



# NEWSLETTER

## August 2014

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## Allegheny Highlands Alliance

Edited and Expanded Highlights from the June 30, 2014 Quarterly Meeting

Call to order at the Thomas Education Center at 10:15 AM

### **Interview by Amy Matthews Amos for the Observer**

Several copies of the April, 2014 issue of *The Observer* were on the tables of the meeting room, placed there by AHA President, Larry Thomas. *The Observer* is a publication based in Shepherdstown, WV. Ms Amos, a reporter, had asked for an interview with Larry this past spring. He in turn asked to see some samples of her work which she then submitted. Larry then telephoned her for an hour's conversation in which she seemed to be concerned with environmental issues relating to wind energy facilities in West Virginia. Larry, Frank O'Hara and Dr. Wayne Spiggle (both of Alleghent Front Alliance) then met with her in Shepherdstown. Subsequently she had an hour telephone conversation with Art and Pam Dodds (of Laurel Mountain Preservation Aassociation) and exchanged e-mails with John Terry (Windtoons.com), who also sent her photos. Ms. Amos had all the information given by AHA fact-checked. The article covers several pages and includes color photos of AES Laurel Mountain and the Pinnacle wind facility in Mineral County.

### **Public Service Commission Legislation**

Larry gave a review of the Public Service Commission (PSC) legislation. Don Garvin of the West Virginia Environmental Council (WVEC) suggested getting a petition filed with the PSC regarding a general investigation of revising siting rules for commercial wind turbines. Brad Stevens suggested considerations should include bird and bat mortality, noise, viewshed and pre-and post-construction details. Frank O'Hara (Allegheny Front Alliance), added decommissioning details.

Larry pointed out that the current siting rule is old. Laura Jackson of Save Our Allegheny Ridges (SOAR), asked if the proposed petition information might be used in Pennsylvania where the PSC is not involved. SOAR is working with the Sierra Club in Pennsylvania. She stressed the importance of educating the legislature. Marion Harless asked if a copy of the AHA newsletter could be sent to West Virginia legislators.

The petition for revised siting rules will be filed and on record with the PSC, and AHA will ask for PSC voluntary participation. Should the PSC refuse to revise the siting rules, other strategy will be involved. Larry will bring this up at the July meeting of the West Virginia Highlands Conservancy. (WVHC)

### **Production Tax Credit update. (PTC)**

Larry Thomas reported an e-mail from Lisa Linowes (Windaction.org), an expert on the impacts of industrial-scale wind energy development on the natural environment, reminding everyone to contact legislators and request no extension of the PTC (federal wind production tax credit).

Wayne Spiggle would like AHA members to send letters to the editor regarding the PTC and including the legislators' names and the legislator's position for or against the PTC.

## Good Neighbor Agreement

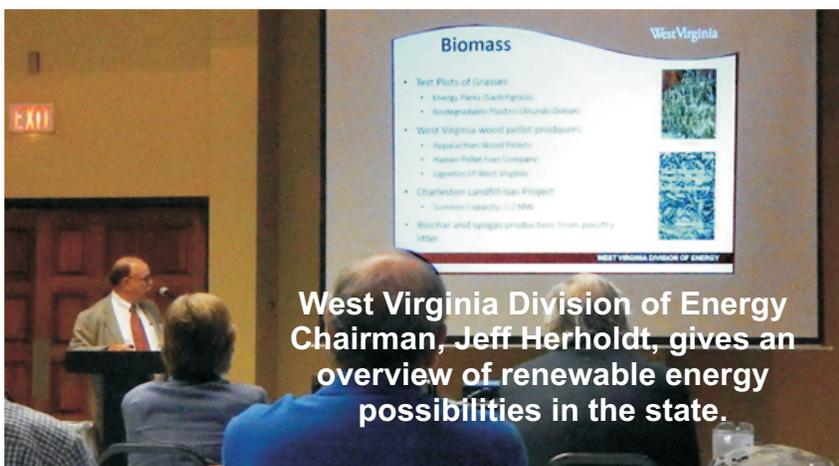
In Pennsylvania and some other places, non-participating property owners, whose land is adjacent or near to properties leased to industrial wind developers, have been asked to sign a Good Neighbor Agreement. The consequences of signing are poorly understood by landowners who generally fail to realize that this agreement is a legally binding contract that transfers to future owners with the property deed. SOAR's (Save Our Allegheny Ridges) Laura Jackson created a handout/information sheet with the heading: "Don't be fooled by a Good Neighbor Agreement". The handout details the problems that signing property owners may bring upon themselves. The paper has been widely distributed and the recipients are being educated. Larry Thomas stated the paper will be made available as a handout as is with very minor changes. As an AHA fact sheet, the Windtoons cartoon will be replaced by a photograph of a home with an intrusive industrial wind turbine. Barbara Dean (Friends of Beautiful Pendleton County) volunteered to submit a photograph.

## Dr. Spiggle's White Paper

Regarding Wayne's white paper, Mike Morgan sent, via Frank, CD copies of what he had written so far and four types of presentations. (Rick Webb of Virginia Wind is busy with gas line corridors and has not sent comments.) Wayne would like more input. Larry asked everyone to look at the CD and send suggestions to Mike with a copy to Larry and Wayne.

## Thoughts for a new video

Larry Thomas suggested that AHA needs a longer fact sheet and an accompanying video on the effects of industrial development on ground water resources. These would be based on the PowerPoint presentation that Dr. Pam Dodds (Laurel Mountain Preservation Association) has given to a variety of groups recently. The fact sheet and video would highlight both the problems of deforestation, sediment and lack of ground water recharge as well as the solutions local governments could apply. The Dodds have a videographer and narrator in mind and John is also looking into the projects.



**West Virginia Division of Energy Chairman, Jeff Herholdt, gives an overview of renewable energy possibilities in the state.**

## Division of Energy/Marshall University Renewable Energy Conference

Larry reported that the Division of Energy/Marshall University renewable energy conference at Flatwoods on June 5<sup>th</sup>, which was attended by three AHA members, included an interesting presentation on hydropower production from existing dams and locks not originally designed for electricity production.

John Terry noted that Eric Miller of Invenergy, who is responsible for development of new wind energy projects in the eastern U.S. including Beech Ridge in West Virginia, in answer to John's public question and again in later private conversation, agreed (among other points) that shutting down the turbines to save bat lives had a negligible effect on company profits. This shutdown is called "curtailing" and occurs on evenings when slow wind speed and warm temperature are conducive to bats flying. Mr. Miller inserted that any shutdown would have some effect on the bottom line even though slow winds create little or no electricity.

WVU landscape architecture professor Peter Butler, presented a hypothetical design for an "energy park" on a mountaintop removal mining site in West Virginia's southern coal fields. In conversation after his presentation, we learned that Mr. Butler was unaware of the Marshall study, presented at the previous year's conference, showing that there was insufficient wind at these locations for utility scale electric generation. Joan, John and Marion Harless (Laurel Mountain Preservation Association) had many questions and comments including Butler's concern over noise near a hypothetical prison with turbine setbacks that are not available to real life West Virginians.

In previous years, this “Renewable Energy Conference” was called the “Wind Forum”, which had been poorly attended. In 2013 it appeared that those opposed to mountain wind energy equaled or exceeded the number of wind energy promoters. As a renewable energy conference, the room was filled with interesting speakers and interested listeners.

Larry reported that the Friends of Blackwater Climate Change Conference at Blackwater Falls State Park on June 7<sup>th</sup> and 8<sup>th</sup> was also very informative.

### **Various Wind Projects**

Laura Jackson (SOAR) gave an update on the Twin Ridges situation of a family whose property adjoins the Twin Ridges wind energy project in Pennsylvania, near Frostburg, MD. The couple live in their dream home which they built with their own hands. It appears that the husband suffers from wind turbine syndrome and they are considering abandoning the property which, of course has lost its value. The family has brought their problems to the attention of local officials several times, documenting their complaints with audio and video recordings as well as noise level data they collected themselves. They are trying to organize a community meeting to determine if there is interest in and money for hiring a lawyer.

Frank O’Hara (Allegheny Front Alliance) spoke about the revival of the, once defeated, Dan’s Mountain wind project in Maryland. He continues distributing post cards and information at many locations. Frank reported that Dan’s Mountain is projected to have 21 or 22 2.5 mgw turbines and that Darlene Park is trying to organize Allegany County (Maryland) and needs help. The Maryland PSC has given permission, but Allegany County ordinances have cut the number down to 22 turbines from 28.

SOAR’s Laura Jackson said she was concentrating on Mifflin County where people are successfully being educated. The Volkwind projects on Jacks and Stone Mountains are current concerns. Shaffer Mountain was terminated when a lactating female Indiana bat and a juvenile were found.

Laura also mentioned that the Pittsburgh Chapter of Sierra Club awarded a \$7,000 grant to the local Pennsylvania group defending those mountains from wind energy development. \$4,000 of the grant has been allocated to researcher, Trish Miller, for golden eagle research and the remainder earmarked for their grassroots efforts.

Eric Robison (Save Western Maryland) reported that Garrett County Commissioners lost in the primary election to pro-development, pro-wind, pro-Marcellus candidates. The current ordinance says that if endangered species are encountered, the developers merely have to notify Maryland DNR. Four mile ridge will have eight turbines from the headwaters of the Savage River. Each 20 acre segment must be stabilized before the project continues to the next 20 acres.

On the Fairwind project, Eric met with the landman and a prospective property lessee, surprising the landman and educating the property owner.

Wayne Spiggle suggested we need to look at the money given as subsidies. For example, \$44 million for Pinnacle at \$2 million per turbine. He suggested asking for an audit by Treasury. What is the probability that companies cooked the books to get more money?

Brad Stevens and others mentioned how this questioning might be done. Wayne made the motion that AHA develop and pursue a strategy to ask Treasury or the appropriate federal agency to audit the subsidies received by regional wind projects. (The 1603 grant was \$30 billion. Has an audit been done relevant to expenses claimed?) Barbara seconded the motion which passed.

Laura Jackson reported that she had read in *North American Windpower* about a change in Ohio's regulations. The turbine setback must be from the property line, not from the house. The American Wind Energy Association claimed the change was brought about by "big money". Laura's Ohio contacts said "no". They claim the change resulted from seven years of grassroots efforts and from giving the legislators the facts.

Laura said perhaps we should start emphasizing that despite all the industrial wind turbines constructed since 1980 there have been no reductions in CO<sub>2</sub>, methane or VOC's. She will write up a paragraph with references and send it to Wayne for his white paper. She will include per capita growth or decrease.

Allegheny Highland Alliance will have a tent again this year at the **Appalachian Festival** at Frostburg University in Frostburg, Maryland, on Saturday, September 20<sup>th</sup>. We'll have our usual displays and plenty of handouts and postcards to give out. If you've never been before, or are just looking for a great day out, this is the place to be. We hope to see you there!