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Via email to wcpplanning@co.wasco.or.us

Wasco County Planning and Development
2705 E. Second Street
The Dalles, OR 97058

Re: Energy Updates: Legislative Text Amendments to WCLUDO Chapter 19

Dear Members of the Planning Commission:

Thank you for this opportunity to comment on the proposed amendments to WCLUDO Chapter 19. I would like to address a fundamental issue of priorities.

Proposed section 19.010 "Purposes" purports to set forth the goals for Chapter 19. However, I was very surprised to see that protection of the public health, safety and welfare of the citizens of Wasco County is listed last. The protection of public health and safety should be the absolute first priority for Wasco County, and this goal should be listed first and viewed as paramount.

Public health and safety should take precedence over all others with respect to the potential impact of new wind generation facilities on existing residences in Wasco County. I urge the Planning Commission and Board of Commissioners to change the required setback from turbines to non-resource zone property boundaries from 1 mile to 1.5 miles, and to require a 1.5 mile setback from existing residential dwellings in the agriculture and forest resource zones as well. See, section (c) Setbacks, (c)(3) and (c)(4) at pp. 19-35 and 19-36.

There is now peer-reviewed medical research in the United States documenting the public health hazards inherent in siting wind turbines close to residences and other places of human congregation. Nina Pierpont, M.D., PHD, has documented the adverse effects on human health in numerous articles over the past several years. Her book "Wind Turbine Syndrome - A Report on a Natural Experiment" is peer-reviewed and was published in 2009. Dr. Pierpont has a website at www.windturbinesyndrome.com and there are links enabling review of some of her articles, conclusions and peer reviews. Dr. Pierpont has recommended a minimum setback of 1.5 miles from residences in mixed terrain, and 2-3 miles in hilly or mountainous topography, where valleys can act as natural sound channels (e.g., testimony March 7, 2006 to the New York State Legislature Energy Committee; article entitled "Health Effects of Wind Turbine Noise" dated March 2, 2006; and article entitled "My Conclusions" posted on the website July 26, 2008). Dr. Piermont's research in the U.S. is consistent with prior reports in Europe where wind power developed earlier. The French National Academy of Medicine had previously recommended a setback of at least 1.5 kilometers.

Modern wind turbines, now 400-500 feet in height and capable of producing 2MW each,

are known to cause a variety of symptoms from both audible noise and inaudible low frequency sound waves, including sleep deprivation, migraine headaches, dizziness, unsteadiness, nausea, exhaustion, anxiety, anger, irritability, depression, memory loss, eye problems, problems with concentration and learning, and tinnitus (ringing in the ears). Old people and young children appear to be particularly vulnerable. Low-frequency sound from wind turbines has been associated with Vibro-acoustic Disease, or VAD. Inaudible low frequency sound is often sensed as pressure in the ears or vibration in the chest and throat. Neighbors of industrial wind turbines describe the distressing sensation of having to breathe in sync with the rhythmic thumps of turbine blades, especially at night when trying to sleep.

Longstanding anecdotal reports by neighbors of wind facilities are now supported by the scientific research of Dr. Pierpont and others. A study on low frequency sound released by three British scientists “demonstrate for the first time that the human vestibular system [inner ear] is ... extremely sensitive to low-frequency and infrasound vibrations.” Neil P. McAngus Todd, Sally M. Rosengren, James G. Colebatch, “Tuning and sensitivity of the human vestibular system to low-frequency vibration,” *Neuroscience Letters* 444 (2008):36-41.

There are important liability considerations in allowing the siting of wind facilities without adequate setbacks from residential properties. For example, the Supreme Court of Appeals of West Virginia has held that a valid siting certificate for the construction of a wind facility does not prevent area landowners from suing for damages and injunctive relief in circuit court. The court held that an affected landowner’s allegation of noise is cognizable as an abatable nuisance and that landowners can seek compensation for any diminution in value to their respective properties, as well as to prospectively enjoin the construction of the proposed facility. *Burch v. Nedpower Mount Storm, LLC and Shell Windenergy, Inc.* (No. 33201, June 8, 2007). Based upon the most recent medical and scientific research, it is just a matter of time before we begin to see claims for personal injury. It doesn’t have to be that way. Sensible setbacks can facilitate the siting of wind projects while protecting the health and quiet enjoyment of area residents.

Thank you for this opportunity to comment.

Very truly yours,

Mark S. Womble

