

POSITION STATEMENT

On the Shaffer Mountain Wind Power Facility in Somerset County by the
Mountain Laurel Chapter of Trout Unlimited

The Mountain Laurel Chapter of Trout Unlimited (MLTU) has spent the better part of two decades working to restore various stretches of streams and rivers in Somerset, Cambria and Bedford Counties. Much of the land in the Cambria-Somerset region has long been tainted by energy extractive industries. However, the Clear Shade Creek sub basin of the Shade Creek watershed including tributaries such as Piney Creek and Cub Run have been spared much of that exploitation and pollution. The region is where the Windber Area Authority acquires its water that serves over 10,000 customers. It is also a major destination point for fishermen, hunters, hikers, birders and other outdoor enthusiasts.

MLTU does not oppose wind energy production. Energy produced from wind is a viable source of power and renewable alternative sources of energy are desperately required in today's world.

However, production of all energy comes at a price or trade off. This statement attempts to address what is a reasonable trade.

1. There also seems to be a rush for permitting of the Shaffer Mountain project as it is currently proposed. MLTU has been a partner in conservation construction projects aimed solely at improving water quality that have taken years to permit. MLTU recommends that the PA DEP should take additional time to review the antidegradation requirement, surface water study, forest fragmentation and other impacts before issuing a permit for any portion for this development project. **MLTU recommends that no accelerated deadlines should be pursued regardless of economic interest or political pressure to do so on the Shaffer Mountain wind energy producing facility.**

2. The headwaters of Piney Creek are classified as Exceptional Value (EV). This is the highest water quality level that can be designated. Given our resource energy practices of the past, Somerset County possesses few waters that achieve this status. Wild brook trout also thrive in Piney Creek and MLTU in cooperation with the PA Department of Environmental Protection (PA DEP), National Trout Unlimited, federal Office of Surface Mining and other partners are initiating programs to protect and expand our eastern wild brook trout population. The center of the siting location of the Shaffer Mountain project is situated in the Piney Creek watershed. The EV status does not prevent development from occurring in the watershed. However, it does mandate that permit reviews undergo more strenuous examination including an anti degradation review. The developer must demonstrate that their activity will maintain and not degrade water quality without exception.

Clear Shade Creek and Cub Run are both classified as High Quality watersheds. The Windber Area Authority completed a deep well and aquifer study to determine the impact of the project on their wells located in the Clear Shade Creek and Cub Run watersheds. However, no independent surface or ground water study has been performed to determine the impact on the streams. This study must be done in addition to any study produced by the developer in order to insure impartiality.

MLTU recommends that no permit be issued for the entire wind energy producing facility until an independent surface and ground water study is completed for the project site location and is thoroughly examined by PA DEP, conservation organizations, municipalities, authorities and elected officials. In addition conservation district technicians who are responsible for oversight and permit review have yet to be formally trained in the new antidegradation rules in regard to its legal use and application. MLTU recommends that no construction activities on this project be considered for approval in the EV watershed until the local oversight agency technicians are properly trained in the new antidegradation regulations. MLTU recommends that the siting of windmills in the Piney Creek watershed be eliminated.

3. Regardless, if all or part of the Shaffer Mountain project is constructed it is imperative for inspection oversight to occur. On previous location sites in Somerset County the Somerset Conservation District has conducted site inspections. However, MLTU is aware that on certain other wind energy producing facility construction sites in nearby counties no inspectors from PA DEP or the conservation district have ever entered the sites. The permit and designs are only paper. All construction projects require many alterations during the actual construction process. **MLTU strongly recommends that the PA DEP and the conservation district have inspectors on site regularly during the construction process to insure that the permit guidelines are not altered and that water and land resources are not compromised on the Shaffer Mountain project.**

4. The term wind farm is a misnomer. These facilities are in no way related to what has traditionally been viewed as farming. These are energy producing facilities much more relevant to factories. **MLTU recommends that these facilities are termed more appropriately and will be referred to as such in this document.**

5. The term green energy also must be couched in the trade off. When hundreds of acres of forestland must be cleared for construction of roads and sites the contiguous forest is fragmented. Shaffer Mountain is one of the few expanses of unfragmented forest remaining in Somerset County. Habitat stressors for wildlife occur and the natural ecosystem is disrupted that can have long term impacts to both land and water resources. These roads and site locations are not allowed to regenerate to forest and permanently alter the land. This is not the same as sustainable forest cutting practices that are sound conservation measures and have minimal long term impact **MLTU recommends that the term green be qualified and not arbitrarily attached to the wind energy generating facilities on Shaffer Mountain.**