

Save Our Seashore
Wellfleet, MA

Ms. Page Christenberry
Planner
Cape Cod Commission

Ms. Page Czepiga
Regulatory Officer
Cape Cod Commission

February 4, 2011

Re: Written Testimony to State of CT Joint Congressional Energy Committee Regarding Proposed Bills to Require the CT Siting Council to Create Detailed Specifications for Wind Energy Installations and to Declare a One-Year Moratorium on Wind Energy Projects

Dear Ms. Christenberry and Ms. Czepiga,

Please find attached a copy of my written statement to the State of Connecticut Joint Congressional Energy Committee which is currently holding public hearings on two proposed bills, one of which would direct the Connecticut Siting Council to formulate detailed rules and regulations on the siting of industrial wind turbines and the other which would establish a one-year moratorium on the permitting of any industrial wind energy installations in Connecticut while the numerous potential adverse impacts of such facilities can be closely studied and appropriate regulations adopted.

The bills were introduced by the Co-Chairman of the Energy Committee.

I do not know the actual number of witnesses who testified, but I believe that the number was well in excess of fifty and perhaps as many as one hundred. The hearings began at 2:30 p.m. and were still going on when I departed at 8 p.m.

Ironically, it was just last year that the State of CT enacted a series of incentives to promote wind energy there. Several of the legislators, and some members of the Siting Council (who also testified), appeared troubled to learn, after the fact, that the enactment of these incentives was now colliding with the reality that such industrial structures are incompatible with, and injurious to, the health and the interests of other legitimate stakeholders and that virtually no viable mechanisms currently exist in Connecticut for homeowners, recreational users, historic preservationists or conservationists to protect their interests.

It is worthy of note that these hearings -- and the introduction of the two bills -- were motivated by the fact that the Town of Prospect, CT, in close cooperation with the nearby Town

of Colebrook, has actively opposed the projects but found that it had no means of exercising any review or control over either one. Because of their loss of "home rule" in the new legislation, there were essentially powerless, and without a voice, in the process.

The mayor, the town council and the majority of the citizens all oppose these projects but under the current regime (which closely resembles the provisions of the Wind Energy Siting Reform Act that has been proposed in Massachusetts), none of these parties possess any significant rights or protections.

On the other side of the argument, the developer of the projects -- a hastily formed shell corporation formed by a lawyer and a businessman previously implicated in a corruption scheme involving a former governor, neither of whom can claim any relevant prior experience - had sent a series of aggressive letters to the Siting Council demanding a summary approval without any detailed review. Their position was that since they had demonstrated compliance with minimal environmental regulations relating to air and water, nothing further was required of them and they should have their permit, regardless of any other considerations or concerns.

I am providing a copy of my statement to the Energy Committee to the Joint Planning and Regulatory Committee, to the Commission Members and to the Delegates of the Barnstable County Assembly because I believe that the Commission is facing precisely the same issues that have been raised in Connecticut and which will continue to be discussed by the Energy Committee and the legislature there as they pursue a parallel process of creating appropriate standards for the regulation of such consequential industrial developments and for the protection of the public.

It is my hope that the Commission will also consider closely these fundamental issues to which Save Our Seashore, and numerous other organizations and individuals, have attempted to call attention.

Re: Bourne Board of Health

At the same time that the Connecticut Joint Congressional Energy Committee was hearing testimony on the two proposed bills to declare a moratorium on wind energy until a detailed regulatory framework could be provided, the Bourne Board of Health was having its *own* hearings to investigate the potential adverse health impacts of industrial wind turbines.

Proponents of the Bourne wind turbine project, like the Cape and Vineyards Electric Cooperative, and other determined wind energy proponents, have argued that there is "*no credible evidence*" of any significant adverse impacts to citizens from noise and that the proposed setbacks for their project (as little as 800 feet) were ample and sufficient.

After hearing testimony from several citizens and relevant experts -- and after having received a large volume of information *documenting* the significant adverse health impacts from industrial wind turbines -- the Bourne BoH voted a resolution stating that "*Industrial Wind Turbines are*

detrimental to people's health" and expressed its objective to establish appropriate health standards for the Town of Bourne relating to any current, or future, wind turbines projects (i.e., not just the one currently proposed).

The Board of Health proposed to consider all of the adverse impacts in detail, one at a time, beginning with the determination of an appropriate setback to ensure that citizens will not suffer harm from industrial wind turbine noise. In recognition of the complexity of the topic, hearings on the issue of appropriate health regulations for wind turbines were continued to February 23rd.

We applaud the Bourne Board of Health for acknowledging the fact that the evidence of potential harm to the health and well-being to residents, from the high-intensity, industrial noise produced wind turbines is overwhelming and for taking the appropriate initial steps to protect the citizens of the Town of Bourne.

We urge the Cape Cod Commission, and all other towns on the Cape, to reject the false assertion that "there is no credible evidence of harm" from infrasound, or wind turbine noise, and to take similar decisive steps to fulfill their respective duties to enact similar protections to remove this significant threat to the health and well-being of the citizens of Cape Cod.

Thank you for your continued interest and attention to this important issue.

Sincerely,

Eric Bibler
President

Cc: Assembly Delegates
Cc: Barnstable County Commissioners
Cc: Town of Bourne
Cc: Town of Brewster
Cc; CVEC
Cc: CCC Subcommittee on Bourne / NGW