

February 19, 2013

Representative David Borden
Chair, House Science, Technology and Energy Committee
Legislative Office Building
Concord, NH 03301

RE: HB 580, establishing moratoriums on wind turbine plants and electric transmission line projects.

Dear Chairman Borden and members of the Committee:

Thank you for this opportunity to provide testimony in opposition to HB 580, a proposed moratorium of unspecified duration on the construction of wind and other energy facilities – a proposal that would contradict New Hampshire’s long established renewable and clean energy policies. We urge the committee to vote the legislation inexpedient to legislate.

HB 580 would stop the construction of new wind energy facilities pending the completion of an undefined “comprehensive energy plan.” While there are several pieces of legislation this session that would require a state energy strategy to be developed, there is no guarantee that either will become law, or that a plan will be completed in a timely manner. The Nature Conservancy supports the creation of an updated state energy strategy, but does not believe it is appropriate for the legislature to link a moratorium on certain energy projects to the development of a plan.

It is important to note that any energy plan developed will not have the force of law, but rather will be a tool to help guide policymakers in their decision making process. Any recommended changes to statute arising out of an energy planning process, including new siting criteria, will need to go through the appropriate legislative process which could take years. Implementation of low carbon emitting electrical generation, such as wind, has been identified as an important energy resource during the last comprehensive state energy planning process (2002), and by the enactment of the state’s Renewable Portfolio Standard. A blanket moratorium on wind energy facilities would undercut state and regional efforts to implement established clean energy goals.

The Nature Conservancy has been, and continues to be, a strong supporter of well sited renewable energy development in our state. HB 580 fails to address the underlying need to strengthen the Site Evaluation Committee (SEC) process for both large scale transmission and wind energy projects.

For reasons specified in the joint testimony of TNC and other conservation organizations to the Committee dated February 11, 2013, TNC supports passing legislation **this session** that will reform the Site Evaluation Committee process. The Legislature has the opportunity this session to pass SEC reform legislation that will accomplish the following:

1. The SEC statute should reflect a more rigorous state review of large transmission facilities that are elective by design, i.e. those facilities not required for system reliability.
2. The SEC must be empowered to consider underground and other alternatives to large elective transmission facilities.
3. The SEC statute should require consideration of the cumulative environmental, visual, and economic impacts of multiple energy projects as part of the permitting process. In other words, the SEC must be specifically empowered to consider applications in the context of existing projects and/or potential future projects.
4. Municipalities must have a more direct role in all SEC permitting than the role provided in current law.
5. The SEC must consider how proposed projects will meet the energy and other public needs of New Hampshire and the New England region, especially relative to alternative projects or strategies, and, if the energy benefits are intended to go out of state, the SEC must consider the balance of impacts to and benefits for New Hampshire.
6. The SEC statute should define appropriate criteria for "sizeable changes or additions to existing facilities" that would trigger requirement of a new certificate, or require the SEC to establish such criteria through rulemaking.

While we understand, appreciate and support the proponents desire to ensure New Hampshire is following a comprehensive energy plan, we do not believe a moratorium on all wind projects is in the best interest of the state. The Nature Conservancy supports strengthening the SEC statute in order to bring clarity to the state's wind siting process which will benefit local communities and energy development in the state.

Thank you for this opportunity and we urge the Committee to vote HB 580 Inexpedient to Legislate.

Sincerely,

Jim O'Brien
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