



Frank Lasee

WISCONSIN STATE SENATOR
FIRST SENATE DISTRICT



February 7, 2013

Kathleen Zuelsdorff
Environmental Review Coordinator
Gas and Energy Division
Public Service Commission of Wisconsin
P.O. Box 7854
Madison, WI 53707-7854

Dear Ms. Zuelsdorff:

Imagine you and your kids in your home that you have lived in for years, and now you get headaches, you're sick to your stomach, your kids feel sick and no one can sleep at night. Your kids grades fall because that is the only place they can get sleep. You are forced to make a decision – either take on a second mortgage and abandon your home or suffer because you can't afford to move. Over fifty families have been suffering in our area because of 500 foot tall Industrial Wind Turbines and the Public Service Commission (PSC) doesn't care. They will allow more families to be harmed by allowing more Industrial Wind Turbines in families' back yards.

On January 24, 2013, you released a letter outlining the reasons why an Environmental Impact Statement (EIS) is not warranted for the Highland Wind Project (Highland Project) in St. Croix County, Wisconsin. For the reasons noted in this letter, I respectfully disagree with your conclusions and request that further action be taken on this matter.

Contrary to the PSC's rationale, I assert that the results of the "Cooperative Measurement Survey and Analysis of Low Frequency and Infrasound at the Shirley Wind Farm in Brown County, Wisconsin" (Shirley Report) require an EIS to be conducted at Highland.

Highland's request for the approval of their proposal to the Public Service Commission (PSC) was classified as a "Type II" action under Wis. Admin. Code § 4.10(2). Wis. Stat. § 1.11(2)(c) mandates that actions are categorized as "Type II" when a proposal has the "potential to significantly affect the quality of the human environment. While Wis. Stat. § 1.11 does not include a definition for "human environment," the PSC defines it as the "natural or physical environment and *the relationship of people with that environment.*" See PSC § 4.05(9). No definition or explicit guidance is given for what "significantly affect[s]" the quality of the "human environment."

From the language in your letter, it appears that the effects to the "human environment" were not fully considered. The letter stated that an EIS was not required because it was determined that the "potential impacts of the project would not have a significant *environmental effect* on the human environment." More consideration should be given to the PSC's own definition of the "human environment" and the negative health effects experienced from the inclusion of wind turbines into that environment. See PSC § 4.05(9).

To determine whether an EIS is required, an initial Environmental Assessment (EA) is conducted that, among other things, considers "significant controversy associated with the proposed action" and the "cumulative effect of the proposed action when combined with other actions and the cumulative effect of repeated actions of the type proposed." See PSC §§ 4.20(2)(d)3.; 4.20(2)(d)8. A supplement to an EA should be prepared if one of two conditions is met: 1) whether there are "significant new circumstances" or 2) "new information" provided on

the action's "potential to affect the quality of the human environment in a significant manner or to a significant extent not already considered in the EA." See PSC §§ 4.35(a)1-2.

It is understood that the PSC's supplemental EA for Highland's proposal focused on the Shirley Report. However, it seems quite unlikely that the recommendations articulated in the Shirley Report have not led to a "different conclusion than the EA regarding wind turbines and potential health effects."

On page two, paragraph four of your letter, you note:

"These physical observations range from feeling no effects at all to reported feelings of nausea and headache. The physical feelings of neighbors in the Shirley area were also noted by one of the researchers. While these health observations are valid in that they represent what the individuals reported, such observations do not specifically add to the scientific analysis of documented health effects or the cause of those effects."

I am deeply concerned by this statement. Simply because the negative health effects felt by the community do not "add to the scientific analysis of documented health effects or the cause of those effects" is no legitimate reason to disregard these sentiments. An inability to add to present knowledge does not, and should not, presuppose a lack of existence.

Your analysis causes three questions to be asked: 1) Is the PSC refuting the existence of these negative health effects in totality, 2) Is the PSC claiming negative health effects are only significant if they add to the scientific discussion, and 3) Why have families moved from their long-term homes after the construction of IWTs near them?

You have chosen to ignore the health effects of IWTs on the residents of Glenmore because they were not based on a scientific study. If you need scientific evidence of the health effects of IWTs, I refer you to the IWT studies that I personally delivered to the PSC. Several of these studies, written by respected scientists were even cited in the Massachusetts Wind Turbine Health Impact Study the PSC relies upon. A small sampling of these studies is provided below:

- Ambrose, S.E. & Rand R. W., (2011, December). The Bruce McPherson
Infrasound and Low Frequency Noise Study: **Adverse Health Effects Produced By Large Industrial Wind Turbines Confirmed.**
- Moller, H. & C.S. Pedersen, "**Low-frequency noise from large wind turbines,**" Journal of the Acoustical Society of America.
- Salt, A.N. & Hullar, T.E., "**Responses of the ear to low frequency sounds, infrasound and wind turbines,**" *Hearing Research*, September 2010 vol. 268 nos. 1-2 pages 12-21.
- Salt, A.N. & Kaltenbach, J.A., "**Infrasound from wind turbines could affect humans,**" *Bulletin of Science Technology & Society*, August 2011 vol. 31 no. 4 pages 296-302.

The reliance on the Massachusetts Study is, in itself, misplaced. This study was only a comprehensive literature review by a panel of five "independent" experts. Not only were two of the "independent" experts extreme pro-wind advocates, but the other "experts" had no experience with wind turbines.

The Shirley Report requested that further tests be considered to study the negative health effects felt by community members. It was not necessary for the Shirley Report to "establish the cause of adverse health effects." The fact that negative health effects were found warrants that further studies be conducted. Only through further studies can a "cause" be found. It is imperative for the health and safety of Wisconsin residents to be protected until a "cause" is determined.

Nothing restricts the PSC to only address health concerns that “add to the scientific analysis.” In fact, the PSC is required to promulgate administrative rules that “provide reasonable protection from any health effects...from noise.” See Wis. Stat. § 196.378(4g)(b).

When a coal fired power plant seeks approval, it is incumbent upon the industry to prove their plant will be safe. When a high capacity transmission line is built, it is incumbent upon the industry to prove the transmission line is safe. Isn't it up to the wind industry to prove IWTs are safe?

For the foregoing reasons, I respectfully request that the PSC conduct an EIS for the Highland Project. Further study can not only establish a cause, but will demonstrate the PSC's willingness to respond, as required by statute, in a comprehensive fashion to the concerns of residents as our society moves forward with clean energy alternatives. This is simply good policy. Wisconsin families deserve this protection.

Thank you for your consideration.

Sincerely,

A handwritten signature in cursive script that reads "Frank Lasee". The signature is written in black ink and is positioned above the typed name.

Senator Frank Lasee
State Senator
First Senate District