

Noise complaint generates wind farm fears (UPDATE)

By: April 2, 2010 2:10 pm

By Paul Snyder

A family's noise complaint against Invenergy LLC and its Forward Energy Wind Center in Brownsville is spooking wind farm developers trying to do business in the state.

"I think it would have a devastating effect in Wisconsin," said Jim Naleid, managing director of Holmen-based AgWind Energy Partners LLC. "People are already avoiding the state because of the political trouble you can face getting a wind farm approved, and now this could just deter them further."

In a complaint filed with the Public Service Commission of Wisconsin, Ann and Jason Wirtz argue the 86-turbine Forward Energy Wind Center cost them their home and their alpaca-breeding business and created health problems for the family. The project went online in 2008.

The Wirtzes want the PSC to require Invenergy compensate them for their losses, although the complaint does not specify how much the family wants.

"They couldn't stand to live there anymore," said Edward Marion, the Madison attorney representing the Wirtzes, who moved from Brownsville to nearby Oakfield in 2009.

"And the PSC has a lot more evidence now about noise standards and county ordinances than it did when it approved this project."

The Wirtzes, in their complaint, claim their daughter Megan developed serious stomach and intestinal problems as well as chronic fatigue and headaches as a result of the noise. According to the complaint, two baby alpacas were aborted and one was stillborn after the wind farm went online.

John Shenot, PSC policy adviser, said Friday the commission's attorneys are reviewing the complaint and determining the next step.

Chicago-based Invenergy will not comment specifically on the complaint, said Joe Condo, the company's vice president and general counsel. But he said forcing companies to pay damages years late could threaten future projects.

"If it's decided in the face of studies showing no link between the sounds produced by a wind farm and a person's health that developers nonetheless have to compensate owners, then, yeah, of course it would be a problem for developers," Condo said. "It also flies in the face of what the state and nation are trying to do in developing the renewable industry."

FOR STORIES, PHOTOS, VIDEOS AND MORE FROM WIND FARMS AROUND THE STATE, VISIT THE DAILY REPORTER'S PROJECT PROFILE PAGE

Condo referred to a 2009 study commissioned by the American and Canadian Wind Energy Associations that concluded sounds from wind turbines cannot produce adverse physical or health effects.

Marion said he does not know of any other cases in which property owners filed complaints against a wind farm developer after the project began operating. But with more wind farm projects going up in Wisconsin, he said, landowners are more aggressive in protecting their property.

"This is the first of what may be more," Marion said of the Wirtzes' complaint.

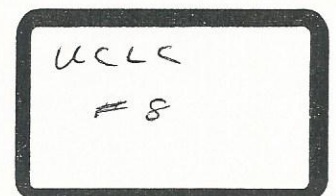
That is exactly what scares Naleid and other developers, Naleid said. He said developers cannot be expected to pitch new projects if they must live in fear of penalties years after project approval.

Yet Naleid agreed the Wirtzes' complaint could be the first of many.

<http://dailyreporter.com/2010/04/02/landowners-sue-invenergy-over-forward-wind-energy-center/>



Rodney Borkenhagen, a union iron worker, secures protective webbing over the tip of a 122-foot wind turbine blade before it is lifted into place on the Forward Wind Energy Project near Lomira on Nov. 1, 2007. (AP File photo/The Reporter, Justin Connaher)



retiree agreed the windizes complaint could be the first of many.

"Then what kind of thoughts do you have about developing any kind of power, whether it's coal-fired, nuclear, solar?" he said. "If the plan is approved but you can still be sued later, why would anyone want to?"