

STATE OF VERMONT
PUBLIC SERVICE BOARD

Petition of Entergy Nuclear Vermont Yankee, LLC, and)
Entergy Nuclear Operations, Inc., for amendment of their)
certificates of public good and other approvals required)
under 10 V.S.A. §§ 6501-6504 and 30 V.S.A. §§ 231(a),) Docket No. _____
248 & 254, for authority to continue after March 21, 2012,)
operation of the Vermont Yankee Nuclear Power Station,)
including the storage of spent-nuclear fuel)

SUMMARY OF PREFILED TESTIMONY OF HARRY L. DODSON

Mr. Dodson's testimony evaluates the impacts upon aesthetics, natural areas and historic sites under 30 V.S.A. § 248(b)(5) and Act 250 Criterion 8 associated with continued operation of the VY Station after March 21, 2012. His testimony also includes evidence relevant to Act 250 Criteria 1(F), Shorelines, and 9(K), Public Investments, in terms of the aesthetic impact of the VY Station and its impact on views of the VY Station from certain vantage points in the area, including the Connecticut River. Finally, his testimony addresses the VY Station's compliance with Section 248 (b)(1), which addresses whether continued operation of the VY Station will unduly interfere with the orderly development of the region.

Mr. Dodson sponsors the following exhibits:

Exhibit EN-HLD-1	Resume of Harry L. Dodson
Exhibit EN-HLD-2	Aerial Photo depicting locations of Governor Hunt House and Vernon Grange
Exhibit EN-HLD-3	Viewshed Maps "Vermont Yankee Visual Analysis of Reactor Complex in Summer", "Vermont Yankee Visual Analysis of Stack in Summer" dated 11/30/07 and "Vermont Yankee Plume Visual Analysis Spring/Fall Viewshed" dated 2/18/2003
Exhibit EN-HLD-4	Existing Conditions Photographs

Exhibit EN-HLD-5	Vermont Yankee Cooling Tower Plume Visual Analysis dated February 18, 2003
Exhibit EN-HLD-6	Vernon Town Plan excerpts
Exhibit EN-HLD-7	Windham Regional Town Plan excerpts
Exhibit EN-HLD-8	Town of Hinsdale Master Plan excerpts
Exhibit EN-HLD-9	Vernon Planning Commission Letter dated December 8, 2007
Exhibit EN-HLD-10	Vernon Selectboard Letter dated December 4, 2007
Exhibit EN-HLD-11	Windham Regional Commission Letter dated January 18, 2008

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PREFILED TESTIMONY OF HARRY L. DODSON

I. Background; Purpose of Testimony

- 1 Q1. State your name.
- 2 A1. Harry L. Dodson.
- 3 Q2. What is your position, and by whom are you employed?
- 4 A2. I am a principal at Dodson Associates, Ltd., landscape architects and planners.
- 5 Q3. Please describe your education and employment background.
- 6 A3. I received a masters degree in landscape architecture from the Harvard Graduate School
7 of Design in 1980. I was chief landscape architect at the Massachusetts Department of
8 Environmental Management from 1980 to 1986 where I co-authored the Massachusetts
9 Landscape Inventory, the first comprehensive, state-wide scenic landscape inventory in
10 the United States. In 1986 I founded Dodson Associates, Ltd., where I have completed
11 over 20 visual evaluation and assessment projects including: the development of New
12 York State's coastal-scenic-assessment methodology for the New York Department of

1 State; the Hudson River Scenic Landscape Assessment; the East Hampton, NY Scenic
2 Landscapes Preservation Plan; and Scenic Byways Assessment Programs for Vermont,
3 Nevada and British Columbia. I have testified on numerous occasions on aesthetic
4 impacts before Vermont Act 250 district commissions, the former Environmental Board
5 and the Vermont Public Service Board, including providing the 2003 Vermont Yankee
6 Uprate Plume Visual Analysis in Docket No. 6812 and testifying as the intervening
7 parties' aesthetic witness regarding the UPC Sheffield Wind Turbine Complex in Docket
8 No. 7156. Exhibit EN-HLD-1 is a copy of my resume.

9 Q4. What is the purpose of your testimony?

10 A4. I have been retained by Entergy Nuclear Vermont Yankee, LLC, and Entergy Nuclear
11 Operations, Inc. (to which I refer in my testimony as "Entergy VY"), to evaluate the
12 impacts upon aesthetics, natural areas and historic sites, under 30 V.S.A. § 248(b)(5),
13 associated with the continued operation of the Vermont Yankee Nuclear Power Station
14 (to which I refer in my testimony as "Vermont Yankee", the "VY Station" or "Station")
15 after March, 2012.

16
17 Specifically, my testimony will address Act 250 Criterion 8 (scenic or natural beauty,
18 aesthetics and historic sites). My testimony also includes evidence relevant to Act 250
19 Criteria 1(F), Shorelines, and 9(K), Public Investments, in terms of the aesthetic impact
20 of the VY Station and its impact on views of the VY Station from certain vantage points
21 in the area, including the Connecticut River. Finally, my testimony addresses the VY
22 Station's compliance with the first Section 248 criterion, which addresses whether

1 continued operation of the VY Station will unduly interfere with the orderly development
2 of the region.
3

4 **II. Act 250 Criterion 8: Scenic or Natural Beauty Aesthetics and Historical Sites**

5 Q5. Please describe the examination that you undertook of the VY Station facilities that are
6 proposed to be relicensed in this proceeding.

7 A5. I have reviewed the existing VY Station site plans prepared by Entergy VY and filed as
8 Exhibit EN-JG-4, which describe the VY Station as a whole. As discussed by Witness
9 Young, continued operation of the VY Station, the subject of this proceeding, does not
10 involve or require any changes to the current Station, the Station site or operations. I
11 have visited the VY Station site and surroundings and am familiar with the characteristics
12 of the site and location, the character of the surrounding area and the locations from
13 which the Station can be seen. I have previously reviewed the impact of the plume
14 generated by the cooling towers at the VY Station in Docket No. 6812. I have met with
15 Entergy VY's engineers and representatives to discuss what changes, if any, are expected
16 to be associated with the Station facilities if it is relicensed. I have reviewed both the
17 Vernon Town Plan and the Windham Regional Plan. I have reviewed available data to
18 determine whether any historic, scenic or significant natural sites occur in the vicinity of
19 the Station. Finally, I conducted an updated viewshed analysis of the VY Station,
20 prepared photographs of the Station from various vantage points and prepared aerial
21 photographs of the Station and Station site.

1 Q6. In your opinion, will the VY Station's operation after March 21, 2012, have an undue
2 adverse effect on the scenic or natural beauty of the area, aesthetics or historic sites?

3 A6. I do not believe the impacts on any of these resources will be adverse or undue.

4 Q7. Please summarize why you believe the proposed relicensing of the VY Station will not
5 have undue adverse impacts on the scenic or natural beauty of the area, aesthetics or
6 historical sites.

7 A7. The VY Station is an existing facility that has been in more or less its current visual state
8 since the late 1960s. No changes are proposed as a result of, or associated with,
9 continued operation that would alter the present visual character of the VY Station and
10 the surrounding area. Historic sites and sensitive natural areas do exist in the vicinity of
11 the VY Station, such as the Governor Hunt House. The VY Station has successfully
12 coexisted with these nearby, sensitive natural features since it was built in the late 1960s.
13 They will continue to coexist with the VY Station if it continues to operate as it does
14 today.

15

16 **Scenic Resources and Shorelines**

17 Q8. Please begin by describing the potential impacts of the relicensing upon scenic resources
18 and shorelines.

19 A8. Of the 125 total acres of the VY Station site, approximately 88 acres are developed, 17
20 are marginally developed and 20 are undeveloped. The operational portions of the VY
21 Station are at present covered with buildings, other improvements, pavement, stone and
22 grass. The area has been used since the late 1960s as an industrial complex. Marginally-

1 developed areas include fields beneath transmission lines and other low-intensity uses.

2 Outlying undeveloped areas of the property consist of wooded areas, open fields and the
3 wooded banks of the Connecticut River.

4
5 As discussed in Witness Goodell's testimony, the existing VY Station is largely located
6 beyond the high-water mark of the Connecticut River. The Connecticut River shoreline
7 is largely vegetated along the perimeter of the Vermont Yankee site with the exception of
8 the water intake and discharge structures and the Station's boat launch. Other than the
9 ongoing occasional and periodic thinning of vegetation required by current security
10 standards, no changes in the shoreline are planned.

11
12 **Historic Sites**

13 Q9. Please explain why, in your opinion, operation of the Station after March 21, 2012, will
14 have neither adverse nor undue impacts on historic sites.

15 A9. Again, I understand that no changes are proposed for the VY Station. The VY Station
16 largely consists of industrial buildings of relatively recent age. None of the buildings
17 utilized in the operation of the VY Station are classified as having local or statewide
18 historic significance.

19
20 Within the larger context, several historic sites exist along Governor Hunt Road and in
21 the village of Vernon. The Vernon Town Plan identifies two buildings in the vicinity that
22 are listed in the 1974 Historic Sites and Structures Survey.

1 One is the so-called “Governor Hunt House” or Governor Jonathan Hunt homestead,
2 which is owned and maintained by Entergy VY. Until a few years ago, this building
3 served as the Vermont Yankee Energy Information Center. The continued operation of
4 the VY Station will not change or impact the ongoing use of the Governor Hunt House,
5 which currently serves as a meeting area and is visually screened from the Station by a
6 dense stand of evergreens.

7
8 Also nearby on the opposite side of Governor Hunt Road is the Vernon Grange Building.
9 The VY Station would continue to be located at some distance from this building with
10 several other structures separating the two buildings. Trees along Entergy VY’s property
11 line would continue to screen views of the Station from the Grange. Exhibit EN-HLD-2
12 is an aerial photograph depicting the location of the Governor Hunt House and Vernon
13 Grange.

14
15 There are several historic sites located along Route 119 and Prospect Street in Hinsdale,
16 New Hampshire. These include the Colonel Ebenezer Hinsdale House, the Taylor
17 Monument, Hooker Cemetery and Fort Dummer Cemetery. None of these historic sites
18 is within view of the VY Station. As the overall VY Station area was extensively
19 disturbed during construction in the late 1960s and early 1970s, and as no excavation or
20 other development activities are contemplated for the Station’s extended operation, no
21 archaeological review of the Station site is warranted.

1 **Aesthetics**

2 Q10. What analytical criteria did you apply in making your determination that the relicensing
3 of the VY Station would not have undue adverse impacts on the aesthetics or scenic or
4 natural beauty of the area?

5 A10. I applied the so-called *Quechee* analysis, as instructed by this Board in its recent Order of
6 January 28, 2005, in Docket No. 6860, as follows:

7 The Public Service Board has adopted the Environmental Board's
8 Quechee analysis for guidance in assessing the aesthetic impacts of
9 proposed projects under Section 248. We have previously
10 explained the components of the Quechee analysis as follows:

11
12 In order to reach a determination as to whether the project will
13 have an undue adverse effect on the aesthetics of the area, the
14 Board employs the two-part test first outlined by the Vermont
15 Environmental Board in Quechee, and further defined in numerous
16 other decisions.

17
18 Pursuant to this procedure, first a determination must be made as to
19 whether a project will have an adverse impact on aesthetics and the
20 scenic and natural beauty. In order to find that it will have an
21 adverse impact, a project must be out of character with its
22 surroundings. Specific factors used in making this evaluation

1 include the nature of the project's surroundings, the compatibility
2 of the project's design with those surroundings, the suitability of
3 the project's colors and materials with the immediate environment,
4 the visibility of the project, and the impact of the project on open
5 space.

6
7 The next step in the two-part test, once a conclusion as to the
8 adverse effect of the project has been reached, is to determine
9 whether the adverse effect of the project is "undue." The adverse
10 effect is considered undue when a positive finding is reached
11 regarding any one of the following factors:

12
13 1. Does the project violate a clear, written community standard
14 intended to preserve the aesthetics or scenic beauty of the area?

15
16 2. Have the applicants failed to take generally available mitigating
17 steps which a reasonable person would take to improve the
18 harmony of the project with its surroundings?

19
20 3. Does the project offend the sensibilities of the average person?
21 Is it offensive or shocking because it is out of character with its
22 surroundings or significantly diminishes the scenic qualities of the
23 area?

1 Q11. Please provide your aesthetic assessment.

2 A11. I will begin by generally describing the VY Station and its immediate surroundings,
3 followed by a discussion of the larger context of the Station including Vernon, Vermont,
4 and Hinsdale, New Hampshire. I will discuss whether the VY Station would fit in this
5 context and explain further details of the colors and materials used by the Station, the
6 locations where it can be seen and its impact on open space. From this analysis I will
7 draw conclusions as to whether the continued operation of the VY Station would have an
8 adverse impact on aesthetics.

9
10 I will then determine whether the VY Station's impacts would be undue using the three
11 prongs of the *Quechee* test: (1) does the Station violate a clear written community
12 standard intended to preserve the aesthetics or scenic natural beauty of the area; (2) does
13 it offend the sensibilities of the average person; and (3) has Entergy VY taken generally
14 available mitigating steps that a reasonable person would take to improve the harmony of
15 the Station with its surroundings.

16 Q12. Did you prepare any exhibits in connection with your visual analysis?

17 A12. Yes. Exhibit EN-HLD-2 is an aerial photograph depicting the locations of the Governor
18 Hunt House and the Vernon Grange taken on January 16, 2008. Exhibit EN-HLD-3
19 contains viewshed maps titled "Vermont Yankee Visual Analysis Visibility of Reactor
20 Complex in Summer" and "Vermont Yankee Visual Analysis Visibility of Stack in
21 Summer" dated November 30, 2007, and "Vermont Yankee Plume Visual Analysis
22 Spring/Fall Viewshed" dated February 18, 2003. Exhibit EN-HLD-4 contains

1 photographs titled “Existing Conditions Photographs – Entergy Nuclear Vermont Yankee
2 Vernon, Vermont” prepared by Dodson Associates and taken on November 27, 2007,
3 from the New Hampshire shoreline, from Route 142 approximately 3/8th of a mile north
4 of the VY Station and from Route 142 approximately 4.8 miles north of the Station,
5 depicting the location, context and visibility of the Station. Exhibit Entergy EN-JG-3
6 contains aerial photographs of the Station taken on January 16, 2008.

7 Q13. Please discuss how the photographs and these visual impact analyses were prepared.

8 A13. The viewshed analysis maps show areas in the region from which the tallest components
9 of the Station—the stack, the main reactor building and the vapor plume—are partially or
10 fully visible. To determine visibility, Dodson Associates entered dimensional data on
11 the so-called Ventilation Stack, the so-called Reactor Building and the vapor plume from
12 the cooling towers in a digital terrain model of the region using ArcMap 8.2 computer
13 software. The terrain model is based on US Geological Survey’s 7.5-minute quadrangle
14 maps for the region. The model calculates the extent of visibility of the structures
15 through an analysis of terrain. Vegetation was assumed to have an average height of 60'
16 with the ability to block views in the summer and in the winter at depths of 100' or
17 greater.

18 Q14. The *Quechee* analysis first requires an examination of the characteristics of the existing
19 setting. Please begin by describing the VY Station’s surroundings.

20 A14. I will begin by describing the VY Station site, and then I will address the larger context
21 extending in an approximately one-mile radius around the site. As I previously testified,
22 the site, on which the VY Station would continue to operate, is an industrial complex. As

1 shown on the existing site plans prepared by Entergy VY and filed as Exhibit EN-JG-4,
2 structures at the VY Station site include the Reactor Building, which measures roughly
3 144 feet square and is approximately 138 feet high. The Reactor Building is generally
4 grey (lower $\frac{3}{4}$ concrete portion) to beige or off-white in color (upper $\frac{1}{4}$ portion). West of
5 the Reactor Building is the green, so-called Turbine Building. These two structures along
6 with other attached buildings expand the building complex to about 500 feet in width
7 from north to south along the Connecticut River.

8
9 To the north of the Reactor/Turbine Building complex is the so-called North Warehouse,
10 a green, metal-sided building measuring approximately 50 feet wide by 120 feet long and
11 approximately 24 feet high. The Low Level Radioactive Waste Storage Area, consisting
12 of storage containers, lights and a fenced enclosure, is located beyond the area in which
13 the so-called Dry Fuel Storage pad (which is referenced in my testimony as the “DFS
14 Pad”), which has a “line of site barrier” on the north and east side consisting of a wooden
15 structure approximately 22 feet tall as required by the Board’s order in Docket No. 7082.

16
17 To the east of the Reactor Building along the shoreline of the Connecticut River is an
18 intake structure designed to bring water from the Connecticut River into the VY Station
19 for cooling purposes. The additional chain-link fence and other structures can be seen
20 north and south along the eastern edge of the Station site.

1 The Ventilation Stack is located about 150 yards north of the Reactor Building. This
2 narrow, cylindrical, concrete structure is 308 high and is, due to its height, the most
3 visually prominent feature of the VY Station from a distance.

4
5 The cooling towers are located about 200 yards south of the Reactor Building and
6 average 57 feet in height. The two rows of cooling towers are minimally visible due to
7 their relatively low height, their dark color scheme and the fact that they are surrounded
8 on three sides by mature trees. The cooling towers produce vapor plumes that are visible
9 an average of 20% of the time, mainly during the warm months. The visual impacts of
10 these plumes was studied by Dodson Associates, Ltd., on behalf of Entergy VY in 2003,
11 as part of the company's uprate petition before the Board. *See* Exhibit EN-HLD-5.

12
13 There are many other structures surrounding these existing central buildings, including
14 the 115 kV and 345 kV transmission lines and towers and the 115 kV and 345 kV
15 switchyards (to which I refer in my testimony as the "Transmission Lines" and the
16 "Switchyards"), office buildings, entry roads and parking areas. Both the 345 kV and
17 115 kV transmission lines extend north and south from the VY Station. The central
18 developed areas of the Station site are currently well lit at night. Many of the exterior
19 lights have been designed with full cut-off fixtures to reduce light pollution and glare
20 onto surrounding areas. Some of the security lighting is required to be non-shielded.

1 In total, Entergy VY owns approximately 125 acres. As I testified, of this approximately
2 88 acres—primarily along the Connecticut River—is used fairly intensively. Another 20
3 acres are largely open with some development, such as the fields to the north around the
4 transmission towers, and about 17 acres are undeveloped. This undeveloped area lies
5 between the residences along Governor Hunt Road and the VY Station and consists of
6 open meadows and a wooded buffer area.

7
8 A village is located just to the west of the VY Station. To the east is the Connecticut
9 River and the Town of Hinsdale, New Hampshire, directly across the river from Vernon.
10 The Vernon Dam lies just to the south of the Station. A 115 kV transmission line crosses
11 the Connecticut River north of the VY Station running in a northeasterly direction from
12 the Station to the New Hampshire side of the river.

13
14 Vernon is a rural town with two centers: Vernon and Central Park. The Town Offices,
15 school, Old Grange and a park are located along Governor Hunt Road. As discussed
16 previously, the historic Governor Hunt House is on the east side of the road and is owned
17 and maintained by Entergy VY. Several other homes are clustered along Governor Hunt
18 Road. An open meadow and forested area separates the adjacent village from the Station.
19 Power lines extend north and south of the Station, but otherwise Vernon is a typical
20 Vermont rural town with homes and farms generally separated by large areas of open
21 space.

1 The New Hampshire side of the Connecticut River tends to be more uniformly wooded.
2 The old railroad bed that ran along the New Hampshire shoreline has been converted into
3 a recreation path. There is one formal boat-access area and other less formal areas that
4 provide access to fishermen in both summer and winter.

5 Q15. Please provide a summary of your viewshed analysis.

6 A15. Our viewshed analysis demonstrates that currently the VY Station and vapor plume from
7 the cooling towers are visible from the Connecticut River itself and from about two miles
8 of shoreline. The grey/beige Reactor Building, the VY Station and associated Ventilation
9 Stack, the Switchyards and the Transmission Lines are visible from this section of the
10 Connecticut River and the river's banks, especially on the New Hampshire shoreline. The
11 main reactor building (138 feet in height) is mainly visible from a two-mile segment of
12 the Connecticut River in Hinsdale, New Hampshire, from the riverbank opposite the VY
13 Station and from an area one mile northwest of the Station that includes a one-mile
14 segment of Route 142. Views of the Vermont shoreline to the north of the VY Station
15 and south of the Vernon Dam are generally of forested riverbanks. Drivers on short
16 portions of Route 142 south of Brattleboro have views of the plume and stack that last
17 about one minute for typical travelers from a distance of approximately 4.8 miles.
18 Drivers on Cotton Mill Road in Brattleboro also have a short view of the stack and the
19 plume from portions of this road, mainly in winter.

20

21 The plume and upper portions of the stack are more visible due to their greater height.

22 The stack is 308 feet tall, and the plume varies on average from 0 feet to over 500 feet in

1 height depending on atmospheric conditions and plant operating capacity. They are
2 mainly visible to the north and east of the plant, up to the southern portions of Brattleboro
3 and along the Connecticut River and the westernmost portions of Hinsdale.

4
5 The village of Hinsdale sits on a rise just east of the Connecticut River and across from
6 the VY Station. The portions of the village near the Connecticut River are generally of
7 low to moderate density and generally heavily wooded. From New Hampshire Route
8 119, there are intermittent views of the VY Station during the winter months. Route 119
9 is generally rural in character north of Hinsdale village with a mix of residential and
10 some commercial uses. I describe views from these areas later in my testimony.

11
12 To the south, the plume and stack are not as visible due to the nature of terrain and the
13 dense vegetation in this area. Local neighborhoods in Vernon to the south and west of
14 the plant also have partial views of the plume in the winter.

15 Q16. Please discuss the viewshed from which the plume and stack can be seen.

16 A16. The vapor plume generated by the cooling towers primarily in the warm months (May
17 through September) will continue to be seen from the areas depicted on the Vermont
18 Yankee Plume Visual Analysis Spring/Fall Viewshed dated February 18, 2003, as shown
19 on Exhibit EN-HLD-3. This area includes portions of Southern Brattleboro, Western
20 Hinsdale and the higher elevations and summits of hills and mountains in the region
21 including Wantastiquet Mountain, Davis and Bear Mountains in New Hampshire and

1 Charles Hill in Vermont. In the summer, views of the plume and the stack are largely
2 blocked by vegetation depending on atmospheric conditions.

3
4 The plume and stack viewshed along a one-mile section of Route 142 includes farms,
5 residences, a lumber yard, highway-commercial businesses and fields. The Vernon Town
6 Offices, the Vernon Grange and the Elementary School have partial, screened views of
7 the plume and stacks in the wintertime. Route 142 in Brattleboro provides intermittent
8 views of the plume from a distance of four to five miles and the stack from three to four
9 miles. At this distance the plume and especially the stack are a relatively small part of
10 the landscape. Local roads in Vernon, including Tyler Hill, Bemis, Stebbins, Governor
11 Hunt, Blodgett, West and Pond Road provide intermittent views of the plume and stack
12 depending on the season. Summer vegetation will tend to obscure many of these views
13 since they are often screened by trees.

14
15 To the south, the plume and stack are not as visible due to the nature of the terrain and
16 dense vegetation in this area. Some utility corridors and hiking trails in the surrounding
17 hills as far north as Brattleboro also provide very distant views of the plume and stack.
18 Most areas in the viewshed are heavily forested hillsides where visibility is limited by
19 trees and where few people live or visit. Some trails and gravel roads traverse these
20 areas.

1 Q17. Where will the VY Station continue to be seen, for how long and at what distance?

2 A17. As depicted on Exhibit EN-HLD-3, the VY Station will continue to be visible principally
3 from the Connecticut River, from the New Hampshire shoreline and intermittently along
4 New Hampshire Route 119 during the winter months. The existing VY Station is
5 currently easily visible for approximately two miles along the Connecticut River as
6 shown by Exhibit EN-HLD-3. To the west, the steep hills limit the visibility of the VY
7 Station to the edges of the Connecticut River Valley. Public roads providing views of the
8 Station include portions of Route 142, Governor Hunt Road, Tyler Hill Road, Bemis
9 Road, West Road, Pond Road, Stebbins Road and Blodgett Road.

10

11 In wooded, remote mountainous areas, the VY Station will primarily be visible from
12 hiking trails along exposed ridgelines and summits and partially from certain steep,
13 wooded areas in the wintertime.

14

15 The Reactor Building is also easily visible from the Connecticut River and portions of the
16 New Hampshire shoreline due to its size and height.

17

18 The 345 kV Transmission Line on large metal pylons crosses the river just north of the
19 Station and is fully visible from the Connecticut River, its shorelines and certain upland
20 areas along its route. When it is out of sight of the VY Station, it tends to be seen as a
21 part of the region's electrical network and is usually not visually identified with the
22 Station.

1 In the winter, the Station can be seen for about 1.1 miles along New Hampshire Route
2 119 and for another one-half mile along Prospect Road. The VY Station is seen through
3 trees along the roadside so that visibility will be restricted during the summer months.
4 There is a curve in the road just northwest of the village of Hinsdale where, heading
5 north, the VY Station can be seen directly ahead during the winter. The view is through
6 tree branches and is of very short duration (about two seconds).

7
8 From the Vermont side, the stack and plume (in the summer months) can be glimpsed
9 briefly from Route 142 about a mile and a half north of the VY Station and again
10 distantly and briefly from 142 southbound at 2.8 and 3.9 miles from the Station. The VY
11 Station is seen from the north beginning around Tyler Hill Road. From here a broad open
12 meadow occupies the foreground of the Station. The stack can be seen along with
13 Transmission Line structures and the top of the Reactor Building over intervening trees.
14 These trees, located to the northwest and west of the Station, will continue to provide
15 sufficient screening of the Station.

16 Q18. Would continued presence of the Station be compatible with these surroundings?

17 A18. Yes. As there are no changes to the Station or its operations, continued operation of the
18 VY Station would, in effect, be compatible with itself. There will be no undue adverse
19 impact from the continued existence of these buildings in the context of the present
20 industrial complex that makes up the Station.

21

1 No additional lighting would be added as a result of the relicensing. Existing trees or
2 surrounding buildings would continue to provide significant screening of the VY Station
3 from Vernon. Planned thinning of trees for security reasons will have minor visual
4 impacts on the Connecticut River and the Hinsdale shoreline.

5 Q19. Are the colors and materials used at the Station suited to its surroundings?

6 A19. Yes. The muted grey and green colors of most of the buildings in the complex reduce the
7 VY Station's apparent visibility. As stated previously, the Reactor Building's two-tone
8 color scheme breaks up the mass and bulk of the building into two separate components,
9 reducing the apparent height of the building as well as the visibility of the most
10 prominent top one-quarter of the structure. The building materials—steel, concrete and
11 sheet metal—are appropriate to the context of the site, which has been an industrial
12 complex for almost 40 years.

13 Q20. What impact would continued operation of the VY Station have on existing open space?

14 A20. The continuation of operation of the existing facility will not affect open space, either
15 within the site or in the surrounding area. The VY Station site is densely developed with
16 limited, open space mainly along the river and at the north and south ends of the site. No
17 changes to these areas are contemplated by Entergy VY. The open fields between the
18 Station complex and the residences along Governor Hunt Road are presently farmed by a
19 local farmer. No changes to the use of these fields are contemplated. In summary, there
20 are no impacts on open space contemplated in connection with continuing to operate the
21 VY Station.

1 Q21. Would continued operation have an adverse impact on the aesthetics or scenic and natural
2 beauty of the surrounding area?

3 A21. No, I do not believe the impacts would be adverse. For the reasons I have outlined
4 previously in my testimony, continued operation does not entail changes to existing
5 conditions, and the VY Station will remain sited within an appropriate context at a scale
6 and with colors and materials that are consistent with its existing surroundings. The VY
7 Station would continue to operate as an existing industrial complex that has been in place
8 largely as is since the late 1960s.

9 Q22. Assuming *arguendo* that continued operation could be considered to have adverse
10 impacts, examine the tests for determining whether the impacts would be undue. Please
11 begin by discussing whether there are any clear, written community standards intended to
12 preserve the aesthetic and scenic natural beauty of the areas.

13 A22. I will address whether continued operation is consistent with the written standards of the
14 Town of Vernon Plan and the Windham Regional Plan applicable to scenic resources.

15
16 The Vernon Town Plan (2003) makes several statements and adopts several policies
17 addressing issues related to aesthetic characteristics of the Town. Excerpts from the
18 Vernon Town Plan are provided as Exhibit EN-HLD-6. The Plan identifies several
19 sensitive sites along Governor Hunt Road, including the Old Grange, Town Offices,
20 Town School and Governor Hunt House. These structures are either fully or
21 substantially out of sight of the Station. The VY Station's continued operation is
22 consistent with any of these broad policies.

1 The policies and my analysis follows:

2 Page 3: Statement of Objectives

3 8. To protect the rural character of the Town through careful management
4 and guidance of new development.

5 The Station is an existing facility, and the continued operation of the Station does not
6 entail new development.

7 Page 25: Water Courses and Shorelines

8 The most prominent body of water situated partially in Vernon is the
9 Connecticut River. Approximately ten miles of its western shoreline abut
10 the township.

11 . . .

12 Policy:

- 13 1. It is the policy of the Town that watercourses and shorelines be retained
14 and maintained in a natural state.
- 15 2. Shorelines and stream banks shall be protected from uses and settlement,
16 which may be expected to cause erosion or reduce scenic qualities of
17 surface waters or cause pollution from sewage disposal systems.

1 Page 33: Scenic Resources

2 Vernon enjoys a wide variety of scenic resources. Many of which are
3 typical of Vermont settlements. These resources are a significant factor in
4 the quality of life experienced in Vernon. Many of these resources,
5 however, are highly sensitive and may be adversely impacted through
6 careless development.

7 Policy:

- 8 1. Recognizing the value of scenic resources, it is the policy of
9 the Town of Vernon to encourage land uses that will help to
10 protect river corridors, scenic highways and roads, scenic
11 views and other scenic resources.

12 The continued operation of the Station does not entail alteration of the Connecticut River
13 shoreline other than periodic maintenance of vegetation as required by security
14 requirements. Protection of the Connecticut River environment has governed Station
15 operations for almost 40 years, and Entergy VY and previous owners have invested
16 resources in this effort.

17
18 The Windham Regional Plan (2006) contains several statements relating to visual
19 character, scenery and aesthetics. Excerpts from the Windham Regional Plan are
20 provided as Exhibit EN-HLD-7. I believe that the VY Station's continued operation is
21 consistent with the intent of any of the following recommendations.

1 Map: Regional Development Pattern

2 This map shows the VY Station site as a developed area. Thus continued
3 operation of the VY Station would be appropriately located within the context of
4 an already-developed industrial site.

5 Page 67: Scenic Resources

6 This section identifies utility poles, telecommunications towers, gas stations and
7 streetlights as “visually incongruous with our scenic landscape.” The existing site
8 contains three of the elements I just quoted, so that the immediate site is already
9 scenically degraded. This section also discusses the problem of “sky glow” or
10 light pollution. The VY Station is already well lit for security reasons, but no
11 additional lighting would be added as a result of the continued operation of the
12 Station. Exterior lighting installed at the Station for the Professional Support
13 Building (Docket No. 6054), Parking Lot (Docket No. 6976) and Dry Fuel
14 Storage (Docket No. 7082) have used cut-off light fixtures that minimize light
15 pollution.

16 Page 67-68: Natural Areas, Fragile Areas and Wildlife Resources

17 No ecological resources, rare or endangered plant species are located on the site,
18 and none would be affected by continued operation of the Station.

19 Pages 80-81: Radioactive Waste Management

20 The VY Station is specifically discussed in this section, but the discussion is
21 unrelated to the issues of natural resources, historic sites or scenic resources.

1 Page 41: Energy: Nuclear

2 The VY Station is specifically discussed in this section, but the discussion is
3 unrelated to the issues of natural resources, historic sites or scenic resources.

4 Page 115: Transportation: Scenic Roads and Vermont Byways

5 Vermont Route 142 and US Route 5 were designated a Vermont Byway as part of
6 the larger Connecticut River Byway (or “CRB”) in 1999. The VY Station had
7 been a part of the Route 142 landscape for approximately 30 years when the
8 Scenic Byway designation was made. While clearly visible along short segments
9 of the road in Vernon and southern Brattleboro, the Station evidently has not
10 degraded the visual landscape of the highway enough to prevent its designation as
11 a Scenic Byway under rigorous state and federal aesthetic standards. The CRB
12 stretches from the New Hampshire/Quebec border to South Hadley,
13 Massachusetts. The Windham Regional Plan states: “A ‘Vermont Byway’ is a
14 highway or other public road that has special scenic, historic, recreational,
15 cultural, archeological, and/or natural qualities and that is formally designated by
16 the Vermont Scenery Preservation Council and Vermont Transportation Board in
17 order to enable management practices and programs that focus on any or all of
18 those qualities.” The VY Station is screened from Route 142 by existing trees.
19 The switchyards and the Reactor Building are currently visible in the winter from
20 a one-mile section of Route 142 along with 345 kV Transmission Lines and the
21 Ventilation Stack. These views are significantly reduced in the summer. No

1 changes to the VY Station are proposed as part of the continued operation of the
2 Station that will affect its visibility from public roads.

3 Page 30: Policies: Downtown and Villages

4 Policy 6 in this section states: “Preserve downtown and village character through
5 appropriate design and scale of commercial, industrial, residential, transportation
6 infrastructure and community structures and uses.” The continued operation of
7 the VY Station would not be visible from the adjacent village and is appropriate
8 in scale and design given its industrial setting. The siting of the VY Station and
9 the planting and maintenance of dense woodland screen between Governor Hunt
10 Road and the complex have ensured that the historic village of Vernon has not
11 been visually degraded by the nearby facility.

12 Page 32: W.R.P. Policies: Resource Lands

13 Policy 12 states: “Protect green space, particularly along streams and rivers, and
14 other important lands that are valued for trails, open space, wildlife habitat and
15 scenic enjoyment.” Policy 16 states: “Avoid extension of roads, energy
16 transmission or distribution facilities, or other utility services into or through
17 Resource Lands.” The VY Station is adjacent to an already-developed portion of
18 the Connecticut River and is located on an already-altered site. The intake
19 structure associated with the Station is located just to the east. This section of

1 shoreline cannot be accessible to the public and is not identified as a “resource
2 land” in the Plan.

3 Page 73: W.R.P. Policies: Scenic Resources

4 Policy 1 states: “Improve sites that diminish a scenic view, particularly along state
5 and federal highways and within scenic corridors.” Portions of the existing
6 facility are visible in the winter from a one-mile segment of Route 142, a
7 designated Vermont Byway. These views are significantly diminished by trees in
8 the summer. Entergy VY does not propose any changes to the VY Station that
9 would affect scenic quality. Future improvement of the scenic character of Route
10 142 can be achieved by encouraging the growth of existing vegetation around the
11 Station and the planting of new trees where possible. Entergy VY is required to
12 maintain a forested buffer along most of the property line between the developed
13 portions of the Station site and private property along Governor Hunt Road.
14 These trees will be maintained to continue to help to screen the Station site from
15 Route 142.

16 Page 98: W.R.P. Policies: Cultural and Historic Resources

17 Policy 6 states: “Discourage development that would adversely affect cultural
18 resources, including their destruction or alteration, alteration of surroundings, or
19 the introduction of non-harmonious visual, audible, or atmospheric elements.”

20 Policy 7 states: “Encourage rehabilitation of significant historic sites and
21 structures. Emphasize adaptive use of historic resources whenever it is
22 economically viable.” The continued operation of the Station would have no

1 adverse impacts on the historic character of the adjacent village or of any historic
2 buildings in the vicinity, as I previously testified. The Governor Hunt House, one
3 of two historic buildings in the area, was restored by the Station's previous owner
4 and is maintained on an on-going basis by Entergy VY.

5 Q23. You have discussed the Vernon and Windham Regional Plans. Does the Town of
6 Hinsdale provide any recommendations concerning aesthetics in their Town Plan?

7 A23. Yes. The Master Plan for the Town of Hinsdale, New Hampshire (2003), includes
8 recommendations on a number of related topics. The Master Plan is provided as Exhibit
9 EN-HLD-8. The Plan records the following statements:

10
11 Page 19: Historical Sites and Points of Interest

12 "Historical sites and points of interest in Hinsdale include the following:

- 13 • The Taylor Monument is located at the intersection of Monument Road
14 and Old Brattleboro Road, and marks the site of an Indian skirmish in
15 1748.
- 16 • The Liscom House, located on Route 119, was built in 1759 by Col.
17 Ebenezer Hinsdale. Much history is documented on this house and can be
18 read in the 'History of Hinsdale.'
- 19 • Fort Dummer Cemetery located on Old Brattleboro Road and Hooker
20 Cemetery located on Prospect Street date back to the mid 1700's.

- 1 • Homes built in the late 1700’s included those owned by: Mr. & Mrs. Earl
2 Clark, Mrs. Doris Smith, Mr. & Mrs. Wesley Sprague, Mrs. Bertha
3 Herrmann, Mr. & Mrs. Edwin Smith, Mr. Paul Hubner, Sr., and the
4 ‘Homestead’ which is now owned by William Wittmer and Patrick Gillis.”

5

6 The Station will not be visible from any of these sites.

7 Page 21: Recreation Policies

8 “Protect the scenic elements of the town’s natural environment such as
9 waterbodies, streams, rivers, and viewsheds.”

10

11 The VY Station is within the viewshed of the Railway Recreation Path, the
12 shoreline and the Connecticut River. The Station has been clearly visible from a
13 two-mile segment of the Railway Path since its creation. It has been a feature of
14 the visual environment of the Connecticut River and its shoreline for almost 40
15 years.

16 Page 67: Goals and Objectives – Traffic and Transportation

17 *Goal: To maintain a convenient transportation network and to allow for the safe*
18 *transfer of goods and people throughout Hinsdale while protecting the aesthetic*
19 *and scenic qualities of town roads.*

1 As noted previously, the VY Station will continue to be visible in the winter from
2 about 1.1 miles of Route 119, significantly less in the summer. In all cases, the
3 views of the VY Station site will be seen through trees.

4
5 Page 69-70: Conservation and Preservation: Objectives

- 6 • *Preserve and protect agricultural lands, environmentally sensitive lands, and*
7 *historic structures to enhance the open space and retain the characteristics of*
8 *the Town.* The continued operation of the VY Station will not affect any of
9 these areas of concern.

- 10 • *Protect the scenic elements of the Town's natural environment such as*
11 *waterbodies, streams, rivers, and viewsheds.* The existing VY Station is
12 visible from the Connecticut River and from the New Hampshire shoreline.
13 Periodic maintenance of vegetation required for security will result in a minor
14 increase in Station visibility from the Connecticut River and the Hinsdale
15 banks of the river from time to time.

16 Q24. In your opinion, would the VY Station complex offend the sensibilities of the average
17 person?

18 A24. For the reasons I have stated, I do not believe VY Station's continued operation would
19 appear offensive. It would continue to be partially visible as an existing industrial site
20 from the Connecticut River, the New Hampshire shoreline, limited sections of Route 142
21 northwest of the Station and other sites identified in the Dodson Associates, Ltd.,

1 Viewshed Analysis. The VY Station in basically its current visual form has been an
2 accepted part of the region's landscape for almost 40 years. A person visiting the area
3 for the first time and unaware of the existence of the VY Station would tend to view the
4 facility as a generic industrial plant because it has not been designed with the tell-tale
5 elements of a typical nuclear power plant: the tall concrete cooling towers and the dome-
6 shaped reactor.

7
8 Entergy VY utilizes low-profile, forced-draft cooling towers that are minimally visible
9 from locations outside of the VY Station site. The VY Station is directly north of the
10 Vernon hydroelectric generating station, which has similar looking infrastructure and
11 transmission lines. Several miles to the north of the VY Station are a number of other
12 industrial sites including two lumber mills, a waste transfer station and a wastewater
13 treatment plant. The VY Station is part of the overall industrial nature of several areas
14 along the river.

15 Q25. Has Entergy VY taken generally available mitigating steps that a reasonable person
16 would take to improve the harmony of the VY Station with the surroundings?

17 A25. As discussed previously, the continued operation of the VY Station without cognizable or
18 physical changes will be in harmony with existing surroundings: an industrial complex
19 similar to those found along New England rivers. Over the past 40 years, Entergy VY
20 and previous owners have taken steps to integrate this large industrial facility with the
21 surrounding Vermont landscape. The VY Station is located in a low draw that reduces
22 its visibility, and the color schemes used on buildings and structures and the maintenance

1 and planting of vegetative screens minimize the visibility. The facility, therefore, has
2 relatively low visual impacts relative to its size and use.

3
4 **III. Orderly Development of the Region**
5

6 Q26. Under the first criterion in Section 248(b), the Board must find that the VY Station will
7 not unduly interfere with the orderly development of the region with due consideration
8 having been given to any recommendations of the municipal and regional planning
9 commissions, the recommendation of the municipal legislative bodies and the land-
10 conservation measures contained in the plan of any affected municipality. Has Entergy
11 VY reviewed its plan to continue the VY Station's operations after March 21, 2012, with
12 the applicable municipal and regional commissions and legislative bodies?

13 A26. Yes. By letter dated December 6, 2007, Entergy VY provided the Vernon Planning
14 Commission with plans for the continued operation of the VY Station in accordance with
15 Section 248(f) and reviewed its plan with the Vernon Planning Commission on December
16 6, 2007. By letter dated December 8, 2007, the Vernon Planning Commission stated that,
17 upon review of the plans, it found that continued operation of the VY Station will not
18 unduly interfere with the orderly development of the region or overburden municipal and
19 governmental services in Vernon. Exhibit EN-HLD-9 is the letter from the Vernon
20 Planning Commission.

21
22 By letter dated December 3, 2007, Entergy VY provided its plans to the Town of Vernon
23 Selectboard and on December 3, 2007, Entergy VY reviewed its plans with the Vernon

1 Selectboard. By letter dated December 4, 2007, the Vernon Selectboard stated that, upon
2 review of Entergy VY's plans for the Station site at its meeting on December 3, 2007, it
3 found that continued operation will not unduly interfere with the orderly development of
4 the region or overburden municipal and governmental services in the Town. Exhibit EN-
5 HLD-10 is the letter from the Vernon Selectboard.

6 Q27. Have you reviewed the Vernon Town Plan as it applies to the VY Station?

7 A27. Yes. The VY Station is noted specifically in the Vernon Town Plan on several occasions.
8 In general the Station is viewed as making a positive contribution to the Town, and no
9 concerns are expressed about the VY Station's continued operation. Again, Exhibit EN-
10 HLD-6 contains excerpts from the Vernon Town Plan.

11
12 At page 17 under Section III, Resource and Economic Development, subsection A,
13 Employment and Economic Base, the Vernon Town Plan notes that "Vernon functions to
14 a great extent with a large measure of rural independence and self sufficiency, due
15 primarily to the presence of the Entergy NE (sic)/Vermont Yankee Nuclear Power Plant
16 which contribute (sic) significantly to the community's tax base and provide (sic) varied
17 employment opportunities for its residents." At pages 17 and 18, the Plan expresses
18 concern over the economic impact of the VY Station's license expiration in 2012.

19
20 As stated in the letters from the Vernon Planning Commission and Selectboard,
21 continued operation will not adversely impact the Town's ability to provide adequate
22 governmental services.

1 Q28. Have you reviewed the land conservation measures of the Vernon Town Plan as
2 applicable to continued operation?

3 A28. Yes. Under Section IV, Natural Resources Use and Conservation: Specific Policies and
4 Recommendations, and Section V, Recreational, Cultural, and Scenic Resources: Specific
5 Policies and Recommendations, at pages 20-33, the Vernon Town Plan discusses natural
6 and cultural resources that are valuable to the community and policies for protecting
7 these resources.

8 Q29. Can you summarize these land-conservation policies?

9 A29. Yes. I discussed many of these policies earlier in my testimony. The natural-resource
10 policies address the protection of agricultural resources, forest land, water resources,
11 wildlife habitat, fragile areas, soils and earth resources. Recreational, cultural and scenic
12 resources include parks, trails, access to rivers, historic sites and scenic roads and views.

13
14 Continued operation would not result in adverse impacts to these resources. Aside from
15 the existing cooling-water intake and discharge, the VY Station does not impact any
16 shorelines in their natural state, and the adjacent shoreline and river bank are protected
17 from erosion by the erosion-control and stormwater procedures discussed in witness
18 Goodell's testimony. Some periodic maintenance of trees near the Connecticut River
19 shoreline—required for security—will not have a major effect on the character of the
20 shoreline.

1 As discussed previously in my testimony, the VY Station's continued operation will not
2 significantly reduce the scenic qualities of surface waters or alter existing recreational
3 access to the river or significantly alter existing views. The open lands now surrounding
4 the developed portions of the VY Station will not be developed by Entergy VY, allowing
5 these open meadows to continue to contribute to views from Route 142 and Governor
6 Hunt Road when entering the village of Vernon.

7 Q30. Do you have an opinion as to whether the VY Station's continued operation is in
8 compliance with the Town Plan's land-conservation policies?

9 A30. Yes, continued operation is consistent with these policies. The VY Station will not
10 adversely affect the view of the Connecticut River corridor and is not located on a scenic
11 highway or road.

12 Q31. Has Entergy VY provided plans for the VY Station's continued operation to the
13 Windham Regional Planning Commission?

14 A31. As required by subsection (f) of Section 248, Entergy VY provided plans for the
15 continued operation of the Station to the Windham Regional Commission (or "WRC") on
16 December 7, 2007, and reviewed the plans with the WRC's Energy Committee on
17 December 13, 2007. A copy of the letter to the WRC with exhibits was mailed to the
18 Board and Department on December 7, 2007. The WRC subsequently conducted a
19 public hearing on January 7, 2008, in accordance with Section 248(f), and sent a letter
20 with its comments to the Board on January 18, 2008. Exhibit EN-HLD-11 is a copy of
21 that letter.

1 Q32. Have you reviewed the land-conservation policies of the Windham Regional Plan?

2 A32. Yes. Exhibit EN-HLD-7 contains excerpts from the Windham Regional Plan. As I also
3 previously testified, the continued operation of the Station will not have an adverse or
4 undue adverse aesthetic effect.

5

6 The Land Use Policies of the Windham Regional Plan are found at pages 30 through 33.

7 While none of these policies appear to be directly applicable to the VY Station's site, the

8 policies as to Downtown and Villages, Rural Residential Lands and Productive Rural

9 Lands are most applicable. These policies provide as follows:

10

11 **Downtown and Villages**

12 1. Direct new growth in the form of jobs, housing, commerce, utilities, industry,
13 community facilities, recreational facilities, and cultural activities to downtowns
14 and villages, with consideration of type and scale of development, in order to
15 keep these centers culturally, socially, and economically viable.

16 3. Target federal, state and private funding to support public transit, bridge and
17 highway repair, other transportation needs, installation of sidewalks and lighting,
18 water and sewer, community development, housing, recreation, and other
19 identified downtown or village needs.

20 6. Preserve downtown and village character through appropriate design and scale of
21 commercial, industrial, residential, transportation infrastructure and community
22 structures and uses.

- 1 7. Revitalize, strengthen and improve the viability of villages and downtowns
2 through using and maintaining existing historic structures whenever possible.
- 3 8. Construct or expand utilities including water and sewer when needed to protect
4 health and ground water resources, and to allow appropriate in-fill and
5 development of lands within villages.
- 6 9. Adopt clear land use plans and related implementation policies that will maintain
7 village boundaries, preserve historic settlement patterns, and prevent rural sprawl.

8

9 **Rural Lands**

- 10 5. Develop rural residential lands at densities that will serve to contain rural sprawl,
11 and that are compatible with existing land uses and sensitive to the limitations of
12 the land.
- 13 6. Ensure that new development is sensitive to the limitations of the land and avoids
14 important natural resource areas located within the rural residential lands.
- 15 7. Direct new rural residential development away from areas that provide critical
16 access to wildlife habitat and ensure, through planning, that wildlife habitat does
17 not become fragmented by the elimination of connections and corridors between
18 wildlife areas.
- 19 8. Ensure that new development reflects existing settlement patterns, is low in
20 intensity, and does not conflict with the use and management of forest,
21 agricultural and mineral resource lands, but rather sustains these natural resource
22 commodities.

- 1 9. Support a mix of rural land uses including, housing, home businesses, small-scale
2 commercial and industrial uses, commercial forestry and outdoor recreation, so
3 long as these uses are compatible with one another and do not cause excessive
4 noise, pollution, or disturbance.
- 5 10. Manage agricultural and forest lands to promote a long-term sustained yield of
6 crops and timber products.
- 7 11. Encourage the use of innovative land saving techniques - such as cluster
8 development and fixed area density allocation - to protect agriculture, forest, and
9 mineral resource lands from development and fragmentation.
- 10 12. Protect green space, particularly along streams and rivers, and other important
11 lands that are valued for trails, open space, wildlife habitat and scenic enjoyment.
- 12 16. Avoid extension of roads, energy transmission or distribution facilities, or other
13 utility services into or through Resource Lands.
- 14 17. Construct corridors for new energy transmission or distribution facilities only
15 when needed, and then only within or adjacent to existing energy transmission
16 facility corridors to the maximum extent possible. Minimize their visual impact
17 on ridge lines, slopes and open areas, and avoid important natural and historic
18 resources.

19

20 In my opinion, the VY Station's continued operation is consistent with these policies. It
21 is located within an existing developed area; it is a consistent use in terms of function and

1 scale; it will not impact any natural resources of the surrounding area; and it does not
2 involve the extension or expansion of roads, energy transmission or distribution facilities.

3 Q33. What are your conclusions as to whether the VY Station's continued operation will
4 interfere with the region's orderly development as contemplated in the Vernon Town
5 Plan and Windham Regional Plan?

6 A33. Overall and as I understand this criterion established by Section 248, the Board must
7 consider the Station's impact on the region's orderly development, giving due
8 consideration to any recommendations from the local and regional planning commissions
9 or host municipalities and any land-conservation measures specifically contained in the
10 local or regional plan. As utility projects can significantly affect development in a
11 region, the Board generally considers the type of development the affected town or region
12 seeks to achieve and whether the project at issue will interfere with such development.

13
14 Overall, the Vernon Town Plan seeks to maintain the Town's rural character, its natural
15 resources, including its undeveloped shoreline on the Connecticut River, and its scenic
16 qualities, all of which I have addressed previously in my testimony. As I have also noted,
17 the Vernon Town Plan recognizes the value of the Station to the Town of Vernon and
18 notes the potential impact on the local economy and tax base if the Station's license is not
19 renewed.

20
21 In short, I have read the Vernon Town Plan as seeking to balance the goals of
22 maintaining Vernon's rural and scenic qualities with the need to have resources—

1 specifically including the Station—that will support Vernon’s economy and tax base. As
2 I testified several times previously, because continued operation will not adversely
3 impact Vernon’s rural character, scenery and natural resources while allowing the Station
4 to continue operation for an additional 20 years, it is consistent with Vernon’s vision of
5 the type of project that will not unduly interfere with the orderly development of the
6 community.

7
8 Similarly, the Windham Region Plan establishes land-use policies for villages, rural-
9 residential lands and productive lands. Overall, the Plan appears to encourage
10 development in existing villages and on nearby lands that avoids rural sprawl and takes
11 productive lands, such as agricultural lands, out of productive use. The Plan also
12 discourages the extension of roads, energy transmission or distribution facilities into or
13 through Resources Lands, as well as the construction of corridor for new energy
14 transmission or distribution facilities unless needed.

15
16 The VY Station, as I have previously testified, will not adversely impact the village
17 centers in Vernon, will not cause rural sprawl and will not take lands that are presently
18 productive out of production. As such, I do not believe that the Station’s continued
19 operation will unduly interfere with the orderly development of the region, with due
20 consideration given to the policies set forth in the Windham Regional Plan which I
21 addressed previously in my testimony.

22

1 In summary, it is my opinion that the VY Station's continued operation will not unduly
2 interfere with the orderly development of the region, taking into account the land-use
3 policies and the recommendations of the Town of Vernon and the WRC.

4 Q34. Does this conclude your testimony?

5 A34. Yes.