

## Bill Cundiff

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**From:** Robert Anders  
**Sent:** Friday, October 28, 2011 2:37 PM  
**To:** Bill Cundiff; SZisk@douglasma.org; Mlajoie@douglasma.org  
**Subject:** fox wind lies

[Fox Islands Wind Neighbors](#)

## Fox Islands Wind Neighbors

The truth about living near Vinalhaven wind turbines

### Update/ A Vision Forward – 2011

July 24, 2011 by blogger



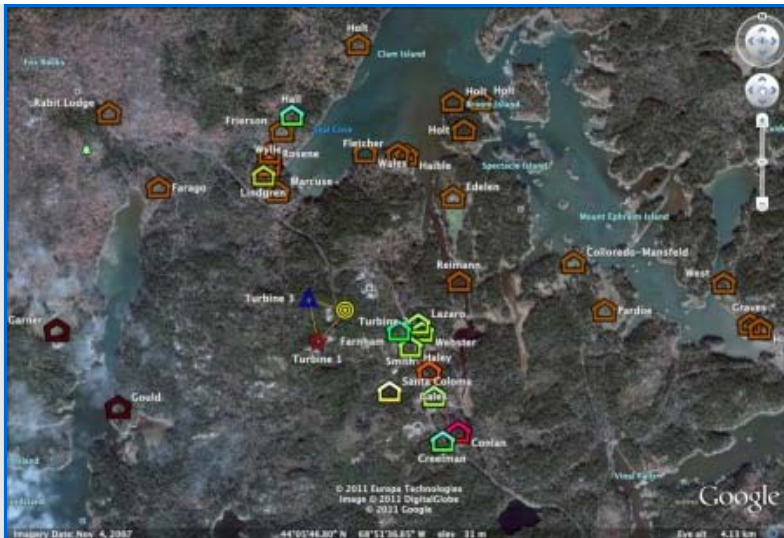
(July 24, 2011) NOTE: CLICK “VINALHAVEN IN THE NEWS” IN THE PAGES SECTION FOR UP-TO-DATE PUBLISHED REPORTS ON THE WIND TURBINE NOISE CONTROVERSY. For more than a year and a half, the case of the Vinalhaven wind turbines has become a national study in what can go wrong when wind turbines are placed too close to residences. What is worse: permitting authorities at the state and local level knew of likely noise problems before the project was built. [Read the rest of this entry »](#)

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### Setbacks from Fox Islands Wind: no shared sacrifice with turbine noise on Vinalhaven

August 11, 2011 by blogger





Neighbors of Fox Islands Wind turbines from Google Earth

Rick James, one of the nation’s foremost acoustical engineers and advisor to Fox Islands Wind Neighbors, recommends wind turbines should be barred within 1.25 miles from homes. If adequate setbacks had been in place, the controversy over the wind turbine noise issue would not have occurred on Vinalhaven. We are not alone. Wind turbine noise controversies are a major problem for the industry. Fault lies with the industry itself that adamantly resists uniform, protective setbacks and, locally, decision makers who failed to adequately inform neighbors of likely noise impacts despite the warning of project consultants. Here is a list of neighbors of the turbines and approximate distances from the nearest turbine, based on Google Earth imagery and tools. [Read the rest of this entry »](#)

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## [The complexity of measuring wind turbine noise: what 99 percent do not to understand](#)

October 24, 2011 by blogger

One of the arguments of wind turbine advocates on Vinalhaven is that noise is all around us. Just get used to it, they tell the turbine neighbors. The entire community was swept up, at first, by the public relations mantra that “the sound of the turbines would be masked by the wind moving through the trees.” Controversy ensued as soon as the turbines were switched on in 2009. From that time, a protracted legal battle to measure wind turbine noise violations has engaged neighbors and the local utility that refuses to share its data, forcing neighbors to a costly effort to document turbine noise according to state regulations that they discovered, belatedly, were never designed to accommodate the complexity of wind turbine noise. As a result, neighbors of wind turbines are made victims not just of bad economics, benefiting investors, bad community relations, but also of the state that turns a blind eye to unwilling sacrifices by neighbors.

While critics shrug off these issues, neighbors also victimized by the complexity of acoustics related to wind turbines. Most technical standards for wind turbine noise misplace an egregious fact: the formula averaging decibels levels (called the A weighted scale) was designed to avoid what wind turbine lobbyists knew to be its Achilles heel: low frequency noise that is barely perceptible to the human ear. Fox Islands Wind Neighbors retained one of the nation’s foremost acoustic experts on wind turbine noise, Rick James, early in the dispute process. This summer, James and co-author Wade Bray presented a paper, [Bray-James-NC11-Abstract-76-final-5\\_20\\_2011-as-submitted-1](#). Unless you live with wind turbine noise, it is difficult to appreciate the cost that these industrial machines impose on a rural landscape: it is not just the grinding noise of the turbines or the blade swoosh that plagues neighbors. The worst of it is the low frequencies that are not even captured by current wind turbine standards. The wind industry knows this and fiercely resists a full cost accounting.



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## [NY Times asks: Is Wind Worth It? Answer: Not if you take away the subsidies](#)

October 20, 2011 by blogger

On Vinalhaven, wind turbines were sold to the public as a panacea for the hydrocarbon economy. The problem with wind– inflicting damage on neighbors here and wherever turbines are built too close to private property– is that it just makes no economic sense. Can't be justified except for the subsidies that are creating havoc across the Maine landscape. Here is what Matthew Wald says in the New York Times today:

“Most of the backlash against renewable energy lately has involved solar power, largely because of of Solyndra's recent bankruptcy filing. But Robert Bryce, an analyst at the [Manhattan Institute](#), a conservative research center, took a swipe at wind power on Wednesday in a new [study](#).

He acknowledged that it was not comprehensive, but his extrapolation does provide a sense of how much work it would be to bring about a major transformation in the electric system. [Read the rest of this entry »](#)

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## [Correspondence with FIEC from a wind turbine neighbor](#)

October 19, 2011 by blogger

The following correspondence was submitted to Chip Farrington, FIEC manager, recently by a wind turbine neighbor. From reading the most recent communications to ratepayers, the FIEC strategy seems to be an effort to short-circuit a public nuisance lawsuit, by attempting to lay down a trail of misinformation that will itself become a subject of argument and money pit for attorneys. Given the record of Pierce Atwood and other major Maine law firms hired to impose the most burdensome and costly obstacles for affected citizens, this is no surprise.

Hello Chip.

I had some questions and thoughts I wanted to share with you. [Read the rest of this entry »](#)

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## [Wind not seen as wave of our energy future; traditional fuels and conservation are](#)

October 18, 2011 by blogger

The following was published on Oct. 18 on [Pine Tree Watchdog](#), the publication of the Maine Center for Public Interest Reporting:

By GORDON L. WEIL

October 18, 2011 © Maine Center for Public Interest Reporting

To listen to talk about the world's energy future, you might think that wind, solar and other renewable resources are the wave of the future. A quarter century from now, green power would have replaced traditional fuels for electric generators.



Not so, says the U.S. Department of Energy in its just-published annual [International Energy Outlook](#). The report comes from the impartial Energy Information Administration, which is distinct from the promotion and regulatory roles of DOE.

While the use of renewables will increase at a faster rate than other resources, the world power supply in 2035, including in the United States, will still depend mainly on today's principal fuels – coal and natural gas.

Wind-powered generating capacity will have an impressive annual rate of increase worldwide, but it starts from a low base, so it will end up supplying less than five percent of total U.S. electric generation capacity. And we get less power out of wind generators than we get from fossil-fuel generators, because of the uncertainty of their output as the wind blows. [Read the rest of this entry »](#)

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## [Maine Superior Court to decide if neighbors have a right to appeal](#)

October 12, 2011 by blogger

We are waiting to learn if Maine Superior Court will provide an avenue of appeal against DEP for its regulatory decision on wind turbine noise. The decision we are contesting was imposed against the recommendation of the agency's own staff, through pressure exerted by the Governor's Office at the behest of Fox Islands Wind, the turbine operator.

With respect to the pending matter in Superior Court, Pierce Atwood, Fox Islands Wind attorney, writes: "Petitioners (are not) bereft of any remedy as they claim. First they can complain to their town authorities—the ordinary avenue for relief for any other small-scale project."

But local officials can't handle the complexity of the wind turbine noise issues. They have admitted as much repeatedly. Pierce Atwood continues, "... like any other land owner and as to any other project, small or large scale, nothing would foreclose Petitioners from suing for nuisance—if they had reasonable grounds for so complaining under established law."

With only two of three turbines spinning during August and most of September, neighbors of Fox Islands Wind had a welcome respite from turbine noise. During that time, GE was installing trailing edge treatments and collecting sound data. Now all three turbines are up and running as close to the 45 dBA night time noise limit as possible.

Last month, the Maine Bureau of Environmental Protection recommended lowering the night time noise level to 42 dBA for all new wind turbine projects. And even more recently, Maine's Land Use and Regulation Committee decided that a new wind farm should only operate at a night time level of 40 dBA at the nearest property line.

It takes a lot of "greenwashing" to ignore what is happening to property owners near the wind turbines. DEP staff—only months ago—recommended that Fox Islands Wind reach out to neighbors to discuss legitimate grievances and options. Since that time, the DEP staff who attempted to work with FIW have resigned.

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## [The sad truth about wind turbines: no benefit if not for subsidies](#)

October 12, 2011 by blogger

Robert Bryce, in the National Review, writes, "A few months ago, I ran into Jim Rogers, the CEO of Duke Energy. I asked him why Duke — which has about [14,000 megawatts](#) of coal-fired generation capacity — was investing in wind energy projects. The answer, said Rogers forthrightly, was simple: The subsidies available for wind projects allow Duke to earn returns on equity of 17 to 22 percent." That is astounding rate of return at a time investors struggle to keep the value of their money. And that is why — not the environmental benefits whatever they are imagined to be— neighbors of wind turbine sites like Vinalhaven are being forced to shoulder the costs— to peace and quiet, health, and property values. We are not just guinea pigs for a new technology, our equity (ie. the hon



own and property we value) is the foundation for investors to make money for themselves. It is called socializing risk and privatizing profit. Read Bryce's report, here: [Read the rest of this entry »](#)

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## [\*\*NREL and its role on Vinalhaven: much ado about nothing\*\*](#)

October 9, 2011 by blogger

Fox Islands Wind has, from time to time, summoned representatives of the National Renewable Energy Laboratory to lend its gravitas to the wind turbine controversy on Vinalhaven. Robert Michaels recently addressed NREL in a report: "[The Green Jobs Fallacies](#)" and it is interesting to read what he has to say about NREL. (The reader comments are excellent. Especially with respect to the near-total absence of real local economic benefits once the turbines are constructed and the workers – from away- melt back to where they came from.) [Read the rest of this entry »](#)

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## [\*\*Ontario wind power bringing down property values\*\*](#)

October 1, 2011 by blogger

Ontario's rapid expansion in wind power projects has provoked a backlash from rural residents living near industrial wind turbines who say their property values are plummeting and they are unable to sell their homes, [a CBC News investigation has found](#). The government and the wind energy industry have long maintained turbines have no adverse effects on property values, health or the environment. The CBC has documented scores of families who've discovered their property values are not only going downward, but also some who are unable to sell and have even abandoned their homes because of concerns nearby turbines are affecting their health.

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## [\*\*Neighbors hope Maine court will hear their petition ... Fox Islands Wind hopes not\*\*](#)

September 22, 2011 by blogger

On July 28, 2011 neighbors of the Vinalhaven wind turbines filed a petition ([Fox Islands Wind Neighbors Petition for Review \(final\)](#)) in Maine Superior Court, asking the court to overturn a June 30 order by the Maine Department of Environmental Protection. The neighbors allege the order circumvented the state's own expert staff. The final order, contrary to the recommendation of staff, was imposed by political influence from the Governor's Office. This charge is supported by documentation obtained through a freedom of information request. The tumult involving wind turbines and Vinalhaven caused the state environmental agency to suffer staff upheaval, departures, and plunging morale.

In their petition, the neighbors ask the court to replace the order with one drafted earlier and supported by DEP professional staff. From the commencement of the Fox Islands Wind turbine farm in November 2009, neighbors spent significant time, energy and after-tax dollars exposing serious weaknesses in existing state law regulating wind turbine noise violations. When neighbors petitioned the US EPA to become involved– citing a nation-wide problem wherever wind turbines are built too close to residences– the federal agency declined and referred Maine citizens to the state DEP. That is exactly where neighbors had engaged, with staff who recently resigned as a result of political pressure. For a two year period, neighbors attempted to develop a protocol for evaluating noise and violations in order to meet state specifications for acoustical measurement. It was partly in anticipation of harsh state politics that neighbors petitioned the federal agency. (The EPA remains dormant on the issue of regulating wind turbine noise.)



Notwithstanding its spin, Fox Islands Wind strongly resisted the state regulatory agency. At the last moment, when it appeared regulators had satisfied the requirement of rigorous data and were ready to shift the burden and cost of acoustical violations from neighbors to the utility, Fox Islands Wind lobbyists appealed to the Governor's Office.

On August 15, Fox Island Wind attorneys filed a motion to dismiss the petition, on technical grounds based on an interpretation of the 2008 Wind Power Act. On September 21, neighbors' attorney Rufus Brown filed a response, asking the court to dismiss FIW's motion and allow a hearing to proceed. Here is the full response: [FIWN final Opposition to Motion to Dismiss](#). The neighbors conclude:

“What Petitioners complain about in the Petition for Review is the Order of the (DEP) Commissioner putting in place compliance assessment procedures that effectively remove any requirement that FIW affirmatively prove ongoing compliance or any requirement that FIW submit information from which the Department could make a decision that FIW is continuing to operation in violation of the Noise Rules and its certification. Petitioners further challenge the the Order because it formalizes a complaint protocol that created unwarranted, substantial obstacles in the path of residents wishing to file noise complaints. The Order complained about also failes to require taking corrective action to address conditions that the Department determined were causing the Project to be out of compliance. All and all, the Order authorizes FIW to continue operations that do not comply with the Noise Rule and effectively immunizes FIW as a practical matter from accountability for the noise in excess of the Noise Rule in the future. These decisions do not fall within the scope of prosecutorial discretion; they represent conduct exempting FIW from compliance with certification standards mandated by law. Neither the Department nor the Town of Vinalhaven nor anyone else has the right to do this.”

Posted in [DEP](#), [FIW](#), [George Baker](#), [Legal](#), [Vinalhaven](#) | [Leave a Comment »](#)

## [What the noise \(wind turbines\) is all about](#)

August 29, 2011 by blogger

Few would undertake to learn the nitty gritty of measuring and evaluating wind turbine noise except as a matter of professional passion, investor status, or necessity. Necessity compels property owners in Vinalhaven forced to learn about the acoustics of turbine noise affecting their health, quality of life, and property values imposed by FIW, FIEC and turbine advocates and investors. [Read the rest of this entry »](#)

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