covered process and cost analysis of water disinfection systems considered for the municipal water supply in Hillsborough, NH. Faced with the need to supplement sand filtration and chlorination due to unacceptable disinfection byproduct levels (DBP) the town evaluated options and chose to go with UV/Chloramine for DBP control. When a session participant commented that there has been some opposition to and issue with chloramination in Vermont and questioned whether there had been any opposition to this project in Hillsborough, the consultant responded by saying that there had been no opposition and the choice had been based on results of bench testing and cost analysis.
Yes, I want to be a member of VCE and make a difference, too!

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Meetings VCE attended in 2014:
- Vermont Rail Advisory Council
- PSB Solar Public Hearings
- VNRC Water Caucus
- AIV Environmental Conference
- ACRPC Solar Workshop
- Green Mtn. Water Environment Conference

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Vermonters for a Clean Environment
789 Baker Brook Road
Danby, VT  05739
(802) 446-2094

Annette Smith
Executive Director
vce@vce.org

Elizabeth Cooper
Community Outreach Coordinator
elizabeth@vce.org

December 2014
www.vce.org

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