

# **Regulatory & Siting Issues Community Scale Wind Power**

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# Overview

- What is a community scale wind power project?
- How do the economics differ from a utility scale wind farm?
- Are the societal barriers greater or lesser than a full size wind project?
- What are the regulatory hurdles?

# Advantages

- Smaller scale and therefore easier acceptance.
- Fewer construction impacts.
- Lower interconnection cost (maybe).
- Strengthens and Reinforces Local Distribution System.
- Different visual impact.

# Disadvantages

- Economics less attractive than large scale wind.
- Located in densely populated areas.
- Greater operational risk.
- More difficult to finance.
- Local benefits less obvious.

# Regulatory Framework (MA)

- Energy Facility Siting Board Jurisdiction
  - \* 100 MW gross production or greater.
  - \* 115 kV transmission in old transmission right of way and 10 miles or more.
  - \* 69 kV new transmission in new right of way and 1 mile or more.
  - \* Any ancillary structure which is part of a “facility” regulated by EFSB.

# Regulatory Framework (Continued)

## - Department of Telecommunications and Energy

- \* Interconnection issues. See 220 C.M.R. 7.00 et seq.
- \* Power sales (QFs). See 220 C.M.R. 8.00 et seq.

# Regulatory Framework (Continued)

- Mass. Environmental Policy Act

- \* Triggers:

- Permit from the Commonwealth.
    - Financial assistance from State.
    - “Fail-Safe” Review.

- \* Anti –Segmentation.

- \* Review Thresholds for Energy

- 25 MW facility or greater (ENF).
    - 69 kV transmission lines (ENF).

- \* Storm Water Runoff.

# Regulatory Framework (Continued)

- Wetlands and CZM (Chapter 91)
  - \* Regulated wetlands.
  - \* Filled tidelands.
  - \* Coastal Zone Management.

# Regulatory Framework (Continued)

## - Other Regulatory Issues

- \* Migratory Birds.
- \* Rare species (habitat alteration).
- \* Land conversion (agricultural, watershed, preservation, conservation, etc.).
- \* Historical or Archeological Resources.
- \* Areas of Critical Environmental Concern.
- \* Federal Aviation Administration.
- \* Highway permits.
- \* Cape Cod Commission (Cape & Islands).

# Regulatory Framework (Continued)

## - Local Permits

- \* Zoning (height restrictions)
- \* Ordinances against noise, energy production, etc.
- \* Conservation Commissions.

# Conclusions

- Broad Based Community Support Critical for Small Scale Wind.
- Economic Issues may be Problematic.
- Private vs. Public Ownership.

# Reference Materials

- National Wind Coordinating Committee  
“Permitting of Wind Energy Facilities,  
A Handbook (2002).”
- American Wind Energy Association
- European Wind Energy Association