



**STATE OF VERMONT  
PUBLIC SERVICE BOARD**

Petition of Deerfield Wind, LLC, for a certificate of public )  
good authorizing it to construct and operate up to a 45 MW )  
wind generation facility, and associated transmission and )  
interconnection facilities, comprised of between 15 and 24 )  
wind turbines on approximately 80 acres in the Green )  
Mountain National Forest, located in Searsburg and )  
Readsboro, Vermont, with turbines to be placed both on )  
the east side of Route 8 on the same ridgeline as the )  
existing GMP Searsburg wind facility (Eastern Project )  
Area) and along the ridgeline to the west of Route 8 in a )  
northwesterly orientation (Western Project Area) )

DOCKET NO. 7250

**PREFILED TESTIMONY OF  
WILLIAM KILPATRICK**

**ON BEHALF OF SAVE VERMONT RIDGELINES and  
THE TOWN OF WILMINGTON**

Dr. C. William Kilpatrick is an associate professor in the department of biology at the University of Vermont and a specialist in wildlife biology. Dr. Kilpatrick will provide testimony with regard to the potential impacts on the wildlife and wildlife habitat in the vicinity of the proposed Deerfield Wind industrial wind project resulting from the proposed wind turbines and associated activities identified in this petition.

1 Q1. Please state your name and occupation.

2 A1. C. William Kilpatrick, Associate Professor of Biology (Howard Professor of Zoology  
3 and Natural History) at the University of Vermont and owner and director of Northeastern  
4 Wildlife Genetics, Inc.

5 Q2. Have you previously filed testimony in this proceeding?

6 A2. No.

7 Q3. What is the purpose of your prefiled testimony?

8 A3. The Town of Wilmington and Save Vermont Ridgelines, Inc. have retained me to assess  
9 the impacts of the proposed Deerfield Wind Farm, being proposed by Deerfield Wind, LLC on  
10 wildlife and wildlife habitat pursuant to 30 V.S.A. 248 (b) (5).

11 Q4. Dr. Kilpatrick, can you describe for the Public Service Board your educational  
12 background?

13 A4. I received a Bachelor of Science and a Masters of Science from Midwestern State  
14 University in Wichita Falls, Texas, and a Ph.D. from North Texas State University in Denton,  
15 Texas.

16 Q5. Please describe for the Board your employment and teaching experience?

17 A5. I have been employed by the University of Vermont for 34 years. I am currently an  
18 Associate Professor in the Department of Biology and hold the Honorary Position as the Howard  
19 Professor of Zoology and Natural History. In addition, I am a member of the Graduate Faculty  
20 and Curator of Vertebrates of the Zadock Thompson Natural History Collections at the  
21 University of Vermont. During the past 34 years at the University of Vermont, I have taught

1 Introductory Biology, Genetics, Human Genetics, Evolution, Modern Evolutionary Theory,  
2 Comparative Vertebrate Anatomy, Mammalogy, Speciation and Phylogeny, Molecular Ecology,  
3 Molecular Techniques for Evolutionary and Ecological Studies, and a variety of Graduate  
4 Colloquia. My current teaching assignments include Mammalogy, Speciation and Phylogeny,  
5 Molecular Ecology, and a Forensic Biology Seminar. In addition, I have served as the major  
6 professor for 17 graduate students directing their dissertation and thesis research and have served  
7 on the studies and thesis committees of numerous other graduate students. My research  
8 laboratory has served as host to visiting scientists from several countries and provided research  
9 opportunities to numerous undergraduate students.

10 Q6. Please describe for the Board what types of projects and research you have led or  
11 participated in since 1980.

12 A6. Since 1980 my research laboratory has been retooled to a modern molecular laboratory  
13 capable of conducting DNA analyses. We use the same techniques that are used in human  
14 forensics to address ecological and evolutionary questions concerning other species of mammals.  
15 This research has included work on introduced populations of the small Asian mongoose,  
16 molecular ecology studies of fishers from New York and New England, studies of the genetic  
17 structure of New England black bears and molecular ecology of bobcat populations in Texas and  
18 Vermont. My laboratory has the expertise of genetic analyses from non-invasive collected  
19 materials such as hair, scat, and egg shells as well as more traditional invasively collected  
20 tissues.

1 Other work in the laboratory primarily addresses questions of evolutionary relationships  
2 of various groups of rodents. My laboratory did the DNA analysis on the recently described new  
3 family (now thought to be a living form of a family previously only known from fossils) of  
4 rodents from Laos. As part of these studies on rodent systematics I have conducted field work in  
5 Pakistan, India, China, Nicaragua, El Salvador, Costa Rica, Mexico, Ghana, and Cuba since  
6 1980. In addition, members of my research lab have been contracted to conduct biodiversity  
7 studies of small mammals in West Africa (Ghana, Guinea, Sierra Leone, and Ivory Coast).  
8 In addition, my graduate students, research assistants and I have been involved in several  
9 mammal surveys in various areas of Vermont. Some of these are long-term studies in  
10 association with my mammalogy course but others have been contracted or supported by various  
11 agencies and organizations. This would include mammal surveys of the Nulhegan Basin and  
12 West Mountain Wildlife Management Area (2001), East Mountain (2005), Colby Hill Ecological  
13 Project in Lincoln and Bristol (2000 to present) Mt. Mansfield State Forest (2002, 2005) and the  
14 Army Corp of Engineers lands in Southeastern Vermont (2003).

15 Q7. Can you briefly list for the Board the publications you have authored and any  
16 associations or organizations in which you hold membership?

17 A7. I have published 54 peer reviewed papers, 11 book chapters, 4 other papers and I have  
18 prepared 14 reports. I have 3 additional papers or chapters in press, 4 other papers that are in  
19 review or revision, and 8 papers that are in preparation. I am a life member of the American  
20 Society of Mammalogists where I serve as the Chair of the Grants-in-Aid Committee (that  
21 awards about \$84,000 annually to support the research of graduate students) and as a member of

1 the Checklist Committee (that serves as the authors of Mammal Species of the World). I am also  
2 a member of seven additional Scientific Societies and I have served on the Board of Directors of  
3 the North American Symposium on Bat Research. In addition, I am the chair of the scientific  
4 advisory group for mammals for the Vermont Endangered Species Committee, I served on the  
5 Comprehensive Wildlife Conservation Strategy Mammal Team for the State, and I am active in  
6 the Northeastern Bat Working Group. My current curriculum vitae is attached as Exhibit SVR-  
7 WK-1 and is a more complete description of my qualifications and experience.

8 Q8. Dr. Kilpatrick, have you had an opportunity to review the prefiled testimony and exhibits  
9 submitted in this matter by Jeffrey A. Wallin?

10 A8. Yes, I have had the opportunity to review the prefiled direct testimony of Jeffrey Wallin  
11 and exhibits DFLD-JW-2 (a physical site assessment to map bear scarred beech (BSB) trees  
12 within 150 feet of the proposed turbine locations), DFDL-JW-3 (a sample plot study to  
13 determine density and distribution of bear scarred beech trees in Green Mountain National Forest  
14 management compartments surrounding the proposed project), DFDL-JW-4 (a summary report  
15 on previous research (Wallin 1998) into potential bear corridors in the vicinity of the Searsburg  
16 Wind Turbines), DFDL-JW-5 (2005 remote camera study), DFDL-JW-6 (overview map of black  
17 bear studies), DFDL-JW-7 (2006 remote camera study) and DFDL-JW-8 (estimated average  
18 Vermont bear populations).

19 Q9. Please explain to the Board what, if any, comments you have regarding Mr. Wallin's  
20 studies that serve as the basis of his conclusions that the proposed project is likely to have  
21 limited indirect impacts on bears and bear habitat.

1 A9. First, much of the data that Mr. Wallin has collected with regards to bear activity in the  
2 vicinity of the Searsburg Wind Farm anecdotal, that is, although it was observed in the vicinity  
3 of the wind turbines it is not known that at the time a scat was left or a beech tree was scarred  
4 that the closest or any turbine was operational. Thus, the detection of approximately a dozen  
5 BSB trees within 250 to 650 feet of the Searsburg facility does not demonstrate that any of these  
6 trees were scarred and thus visited during times when the turbines were operating. Likewise  
7 observations of bear activity in the form of tracks, scats and hair, although clearly indicating the  
8 presence of at least one bear visiting the site, provides no evidence as to whether the bear visited  
9 the site when turbines were active or when they were not active. Second, most of Mr. Wallin's  
10 studies have design problems, large or unknown experimental errors, and insufficient sample  
11 sizes to support the conclusions reached by Mr. Wallin based on these studies. In general, the  
12 results of Mr. Wallin's studies do not provide sufficient data collected in a manner to minimize  
13 experimental error that allows for hypothesis testing to address the objectives of the studies.

14 Q10. Dr. Kilpatrick, can you explain to the Board the problems with the design of Mr. Wallin's  
15 (1998) movement study of black bears in the vicinity of the Searsburg Wind Farm?

16 A10. Yes, the concern raised by the VDFW that this study was designed to address was  
17 whether the construction of the Searsburg Wind Farm would interfere with movement of black  
18 bears between blocks of beech habitat west of Route 8 and those in Lamb Brook Valley on the  
19 easterly side of the ridge upon which the turbines were erected. The original design of the study  
20 didn't allow clear interpretation of data collected to infer movement through the potential barrier  
21 (construction site or post-construction wind turbines). To determine preconstruction bear

1 activity, a 3 mile long single strand of 15 gauge barbed wire was placed 23 inches from the  
2 ground on the NW side (along Sleepy Hollow Rd.) of the Searsburg construction site to be  
3 monitored for snags of bear hair from May to December of 1995. However, since the hair trap  
4 (strand of barbed wire) was located only on one side of the proposed construction site it is not  
5 clear that a hair snag equals a bear that transversed the site. A hair snag may very well represent  
6 a bear that crossed the hair trap but for what ever reason never crossed the ridge line.

7 In late August of 1995 the study was first modified and a second upper fence (strand of  
8 barbed wire 23 inches off of the ground) was added. Although this second hair trap was  
9 constructed about 1000 feet from the lower fence, it was still located on the same (NW) side of  
10 the proposed construction site. Thus even if snags of bear hair detected on both fences were  
11 assumed or were genetically determined to be from the same individual that still would not  
12 provide evidence to infer that a bear had transversed the area of interest (the ridge line).

13 The construction caused removal of sections of the hair trap and the second modification to the  
14 study occurred in 1996 when the hair traps (both upper and lower) were replaced with 12 gauge  
15 barbed wire rather than the 15 gauge used in 1995. This change in the experimental design  
16 introduced an additional experimental error, that is the difference (in probability) between 15  
17 gauge and 12 gauge wire in collecting a snag of hair from a bear crossing the wire. In an attempt  
18 to determine the experimental error introduced by changing wire gauge during the study, the  
19 study was further modified and a second run of wire (15 gauge) was placed 5 to 10 feet from and  
20 parallel to the lower fence (12 gauge). The difference in the hair snags collected between these

1 two parallel hair traps only 5 to 10 feet apart was designed to estimate the difference in sampling  
2 probabilities between the two different gauges of wire.

3 Q11. Did the further modifications of the study design allow resolution of the introduced  
4 experimental error by changing wire gauge?

5 A11. No, the data collected by the parallel fences (hair traps) of different gauge wires (15 vs.  
6 12 gauge) only 5 to 10 feet apart provided no estimate of the difference in sampling probability  
7 of 15 gauge vs.12 gauge wire. The number of hair snags found on the 12 gauge wire was  
8 identical to the number found on the 15 gauge wire, 4 each. However, the two fences never  
9 produced hair snags in the same sampling period (fences were inspected every two weeks for  
10 hair snags), thus in all 8 cases the bear sampled while crossing one fence was not sampled when  
11 crossing the other. These data are disturbing and bring to question the reliability of the basic  
12 experimental design of a single strand of barbed wire.

13 Although Mr. Wallin states that the success rate of snagging (inferred from the double  
14 fence) was as low as 50%, I would argue that it may be much lower. With a success rate of  
15 snagging of bear hair as a bear crossed a single fence of 50%, the expected probability of a bear  
16 getting snagged on both fences in the double fence experiment would be 25% and we would  
17 have expected 2 of the 8 bears that crossed the double fence to have left snags of both fences.  
18 Although the size of the data set obtained from the double fence is too small to allow an accurate  
19 estimation of the snagging probability, it could be much lower than 50% and an estimate of  
20 slightly above 35% is obtained based on the data provided. Thus, the experimental design of a

1 single strand of barbed wire, regardless of gauge, 23 inches from the ground may have a  
2 detection probability as low as 35%.

3 Q12. How does the low detection probability effect the interpretation of the data obtained in  
4 this study?

5 A12. The idea detection probability in this study would be 100%, every time a bear crosses one  
6 of the fences it leaves a snag of hair. With a 100 % detection probability a sample of 10 snags  
7 on the lower fence and 4 on the upper fence would allow a reasonable inference that a number of  
8 bears that crossed the lower fence did not transverse the intervening area as they did not cross  
9 the upper fence. However, with a 50% or lower detection probability it is difficult to make any  
10 reasonable inference, as any difference in samples collected between the two fences might  
11 simply result from experimental error from the low probability of snagging.

12 Q13. Does this study contain other experimental errors that effects the interpretation of the  
13 data obtained?

14 A13. There are at least two other areas with experimental errors resulting in unknown  
15 detection probabilities. The first was discussed earlier, the difference in detection probabilities  
16 between 15 gauge and 12 gauge wire, if any, is unknown. The error rate in the identification of  
17 hair as being from a bear rather than some other mammal such as a moose is also unknown.  
18 Although two published keys (neither of which was peer reviewed) were identified as the  
19 sources for hair identification, the characteristics used to differentiate bear hair from other  
20 species were not specified. Hair identification is rather subjective even with a key and the error

1 rate of misidentification is greater than zero. These unknown error rates and detection  
2 probabilities make the interpretation of the data presented more difficult.

3 Q14. Do you agree with the conclusions presented in Wallin (1998) and the conclusions  
4 reached by Mr. Wallin in his prefiled Direct Testimony based on that study?

5 A14. No. In Wallin (1998) the conclusion was that "These numbers appear to lead toward the  
6 conclusion that black bear behavior may have been disrupted during the peak construction,  
7 however, first year post-construction operation and maintenance of the wind turbines does not  
8 appear to disrupt historical movement patterns." He asserts in his prefiled testimony that the  
9 results of this study showed the number of bears falling dramatically during the year of  
10 construction but rebounding the first year following construction disturbance.

11 Given the experimental errors discussed above, but especially the low detection  
12 probability, there are many possible interpretations of the data obtained.

13 Data from Wallin (1998):

14	Year	1995	1996 (construction)	1997
15	Lower fence	11	1	8 (4*)
16	Upper fence	4**	5	13

17 \* 8 snags reported but twice the length of fence thus sampling bias - reduce to  
18 number on any single lower fence

19 \*\* 4 snags presented but sampling bias, underestimation as fence only operational  
20 from late August

1           Given the two sampling biases identified above, there are several ways to examine  
2 the data to remove those biases. First, constrain interpretation to the data that was  
3 collected during the same time period (September to December) and with the same sampling  
4 effort (upper fence) for all three years.

5           Year	1995	1996 (construction)	1997
6           Upper fence	4	5	7

7           Conclusion: no differences from pre-construction to post construction

8           Second, examine lower fence data for full sampling period but use only one of the  
9 lower parallel fences used in 1997:

10          Year	1995	1996 (construction)	1997
11          Lower fence	11	1	4

12          Conclusion: Post-construction level doesn't appear to return to pre-construction level.

13          Substantial decrease in activity as post-construction activity is only 36 % of pre-construction  
14 activity.

15          Wallin (1998) was designed to measure the number of bears that transversed the area  
16 between the lower and upper fences. A snag on one fence was expected to result in a snag on the  
17 other fence within the same sampling period, thus indicating a bear had transversed the area.

18          The number of multiple snags (snag on the upper and lower fences within a sampling period) is  
19 very low:

20          Year	1995	1996 (construction)	1997
21          Multiple snags	0	0	3*

1           \* 3 shown in Table 1 of Wallin (1998) but only 2 indicated in text.

2           The sample sizes are much too small and the experimental errors and variables  
3 among years much too great to allow any conclusion other than some bears crossed the fence and  
4 were snagged. This study provides **no** data to support a conclusion that bear activity near an  
5 operating wind farm rebounded or returned to pre-construction levels.

6           Mr. Wallin and Mr. Parsons use the results of this study (Wallin 1998) as  
7 summarized in DFLD-JW-4 as the basis for their assumption that black bears will acclimate to  
8 operating wind farms and that bear activity will return to preconstruction levels following the  
9 decline of bear activity during the construction phase. This study also serves to support their  
10 assumption that operating wind farms will not have a substantial indirect impact on black bears.  
11 As outlined above this study provides no clear data that supports any of their assumptions or  
12 their conclusions.

13 Q15.       Do you find any evidence presented by Mr. Wallin to support his conclusion that the  
14 project will not have any lasting indirect effects of travel corridors used by bears?

15 A15.       No, the experimental design of Wallin (1998) can not provide any evidence that any  
16 bear transversed the ridgeline with the wind turbines as both the upper and lower fences (hair  
17 traps) are located on the same side of the project. Thus, his 1998 study (Wallin 1998) provides  
18 no information to demonstrate whether or not the erected wind turbines impacted the movement  
19 of bears through the Cemetery Crossing to transverse the ridge line to food sources on either side  
20 of the string of wind turbines.

21           The easterly expansion of the proposed project will potentially disrupt an identified

1 travel corridor, known as the Forest Service Crossing, while the westerly expansion will  
2 potentially disrupt an identified travel corridor, known as the Powerline Crossing (DFLD-JW-4).  
3 However, Mr. Wallin is of the belief that the proposed project expansions which will now  
4 potentially disrupt three separate identified travel corridors will not have any lasting impacts on  
5 the use of these travel corridors. Science is based on data, not beliefs, and no data are presented  
6 by Mr. Wallin to support his belief that the existing project has not disrupted movement of bears  
7 through the Cemetery Crossing and that the proposed expansions will not disrupt movements of  
8 bears through two other identified travel corridors.

9 Q16. Do the camera studies conducted by Mr. Wallin support his conclusions that bear  
10 activity will likely return to preconstruction levels following a decline in activity during the  
11 construction phase and that the proposed operational wind facility will not have any long term  
12 indirect impacts on bears?

13 A16. While his remote camera studies (DFLD-JW-5 & DFLD-JW-7) do document the  
14 presence of wildlife near (within approximately 250 feet) a turbine (WT7) and do allow  
15 documentation of whether the visit by the wildlife species occurred during times when the  
16 turbine was operational or not operational, they do not justify his conclusions about the expected  
17 lack of indirect impacts. Although his data clearly documented that at least one or perhaps two  
18 bears have habituated to the activity and noise of the Searsburg Wind Farm, the data do not  
19 appear to support his conclusion of no expected indirect impacts on bear and other wildlife. It is  
20 important to look more closely at the photographic data presented from Mr. Wallin's camera  
21 studies for 2005 (DFLD-JW-5) and 2006 (DFLD-JW-7) for black bears. In 2005, a single

1 photograph of a bear was obtained on the night of 6 November when wind turbine 7 was  
2 generating. In 2006, 7 photographs of bears were obtained, 5 when turbine 7 was operational  
3 and 2 when turbine 7 was not operational. The photograph of the sow and cub were obtained in  
4 the early morning hours of 17 July when turbine 7 was NOT operational. Although a total of 6  
5 bear photos were taken when the closest turbine was operational and 2 were taken when the  
6 turbine was not operational, all 6 of the photos obtained while the turbine was operational may  
7 be of the same 1 or 2 bears that have habituated to the site. Although the data is very limited, it  
8 does suggest that other bears (sow with cub) are impacted by the wind turbines and only  
9 approach the area at times when the turbine is not operational.

10 The data collected by Mr. Wallin's camera studies has the potential to allow some  
11 evaluation of the potential impact of the indirect impacts of operational wind farms on various  
12 species of wildlife. However, additional data would be needed and current sample sizes are too  
13 small for a critical evaluation of most species. First, it is important to know the proportion of the  
14 time during the camera studies that wind turbine 7 was operational. This data is provided for the  
15 2005 (DFLD-JW-5) camera study (turbine 7 was generating 80% of the time) but is not provided  
16 for the 2006 (DFLD-JW-7) camera study. Second, to better interpret the photographic data the  
17 noise level at the location of the camera is needed. The pre-construction noise contour mapping  
18 would suggest that the noise level near the camera location is 30-40 dB(A). With the data on the  
19 proportion of time the turbine nearest the camera was operating, it would be possible to test the  
20 photographic data to determine if the activity of a species was impacted by the turbine operation  
21 by determining if the proportion of photos taken during the time the turbine was not operational

1 was greater than expected by chance. For the 2005 camera study (DFLD-JW-5) one would  
2 expect 80% of the photos to be taken during the time turbine 7 was operational and 20% of the  
3 photos to have been taken during times when turbine 7 was not operational if the turbine  
4 operation had no indirect impact on a given species of wildlife. Unfortunately, the sample sizes  
5 of photographs for any one species are not sufficient to allow statistical analysis.

6           Given the information available on body weights of female black bears and low cub  
7 to yearling survival rates of the southern Vermont bear population from Stratton Mountain Black  
8 Bear Study (Hammond 2002), it is clear that this southern Vermont black bear population faces  
9 nutritional challenges for its survival. Given our genetic analyses indication of the degree of  
10 isolation and substantially smaller population size of this southern Vermont bear population,  
11 further decline in the probability of reproductive success (production of young that survive to  
12 sexual maturity) in this population pushes the population closer to crossing a threshold of the  
13 level of reproductive success needed to maintain a viable population. Further fragmentation of  
14 the southern Vermont bear population and the direct and indirect loss of critical bear habitat by  
15 the proposed project will push this population closer to this threshold and endanger the survival  
16 of the southern Vermont black bear population. Once that threshold is crossed it will be difficult  
17 for the southern Vermont bear population to recover due in part to its isolation from bear  
18 populations to the north and to its already smaller population size.

19 Q29.       Do you agree with Mr. Hammond's conclusion that the project as currently proposed  
20 would result in significant adverse impact on black bear habitat?

21 A29.       Yes, Mr. Hammond presents a review of the literature including his own work in

1 southern Vermont that clearly demonstrates and documents the dependence of black bears on  
2 concentrated stands of American beech as an essential high nutrient food that directly affects  
3 reproductive success of black bear populations. This is a more extensive discussion of the  
4 significance of beechnuts on reproductive success than I have discussed above.

5           Given the well documented affects of beechnuts on reproductive success of the  
6 population, the documented current low reproductive success of black bear populations in  
7 southern Vermont (Hammond 2002), and our genetic work that indicates both the genetic  
8 uniqueness of the southern Vermont and Berkshire black bear population and the apparent  
9 reduction in gene flow in the vicinity of Route 9 with bear populations to the north, it is clear  
10 that the direct impact resulting in the removal of over 600 BSB trees and the indirect impact of  
11 making thousand more unavailable to the bear population of this region would cause undue  
12 adverse long-term harm to the black bear population of southern Vermont.

13 Q30.       What is the definition of critical wildlife habitat in Vermont under Act 250?

14 A30.       Critical wildlife habitat is defined under Vermont's Act 250 as a concentrated habitat  
15 which is identifiable and is demonstrated as being decisive to the survival of a wildlife species at  
16 a particular period in its life including breeding and migratory periods.

17 Q31.       What is critical wildlife habitat for bears in Vermont?

18 A31.       Critical habitat for black bears in Vermont includes mast producing forest stands  
19 (beech, hickory, cherry, and oaks), forested wetlands, and travel corridors that allow for  
20 movement of bears among patches of seasonally important foods. Although travel corridors are  
21 necessary habitat for bears, they often are not concentrated and are difficult to identify. Most of

1 the available information about the location of bear travel corridors has been inferred from  
2 location where bears frequently attempt to cross roads. Forested wetlands utilized by bears and  
3 bear scarred beech stands, however, are concentrated identifiable habitats that are well  
4 documented as being necessary habitats for the survival of bears in eastern North America.  
5 Beechnuts are an important, necessary resource for reproductive success and survival of bear  
6 populations.

7 Q32. Dr. Kilpatrick what are the necessary wildlife habitats for black bears?

8 A32. Necessary habitat for black bears in Vermont includes large blocks of forest with  
9 mast producing stands (beech, hickory, cherry, and oaks), forested wetlands; secluded habitat  
10 with suitable denning sites; and extensive connectivity among forest habitats to allow for  
11 movements of bears among patches of seasonally important foods. Beech stands are a necessary  
12 habitat for black bears. Although black bears may survive during periods when beechnut  
13 production is not abundant, reproductive success rates and cub to yearling survival rates have  
14 been clearly demonstrated to be dependent on beechnut production. Thus, beech stands are  
15 necessary habitat for the survival of bear populations in Vermont and are especially critical to  
16 the survival of the bear population in southern Vermont.

17 Furthermore the utilization of beech habitat by bears is relatively easy to document  
18 by the scarring of the beech trees when bears climb the trees to reach the beechnuts.

19 Concentrated areas of American beech trees with a history of bear feeding as demonstrated by  
20 scarring clearly represents "necessary wildlife habitat" as defined by Act 250. As outlined above  
21 this habitat is critical to the long-term survival and reproductive success of bear populations in

1 Vermont.

2 Vermont's Comprehensive Wildlife Conservation Strategy (2005) designates a list of mammals  
3 as "species with the greatest conservation needs (SGCN)" and the black bear is among the  
4 species with greatest conservation needs. Although this species appears to be secure at the  
5 present moment, it is at risk of survival over the next 20 to 30 years due to the loss of critical  
6 habitat and population declines due to habitat loss and other factors. Currently an average of  
7 6500 acres of wildlife habitat is lost to development in Vermont each year.

8 Q33. What would be the impact of the loss of the southern Vermont black bear population?

9 A33. The loss of a black bear population from southern Vermont would have two major  
10 impacts on black bear populations of the region. First, this would further fragment the  
11 connectivity among bear populations of western Massachusetts and central Vermont making  
12 populations in each of the areas more susceptible to habitat alterations and changes and  
13 decreasing the probability of long-term survival of those populations. Second, this would result  
14 in the conversion of productive (reproductively) bear habitat in southern Vermont to an  
15 ecological sink. Increase in the amount of sink habitat is an indicator in the decline in the  
16 quantity and quality of habitat for a species.

17 This fragmentation and habitat loss would impact other species of wildlife, such as  
18 moose, by further isolation of wildlife habitat and further reduction in the size and connectivity  
19 of these patches of forest habitat. The areas in the vicinity of Route 4 to the north, already  
20 seriously disrupts the connectivity of bear habitat as well as connectivity of forested habitat for  
21 other species of wildlife.

1           Due primarily to conscious choices made by the citizens of Vermont over the past  
2   100 years, many species of wildlife (including white-tailed deer, moose, black bear, fisher,  
3   bobcats, and turkey) have recovered or have been restored to pre-settlement levels. This  
4   abundance of wildlife is a part of the appeal and attraction of Vermont. Wildlife brings revenue  
5   into the state in the terms of hunting, wildlife viewing, and tourism. Presence or proximity to  
6   wildlife is now a common feature list in the description of property when it is placed on the  
7   market. My own experiences working as a ranger-naturalist in Yellowstone National Park for  
8   four summers, where over 2 million people visited during each summer in large part to view  
9   wildlife; and from conducting wildlife studies in the Nulhegan Basin of Vermont, where car  
10   loads of people hoping to see a moose could be seen every evening near Notch Pond Road;  
11   clearly demonstrate to me the wide interest and appeal of viewing and experiencing wildlife by  
12   the public. Vermont is presently at a crossroad where economic forces and development  
13   pressures are increasing. The potential for significant habitat destruction over the next few years  
14   is high and decisions made about development and habitat protection will impact the long-term  
15   viability of the black bear and other charismatic species in Vermont. The loss of these wildlife  
16   species from the Vermont landscape will greatly reduce the allure and appeal the currently draws  
17   visitors to Vermont.

18   The loss of black bears from southern Vermont will be a signal that Vermont has begun a  
19   trajectory of losses of wildlife habitat at a rate that impacts the long-term survival of populations  
20   of wildlife. This will be a sad event for the Vermont's citizenry for even though human  
21   development drastically impacted wildlife populations in the 1700 and 1800's these losses

1 occurred because the impact on wildlife was not known or consciously considered. Future losses,  
2 however, will be the results of conscious decisions that the conservation of identifiable wildlife  
3 habitat that is critical to the survival of a population (and thus the long-term survival of that  
4 population) were not as important as the needs of a relatively few humans.

5 **Literature Cited in this Testimony**

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