

Weaver Wind Project

MDEP Site Location of Development/NRPA Combined Application

SECTION 32: BEST PRACTICAL MITIGATION

32.0 BEST PRACTICAL MITIGATION

35-A M.R.S.A. § 3459 requires applicants to submit information on best practical mitigation for all aspects of construction and operation of generating facilities. Best practical mitigation means “methods or technologies used during construction or operation of a wind energy development that control or reduce to the lowest feasible level impacts to scenic or wildlife resources in accordance with rules adopted by the department.” *Id.* at § 3451(1-A). Although the department has not yet adopted rules implementing this requirement, this section demonstrates, with cross-references to the appropriate sections of the application, that the project meets the requirements of 35-A M.R.S.A. § 3459.

32.1 POTENTIAL IMPACTS TO WILDLIFE RESOURCES

Impacts to wildlife resources, both species and habitat, have been avoided and minimized through careful siting of all project elements (refer to subsection 7.6 for a summary of impacts to wildlife habitat). Additionally, a number of measures will be implemented during construction and operation to further reduce potential wildlife impacts, including a bird and bat mitigation plan (Section 7.0). These specific measures have been developed with input from a team of experts with substantial experience in designing and building wind projects in Maine (Section 4.0). Furthermore, avoidance measures also reflect input from agency personnel experienced in reviewing large infrastructure projects including, in recent years, many wind power projects.

During construction, wildlife resource impacts will be minimized through techniques that limit disturbance. For example, wetlands will be cut by hand or during frozen conditions when many species are dormant, and the design was carefully developed to avoid temporary or permanent wetland fill impacts, avoiding habitat destruction. A critical component of minimizing resource impacts is implementation of an effective erosion and sedimentation control plan (E&S Plan). The E&S Plan is described in Section 14.0 and is reflected on the Civil Design Plans in Exhibit 1. Additionally, a number of buffer provisions have been incorporated into the construction plan to minimize impacts to wetlands and streams, including more stringent measures for salmon habitat streams. The limitation on clearing and other construction activities within buffers for these resources is described in Section 10.0. Finally, low ground cover vegetation will be retained to the maximum extent practicable during installation of the overhead electrical corridor, facilitating use of that area as habitat for wildlife (Exhibit 10-1 at Section 2.1). Clearing within wetlands is primarily limited to areas adjacent to existing roads to accommodate transport of turbine components, and disturbance will be limited by employing the techniques discussed above.

During project operations, impacts to wildlife resources will be minimized through vegetation maintenance practices that promote the long-term growth of diverse and healthy ground cover habitat. The restoration and stabilization of areas impacted by construction and ongoing maintenance activities, along with general corridor maintenance practices, are described in the VMP included as Exhibit 10-1. More restrictive maintenance measures apply in wetland and stream buffers, including a prohibition on the use of herbicides in such buffers.

Additional measures are described for vernal pools and osprey nests to minimize any potential impacts from project operations on wildlife and habitat. These maintenance practices build on techniques that

Weaver Wind Project

MDEP Site Location of Development/NRPA Combined Application

SECTION 32: BEST PRACTICAL MITIGATION

have been successfully implemented on other corridors and wind power projects. Refer to Section 10.0 and Exhibit 10-1 for additional discussions of buffers and practices that will be used to minimize impacts.

The Applicant has also developed and will implement a post-construction avian and bat fatality mitigation plan protocol that builds on the knowledge and experience at other Maine wind projects and the region over the last nine years. This plan includes curtailment and incorporates input from state resource agencies and is designed to add to the existing body of knowledge about the impact of wind projects. See Section 7.

32.2 POTENTIAL IMPACTS TO SCENIC RESOURCES

Impacts to scenic resources have been avoided and minimized through careful siting of all project elements. Section 30.0 of this application contains an evaluation of the visual impacts associated with the project, including cumulative impacts. In addition, to minimize nighttime visual impacts associated with wind power projects, the Applicant has proposed to light only the minimum number of turbines required by the FAA. Furthermore, if approved by the FAA, the Applicant has agreed to install a radar-assisted lighting system that will essentially eliminate the impact of nighttime lighting.