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MAINE APPALACHIAN TRAIL CLUB, INC.

P.O. Box 283, Augusta, Maine 04332-0283

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January 4, 2011

Ms. Samantha Horn Olsen  
Land Use Regulation Commission  
Department of Conservation  
22 State House Station  
Augusta, Maine 04333-0022

Re: Comments Regarding Certain Wind Energy Development Matters

Dear Samantha:

The Maine Appalachian Trail Club (MATC) is please to comment in response to your Memorandum to Interested Persons dated November 23, 2010. We are restricting our comments to the issue highlighted in paragraph 3 of you Memorandum, i.e., “cumulative effects of wind energy and other types of development.” MATC considers this issue to be of paramount importance as LURC works toward a better paradigm for evaluating the complete impact of industrial scale wind power development in Maine’s mountainous areas.

Measuring and evaluating cumulative impacts is not a novel concept in environmental permitting. The regulations developed under the Site Location of Development Law have for many years directed the Maine DEP to consider: “The potential primary, secondary, and *cumulative impacts* of the development on the character, quality, and uses of the land, air, and water on the development site and on the area likely to be affected by the proposed development.” MDEP Reg. Ch. 372.

At the federal level, we find that projects requiring NEPA review must include in their environmental impact statement a discussion/analysis of the project’s “cumulative impact.” That term is defined in the regulations of the Council on Environmental Quality as follows:

*Cumulative impact* is the impact on the environment which results from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions regardless of what agency (Federal or non-Federal) or person undertakes such other actions. Cumulative impacts can result from individually minor but collectively significant actions taking place over a period of time.

40 CFR §1508.7.

The past several years of wind power development in Maine has taught us more about the range of impacts that accompanies this type of development than we knew when the wind power siting law was first written and applicable LURC regulations first adopted.

Specifically with respect to effects on scenic resources, we now know that industrial wind turbines, which are painted white for aircraft collision avoidance reasons and as required by the FAA, are highly visible over very long distances; well in excess of the eight (8) miles noted in the wind power siting law. This is especially true in certain daytime lighting situations. We now know that the flashing red warning lights on the turbines are highly visible from great distances in the night sky. So, where once there was virtually no artificial lighting visible at night (a rare circumstance in the northeast outside of Maine), the wind project area now dots the sky like a nest of telecom towers.

Because of the visibility of these projects from great distances, the long distance hiker on the Appalachian Trail in Maine will soon – at the current rate of development - be “in the presence” of one wind project or another for much of his or her trip through a state that was once considered to be a “wilderness” experience. The day hiker will soon be hard pressed to find any mountain summit east of Grafton Notch from which he or she cannot see wind mills. The very experiences that these “users of the scenic resource” seek will no longer be available and the “scenic character” of the mountains of Maine will be changed for the rest of our lifetimes.

The MATC believes strongly that LURC should no longer take a “silo” approach, i.e., consider wind power projects and requests for expedited area expansion as unconnected to projects already approved and reasonably foreseeable. Any meaningful review for “unreasonable adverse effect” on scenic resources of state or national significance must include an analysis of the cumulative impacts.

We are aware that you have asked some specific questions related to cumulative effects. We have chosen to make a more general response which we believe provides a context for your specific questions.

Thank you for the opportunity to comment.

Sincerely,



Lester C. Kenway  
President  
Maine Appalachian Trail Club