

Saddleback Ridge Wind, LLC // Natural Resource Protection Act (NRPA) and Site Location of Development Act applications

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Review of Saddleback Ridge Wind Project Visual Quality and Scenic Character Report (“MLA Report”) by James F. Palmer (January 21, 2011)

Review of Saddleback Ridge Wind Project, Carthage, Maine: Wind Facility-Visual Quality and Scenic Character Report

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Introduction

Terrence J. DeWan & Associates (TJD&A) prepared the report *Visual Impact Assessment Saddleback Ridge Wind Project*, which was submitted as part of Patriot Renewables permit application (TJD&A 2010). This report describes the potential scenic impacts that could be expected from the proposed Saddleback Ridge Wind Project. The Friends of Maine's Mountains retained Michael Lawrence Associates (MLA) to review the visual assessment by TJD&A and to provide an independent analysis, which resulted in the report entitled *Saddleback Ridge Wind Project, Carthage, Maine: Wind Facility-Visual Quality and Scenic Character Report* (MLA 2010).

I will comment on the report by MLA here; my review of the report by TJD&A is presented elsewhere (Palmer 2010). In this review I will refer to page numbers, which I have added to the MLA report beginning with the cover page as page 1. My Comments will be organized into two sections, general comments and specific comments.

General Comments

1. It is unclear for whom MLA's report is prepared. If it is Maine DEP, then it is useful only to the extent that it evaluates state or nationally significant scenic resources using the criteria from Maine's Wind Energy Act.¹
2. Webb Lake's scenic resource did not meet the criteria in the Maine's Finest Lakes study to rated significant of outstanding (Parkin, et al. 1989, page 30). Therefore it is not a state or nationally significant scenic resource and DEP may not consider whether scenic impacts to it may exist.² While visitors to Mount Blue State Park may use Webb Lake, the lake is not within the park's boundaries.
3. The report misrepresents a viewpoint as being from the "Beach" when it is from the "rocky shoreline" quite far to the north of the "Beach." This misrepresentation is unprofessional and cannot contribute to a fair and just finding with the criteria set by the Wind Energy Act.
4. The report does not present the results of its viewshed analysis.
5. The report simulations are printed too small to evaluate important details. If the photographs are taken with the equivalent of a full-frame 35mm SLR film camera, then at 6 inches wide they need to be held slightly more than 8 inches from the eye. This is an awkward and

¹ *Expedited Permitting of Grid-Scale Wind Energy Development*. MRSA Title 35-A, Chapter 34-A. <http://www.mainelegislature.org/legis/statutes/35-A/title35-Ach34-A.pdf> (accessed February 23, 2010).

² 35-A MRSA, § 3451, § 9.D(1)

uncomfortable viewing distance. In addition, for an image this small, the printing resolution is insufficient to capture the details that need to be evaluated.

Specific Comments

- Page 2. It is noted that MLA acknowledges TJD&A's report "to be accurate." However, MLA's comment that it "lacks a proper emphasis on Lake Webb's (sic) close relationship and ultimate value in the broad landscape" is in error. Webb Lake is not a state or nationally significant scenic resources according to the criteria of the Wind Energy Act, and therefore impacts to it cannot be considered by DEP.
- Page 3. The photograph on this page may be from the shoreline within Mount Blue State Park's boundaries, but it is not at the area known as the "Beach." The "Beach" is a relatively discrete developed area within the park, and there is no possibility that the turbines will be seen from the beach, as shown in the photo on page 24 on MLA's report and in Figure 1 below. On page 24, MLA acknowledges that much of what is he calls Webb Beach is a "rocky shoreline." The "Beach" is likely the place of greatest visitor density in the park, while the "rocky shoreline" at the northern end of the park may see very few people. The viewpoint MLA says is from "Mount Blue State Park Beach" needs to be accurately located and characterized.

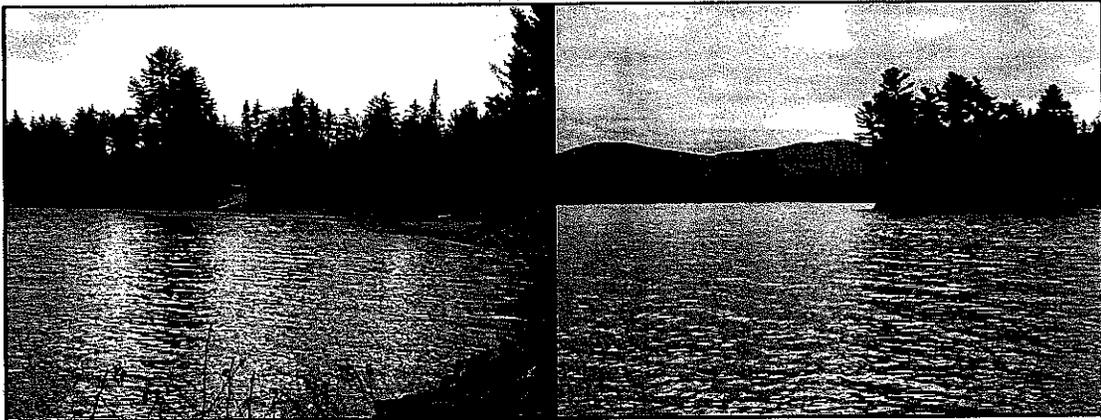


Figure 1. A view of the Webb Lake "Beach" at Mount Blue SP, and a view from the northern most extent of the beach toward Saddleback Mountain. The project will be screened by the trees at the southern end of the "Beach."

- Page 4. Being an "essential part of Mount Blue State Park" does not qualify Webb Lake to be a state or nationally significant scenic resource under the Wind Energy Act.

Webb Lake does not have "direct contact with the park along almost a mile of beach." The beach is less than a tenth of a mile, while on page 245 MLA characterizes the rest of the shore as "rocky shoreline."

- Page 5. MLA is correctly points out that TJD&A's viewpoint for Photosimulation 2 is not at the Center Hill Overlook. Park staff calls the location of TJD&A's viewpoint the

Farmhouse Turnout, which does include a picnic table and has an unobstructed panoramic view that appears to be comparable to the Center Hill Overlook.

The Center Hill Overlook is not a “wilderness lookout.” Engaging in hyperbole cannot contribute to a fair and just finding with the criteria set by the Wind Energy Act. By the rule of thumb normally applied by LURC, the Center Hill Overlook is not even remote, let alone wilderness. It would be better characterized as “natural or wild appearing.”

- Page 6. It is unclear why views toward the project on Saddleback Ridge are particularly important in the context of a study area with views of mountain in almost every direction, as described on pages 11 through 14.

MLA does not accurately locate or characterize the use of the viewpoint where he took the “Beach” view toward the project. It is therefore not possible to make conclusions about whether there are adverse visual impacts from this location.

MLA conducted his field work on November 18 and 19, 2010, yet the sign on the gate to the Mount Blue SP campground states that it closed on October 11, 2010. It is reasonable to conclude that he is unable to support such conclusions as: “the zone of Webb Beach where the towers will be visible is ...a popular place to enjoy lake and mountain vistas.” One can assume that the developed “Beach” is a popular place, but it does not have views of the project, as seen in Figure 1 above. No information is presented about access or uses to the shoreline viewpoint being misrepresented as the “Beach.”

- Page 7. I have questions about the methods. What was the actual lens setting used to take the photographs in MLA’s report; particularly those used for the visual simulations? Why use the MaineGIS contour file for the elevation data and not the 10 meter DEM data which is the current state standard for elevation? Why would you use screen captures which are lower resolution than image export to record the ArcScene visualizations of the turbines? This become important because lower resolution images, may over emphasize the thickness of turbine components. Why bring stereoscopic vision into your presentation, it has almost no effect at the distances being considered. However, MLA’s observation that the human eye can often adjust to light contrast more effectively than a camera may be helpful. It is not unusual that the view in the field is clearer to the viewer than a printed photosimulation. This may be because the resolution of the photograph is too low, the photograph is improperly exposed, there are contextual elements in the environment and not represented in the photograph that aid in understanding the view. In addition, it must always be remembered that a proper simulation should show the proposed changes under “worst case” conditions, when conditions may often make it much more difficult to see the project clearly.

The comments that dark toned turbines silhouetted against the sky, especially a white sky are well taken. Such a contrast heightens visibility. However, these conditions should be simulated only when possible and the “extent, nature and duration of potentially affected public uses” should also be described. For instance, it is unlikely

that many people will be at Center Hill Overlook at sunset, and walk in the dark back to the road. On the other hand, people may (though I have no personal knowledge they do) go to the Farm House Turnout to watch the sunset.

- Page 8. The schematic section showing the relation of the turbines to Saddleback Mountain is helpful. It clearly shows that the turbines approach but do not reach the height of the summit, and are at some distance from it.
- Page 10. There is no visibility of the project from the "Beach," so it will not be affected by the project's night lighting. Webb Lake is not a state or nationally significant scenic resource, so scenic impacts to it are not evaluated under the Wind Energy Act's procedures. MLA needs to accurately locate and characterize the places and uses within the Mount Blue SP campground that will have a view of night lights mounted on the top of the nacelle. While this area of the park was officially closed during my (and MLA's) field visit, I did not see any area with a potential view of project turbines that looked like a place that people might gather in any significant number "for nighttime activities including enjoying the stars and dark sky." It is much more likely that lights from residences and camps across the lake will affect people who might be disrupted by lights.³

MLA suggests that night lights on the proposed turbines would discourage nighttime camping at the Center Hill Overlook. However, the description of this resource on pages 31-33 indicate that it is a short nature trail; camping is not mentioned. This appears to be misrepresentation of the use at this location.

- Page 14. It is unclear where the photograph on this page was taken, and whether a telephoto lens was used.
- Page 15-20. This section on various summer camps establishes a tradition of use linked to Webb Lake, which is not a state or nationally significant scenic resource. It is therefore unclear how to make use of this information.
- Page 22-23. MLA makes an important point by indicating that Mount Blue State Park "receives roughly 70,000 visitors each year," though it would be important to report how many of these people visit locations inside the park with views of the project, and what activities they do there.

The quotation of selected testimonials is not a substitute for a reliable study of visitors. I would note that most of the selected visitor testimonials do not indicate the importance of scenic quality, but focus on family tradition and social activities.

³ The light intensity of a FAA L-864 red flashing beacon 2,000 (\pm 25%) Candelas (i.e., lumens/steradians). A 120 volt, 100watt tungsten incandescent bulb produces 1,700 lumens, a 135 watt bulb produces 2,350 lumens (http://en.wikipedia.org/wiki/Incandescent_light_bulb).

Page 24. The “Beach” is not one mile long, and does not include the “rocky shoreline,” as described in comments for page 3 above. There are no views of the project from the “Beach,” which is a heavily used area of the park.

No documentation of the “extent, nature and duration” of uses, “expectations of the typical viewer,” or “the potential effect...on the public’s continued use and enjoyment of the scenic resource of state or national significance.”⁴

Page 26. “Moving north [from the “Beach”], the towers become apparent, one after the next until all twelve towers will become visible in the area adjacent to the campground.” MLA makes it sound like the rocky shoreline north of the beach is an open continuous stretch with an unobstructed view toward the project. My experience on the site was different. Walking north on the trail from the “Beach” I encountered a forested shore that made clear views to the southeast difficult—the view on the right side of Figure 2 required climbing onto a boulder in the water. The natural direction for viewers to look is across the lake to the residences. While some views toward the project do exist, they are not the continuous open views suggested by a beach location.

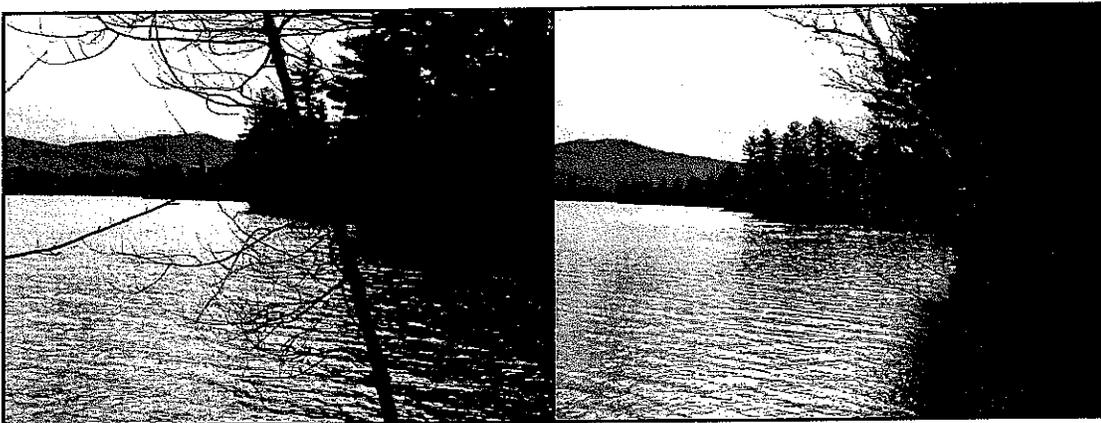


Figure 2. Views from the rocky shoreline north of the “Beach” toward Saddleback Mountain. The project will not be visible in the view on the left, and two or perhaps three turbines will be visible in the view on the right.

Page 27. There are no views of the project from the “Beach,” so the project cannot effect them. However, the assertion that the turbines will have a negative effect on users of the shore north of the “Beach” are not supported by any evidence. There is no information about the “extent, nature and duration” of uses, “expectations of the typical viewer,” or “the potential effect...on the public’s continued use and enjoyment of the scenic resource of state or national significance.”⁵ This area appeared to me to be lightly used, but I was there after the campground had closed, as was MLA.

⁴ 35-A MRSA, § 3452, § 3

⁵ 35-A MRSA, § 3452, § 3

MLA provides no description of what separates an adverse from an unreasonably adverse visual impact. It is therefore impossible to evaluate how he reached the conclusion that the impact would be unreasonably adverse.

Webb Lake is not a state or nationally significant scenic resource under the Wind Energy Act criteria, so it should not be evaluated.

Page 31-33. In the description of the Center Hill Overlook, MLA states that “the overlook itself feels wild and remote.” This is a more accurate statement. The surrounding area is simply not a “pristine wilderness” as stated on page 16, no matter how many times people say so. However, people may have the feeling that they are in a remote area, even though they are a short walk from the highway. This assertion about how hikers feel would need to be documented through properly conducted interviews. While MLA may feel this way, the photos on this page do not suggest to me a wild or remote experience.

The only evidence we have about viewer expectations and the effect of the project on the experience of hikers is the survey conducted on Mount Blue (TJD&A 2010). I suspect that Mount Blue is a much more remote and wild feeling area than the Center Hill Overlook. Nonetheless, respondents generally thought that the project would not significantly effect their enjoyment or keep them from returning. These hikers said this, even though their ratings of the scene with and without the project indicated a loss in scenic quality. MLA does not provide similar documentation to support his assertions. I would add that Market Decisions, the firm that conducted the survey interviews, is an established firm with a good professional reputation.

Page 34. The Webb River valley may be special, but it is difficult to see how it is “unique”—i.e., one of a kind—in any sense that is relevant to a visual impact assessment. Webb Lake is not identified as a significant or outstanding scenic resource in Maine’s Finest Lakes study (Parkin et al. 1989). There are relatively few state or nationally significant scenic resources within the area, and very few with potential views toward the project. While I would agree that the area is scenic, in the same way that most of western Maine is scenic, it does not appear to me to be unique.

MLA asserts that if the project is constructed, “the place would lose much of its powerful sense of retreat from the busy, work-a-day world and its desirability as a destination for recreation.” However, MLA does not provide any evidence to support this assertion. The study of hikers on Mount Blue suggests a different conclusion—that hikers recognize that a portion of their view will be degraded but that this degradation would not spoil their experience or keep them from returning.

References

Michael Lawrence Associates. 2010. *Saddleback Ridge Wind Project, Carthage, Maine: Wind Facility-Visual Quality and Scenic Character Report*. Essex Junction, VT: MLA.

Palmer, James F. 2010. *Review of the Saddleback Ridge Wind Project Visual Impact Assessment*. Burlington, VT: Scenic Quality Consultants.

Parkin, Drew, John Lortie, Robert Humphrey, and Fred DiBello. 1989. *Maine's Finest Lakes: Results of the Maine Lakes Study*. Augusta, ME: Maine Critical Areas Program, State Planning Office.

Terrence J. Dewan & Associates. 2010. *Visual Impact Assessment Saddleback Ridge Wind Project*. Yarmouth, ME: TJD&A.