



December 5, 2013

Maria Thurell  
Soveren, Inc.  
101 Sullivan Drive  
Putney, VT 05346

Re: Westminster Solar Park, 45-Day Notice Pursuant to the 30 V.S.A. 248

Dear Ms. Thurrell,

Please accept this letter as the Windham Regional Commission's (WRC) response to the 45-Day Notice submitted by Soveren, Inc. seeking a *Certificate of Public Good* to build and operate the Westminster Solar Park, a 500 kW solar electric generation facility to be located on property adjacent to Solar Park Road, Westminster, Vermont. This type of energy generation and the proximity of the generation to a significant user base are consistent with the following Regional Plan Goal (p. 4):

*To encourage energy conservation and efficiency, the development of renewable energy resources, and the availability of a reliable and sufficient energy supply;*

The goal is further expounded upon in the Energy Chapter, which states (p. 34):

*State and local governments, businesses and individuals can best prepare for the future by taking action to diversify energy sources, to improve the efficiency of energy use, to stimulate the use of renewable energy resources, and to implement land use strategies that foster and support sustainable energy.*

The Plan also encourages energy conservation through the following practices listed in the Energy Chapter (p. 35):

- *fostering the development of local sources and renewable energy sources; and*

- *encouraging federal and state policies that would support more local and distributed electricity generation;*

Finally the Economy Chapter includes the following policy, relevant to this project proposal (p. 56):

## 5.5 ECONOMY POLICIES

3. Encourage development of industry and commerce that utilizes renewable natural resources and agricultural products from within the region and Vermont.

While it is acknowledged that the type of generation and the location of the project are consistent with the Goals and Policies of the Regional Plan, the WRC has identified the following items related to the proposal that require more information and potentially additional mitigation: potential loss of prime agricultural soils in either the near or long term. The relevant Regional Plan Policies regarding this topic are as follows:

## 3.6 LAND USE POLICIES

The following policies are organized by land use category, but apply universally where appropriate.

### Rural Lands

8. Ensure that new development reflects existing settlement patterns, is low in intensity, and does not conflict with the use and management of forest, agricultural and mineral resource lands, but rather sustains these natural resource commodities.
10. Manage agricultural and forest lands to promote a long-term sustained yield of crops and timber products.
13. Encourage the conservation in perpetuity of agricultural lands, including related forest lands and sugar bushes.

The Vermont Natural Resource Atlas (<http://anrmaps.vermont.gov/websites/anra/>) identifies the entire parcel as Prime Agricultural Soils. Much of the Windham Region's agricultural lands are primarily located in the Connecticut River Valley, and it is important to protect and maintain opportunities for productive use of this limited resource. Prime agricultural soils are also identified by the Plan as a resource requiring "extra protection and preservation efforts" (p. 27). As such, the WRC requests the applicant provide additional information on the quality of the agricultural soils to be disturbed by the proposed project. The WRC also requests that the applicant quantify the area/volume of soil that will be disturbed, the potential for ongoing

agricultural use during the functioning term of the project, and the restoration plan for these soils when the project is decommissioned.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'L. Campany', with a stylized flourish extending to the right.

L. Christopher Campany, Executive Director  
Windham Regional Commission