

We believe that Vermont's economic health depends on its environmental health. VCE is fighting for the economic well-being of all Vermonters by promoting the sensible use of our resources – our land, our air, our water and our people.

VCE provides facts and information so Vermonters can make informed decisions.

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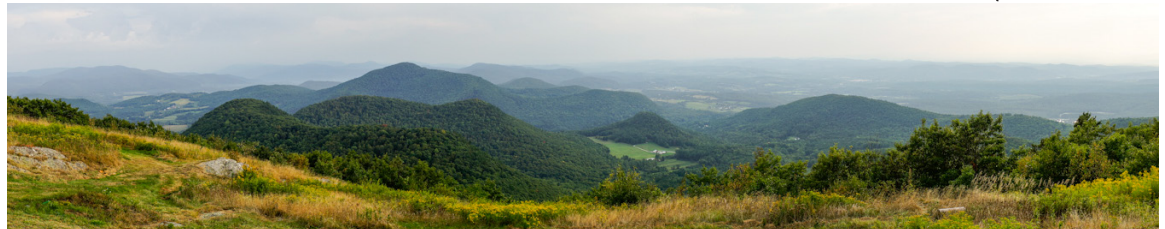
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# VICTORY OVER VELCO



*The view from Northeast Mountain in Wells inspired artists and was open to the public for festivals.*

A Superior Court jury of Rutland County Vermonters listened to five days of testimony and argument from Dec. 9 - 13. The 11-member jury was charged with deciding the value of a new easement taken by VELCO including 24/7 access to the property; a new tower, microwave antennae, building and foundation; surveillance cameras, diesel generator and HVAC system; and an electric easement allowing the construction of poles, structures and anything else VELCO wants to do. VELCO also seized air space easements, the right to trim trees, to sell easement rights and more. VELCO's appraiser, who was paid over \$90,000 to come up with his determination, found the value of the new easement to be \$4,500. The Public Service Board agreed. The jury put a value of \$100,000 on the new easement.

The jury was also asked to decide the change in value of the remaining property as a result of the state condemning the residential property for VELCO. Two witnesses testified the property was worth \$1.2 million. VELCO's appraiser estimated the value of the rest of the property was reduced by just \$21,000. The jury decided that VELCO's industrial use has effectively eliminated the residential value of the only mountaintop residence with 360° views in all of New England. The jury awarded a total of \$900,000 for that loss.

The jury's verdict was fair based on the evidence.

*The jury verdict was a victory for them and every other Vermont resident bullied by a process that takes property for public good without always compensating property owners fairly.*

VCE featured Felix and Olga's story on the cover of our End of Year Report three years ago. Since then, VELCO has turned their lives upside down and destroyed their investment, hopes and dreams. VELCO's arrogant and bullying behavior towards these professional artists continued in the courtroom, where VELCO's attorney accused the couple of being bad parents, and blamed them for not mitigating their damages by cooperating.

VELCO might appeal the jury's decision. That would mean it does not respect the judgment of the people, and it would drag Felix and Olga and their four boys through more than a year of additional legal expenses while they continue to pay a mortgage on a home they cannot use. While VELCO has deprived them of their inspiration from the top of Northeast Mtn. in Wells, we wish them speedy resolution to the nightmare that this corporate bully has put them through, and good luck finding a new home. We are glad they want to return to Vermont.

Felix told the Rutland Herald, "this victory gives us a chance to come back. We still love the state and still love the people. What happened proves that the people are on our side."



**Olga and Felix are ceramic artists. From the simple V above to this complicated floral bouquet, their work is colorful and creative. To see more go to [artdep.com](http://artdep.com)**

## Message from the Director - Corporations Behaving Badly

The theme of this newsletter is "Corporations Behaving Badly." It is coming to you a bit later than usual because I spent the past week sitting in court watching the jury trial that is the subject of our cover story. As with the other stories described herein, VCE has been documenting and witnessing the behavior of corporations operating in Vermont that are inconsistent with Vermont's values.

Notably absent from the list is Omya, the multi-national giant that was the focus of our attention for ten years. At the November Annual Meeting of Associated Industries of Vermont, a legislator approached me afterwards and said that the plant manager of Omya had complimentary things to say about VCE, that "you made us a better company." We see tangible evidence that Omya has become a better corporate citizen, with neighbors able to interact with Omya without hostility. Some community members are still attending the issues team meetings that Omya continues to hold. This does not mean that we are not following Omya's operations, including its environmental impacts. The good news is that our persistence has resulted in real changes such that we no longer have to protect the citizens from their neighbor.

The wind industry has taken the prize in recent years for atrocious behavior towards its neighbors. First Wind knows that the Therrien family is suffering and their lives are being destroyed by the Sheffield wind turbines, yet refuse to consider buying them out so they can move and protect their children from harm.

Green Mountain Power (GMP) sued its adjoining neighbor. Georgia Mtn. Wind, led by David Blittersdorf, sued its adjoining neighbor. In both cases, the wind companies were actively damaging the neighbors' properties and putting people and animals at risk by throwing flyrock, yet it is the neighbors who were sued to keep them off their own property. Even though Vermont's Attorney General opined that the neighbors had a right to be on their own property, the corporations were able to get judges to issue Temporary Restraining Orders which are normally used for protection from an abusive spouse.

Vermont Gas Systems (VGS) is now earning a reputation as a corporate bully. This comes as no surprise since VGS and GMP are owned by the same corporate entity, Gaz-Metro, which is part of a conglomerate called Valenar that includes the fossil fuel giant Enbridge. In its efforts to build a new transmission line to Middlebury, and then across private property in Shoreham and Cornwall and under Lake Champlain to International Paper's plant in Ticonderoga, NY, VGS has blindsided communities, bullied landowners, and acted with the same arrogance that GMP has when dealing with its wind turbine neighbors. Both of the major customers for VGS' pipeline expansion are major polluters. According to Planet Hazard, International Paper currently emits 6 million pounds per year of toxic pollutants. Agri-Mark's record of excess phosphorous releases is detailed in this newsletter.

Holding corporations accountable is part of our mission. Sometimes it seems hopeless. Friday afternoon, we found new inspiration when a Rutland County jury returned their verdict upholding the property rights of private citizens. According to Rutland Superior Court's clerk, Friday's verdict was the only million-dollar, civil jury verdict in Rutland County since 1977, when a jury awarded \$1.5 million verdict in a ski injury case. Their verdict is resonating throughout Vermont as more citizens in all parts of the state are finding themselves victims of corporate agendas that trample on the rights of citizens. We all owe a big thank you to Olga and Felix, and their attorney Rob Woolmington, for standing up to VELCO.

Olga and Felix first attempted to protect their rights by bringing suit against VELCO in Superior Court, alleging that the easement that VELCO purchased was inadequate for its purposes. VELCO claimed that it had all the rights it needed under the existing easement. The case was just about to go to trial when VELCO changed venues and filed to condemn a new easement at the Public Service Board, claiming it could not do what it needed to under the existing easement. Changing venues is a tactic we are seeing used frequently by corporations.

After the PSB approved everything VELCO wanted and ignored everything that Olga and Felix requested, Olga and Felix returned to Superior Court. Vermont law allows a jury to decide the value of a property taken by the government for the "public good". Incredibly, VELCO continued to argue that it could do everything it needed under the existing easement, and said the reason it asked the PSB to condemn more rights was because Olga and Felix refused to cooperate with VELCO.

At the end of his closing argument, VELCO's attorney attempted to deflect the impact of his bullying behavior by saying to the jury, "I do apologize. If you are angry with me, which okay that would be legitimate based on what happened, I would ask you and I would assume that you would not take it out on my client." Whether it is bullying in the courtroom or on people's private property, corporations that behave badly have no place in our society. Bullying in schools is getting much-needed attention. Unfortunately, corporate bullying is supported by both our elected and judicial branches when they allow the rights of private citizens to be destroyed so that corporations can achieve their goals.

There are plenty of reasons for hope. Just as the power of the corporations seems to be growing and overwhelming, people are fighting back, and winning. VCE's work exemplifies this dynamic. Change sometimes comes slowly, but it can also happen rapidly. We are on a trajectory for a paradigm shift, and the closer we get to a more peaceful society, the harder the fight will be. Working together, as we have been doing since 1999, Vermonters find ways to protect our environment and build healthy communities.

Thank you for being part of VCE.

~Annette



Annette Smith moderating a Peak Keepers roundtable discussion:  
<http://peakkeepers.org>



VCE participated in forums in Dorset and Townshend with Senators Robert Hartwell and Peter Galbraith as part of our efforts to provide facts and information about wind issues. The conversation is quite different in areas where there are no wind turbines proposed compared to areas where developers are active.



# CORPORATIONS BEHAVING BADLY

## FIRST WIND & CLIPPER

### Sheffield

Hello, we are the Therrien's. Perhaps you have heard of our family. We live in Sheffield, Vermont. We desperately need to move away from our home. The area has been turned into an industrial zone due to First Wind's erection of 16 wind turbines less than two miles from our home.

The noise can be horrendous to say the least. But it is not only the obvious sound you can hear. Infrasound is just as deadly to a person's mental and physical health. My husband and I have been reduced to people our doctors have told to not even try to work. I went from a person accused of laughing too much by people I worked with to being on Prozac and unable to seek gainful employment. So has my husband.

Our preschool aged children can not verbalize how they are feeling but we can see them change. Their temperament is worse when we have the audible sound added to the infrasound. We know how this is impacting us, fully developed adults. We are terrified of the long term impact this could be having on our still developing children.

We have lived in the same location next to I-91 for 17 years and the only negative to come into our lives has been the wind turbines. They have been operating behind our home for two years. We did not oppose the project, and it took us six months to connect the dots of why we felt so horrible.

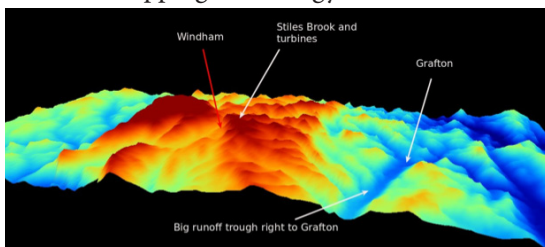
First Wind refuses to even consider buying us out. They say they are in compliance with their permit and that is all that matters. They say they do not want to set a precedent by buying us out, even though we know they have bought out people in Maine and New York. Vermont regulators know our family is being harmed and say there is nothing they can do. The Town of Sheffield is receiving half a million dollars from First Wind, profiting at our expense.

~Luann, Steve, Seager and Baily Therrien, Sheffield

## IBERDROLA - Windham and Grafton

The wind industry is counting on us poor ignorant Vermonters to be their patsies. In particular, Iberdrola thinks the people of Windham are just plain stupid. Their proposed project, still in the testing phase, is for turbines in the heart of our town. It will alter our lives forever, yet they refuse to give us any information. They hide their plans behind a veil of mystification.

Meanwhile, we used mapping technology and wind data to determine where roads and turbines would have to go, and what effects would be on our properties and roads. They insist this information doesn't exist, so there can't be any dialog as we wait for them to decide our fates. Like most Vermonters, we don't like being told we're powerless. The Windham community, which supports renewable energy and has a history of reasonable behavior, would have responded differently to a respectful approach, one that made our concerns part of the discussion from the beginning.



Glebe Mountain, Windham, Stiles Brook area, Grafton. Looking north

~Nancy Tips, Windham

## DAVID BLITTERSDORF, JIM HARRISON & GOLDWIND - Milton and Georgia

Corporations that participate with the industrial wind projects will do whatever it takes to do business. This would include hurting families by way of health, stress, character assassination, property take over and tearing families and friends apart. Our family has been served no trespass orders on our own land, and served a lawsuit for being on said land by a group of attorneys who happen to have connections to state officials.

Really, tell me how a family is going to fight that.

Why can't these big players work with citizens and residents so as not to destroy our natural resources all over the State or tear apart communities?

People need to realize that these Corporations are all in it for the money. It is not about making our life better. If they wanted to make our life better, we would not be waking up nights to the sounds of turbines drumming in our bedrooms, or stepping outside without getting dizzy from the shadow flicker. Does anyone from these Corporations attempt to contact us to remedy the situations? No, they don't. That would take time and money out of their pocket. The only ones benefiting from any of these projects are big finance, with the blessing of the government.

It is the old cliché, money talks.

~Tina FitzGerald, Milton



I used to have a positive attitude about most things in life. I loved my home, my property and my neighbors. I believed that if you treated people respectfully and were honest, you would get the same in return. I thought that most people followed the rules and laws, no matter how much money they had. I thought that if they didn't, that I would be protected by our state agencies that are in place for that very reason. That has all been shattered by living next to Georgia Mountain Community Wind (GMCW).

Some nights I can't sleep because the turbines are rumbling and whipping all night long. I email the contact person at GMCW and may or may not get a response. If I do get a response it's generally just a note that my complaint has been logged. Nothing more. If I ask what will be done about the noise keeping me awake, I'm told that the noise monitoring plan will be followed. Nothing more. I am provided with raw data from monitoring when I request it, but ignored when I ask for the turbine operational data. The raw data means nothing without the operational data. Not even no, just no response. When I ask for anything above and beyond what is stipulated in an approved plan, I get no response.

The spokesperson for GMCW has publicly implied that we complain about the noise because we were against the project from the beginning. We are not liars. It's embarrassing and exhausting to complain all the time, not something that we enjoy doing. We have to explain what the noise is like and why it's making us miserable over and over again.

This same person has also publicly stated that GMCW is working with the neighbors to resolve any issues. I don't know of any neighbors they are working with. It's certainly not us.

~Melodie McLane, Georgia

## MORE CORPORATIONS BEHAVING BADLY

### GREEN MOUNTAIN POWER & VESTAS Lowell

Noise Diary - October 5, 2013. Went out four-wheeling. Turbine noise everywhere. It made me so sad. All of the places we had worked to clear, make logging roads and clear up to make it nice for everyone was for nothing. So many people had looked at this place and loved it until we had to disclose that there was a possibility of the turbines. We went around some of our roads through the woods. It was so noisy every time we stopped to try to enjoy the surroundings. It's gone.

Today made me realize that all of the things that I believed in (truth, honesty, principals, trust, do unto others, friendship, honor, your word) the only thing that matters to anyone is greed (if you have it, they want it and will take it away).

All the things we worked for are gone – what did we do anything for? We would have been better off to sit back and do nothing and let everything run down. They even took the paperwork from historical records that show our buildings were on the state records to try to discredit us. I still can't believe all the bullying, threats and harassment they have done with the blessings of the PSB, DPS, ANR, the legislature, the lawyers, and the judge, the fact that they forbid us to be on our land and put a restraining order on us, raped my computer, had police cars park in our yard to watch us, took pictures of us from every angle, watched us, even monitored our conversations and laughed at us throughout the technical hearings, never let us speak at any of the hearings.

It's all a chess game and we are the pawns. I never believed there were so many uncaring, selfish people. How do they go home to their families at night and act like they have had such good day at the expense of people that just want to live a good life. I feel sorry for the children that are learning it is all right to cut down people if someone says to and never think about the consequences to anyone else. There have been several people throughout this whole thing that have appeared to have morals and common sense and found out that in the end they will close their eyes and stab you in the back to follow the rest of the lemmings.

It is discouraging and depressing. We worked so hard and only had three days off in 30 years and they took away all that we could have had in retirement. Now it is too late – they have put us through 12 years of hell.

~Shirley and Don Nelson, Lowell

### NORTH EAST MATERIALS GROUP & ROCK OF AGES Graniteville, Williamstown

An asphalt plant with a rock crusher began operating amidst a residential neighborhood in Graniteville earlier this year after receiving an Act 250 permit. North East Materials Group (NEMG) is operating the plant on land it leases from Rock of Ages (RoA). The neighbors appealed the permit as well as a decision that the rock crusher is exempt from Act 250 review because it is "grandfathered." An Environmental Court trial was scheduled for early December. As the trial date approached, NEMG and RoA threatened to sue neighboring landowners, citing deed language that the corporations are interpreting to mean that the landowners cannot try to limit any activities related to industrial operations near their houses, no matter how obnoxious the dust and noise and smells from the crusher and the asphalt plant are. A day after the trial ended, the neighbors were sued. This lawsuit serves no other purpose than to punish neighbors and citizens for exercising their statutory right to participate in the future of their community. It is corporate bullying of a type rarely seen in Vermont. In this case, wealthy corporations are using the legal system to try to scare landowners who are attempting to assert their rights. Corporations are trying to prevent people from participating in the Act 250 process. Who has the money to defend themselves in court? The corporations are guessing "not us."

### EOLIAN RENEWABLE ENERGY Newark, Brighton, Ferdinand

In Newark the first time we heard of the developer was the day *after* Town Meeting, when we received notification of their intention to file for "met" towers in Newark, Brighton and Ferdinand. Eolian had already been working with Vermont state agencies for months. When challenged about the "convenient" timing of their notification Eolian claimed the arrival of the warning 24 hours after Town Meeting was a "coincidence."

We followed up with a meeting where Eolian was given the opportunity to tell the community their plans. They spoke only of met towers.

Concern about anything else, like wind turbines, they told us, was unwarranted.

They told us that if any town voted against their project, they'd abandon their plans and would go away. Over the next six months Eolian

went door-to-door, sent out multiple postcards and mailings, hired a Vermont organizer to petition us at the transfer station, sponsored a field trip to the Sheffield project, held an open house at the school, and hosted a cocktail party and bbq at the homes of their very few supporters.

In response, in a landslide vote 74% of Newark voters said "yes" to a Town Plan which discourages construction of anything over 120 feet high on our ridgelines. Now the landowner leasing land to Eolian is suing the town over the town plan.

In Brighton residents voted 65% against turbines on their ridgelines.

The PSB permitted the met towers anyway.

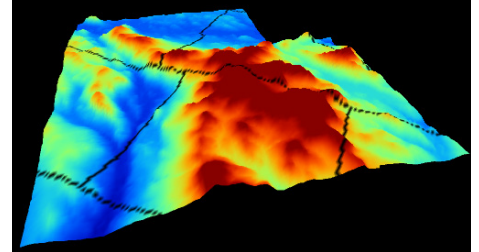
Recently Eolian presented its plan for an industrial wind project to the Unified Towns & Gores (UTG) Board of Governors (BOG), who have jurisdiction over Ferdinand. The BOG agreed to hold an unofficial vote on the developer's terms.

When the BOG said they wanted to send the ballot in a separate envelope, Eolian said if the UTG ballot wasn't in the same envelope as their glossy sales pitch, they wouldn't consider it a

valid vote. The BOG refused to include information in the envelope from the local groups or neighbors who oppose the project. The BOG did ask Eolian to remove any reference to a "\$900 per taxpayer" payout, which they reluctantly did, but then Eolian immediately sent out a letter to voters which included the "\$900 per taxpayer" proposal.

Because it's an unofficial survey, the \$900 payout is not illegal, but it certainly is distasteful. Unless this is addressed by the legislature, this bodes poorly for how developers sell their projects to Vermonters.

~Noreen Hession, Newark



*Ferdinand, triangle right rear, has higher mountains and better wind resources than Newark, left, or Brighton, left rear. Looking north. Foreground, East Haven.*



# YET MORE CORPORATIONS BEHAVING BADLY

## VERMONT GAS SYSTEMS

### Addison County

In November 2012, when Vermont Gas Systems (VGS) filed its plans to build a new high-pressure transmission line, residents of Monkton were stunned to learn that instead of siting it in an existing utility corridor in town, they proposed to run it down the main road through the middle of town. It soon became apparent that the route through town was to avoid both unwilling landowners and having to get a wetlands permit. For many residents, this meant being faced with the prospect of being sandwiched between an existing high-voltage line in their back yard and a new high-pressure gas line in their front yard.

After being put in touch with Annette Smith of VCE, and with her excellent advice, residents organized a campaign to pressure VGS to delay the filing and amend their plans. VGS refused. It soon became apparent that VGS had not engaged in the necessary community outreach beforehand, instead hoping they could quietly sneak it through before anyone noticed.

The proposed route ran so close to houses in the village that residents posed for photographs in their living rooms and bedrooms holding up signs saying "Inside the pipeline construction right-of-way" and sent them to state officials and the media. The timing of the upcoming holidays prompted an "alternative holiday tree-trimming" event, where roadside trees that would have had to be cut for the project were decorated with yellow "CAUTION" tape instead of the usual lights and decorations. Residents also got the Town to send a letter requesting that the line be moved to the utility corridor, and furthermore, that it be kept 300 feet from any homes or wells.

At a January 2013 meeting with VGS, almost 100 residents showed up and were withering in their criticism of the gas company's tactics, the route, and their general bad behavior around town dealing with landowners. Stories of trespassing, intimidation and bullying came pouring out, forcing VGS to apologize. The company was also presented with 70+ Notices Against Trespass, prohibiting them from entering private property.

On February 28, VGS re-filed their route through Monkton and Hinesburg, relocating the pipeline mostly in the utility corridor. In March, at Town Meeting, residents voted almost unanimously to give the Selectboard the funding to hire a lawyer to represent the Town in the PSB hearings, and advised them not to issue any of the required road permits until residents' safety concerns were satisfied.

In addition to getting the route changed, the events in Monkton helped raise the project's public profile. It has become a major issue being debated in the county and the state, forcing VGS to be more transparent in their actions, and engage the public in a way that it had not done previously.

However as the project continues, landowners in the path of construction still feel they are powerless to protect their properties against a large corporation determined to get their project built, whatever the costs or impacts.

~Jennifer Baker, Monkton

*Thank you for all of your dedication and hard work for what is right and just. I am so grateful for all that you do to protect Vermont's environment and Vermonter's health.*

~Jan Ameen, Westminster

## AGRI-MARK (owner of Cabot Cheese) Middlebury and Cabot

Agri-Mark is a large agri-business based in Massachusetts that continues to expand its operations in Cabot and Middlebury. Both of Agri-Mark's plants have been cited for serious discharge violations. In 2007, the Cabot plant dumped ammonia into the Winooski River, killing 15,000 fish in a 5 ½ mile stretch. It was fined \$100,000.

The Middlebury plant has a record of continuous violations of its discharge permit, especially since the plant began to process whey in 2002 for use in nutritional protein drinks. Whey used to be part of the wastewater in Cabot until the company found a way of separating it out and started shipping it to Middlebury, where it is dried using lots of fossil fuels.

In 2003, records show three violations in Middlebury due to increased whey production, prompting ANR to ask Agri-Mark for plans for phosphorous pretreatment.

Excessive phosphorous discharges continued to be a problem and finally, in 2008, Agri-Mark was cited for "selective reporting of total phosphorus analysis" and "numerous exceedences" of discharge limits. ANR fined the company \$75,000, and Agri-Mark agreed to monitor its phosphorous loads three times a week for five years. Within a year, it was back to exceeding permitted limits, and violations occurred in 2009, 2010, 2011 and 2012.

Phosphorus is a major component of cleaning fluids, and despite its promises to use non-phosphorous cleaners following each step in the cheese-making process, Agri-Mark continues to use them and to discharge large amounts of phosphorous onto fields and into Middlebury's wastewater treatment plant in violation of its permits. As one Middlebury Town official said in frustration in 2012, "They have a sweet deal with the Town to start with and then they don't seem to feel any obligation to comply."

Agri-Mark is now enhancing its system to improve wastewater flows to the Middlebury town treatment plant, but is not addressing the excessive phosphorous production.

## GREEN MOUNTAIN POWER & NORTHERN POWER SYSTEMS Vergennes

We used to be able to sit in our backyard and hear the sounds of nature. We could calmly relax from a stressful day at work. Now all I hear is this thumping, train sound. The whole house shakes, even from the inside. Our peaceful enjoyment of nature has all been taken away by this turbine.

Now in the morning the glare from the blades turns towards me and shines right into my eyes. I get a headache. It's like someone taking a mirror and flashing the light towards me. In the evening the shadow flicker is right on top of me, strobing, changing the light from dim to bright, and I cannot get a way from it. Then I get a headache and I want to go to bed. I cannot take it anymore. We cannot open the windows in the summer. GMP has taken this right away from us.

Inside the house it is bad with the flicker and shadow. The whole house changes, the same way. We sit in front of our television to relax and everything strobes in and out. I get a headache from that too. I cannot stand it.

~Michael Mammoliti, Vergennes

## Legislative Update

### S. 30 meetings mean more interactions



Over the course of the summer and fall, members of the House and Senate Natural Resources and Energy Committees met four times to talk about energy generation siting issues, as directed by S. 30. There were several presentations about the Siting Commission's report, and various state officials gave updates on issues such as curtailment, stormwater management, and regional energy policies.

Two of the meetings also included opportunities for public comment. Our folks turned out in force, and provided what was perhaps the most informative content of the meetings. With lobbyists and reporters in the room and legislators more or less a captive audience, we literally had the microphone. And boy did folks have a lot to say.

VCE followed the work of the Siting Commission closely. Legislators have expressed skepticism about their recommendations. For the many hours the Commission put into gathering materials and deliberating, they failed to address the fundamental problems that Vermont's citizens and towns are having with the PSB's expensive and litigious process for participation, and the industry-biased pre-determined outcomes. All of the ideas VCE brought to the Commission – intervenor funding, an office of Public Advocate, independent experts paid for by the applicant, community-based stakeholder processes and more – were ignored. We now look to the legislature to level the playing field and provide more meaningful opportunities for people to have a say in what goes on in our communities.

The outcomes of the meetings were modest but positive. The press covered the sessions, ensuring that more Vermonters are learning about the impacts of noise, habitat disruption, and all the other ills that come with ridgeline wind, and also the folly of using our forests for generating electricity. Our grassroots team had more chances to talk one-on-one with legislators. And the Senators in particular were troubled by the sometimes obviously biased testimony given by state officials.

So, now that the conversation has continued and key issues have been called out, what next? We anticipate that the Senate will work on siting bills during the coming legislative session. We will continue our outreach to legislators. And we will keep trying to ensure that all issues – including especially the devastating health impacts caused by noise – will be addressed. We hope to see many of you in the State House this winter.



### Public Service Board - Complaints Lead To Investigation Into Sound Standards from Energy Projects



*Shirley Nelson of Lowell testifies about wind turbine noise to the Vermont PSB in August as GMP's general counsel (left) Donald Rendell looks on*

In response to the increased number of operating wind turbines in Vermont that are generating noise pollution, VCE has been working with citizens to file complaints with the PSB.

The Board has permitted sound standards requested by industry that are at levels where harm is known to occur, and issued Certificates of Public Good (CPG) that contain conditions that favor developers. It has been exceedingly difficult for neighbors to get traction on the noise problems occurring with all three big wind projects.

However, even with the generous standards allowed by the PSB, GMP was found to have violated its CPG for Lowell and in August, the PSB held a hearing to determine appropriate penalties. The Public Service Department suggested that GMP should be required to implement continuous monitoring, and GMP was required to come up with a plan, and given 90 days to do so.

Meanwhile, neighbors of the Georgia Mountain project have also filed a formal complaint. The Therriens continue to file regular complaints about noise in Sheffield,

which are ignored by First Wind and so far have received no response from the PSB. A medium sized Northern Power Systems wind turbine (NPS 100) that was installed by GMP in Vergennes two years ago is generating complaints about noise, shadow flicker and glare. The PSB accepted GMP's expert's assurances that noise was not a problem, but the neighbors continue to complain of sleep disruption and health effects. A hearing on shadow flicker and glare is scheduled before the PSB hearing officer on Jan. 14, and VCE will be there to assist neighbors.

The PSB seems to have gotten the message that they have a problem, as they have just announced they are opening an investigation into sound standards for energy projects. Public comment is open until Dec. 31, 2013. A prehearing conference is scheduled for Jan. 8, 2014 at the Pavillion Office Building auditorium in Montpelier.

VCE encourages our members to participate.

## Chloramine

VCE staff worked with advocates in other parts of the country to gain press attention for water disinfection issues. Several towns have rejected chloramine, while an outbreak of a dangerous virus in Louisiana has drawn attention to disinfection practices in that state, including the use of chloramine.

More than 80 Louisiana water systems were ordered to stop using chloramine after a brain eating amoeba killed a young boy. Evidence is mounting that EPA is knowingly putting public health at risk by pushing water systems to use chloramine.

The two Vermont systems that were being pushed to use chloramine, Grand Isle and Rutland, are currently in compliance with EPA regulations. Rutland has been doing more flushing and taking other measures to maintain its system, while Grand Isle's Water Board is now debating whether to move forward with installing Granular Activated Carbon or wait to see if they remain in compliance. Citizens in these areas are now much more involved in their water system's operations as a result of VCE's work.

## Bottled Water Extraction

VCE assisted Vermont Natural Resources Council staff who authored a report this fall providing more arguments against efforts to tax and commodify groundwater, which is a public trust resource. We also continue to monitor and comment on the permitting process that has been initiated for the state's only large bottled water extraction operation, Pristine Mountain Springs in Stockbridge. PMS sells Vermont's water to Crystal Rock (formerly Vermont Pure), and Ice River Springs in Pittsfield, MA which supplies Wal-Mart and Sam's Club, and other retailers.

## Smart Meter/Wireless Impacts

We are continuing to monitor the state's regulation of wireless smart meter deployment, and have assisted a number of Vermonters who have been made sick by deployment of meters close to their homes. We have also worked with citizens concerned about deployment of local wi-fi systems in their communities. VCE's intervention

helps eliminate the harm and gets meters moved or changed back to analog meters. Some people have no choice but to move.

## Energy Policy – Total Energy Study, Net Metering, etc.

VCE staff continue to attend a wide variety of meetings and discussions that make up the busy behind-the-scenes world of Vermont's energy policy. We were invited to be in a focus group as part of the development of the Public Service Department's Total Energy Study, and are regular attendees at hearings, policy workshops, and planning sessions sponsored by the Public Service Board. As you might expect, VCE brings a unique voice to these discussions. As one of the only entities speaking from the citizens' perspective, our input stands out, and is sometimes incorporated.

We are also tracking discussions related to the likely revision of the state's net metering policy. The more we learn about how utilities work and are regulated in this state, the more we realize how important it is for citizens to have a voice in the process. If you have the sense that nobody is looking out for your interests, you are right. The interests of the general public are increasingly overwhelmed by corporate interests aligned with politicians. Regulatory capture is real.

## “Whey to Go” – Holding Agri-Mark (Cabot) Accountable

VCE is serving as the fiscal sponsor of Whey to Go, a citizen-based organization that is working to hold Cabot/Agri-Mark accountable for its wastewater management practices. Despite evidence of health concerns and water quality problems, ANR continues to allow Agri-Mark to dispose of its chemically-contaminated wastewater by land applying it in more than 30 Vermont towns. The Middlebury plant has failed to comply with its wastewater disposal permit.

In recent months Whey to Go secured public hearings for proposed stormwater and wastewater permits for Agri-Mark's Middlebury plant and filed public records requests. That facility would be a major customer of the proposed new gas pipeline.

## Policy & Issue Updates

### Manure Spreading in Franklin County – “Wall of Silence”

Progress on our efforts to assist Vermonters living near farm fields in Franklin County who are suffering from health impacts from manure spreading has been slow, but we have been steadily working on developing more information to take to legislators.

We have been stymied by a familiar foe – the Dept. of Health and the state's anemic public health response network. In this case as in others VCE has worked on, health officials are clearly defending industry interests over those of individual citizens. The Health Department refuses to investigate citizens' complaints. Some Franklin County health providers have told their patients that they have been instructed to not ask questions about the abnormal rates of cancer, gall bladder issues, and other major illnesses being reported in communities where large farms are spreading manure that contains formaldehyde as a component of a preventive treatment for hairy foot wart that comes from letting cows stand in manure. In communities that depend on “big dairy”, investigations that may cause problems for farmers are not welcomed.

We are asking the legislature to enact a law that regulates the disposal of the foot bath compound. Formaldehyde is a known carcinogen that comes to farmers as a regulated substance. Vermont allows farmers to use it as an “economic poison” (yes, that is how it is categorized). As with mercury in dental amalgam where the only “safe” place to put it is in patient's mouths but its disposal is regulated, we are asking legislators to require that the formaldehyde foot bath be disposed of as a hazardous waste and no longer be allowed to be dumped into manure pits and spread on farm fields.

Many people are suffering, and no one really wants to know why.

### Wood As Fuel

Outdoor wood boiler pollution, wood pellet biomass pilot projects, and biomass for electricity are all topics VCE is involved in.



**Yes, I want to be a member of VCE  
and make a difference, too!**

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Address \_\_\_\_\_

Town \_\_\_\_\_

State \_\_\_\_\_ Zip Code \_\_\_\_\_

Phone \_\_\_\_\_

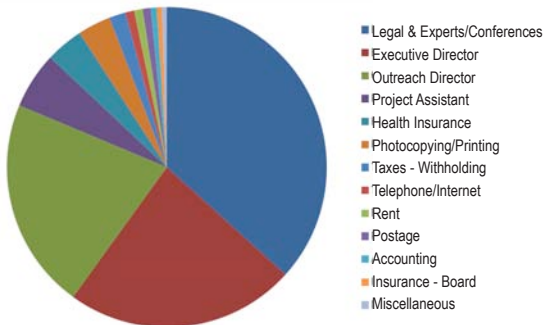
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Mail to: VCE, 789 Baker Brook Road,  
Danby, VT 05739

*VCE is a 501(c)3 organization.  
Your contribution is tax deductible.  
Thank you!*

Members receive two newsletters a year.  
*Printed on 100% recycled paper*



**VERMONTERS FOR A CLEAN ENVIRONMENT**  
789 BAKER BROOK ROAD  
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## Watch New Videos

### Peak Keepers Roundtable Discussions

• 7/30/13 The Future of Vermont

• 8/30/13 Wind Development on Our Mountains

### VCE Noise Forum

• 11/22/13 What Vermonters Need to Know about Wind Turbine Noise, Townshend VT with Stephen Ambrose and neighbors of Iberdrola's Groton and Hoosac Wind projects.

Go to [VermontWind.Info](http://VermontWind.Info)

On Dec. 3, 2013 in Tinmouth, VCE sponsored Keeping Track's Susan Morse's beautiful and thought-provoking presentation, *Animals of the North: What Will Global Climate Change Mean for Them?* For more info go to [keepingtrack.org](http://keepingtrack.org).



### Coming in January and February, 2014:

VCE is organizing two forums in Grafton VT Jan. 17, property values. Feb. 21, water issues. The White Church, 55 Main St., Grafton. 7 p.m.

## Vermonters for a Clean Environment

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**December 2013**

**[www.vce.org](http://www.vce.org)**

### Meetings VCE has been attending in 2013:

- Vermont Rail Advisory Council
- Vermont System Planning Committee
- Clean Energy Devel. Fund
- Groundwater Coordinating Committee
- Public Service Board workshops and hearings
- PSD's Total Energy Study Focus Group
- REV Annual Meeting
- Total Maximum Daily Load workshop
- VECAN Conference

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## community organizing

def: Community organizing is a process where people who live in proximity to each other come together into an organization that acts in their shared self-interest.

## ad·vo·ca·cy advəkəsē/*noun*

1. public support for or recommendation of a particular cause or policy.

Dear Friends of VCE,

I had known of VCE since its inception in 1999 but didn't really engage with the organization until 2009. That is when Vermont Community Wind waltzed into town with a proposal for a ridgeline industrial wind project that would desecrate the ridgeline from Ira through Middletown Springs to Poultney. From the first public community meeting with the Vermont Community Wind developer, VCE was there to help give voice to the interests of townspeople and to assist in community organizing and advocacy that eventually led to the demise of the poorly planned project.

Since that time I have remained engaged as a VCE member and volunteer and more recently as a VCE staff person. Along with many of you, I have been a part of our efforts to address issues that threaten the environment, economy, and health of Vermont's human and wild communities.

Under Annette's strong and capable direction, and with Matt's adept public outreach and guidance in the Statehouse, VCE gives new vigor and meaning to community organizing and environmental advocacy. Through positive leadership, wise counsel, and strategic organizing, VCE gives a respected voice to Vermont citizens as they confront issues that put them up against powerful political and corporate interests.

Over this last year, VCE has worked with Vermonters on addressing numerous environmental, health, and property rights issues associated with industrial wind developments and communication towers, health concerns related to chloramination of drinking water, chemical pollution from farms and industrial projects, and planning and installation of gas pipelines. VCE has co-hosted informative public forums and local access TV programs and supported publication of educational materials.

As a VCE supporter you and I are members of a growing community that is working to protect the well-being of all Vermonters, human and wild. We are advocating for and giving voice to the need to protect Vermont's vital resources – people, wildlife, land, air, and water.

I encourage you to renew your support and to consider, if possible, increasing your financial support this year. VCE's continued advocacy and community organizing successes depends on it.

Thanks!



Elizabeth Cooper