

## Group challenges wind permit claiming pressure from state

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By Nick Sambides Jr., Bangor Daily News, Maine

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LINCOLN, MAINE: The Friends of Lincoln Lakes will argue on Thursday that political pressure from the Baldacci administration forced the Maine Department of Environmental Protection to issue a permit far too soon for the proposed \$130 million Rollins Mountain wind farm, its attorney said.

Bar Harbor lawyer Lynne Williams, a Maine Green Independent Party candidate for governor in 2010, said she and her clients believe DEP officials ignored "a lot of really important evidence" in their rush to comply with new state laws that fast-track industrial wind site proposals.

"What I am going to do is argue Thursday that there is such pressure from the administration in Augusta being put on the DEP to approve these projects quickly that they, in the process of approving this, ignored a lot of really important evidence," Williams said Monday.

Under the state law, such projects can be reviewed in as little as 185 days. The project proposed by First Wind of Massachusetts to build 40 1 1/2 -megawatt wind turbines on Rollins Mountain ridgelines in Burlington, Lee, Lincoln and Winn was submitted Oct. 30 and approved April 21, Williams said.

"If they were to hold a public hearing, the period of time allotted is 270 days, and they denied us a public hearing," Williams said. "Public hearings can be held if credible, conflicting scientific or technical evidence exists. The commissioner [of DEP] wrote us a letter saying that there's none, and there's tons.

"There is a lot of scientific information that suggests that siting facilities near residential homes can impact health of people in the homes," she said.

The appeal is the first in Maine of a permit granted an industrial wind-to-energy site. With Burlington having approved a tax increment financing agreement with First Wind on Saturday, the project lacks only an approval from the U.S. Army Corps of Engineers and financial backing that would pay for its construction, said John Lamontagne, a spokesman for the company.

Proponents have praised First Wind as a conscientious creator of wind power, saying the Lincoln Lakes project would create as much as 60 megawatts of pollution-free electricity in peak winds.

The Friends group contends that the turbines would lower land values and threaten human and animal health with light flicker and low-decibel sound, disrupt the pastoral nature of Rollins and typically generate a fraction of their capacity.

"The issue isn't loudness. The issue is low-frequency vibrations from the noise. They ignored that," Williams said of the DEP.

In its 64-page report approving the project, DEP reviewers found "that the applicant has demonstrated that the proposed project will provide significant tangible benefits to the host community and surrounding area."

The agency largely dismissed the group's argument for lack of evidence. Of the two nonproject dwellings that will be affected by light flicker, according to the DEP report, one would see less than 17 hours of flicker a year. The second would get 40 hours annually "if no reductions occurred due to cloud cover, fog, wind direction, or vegetation."

EnRad Consulting, a third-party evaluator the DEP hired to review First Wind's noise assessment, found that the company's work "is essentially reasonable and technically correct according to standard engineering practices" and state regulations. It "yields reasonably conservative estimates for hourly sound levels," the department's report states.

EnRad rejected Friends arguments that turbine sounds and subsonic vibrations would disrupt sleep, saying that the Maine Center for Disease Control and Prevention "finds no evidence in peer-reviewed medical and public health literature of adverse health effects from the kinds of noise and vibrations associated with wind turbines other than occasional reports of annoyances."

The Lincoln-based property owners' group will argue before the Board of Environmental Protection at 1 p.m. Thursday at the Holiday Inn-Ground Round conference center on Community Drive in Augusta, said Cindy Bertocci, an executive analyst for the board.

The board consists of 10 residents appointed by the governor to hear appeals of DEP permits and decisions, Bertocci said.

"They are not taking testimony from the general public. The board will hear from the Friends, [and] the licensee in response to the issues raised. The board will ask questions of the parties," she said. "The department staff will make recommendation and the board will deliberate and vote."

The vote likely will occur on Thursday.